

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 777

Short Title: Raleigh Charter Amended.

(Local)

Sponsors: Representatives Fussell; and Stamey.

Referred to: Local and Regional Government II.

April 15, 1991

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH.

The General Assembly of North Carolina enacts:

Section 1. Subsection 32 of Section 22 of the Raleigh City Charter, Chapter 1184 of the 1949 Session Laws is repealed and a new subsection 32 is enacted to read:

"(32) Condemnation of Property. When acquiring right-of-way for the construction or improvement of streets, the city may also locate and acquire such additional rights-of-way as may be necessary for the present or future relocation or initial location, above or below ground, of telephone, telegraph, electric and other lines, as well as gas, water, sewerage, oil and other pipelines to be operated by public utilities defined and regulated under Chapter 62 of the General Statutes. In acquiring real property by eminent domain the city may use the procedures of either Chapter 40A or Chapter 136 of the General Statutes."

Sec. 2. Subsection 46 of Section 22 of the Raleigh City Charter, Chapter 1184 of the 1949 Session Laws is amended by adding a new paragraph to the existing subsection to read:

"The city may require the owners of all rental residential dwelling units that are not required to have smoke detectors under the North Carolina State Building Code to have smoke detectors installed in such units not more than 120 days after the passage of an ordinance requiring such installation."

Sec. 3. Section 6.16 of the Raleigh City Charter, Chapter 1184 of the 1949 Session Laws is amended by adding a new subsection to read:

1 "(e) The City Council may establish fees for the pick-up and removal of solid
2 waste from individual properties. The rates may be graduated according to class of
3 service or as otherwise determined by Council, so long as the rates are uniform within
4 classifications. The Council shall fix the time or times when such charges shall become
5 due and payable, and in case any such charge is not paid within 10 days after it becomes
6 due, it shall become a lien upon the property. The lien shall be collected by any of the
7 methods set out in Section 6.33 of this Charter."

8 Sec. 4. Section 3.9 of the Raleigh City Charter, Chapter 1184 of the 1949
9 Session Laws is amended by lettering the existing language of the section as subsection
10 (a) and adding a new subsection to read:

11 "(b) Notwithstanding the provisions of subsection (a), nothing herein shall be
12 construed as preventing any official or employee covered by this section from
13 purchasing a plot or plots from the city in a city-owned cemetery, nor shall any such
14 official or employee be prohibited from participating in any rental or home ownership
15 program sponsored or operated by the city, so long as the official or employee meets all
16 the criteria for the program and so long as the income of the recipient does not exceed
17 sixty-five percent (65%) of the median area income based on household size.
18 Participants in such a program must commit to occupying the unit acquired or rented as
19 their personal dwelling and must commit to reside there at least three years unless
20 prevented from doing so by extraordinary circumstances such as divorce, transfer of job,
21 or death. The award of any such housing assistance to an employee shall be noted in the
22 minutes of the City Council."

23 Sec. 5. This act is effective upon ratification.