

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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S.B. 281  
PRINCIPAL CLERK

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SENATE BILL DRS45200-MQ-44\* (03/01)

Short Title: Currituck-Developer Funds for Road Constr. (Local)

Sponsors: Senator Cook (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW CURRITUCK COUNTY TO USE DEVELOPER FUNDS FOR THE  
3 CONSTRUCTION OF ROADS TO ALLOW FOR INTERCONNECTIVITY OF  
4 SUBDIVISION STREETS AND ROADS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 153A-331 reads as rewritten:

7 "§ 153A-331. Contents and requirements of ordinance.

8 ...

9 (c) A subdivision control ordinance may provide that a developer may provide funds to  
10 the county whereby the county may acquire recreational land or areas to serve the development  
11 or subdivision, including the purchase of land that may be used to serve more than one  
12 subdivision or development within the immediate area.

13 (d) The ordinance may provide that in lieu of required street construction, a developer  
14 may provide funds to be used for the development of roads to serve the occupants, residents, or  
15 invitees of the subdivision or development. All funds received by the county under this section  
16 shall be ~~transferred to the municipality to be used~~ solely for the development of roads,  
17 including design, land acquisition, and construction. ~~Any municipality receiving funds from a~~  
18 ~~county under this section is authorized to expend such funds outside its corporate limits for the~~  
19 ~~purposes specified in the agreement between the municipality and the county. However, a~~  
20 county may undertake these activities in conjunction with the Department of Transportation  
21 pursuant to an agreement between the county and the Department of Transportation. Any  
22 formula adopted to determine the amount of funds the developer is to pay in lieu of required  
23 street construction shall be based on the trips generated from the subdivision or development.  
24 The ordinance may require a combination of partial payment of funds and partial dedication of  
25 constructed streets when the governing body of the county determines that a combination is in  
26 the best interest of the citizens of the area to be served.

27 ...."

28 SECTION 2. This act applies to Currituck County only.

29 SECTION 3. This act is effective when it becomes law.

