

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 1207

Short Title: Granville/Person Local Stormwater Fees. (Local)

Sponsors: Representatives Crawford and Wilkins (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government, if favorable, Finance.

May 31, 2012

A BILL TO BE ENTITLED

AN ACT TO ALLOW GRANVILLE COUNTY, PERSON COUNTY, THE CITY OF  
CREEDMOOR, THE TOWN OF BUTNER, AND THE TOWN OF STEM TO COLLECT  
DELINQUENT STORMWATER UTILITY FEES IN THE SAME MANNER AS  
DELINQUENT PERSONAL AND REAL PROPERTY TAXES.

Whereas, water quality standards mandated by State and federal law are requiring  
that local governments develop more detailed, advanced, and costly stormwater programs; and

Whereas, effective stormwater management should be provided to protect, to the  
extent practicable, the citizens from the loss of life and property damage from flooding; and

Whereas, aging stormwater conveyance systems and increasing demand upon those  
systems from development require that local governments engage in long-term planning; and

Whereas, the construction, operation, and maintenance of stormwater conveyance  
systems requires long-term planning and stable and adequate funding; and

Whereas, it is often most efficient to bill and collect rents, rates, fees, charges, and  
penalties for stormwater management programs and structural and natural stormwater and  
drainage systems in the same manner as property taxes; Now, therefore,

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** G.S. 153A-277(a1) is amended by adding a new subdivision to  
read:

"(4) A county may adopt an ordinance providing that any fee imposed under this  
subsection may be billed with property taxes, may be payable in the same  
manner as property taxes, and, in the case of nonpayment, may be collected  
in any manner by which delinquent personal or real property taxes can be  
collected. If an ordinance states that delinquent fees can be collected in the  
same manner as delinquent real property taxes, the fees are a lien on the real  
property described on the bill that includes the fee."

**SECTION 1.(b)** G.S. 153A-277(c) reads as rewritten:

"(c) Except as provided in subsections (a1) and (d) of this section and G.S. 153A-293,  
rents Rents, rates, fees, charges, and penalties for enterprisory services shall be legal  
obligations of the person contracting for them, and are shall in no case be a lien upon the  
property or premises served, served and, except as provided in subsection (d) of this section,  
are legal obligations of the person contracting for them, provided that no contract shall be  
necessary in the case of structural and natural stormwater and drainage systems."

**SECTION 1.(c)** This section applies only to the Counties of Granville and Person.



1           **SECTION 2.** Section 4 of S.L. 2005-441, as amended by S.L. 2011-109, reads as  
2 rewritten:

3           **"SECTION 4.** This act is effective when it becomes law and applies to stream-clearing  
4 activities commenced on or after that date. Section 3 of this act applies only to the Cities of  
5 Creedmoor, Durham and Winston-Salem, the Towns of Butner, Garner, Kernersville,  
6 Knightdale, Morrisville, Stem, Wendell, and Zebulon, and the Village of Clemmons."  
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**SECTION 3.** This act is effective when it becomes law.