

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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S.B. 848
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SENATE DRS45159-MC-261 (05/20)

Short Title: Infrastructure Reimbursement Agmts. (Local)

Sponsors: Senators Hartsell and Tarte (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR
3 INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE
4 CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS.
5 The General Assembly of North Carolina enacts:
6 SECTION 1. A municipality may enter into reimbursement agreements with
7 private developers and property owners for the design and construction of municipal
8 infrastructure that is included on the municipality's Capital Improvement Plan or similar
9 Municipal Infrastructure Development Plan and serves the developer or property owner. For
10 the purpose of this act, municipal infrastructure includes, without limitation, water mains,
11 sanitary sewer lines, lift stations, stormwater lines, streets, curbs and gutters, sidewalks, traffic
12 control devices, and other associated facilities.
13 SECTION 2. A municipality shall enact ordinances setting forth procedures and
14 terms under which such agreements may be approved.
15 SECTION 3. A municipality may provide for such reimbursements to be paid from
16 any lawful source.
17 SECTION 4. No reimbursement pursuant to an agreement authorized by this act
18 shall be deemed to be construction subject to Article 8 of Chapter 143 of the General Statutes
19 or to be deemed to be a violation or evasion of any provision of said Article. Notwithstanding
20 the foregoing provisions of this section, a construction contract subject to a reimbursement
21 agreement authorized by this act shall not be awarded by a developer or property owner who is
22 a party to such reimbursement agreement without complying with the requirements of
23 G.S. 143-129 and G.S. 143-128.2 relating to public advertising and bid opening requirements
24 which would be applicable if the construction contract had been awarded by the municipality.
25 SECTION 5. This act applies only to the Town of Mint Hill and the Cities of
26 Concord and Kannapolis.
27 SECTION 6. This act is effective when it becomes law.

