

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS15093-LM-75

Short Title: Durham/Relocation of Nonmunicipal Utilities. (Local)

Sponsors: Senators Woodard and McKissick (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE CITY TO CONDEMN OR ACQUIRE PROPERTY NECESSARY TO PROVIDE TRANSPORTATION PROJECT RIGHTS-OF-WAY FOR THE RELOCATION OF UTILITIES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 74 of the Charter of the City of Durham, being Chapter 671 of the Session Laws of 1975, as amended, is amended by adding a new subsection to read as follows:

"Sec. 74. *Optional Condemnation Procedures.* – In addition to any other authority for the condemnation of property which is given to the City by General or Special Law, the City shall be authorized to:

...

(3) In order to prevent undue delay of City transportation projects because of utility conflicts, condemn or acquire property in fee or appropriate easements necessary to provide transportation project rights-of-way for the relocation of utilities when required in the construction, reconstruction, or rehabilitation of a City transportation project. The City shall also have the authority to, in its discretion, acquire rights-of-way necessary for the present or future placement of utilities."

SECTION 2. This act is effective when it becomes law.

