

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 275
PROPOSED COMMITTEE SUBSTITUTE H275-PCS10297-SVf-15

Short Title: No Stormwater Fees on Taxiways or Runways.

(Public)

Sponsors:

Referred to:

March 8, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT AIRPORTS FROM PAYING A STORMWATER UTILITY FEE
3 LEVIED ON RUNWAYS AND TAXIWAYS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153A-277(a1) is amended by adding two new subdivisions to
6 read:

7 "(4) A county shall not impose a stormwater utility fee on a runway or taxiway
8 located on military property.

9 (5) For all airports other than those covered by the exemption in subdivision (4)
10 of this subsection, a county shall list separately the amount of a stormwater
11 utility fee levied on airport runways and taxiways from the amount levied on
12 the remainder of the airport property. An airport shall be exempt from
13 paying a stormwater utility fee levied on its runways and taxiways. To
14 qualify for an exemption under this subdivision, an airport shall use the
15 amount of savings realized from this exemption for attracting business to the
16 airport and shall provide certification to the county that the savings realized
17 shall be used for this purpose. Except as otherwise prohibited under federal
18 law, and upon request, an airport shall provide the levying county with
19 evidence that the full amount of savings realized from the exemption
20 authorized under this subdivision has been used or encumbered for the
21 purpose set forth in this subdivision. Any amount of savings realized from
22 the exemption authorized under this subdivision that is not used or
23 encumbered for the purpose set forth in this subdivision shall be remitted to
24 the county to be used in accordance with applicable law governing the use of
25 stormwater utility fee proceeds. Savings realized from the exemption
26 authorized under this subdivision shall be in addition to, and not in lieu of,
27 any local funding provided by the county to the airport."

28 **SECTION 2.** G.S. 160A-314(a1) is amended by adding two new subdivisions to
29 read:

30 "(4) A city shall not impose a stormwater utility fee on a runway or taxiway
31 located on military property.

32 (5) For all airports other than those covered by the exemption in subdivision (4)
33 of this subsection, a city shall list separately the amount of a stormwater
34 utility fee levied on airport runways and taxiways from the amount levied on
35 the remainder of the airport property. An airport shall be exempt from
36 paying a stormwater utility fee levied on its runways and taxiways. To



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1 qualify for an exemption under this subdivision, an airport shall use the
2 amount of savings realized from this exemption for attracting business to the
3 airport and shall provide certification to the city that the savings realized
4 shall be used for this purpose. Except as otherwise prohibited under federal
5 law, and upon request, an airport shall provide the levying city with evidence
6 that the full amount of savings realized from the exemption authorized under
7 this subdivision has been used or encumbered for the purpose set forth in
8 this subdivision. Any amount of savings realized from the exemption
9 authorized under this subdivision that is not used or encumbered for the
10 purpose set forth in this subdivision shall be remitted to the city to be used in
11 accordance with applicable law governing the use of stormwater utility fee
12 proceeds. Savings realized from the exemption authorized under this
13 subdivision shall be in addition to, and not in lieu of, any local funding
14 provided by the city to the airport."

15 **SECTION 3.** This act becomes effective January 1, 2018, and applies to fees
16 levied on or after that date.