

20 NCAC 03 .0905 MUNICIPALITY USE OF SALES TAXES PURSUANT TO G.S.105-487(C)

(a) Any municipality desiring to make application to the Commission under G.S. 105-487(c) shall submit Form LGC-102, Application to Use Allocated Additional Sales Tax Revenues for Other Than Water and Wastewater Capital Needs, including debt service.

(b) The following documents shall be attached to the application:

- (1) A certified copy of the resolution of the governing board. The resolution shall contain as a minimum the following:
 - (A) The petition to the commission;
 - (B) The period for which the petition is to apply;
 - (C) The projected capital needs for water and wastewater in the municipality or its extraterritorial service area during each year of the petition period;
 - (D) The sources from which the governing board intends to make appropriations to meet the water and wastewater capital needs during the petition period; and
 - (E) If the proposal contemplates the use of borrowed funds, the resolution shall identify the revenue sources to be used for repayment and the Board's reasoning for using borrowed funds as opposed to the pay-as-you-go concept inherent in the legislation authorizing the levy of the additional sales tax.
- (2) A certification from the Health Services Division of the Department of Human Resources that the municipality's water system meets minimum state standards and an estimate of the future capital needs for adequate water during each year of the petition period.
- (3) A certification from the Environmental Management Division of the Department of Natural Resources that the municipality's wastewater system meets minimum state standards and estimated future capital needs for adequate wastewater service during each year of the petition period.

*History Note: Authority G.S. 105-487(c); 159-3(f);
Eff. November 1, 1983;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*