## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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## SENATE BILL 408 Finance Committee Substitute Adopted 4/4/01

(Public)

Short Title: Municipal ETJ Roadway Improvements.

	Sponsors:		
	Referred to:		
		March 12, 2001	
1		A BILL TO BE ENTITLED	
2	AN ACT TO A	ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS	
3	IN THEIR E	EXTRATERRITORIAL JURISDICTION.	
4	The General Assembly of North Carolina enacts:		
5	SEC'	<b>FION 1.</b> G.S. 160A-296 reads as rewritten:	
6	"§ 160A-296. I	Establishment and control of streets; center and edge lines.	
7		ty shall have general authority and control over all public streets,	
8	sidewalks, alley	vs, bridges, and other ways of public passage within its corporate limits	
9	except to the ex	stent that authority and control over certain streets and bridges is vested	
10	in the Board of Transportation. General authority and control includes but is not limited		
11	to:	·	
12	(1)	The duty to keep the public streets, sidewalks, alleys, and bridges in	
13		proper repair;	
14	(2)	The duty to keep the public streets, sidewalks, alleys, and bridges open	
15		for travel and free from unnecessary obstructions;	
16	(3)	The power to open new streets and alleys, and to widen, extend, pave,	
17		clean, and otherwise improve existing streets, sidewalks, alleys, and	
18		bridges, and to acquire the necessary land therefor by dedication and	
19		acceptance, purchase, or eminent domain;	
20	(4)	The power to close any street or alley either permanently or	
21		temporarily;	
	(5)	The power to regulate the use of the public streets, sidewalks, alleys,	
22 23 24		and bridges;	
24	(6)	The power to regulate, license, and prohibit digging in the streets,	
25		sidewalks, or alleys, or placing therein or thereon any pipes, poles,	
26		wires, fixtures, or appliances of any kind either on, above, or below the	
26 27		surface;	
28	(7)	The power to provide for lighting the streets, alleys, and bridges of the	
29	• •	city; and	

1	(8) The power to grant easements in street rights-of-way as permitted by
2	G.S. 160A-273.
3	(a1) A city with a population of 500,000 or over according to the most recent
4	decennial federal census may also exercise the power granted by subdivision (a)(3) of
5	this section within its extraterritorial planning jurisdiction. Before a city makes
6	improvements under this subsection, it shall enter into a memorandum of understanding
7	with the Department of Transportation to provide for maintenance.

(b) Repealed by Session Laws 1991, c. 530, s. 6." **SECTION 2.** This act is effective when it becomes law.

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