

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-78
HOUSE BILL 880**

AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN BERTIE COUNTY TO TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY CREATED BY CERTAIN OTHER COUNTIES, TO AUTHORIZE ADDITIONAL COUNTIES TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES, AND TO AUTHORIZE CERTAIN COUNTIES TO COLLECT FEES FOR THE MAINTENANCE AND REPAIR OF PROVISIONALLY APPROVED SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE SAME MANNER AS PROPERTY TAXES.

The General Assembly of North Carolina enacts:

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

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

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

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

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

SECTION 4. This act is effective when it becomes law. Section 2 of this act applies to fees imposed for inspections in Bertie, Camden, Chowan, Currituck, Pasquotank, Perquimans, Tyrrell, and Washington Counties performed on or after the date this act becomes law. Section 2 of this act applies to fees imposed for maintenance

and repairs in Bertie, Camden, Chowan, Currituck, Gates, Hertford, Pasquotank, Perquimans, Tyrrell, and Washington Counties performed on or after the date this act becomes law.

In the General Assembly read three times and ratified this the 15th day of May, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives