

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

S

2

**SENATE BILL 1482**  
**Judiciary I (Civil) Committee Substitute Adopted 5/1/07**

Short Title: Municipal ETJ Street Standards.

(Public)

---

Sponsors:

---

Referred to:

---

March 26, 2007

A BILL TO BE ENTITLED

1  
2 AN ACT TO EXEMPT FROM THE REQUIREMENTS OF G.S. 163-102.6  
3 SUBDIVISIONS LOCATED WITHIN THE EXTRATERRITORIAL PLANNING  
4 JURISDICTION OF MUNICIPALITIES HAVING A POPULATION OF AT  
5 LEAST 500,000, IN AND TO THE EXTENT THAT SUCH SUBDIVISIONS  
6 CONTAIN STREETS THAT HAVE BEEN APPROVED BY ANY SUCH  
7 MUNICIPALITY AS MEETING THE PUBLIC STREET STANDARDS OF  
8 SUCH MUNICIPALITY PRIOR TO THE EFFECTIVE DATE OF THIS ACT,  
9 AND TO EXEMPT SUCH SUBDIVISIONS FROM ANY ORDINANCE  
10 REQUIREMENT THAT SUCH PUBLIC STREETS MEET THE STANDARDS  
11 OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

12 The General Assembly of North Carolina enacts:

13 **SECTION 1.** Notwithstanding the provisions of G.S. 136-102.6(c), (d), and  
14 (i), with respect to a subdivision plat for land located within the extraterritorial planning  
15 jurisdiction of any municipality having a population of at least 500,000, if said plat  
16 includes one or more streets approved for construction by the municipality as meeting  
17 the public street standards of the municipality prior to June 1, 2007, and said plat has  
18 not received a certificate of approval from the Division of Highways:

- 19 (1) The right-of-way and design of any street designated as public on said  
20 plat and approved for construction by the municipality prior to June 1,  
21 2007, need not be in accordance with the minimum right-of-way and  
22 construction standards established by the Board of Transportation for  
23 acceptance on the State highway system.
- 24 (2) Said subdivision plat shall be recorded by the register of deeds without  
25 a certificate of approval by the Division of Highways if the final plat  
26 has been approved by the municipality.
- 27 (3) If and to the extent that any street designated as public on said plat  
28 meets the applicable public street standards of such municipality, said  
29 street shall be exempt from any ordinance requirement that the street

1                   also meet the standards of the North Carolina Department of  
2                   Transportation and may be given final plat approval by the  
3                   municipality.

4                   **SECTION 2.** To the extent that any plats are recorded pursuant to this act,  
5 the disclosure statement required by G.S. 136-102.6(f) shall fully and completely  
6 disclose that any street designated as public on said plats has not been approved by and  
7 will not be accepted for maintenance by the Division of Highways and shall inform the  
8 buyer that the municipality cannot and will not accept the street until it comes within the  
9 corporate limits of the municipality through annexation and shall also disclose the  
10 arrangements that have been made to ensure the maintenance of the street prior to  
11 acceptance by the municipality.

12                   **SECTION 3.** This act is effective when it becomes law.