

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

H.B. 436  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30186-LMf-58 (03/07)

Short Title: Local Government/Regulatory Fees. (Public)

Sponsors: Representative Stevens.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT PROVIDING THAT COUNTIES AND CITIES SHALL NOT IMPOSE  
3 REGULATORY FEES ON NEW CONSTRUCTION.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 6 of Chapter 153A of the General Statutes is amended by  
6 adding a new section to read as follows:

7 "**§ 153A-145.7. Regulatory fees on new construction prohibited.**

8 No county may impose a regulatory fee on new construction within the jurisdiction of the  
9 county unless specifically authorized by general law. For purposes of this section, a regulatory  
10 fee includes an impact fee, facility fee, project fee, capacity fee, or any other fee that requires a  
11 developer to pay an amount to help defray capital costs associated with new construction."

12 SECTION 2. Article 8 of Chapter 160A of the General Statutes is amended by  
13 adding a new section to read as follows:

14 "**§ 160A-205.3. Regulatory fees on new construction prohibited.**

15 No city may impose a regulatory fee on new construction within the city's corporate limits  
16 or extraterritorial jurisdiction unless specifically authorized by general law. For purposes of this  
17 section, a regulatory fee includes an impact fee, facility fee, project fee, capacity fee, or any  
18 other fee that requires a developer to pay an amount to help defray capital costs associated with  
19 new construction."

20 SECTION 3. Except as otherwise provided in this section, the following acts are  
21 repealed:

- 22 (1) Chapter 477 of the Session Laws of 1989 (Benson).
- 23 (2) Part 1 of Article 6 of the Charter of the Town of Carrboro, being Chapter  
24 476 of the Session Laws of 1987, as amended.
- 25 (3) Sections 7.4 and 8.5 of the Charter of the Town of Cary, being S.L.  
26 2005-117, as amended.
- 27 (4) Chapter 1021 of the Session Laws of 1987 (Catawba County).
- 28 (5) Article 7 of the Charter of the Town of Chapel Hill, being Chapter 473 of the  
29 Session Laws of 1975, as amended by Chapter 936 of the 1985 Session  
30 Laws.
- 31 (6) Titles III and VI of Chapter 460 of the Session Laws of 1987, as amended by  
32 Chapter 324 of the Session Laws of 1991 and Part 4 of Chapter 642 of the  
33 Session Laws of 1993 (Chatham and Orange Counties).
- 34 (7) Chapter 660 of the Session Laws of 1991 (Dunn).
- 35 (8) Sections 5.8 and 5.9 of the Charter of the Town of Garner, being Chapter  
36 333 of the Session Laws of 1977, as amended by Chapter 608 of the Session



- 1                   Laws of 1989, Section 2 of Chapter 608 of the Session Laws of 1989, and  
2                   Chapter 601 of the Session Laws of 1993.
- 3                   (9)   Chapter 705 of the Session Laws of 1987 (Hickory).
- 4                   (10)   Chapter 536 of the Session Laws of 1985, as amended by Chapter 258 of the  
5                   Session Laws of 1987, Chapter 986 of the Session Laws of 1987, Chapter  
6                   987 of the Session Laws of 1987, and Chapter 988 of the Session Laws of  
7                   1987 (Kill Devil Hills, Kitty Hawk, Manteo, Nags Head, and Southern  
8                   Shores).
- 9                   (11)   Chapter 668 of the Session Laws of 1987 (Knightdale).
- 10                  (12)   Sections 6.3, 6.4, and 6.5 of the Charter of the Town of Knightdale, being  
11                  Chapter 155 of the Private Laws of 1927, as amended by Chapter 430 of the  
12                  Session Laws of 1989 and Chapter 770 of the Session Laws of 1989, are  
13                  repealed. Section 6.6 and Section 6.7 of the Charter of the Town of  
14                  Knightdale, being Chapter 155 of the Private Laws of 1927, as amended by  
15                  Chapter 430 of the Session Laws of 1989, are amended by deleting "Sections  
16                  6.2, 6.3, 6.4, and 6.5" wherever it appears and substituting "Section 6.2".
- 17                  (13)   Article XIV of the Charter of the Town of Pittsboro, being Chapter 348 of  
18                  the Session Laws of 1973, as amended by Chapter 460 of the 1987 Session  
19                  Laws.
- 20                  (14)   Section 22(81) and Section 22(82) of the Charter of the City of Raleigh,  
21                  being Chapter 1184 of the Session Laws of 1949, as amended by Chapter  
22                  498 of the Session Laws of 1985 and Chapter 514 of the Session Laws of  
23                  1987, are repealed. Section 22(83) and Section 22(84) of the Charter of the  
24                  City of Raleigh, being Chapter 1184 of the Session Laws of 1949, as  
25                  amended by Chapter 498 of the Session Laws of 1985, are amended by  
26                  deleting "(80), (81), and (82)" wherever it appears and substituting "(80)".
- 27                  (15)   Chapter 996 of the Session Laws of 1987 (Rolesville).
- 28                  (16)   Chapter 607 of the Session Laws of 1989 (Southern Pines).
- 29                  (17)   Chapter 502 of the Session Laws of 1989 (Wake Forest).
- 30                  (18)   Chapter 68 of the Session Laws of 1987 (Wendell).
- 31                  (19)   Chapter 668 of the Session Laws of 1987 and Sections 8.30, 8.31, 8.32, and  
32                  8.33 of the Charter of the Town of Zebulon, being Chapter 386 of the  
33                  Session Laws of 1973, as amended by Chapter 606 of the Session Laws of  
34                  1989 (Zebulon).

35                  **SECTION 4.** This act is effective when it becomes law.