

RESOLUTION OPPOSING LEGISLATION THAT PROVIDES FOR THE FORCED
TAKING OF MUNICIPAL WATER SYSTEM

WHEREAS, Statewide legislation was introduced in the 2011 Session of the North Carolina General Assembly that would have forced the involuntary conveyance of a city-owned water system to a Metropolitan Sewer District; and

WHEREAS, prior to the beginning of the 2012 Session of the North Carolina General Assembly, the Legislative Research Commission recommended legislation that would force the City of Asheville to transfer its Municipal water system to a Metropolitan Sewer District; and

WHEREAS, the 2012 Session of the North Carolina General Assembly enacted legislation to begin the process of the forceful taking of a Municipal water system; and

WHEREAS, it is anticipated that legislation will be introduced at the beginning of the 2013 Session of the North Carolina General Assembly that will force the transfer of a Municipal water system; and

WHEREAS, public utilities have the unique responsibility to be protectors of public health and the environment, while serving as partners in the community's growth and development; and

WHEREAS, the forced taking of any local government infrastructure sets a dangerous precedent in the State of North Carolina, a precedent that will have a chilling effect on any local government investing in needed infrastructure in the future, thereby endangering business opportunities and economic stability in the State and resulting in job losses for citizens here and across the State.

NOW, THEREFORE, BE IT RESOLVED BY THE _____ AS
FOLLOWS:

1. The _____ is opposed to legislation that forces the transfer of any City's municipal water system to another entity.
2. The _____ is convinced that local solution arrived at by an open, collaborative process is preferable to a legislative directed disposition of local government assets.
3. The _____ is opposed to the forced taking of any local government infrastructure because such taking sets a dangerous precedent that will have a chilling effect on any local government investing in needed infrastructure in the future, thereby endangering business opportunities and economic stability in the State and resulting in job losses for our citizens here and across the State.

Read, approved and adopted this the ____ day of _____, 201_ .

City Clerk

Mayor

Approved as to form:

City Attorney