

June 3, 2002

S 1137. 17TH SENATE DISTRICT LOCAL ACT-3. A BILL TO BE ENTITLED AN ACT TO AMEND THE LOCAL LAWS OF THE 17TH SENATORIAL DISTRICT. Blank bill.

Intro. by Plyler, Purcell.

Ref. to Rules	ANSON, HOKE, MONTGOMERY, RICHMOND, SCOTLAND, STANLY, UNION
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October 1, 2002

S 1137. COUNTY UTILITIES AUTHORITY (NEW). Intro. 6/3/02. Senate committee substitute makes the following changes to 1st edition. Completely replaces bill with new Article 8 of Ch. 162A to provide for the establishment of county utility authorities. Creates a county utilities authority in any county that operates a county-owned water and sewer system and adjoins both the State line and a county with a population of 500,000 or more. Within 60 days of the effective date of this act, the county must convey all of its water and sewer systems to the authority and identify any bonded indebtedness owed by the county on such systems. GS 162-115 defines several key terms relating to water and sewer systems. GS 162A-116 enumerates the powers of the authority. Powers of the authority include the power to sue and be sued; to acquire, lease, construct, maintain and operate water and sewer systems; to acquire land or water rights or personal property in some circumstances, and to adopt ordinances relating to sewage and stormwater. The article permits the authority to issue revenue bonds, and to establish and revise a schedule of rates, fees, and other charges for the services furnished by the authority's water or sewer system, and specifies the restrictions that apply to the setting or revising of rates, fees and other charges. Provides that the authority has the same power as a city under GS 160A-175 to assess fines and penalties for violations of its ordinances, specifies the procedure that the authority must follow for enforcing an ordinance and, specifies the penalties that may be assessed. Provides that all moneys received by the authority shall be trust funds and outlines restrictions on the trust, and specifies the remedies that are available to bondholders and trustees for protecting and enforcing their rights. Permits the authority to issue revenue refunding bonds and other revenue bonds for in certain circumstances. Authorizes private water companies in the area served by the authority to act as billing and collecting agents for the authority, and authorizes political subdivisions to make contributions or advances to the authority. GS 162A-127 specifies that riparian owners alleging an injury as a result of the authority may maintain an action against the authority in either the county in which the land is located or the county in which the principal office of the authority is located. Makes other conforming changes.

October 3, 2002

S 1137. COUNTY UTILITIES AUTHORITY. Intro. 6/3/02. Senate amendments make the following changes to 2nd edition. Amend provisions on membership and creation of the authority.