

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 886

Short Title: Garner Transp. Impact Fees.

(Local)

Sponsors: Representative Hensley (By Request).

Referred to: Ways and Means, if favorable, Finance.

April 7, 1997

A BILL TO BE ENTITLED

**AN ACT CONCERNING TRANSPORTATION IMPACT FEES BY THE TOWN OF
GARNER.**

Whereas, the Town of Garner has experienced rapid and continued growth requiring additional transportation improvements and therefore requests the authority to conduct, in the future, a transportation impact study consistent with the laws and Constitutions of the State of North Carolina and the United States, establishing the basis and framework for a possible transportation impact fee system in order to maintain the level of service delivery presently available to Town of Garner area residents, and if feasible and necessary, to implement such a fee system; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Article V of the Charter of the Town of Garner, captioned "Public Improvements" being Chapter 333, Session Laws of 1977, is amended by adding a new Section 5.9 to read as follows:

"Section 5.9. Transportation Impact Fees. The Board of Aldermen may, as a part of the land-use ordinance of the Town of Garner, require a developer to pay transportation impact fees to be used by the Town to pay for part of the capital costs of transportation projects necessitated by the developer's particular subdivision or other new construction. It is the purpose and intent of this section to provide the Town of Garner with the right, power, and authority to impose and collect fees to finance additional transportation

1 improvements within the Town of Garner corporate limits and extraterritorial
2 jurisdiction; these additional transportation improvements being caused by rapid and
3 continued growth within the Garner area. This section provides authority to actually
4 develop and implement such a fee system, but does not in any way describe or detail the
5 actual fee structure and rate classification. An extensive study shall be relied upon to
6 establish the basis and framework for the fee system should the system be deemed
7 necessary in order to maintain the level of service delivery presently available to Garner
8 residents."

9 Section 2. The Town of Garner may enact ordinances, resolutions, rules, and
10 regulations that are necessary or expedient to implement this act.

11 Section 3. The powers conferred in this act shall be supplementary to all other
12 powers and procedures authorized by any other general or local law. Assessments,
13 charges, fees, rates, or impact fees authorized by any other general or local laws are not
14 affected by this act.

15 Section 4. This act shall apply only to the Town of Garner and its area of
16 extraterritorial planning jurisdiction.

17 Section 5. This act is effective when it becomes law.