

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SENATE BILL 405
RATIFIED BILL**

**AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS
FOR INFRASTRUCTURE DEVELOPMENT BY THE CITY OF CHARLOTTE.**

The General Assembly of North Carolina enacts:

SECTION 1. A city may enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure that is included on the city's Capital Improvement Plan and serves the developer or property owner. For the purpose of this act, municipal infrastructure includes, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities.

SECTION 2. A city shall enact ordinances setting forth procedures and terms under which such agreements may be approved.

SECTION 3. A city may provide for such reimbursements to be paid from any lawful source.

SECTION 4. No reimbursement pursuant to an agreement authorized by this act shall be deemed to be construction subject to Article 8 of Chapter 143 of the General Statutes or to be deemed to be a violation or evasion of any provision of said Article. Notwithstanding the foregoing provisions of this section, a construction contract subject to a reimbursement agreement authorized by this act shall not be awarded by a developer or property owner who is a party to such reimbursement agreement without complying with the requirements of G.S. 143-129 and G.S. 143-128(f) relating to public advertising and bid opening requirements which would be applicable if the construction contract had been awarded by the city.

SECTION 5. This act applies only to the City of Charlotte.

SECTION 6. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of August, 2001.

Beverly E. Perdue
President of the Senate

James B. Black
Speaker of the House of Representatives