

NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 479
HOUSE BILL 1063

AN ACT TO EXTEND THE DEADLINE FOR PROVIDING SANITARY SEWER
SERVICE TO CERTAIN ANNEXED AREAS IN THE TOWN OF GRIFTON.

Whereas, pursuant to the provisions of Part II, Article 4a, Chapter 160A of the General Statutes, and by ordinance effective on the 19th day of August, 1974, the Town of Grifton annexed certain outlying areas described in such annexation ordinance;

Whereas, subsequent to the annexation of August 19, 1974, the town was informed by the North Carolina Environmental Management Commission and the United States Environmental Protection Agency that additional sewer service to annexed property owners could be provided only on a regional basis by the Contentnea Metropolitan Sewage District in order to receive State and federal sewage treatment facilities funding;

Whereas, though the preliminary application for federal and State funding of the Contentnea Metropolitan Sewage District has been approved by the Environmental Management Commission and Environmental Protection Agency, it is questionable whether contracts will be let for construction by August 19, 1975, and the requirements of G.S. 160A-37 thereby complied with;

Whereas, the town is in need of more time, not to exceed an additional year, to provide sewer service to these annexed areas due to the unforeseeable delays in obtaining State and federal funding approval; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding the provisions of G.S. 160A-37(h) relating to the proper time for bringing actions thereunder, any persons owning property in the territory annexed by the Town of Grifton by the ordinance effective on August 19, 1974, may apply for a writ of mandamus against the town under the provisions of G.S. 160A-37(h) not earlier than two years from and not later than 27 months from the effective date of the annexation.

Sec. 2. This act shall apply to the Town of Grifton only.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 4th day of June, 1975.