

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 895

Short Title: Wake Towns Impact Fees.

(Local)

Sponsors: Representatives Miner; and Mosley.

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

April 7, 1997

A BILL TO BE ENTITLED

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2 **AN ACT ALLOWING THE TOWNS OF APEX, FUQUAY-VARINA, HOLLY**
3 **SPRINGS, AND MORRISVILLE TO IMPOSE TRANSPORTATION IMPACT**
4 **FEES.**

5 The General Assembly of North Carolina enacts:

6 Section 1. Purpose. It is the purpose of this act to place an equitable share of
7 the cost of providing adequate infrastructure upon all new inhabitants and upon those
8 associated with the development process by providing the Towns with the right, power,
9 and authority to impose and collect fees to finance transportation improvements within
10 the Towns' corporate limits and extraterritorial jurisdictions.

11 Section 2. Authority to Impose Transportation Impact Fees. The Towns of
12 Apex, Fuquay-Varina, Holly Springs, and Morrisville shall have the right, power, and
13 authority to impose and collect a transportation impact fee on all new construction within
14 the Towns' corporate limits and extraterritorial jurisdictions. New construction means
15 any new development, construction, or installation that requires a building permit or
16 action permitting real property improvements for occupancy, excluding the renovation
17 and repair of existing structures and accessory uses and their structures.

18 Section 3. Basis of Transportation Impact Fee. (a) Before adopting or
19 amending a transportation impact fee, the governing body of the municipality shall hold a

1 public hearing regarding the proposed adoption or amendment of the fee and notice of the
2 public hearing shall be given so as to conform with G.S. 160A-364.

3 (b) The amount of the transportation impact fee imposed and collected shall
4 be based upon reasonable and uniform consideration of capital costs to be incurred by the
5 Towns as a result of new construction.

6 Section 4. Proceeds From the Collection of Transportation Impact Fees.
7 Monies collected shall be accounted for separately and shall be spent for the capital
8 facilities for which they were collected. Such benefits shall not be exclusive to persons
9 or developers who pay a transportation impact fee.

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