

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 275
Committee Substitute Favorable 4/20/17
Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted
5/18/17

Short Title: No Stormwater Fees on Taxiways or Runways.

(Public)

Sponsors:

Referred to:

March 8, 2017

A BILL TO BE ENTITLED

AN ACT TO EXEMPT AIRPORTS FROM PAYING A STORMWATER UTILITY FEE
LEVIED ON RUNWAYS AND TAXIWAYS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-277(a1) is amended by adding two new subdivisions to
read:

"(4) A county shall not impose a stormwater utility fee on a runway or taxiway
located on military property.

"(5) For all airports other than those covered by the exemption in subdivision (4)
of this subsection, a county shall list separately the amount of a stormwater
utility fee levied on airport runways and taxiways from the amount levied on
the remainder of the airport property. An airport shall be exempt from
paying a stormwater utility fee levied on its runways and taxiways. To
qualify for an exemption under this subdivision, an airport shall use the
amount of savings realized from this exemption for attracting business to the
airport and shall provide certification to the county that the savings realized
shall be used for this purpose. Except as otherwise prohibited under federal
law, and upon request, an airport shall provide the levying county with
evidence that the full amount of savings realized from the exemption
authorized under this subdivision has been used or encumbered for the
purpose set forth in this subdivision. Any amount of savings realized from
the exemption authorized under this subdivision that is not used or
encumbered for the purpose set forth in this subdivision shall be remitted to
the county to be used in accordance with applicable law governing the use of
stormwater utility fee proceeds. Savings realized from the exemption
authorized under this subdivision shall be in addition to, and not in lieu of,
any local funding provided by the county to the airport."

SECTION 2. G.S. 160A-314(a1) is amended by adding two new subdivisions to
read:

"(5) A city shall not impose a stormwater utility fee on a runway or taxiway
located on military property.

"(6) For all airports other than those covered by the exemption in subdivision (5)
of this subsection, a city shall list separately the amount of a stormwater
utility fee levied on airport runways and taxiways from the amount levied on



1 the remainder of the airport property. An airport shall be exempt from
2 paying a stormwater utility fee levied on its runways and taxiways. To
3 qualify for an exemption under this subdivision, an airport shall use the
4 amount of savings realized from this exemption for attracting business to the
5 airport and shall provide certification to the city that the savings realized
6 shall be used for this purpose. Except as otherwise prohibited under federal
7 law, and upon request, an airport shall provide the levying city with evidence
8 that the full amount of savings realized from the exemption authorized under
9 this subdivision has been used or encumbered for the purpose set forth in
10 this subdivision. Any amount of savings realized from the exemption
11 authorized under this subdivision that is not used or encumbered for the
12 purpose set forth in this subdivision shall be remitted to the city to be used in
13 accordance with applicable law governing the use of stormwater utility fee
14 proceeds. Savings realized from the exemption authorized under this
15 subdivision shall be in addition to, and not in lieu of, any local funding
16 provided by the city to the airport."

17 **SECTION 3.** This act becomes effective January 1, 2018, and applies to fees
18 levied on or after that date.