

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 266
SENATE BILL 679

AN ACT TO VALIDATE CERTAIN ACTIONS OF WATER AND SEWER DISTRICTS AND TO PROVIDE FOR PAYMENT OF RELOCATION COSTS OF WATER AND SEWER LINES BELONGING TO CERTAIN MUNICIPALITIES.

The General Assembly of North Carolina enacts:

Section 1. Article 6 of Chapter 162A of the General Statutes is amended by adding a new section to read:

"§ 162A-94. Certain actions validated.

Any contract entered into by a county water and sewer district on or before February 1, 1995, is not invalid because of failure to comply with Article 8 of Chapter 143 of the General Statutes."

Sec. 1.1. G.S. 136-27.1 reads as rewritten:

"§ 136-27.1. Relocation of water and sewer lines of municipalities and nonprofit water or sewer corporations or associations.

The Department of Transportation shall pay the nonbetterment cost for the relocation of water and sewer lines, located within the existing State highway right-of-way, that are necessary to be relocated for a State highway improvement project and that are owned by: (i) a municipality with a population of 5,500 or less according to the latest decennial census; (ii) a nonprofit water or sewer association or corporation; (iii) any water or sewer system organized pursuant to Chapter 162A of the General Statutes; (iv) a rural water system operated by county as an enterprise system; ~~or~~ (v) any sanitary district organized pursuant to Part 2 of Article 2 of Chapter 130A of the General Statutes; or (vi) constructed by a water or sewer system organized pursuant to Chapter 162A of the General Statutes and then sold or transferred to a municipality with a population of greater than 5,500 according to the latest decennial census."

Sec. 2. This act is effective upon ratification and shall not affect pending litigation.

In the General Assembly read three times and ratified this the 15th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives