

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 880

Short Title: Transfer Bertie Septic Systems/Authorize Fees. (Local)

Sponsors: Representative Owens.

Referred to: Finance.

March 29, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED
3 SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE
4 COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT
5 AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE
6 ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF
7 PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC
8 TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO
9 AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE
10 MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC
11 TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME
12 MANNER AS PROPERTY TAXES.

13 The General Assembly of North Carolina enacts:

14 **SECTION 1.** Section 2 of S.L. 1999-288 reads as rewritten:

15 "Section 2. As used in this section, 'unit of local government' has the same meaning
16 as in G.S. 160A-460. One or more units of local government located in the Counties of
17 Camden, Chowan, Currituck, Gates, Hertford, Pasquotank, Perquimans, Tyrrell, and
18 Washington may establish a joint agency for the purpose of owning and operating a
19 provisionally approved septic tank or innovative septic tank system as provided in
20 Article 20 of Chapter 160A of the General Statutes. Bertie County may join any joint
21 agency established under this section. The owner of any provisionally approved septic
22 tank or innovative septic tank system may, upon acceptance by a joint agency
23 established under this section, transfer ownership of any real or personal property or
24 interest therein that is a part of or used in connection with the provisionally approved
25 septic tank or innovative septic tank system to the joint agency. Notwithstanding G.S.
26 160A-462(a), a joint agency created pursuant to this section may hold real property
27 necessary to the undertaking. Any county named in this section may accept real or

1 personal property described in this section from the owner of the property for transfer to
2 a joint agency established as provided in this section."

3 **SECTION 2.** Section 3 of S.L. 1999-288 reads as rewritten:

4 "Section 3. The Counties of Bertie, Camden, Chowan, Currituck, ~~Gates and~~
5 ~~Hertford-Gates, Hertford, Pasquotank, Perquimans, Tyrrell, and Washington~~ may adopt
6 an ordinance providing that any fee for the ~~inspection~~inspection, maintenance, and
7 repair of a provisionally approved septic tank or other innovative septic tank system
8 may be billed as property taxes, may be payable in the same manner as property taxes,
9 and in the case of nonpayment, may be collected in any manner by which property taxes
10 can be collected. If the ordinance states that delinquent fees can be collected in the
11 same manner as delinquent real property taxes, the delinquent fees are a lien on the real
12 property described on the bill that includes the fee."

13 **SECTION 3.** This act applies to only Bertie, Camden, Chowan, Currituck,
14 Gates, Hertford, Pasquotank, Perquimans, Tyrrell, and Washington Counties.

15 **SECTION 4.** This act is effective when it becomes law. Section 2 of this act
16 applies to fees imposed for inspections in Bertie, Camden, Chowan, Currituck,
17 Pasquotank, Perquimans, Tyrrell, and Washington Counties performed on or after the
18 date this act becomes law. Section 2 of this act applies to fees imposed for maintenance
19 and repairs in Bertie, Camden, Chowan, Currituck, Gates, Hertford, Pasquotank,
20 Perquimans, Tyrrell, and Washington Counties performed on or after the date this act
21 becomes law.