

dred eleven be, and the same is hereby amended by adding thereto the following:

“*Provided*, that in cases where either party requests a trial by jury under Section eight of this Act, as amended, the party so requesting shall, before trial, deposit with the recorder the sum of six dollars (\$6.00) for jury fees, which sum shall be in lieu of the tax imposed in the first sentence of this section. The sum so deposited shall be paid into the general fund of the county and applied to the salary fund.”

Deposit required upon request for trial by jury.

Deposit paid into General County Fund.

SEC. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, 1939.

H. B. No. 476                      CHAPTER 168

AN ACT ENABLING THE CITY OF RALEIGH, THE CITY OF DURHAM, THE COUNTY OF DURHAM, AND THE COUNTY OF WAKE, TO JOINTLY ESTABLISH AN AIRPORT AND PROVIDING FOR THE MAINTENANCE OF A JOINT AIRPORT BY SAID CITIES AND COUNTIES.

*The General Assembly of North Carolina do enact:*

SECTION 1. Airport or landing field for the purposes of this and the sections following is defined as any plot of land or water formally set aside, and designated as a place where aircraft may land or take off.

“Airport” and “landing field” defined.

SEC. 2. The governing bodies of the City of Raleigh, of the City of Durham, of the County of Durham, and of the County of Wake are hereby authorized to jointly acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate, airports or landing fields for the use of airplanes and other aircraft without the limits of said cities and within the limits of both of said counties or either of them, and may use for such purpose or purposes any properties suitable therefor that are now or may at any time hereafter be jointly owned or controlled by said cities and counties.

Establishment and maintenance, etc., of joint airport by City of Raleigh, City of Durham, County of Durham and County of Wake.

SEC. 3. Any lands acquired, owned, controlled, or occupied by said cities, and counties, for the purposes enumerated in Section two hereof, shall and are hereby declared to be acquired, owned, controlled and occupied for a public purpose, and said cities and counties shall have the right to acquire property for such purpose or purposes under the power of eminent domain as and for a public purpose.

Airport operations declared public purpose.

Exercise of power of eminent domain.

Acquisition of private property.

SEC. 4. Private property needed by the said cities and counties for an airport or landing field may be acquired by gift or devise or shall be acquired by purchase if said cities and counties are able to agree with the owners on the terms thereof, and otherwise by condemnation, in the manner provided by law under which the said cities and counties are authorized to acquire real property for public purposes, other than street purposes, or if there be no such law, in the manner provided for and subject to the provisions of the condemnation law. The purchase price, or award for property acquired for an airport or landing field may be paid for by appropriation of monies available therefor, or by the application of any funds derived by either of said cities or by either of said counties from the sale of any lands now or heretofore or hereafter owned for airport or landing field purposes or other purposes, or wholly or partly from the proceeds of the sale of bonds of either of said cities or either of said counties as the governing bodies of such cities and counties shall determine.

Authorized method of payment.

Appropriations from proceeds of operations of public utilities, etc., for establishment and maintenance of airport.

SEC. 5. The governing bodies of said cities and counties and each of them are hereby authorized to appropriate and use from the net proceeds derived from the operation, by either of said cities or either of said counties, of any public utility, or from funds derived from any source other than ad valorem taxes, sums sufficient to carry out the provisions of this Act as to the establishment and maintenance of any airport in such proportion and upon such equal basis as may be determined upon by a joint board to be appointed by the governing bodies of the said cities and counties. Provided nothing herein shall be construed to permit the governing bodies of said cities or counties to issue bonds under the provisions of this Act without a vote of the people.

Appointment of joint board.

Municipality representation.

Term.

County representation.

Appointment of county representative.

SEC. 6. The joint board to be appointed by the governing bodies of the said cities and counties shall be appointed as follows: Each municipality shall be entitled to have one representative on said board and that representative shall be appointed biennially by a majority of the governing body of said municipality, at the first regular meeting in January. Said representative shall hold office from his appointment until the first regular meeting of the governing body in the second January thereafter, when his successor shall be appointed. Only a city or cities contributing an equal part to the establishment of an airport shall be entitled to have representation on the board. Each county shall be entitled to have one representative on said board, and that representative shall be appointed biennially by a majority of the Board of County Commissioners of said county, at the first regular meeting in January. Said representative shall hold

office from his election until the first regular meeting of the County Commissioners in the second January thereafter, when his successor shall be elected. Only a county or counties contributing an equal part to the establishment of such an airport shall be entitled to have representation on said board. The said board so appointed by the governing bodies of the cities and counties, shall be known as the "Aeronautics Authority for the City of Raleigh, City of Durham, the County of Durham and the County of Wake." Upon the occurrence of any vacancy on said authority, said vacancy shall be filled within sixty (60) days after notice thereof at a regular meeting of the governing body of the governmental unit which has a vacancy within its representation. Within thirty (30) days after the ratification of this Act the governing body of each of the said municipalities and counties may appoint its representative on said board to hold office until his successor shall be appointed in the manner hereinbefore set forth: *Provided, however,* that the representative first so appointed by each of said cities shall hold office from his appointment until the following January, at which time his successor shall be appointed as hereinbefore set forth, and provided further that the representative first so appointed by each of said counties shall hold office from his appointment until the second January thereafter at which time his successor shall be appointed in the manner hereinbefore set forth.

Term.

Board designated  
Aeronautics  
Authority.

Vacancy  
appointments.

Appointment of  
representatives  
within 30 days  
after ratification  
of Act.

Term of municipal  
appointments.

Term of county  
appointments.

SEC. 7. The board so appointed by the governing bodies of said cities and counties shall act in an administrative capacity and shall be vested with the authority to control, lease, maintain, improve, operate, and regulate the joint airport or landing field. It shall have complete authority over any airport or landing field jointly acquired by the several governmental bodies represented on said board. Provided that said board or the individual members thereof shall have no authority to pledge the credit of any of said governmental units. The said board shall have authority to deal with the Civil Aeronautics Authority of the United States Government and any other representative of said Federal Government relative to the grading, constructing, equipping, improving, maintaining, and operating of airports or landing fields established under the authority of this Act. A majority of said board shall control its decisions. At the first meeting of said board and annually thereafter it shall elect a chairman from among its members. Each member of said board, including the chairman, shall have one vote. The said authority shall meet at such place and time as the chairman of said authority shall designate. The members of said board shall serve without compensation and shall take an oath of office administered by the resident

Powers and  
authority of board.

Election of  
chairman.

Meetings.

Members to serve  
without compen-  
sation.

Oath. judge having jurisdiction over the governmental unit which the member represents. Members of said authority shall not be personally liable in any manner for their acts as members of the authority, except for misfeasance or malfeasance.

Limitations on personal liability of members.

Application of Act. SEC. 8. This Act shall apply only to the City of Raleigh, City of Durham, County of Durham, and the County of Wake.

Partial invalidity clause.

SEC. 9. If any part or parts of this Act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act. The General Assembly expressly declares that it would have passed the remaining parts of this Act, if it had known that such part or parts thereof would be declared unconstitutional.

SEC. 10. This Act shall take effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, 1939.

## H. B. No. 556                      CHAPTER 169

### AN ACT RELATIVE TO JURY TRIAL IN RECORDER'S COURT IN DARE COUNTY.

*The General Assembly of North Carolina do enact:*

Transfer of Recorder's Court cases to Superior Court upon demand for jury trial, Dare County.

New bond.

SECTION 1. That in all trials in Recorder's Court in Dare County, upon demand for a jury by the defendant or the Prosecuting Attorney representing the State, the Recorder shall transfer said trial to the Superior Court of Dare County, and the defendant shall execute a new bond in such amount as named by the Recorder for his appearance at the next term of Superior Court of Dare County, and the Recorder of said court shall immediately transfer the case to the Superior Court of Dare County, without requiring any deposit from the defendant for the privilege of a jury trial.

No Recorder's Court fees taxed in final bill of cost.

SEC. 2. No Recorder's fee or Prosecuting Attorney's fee for said Recorder's Court shall be taxed in the final bill of costs where any case is transferred to the Superior Court of Dare County, under the provisions of this Act, but this Act shall not affect said fees in other cases.

Conflicting laws repealed.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 9th day of March, 1939.

Signing and  
countersigning  
of checks.

Treasurer  
required to keep  
correct accounts.

Audit.

Conflicting laws  
repealed.

County, the clerk of Superior Court of said county, and a committee of three to be appointed annually by the Stanly County Bar Association. All checks on said account shall be drawn and signed by the treasurer of the Stanly County Bar Association and countersigned by either the county accountant for Stanly County or the president of the Stanly County Bar Association, and it shall not be necessary for such disbursements to have the approval of the Board of Commissioners of Stanly County. It shall be the further duty of said treasurer to keep a correct and accurate account of all receipts and disbursements in connection with the said library fund, which account shall be audited at least annually, when the other records of Stanly County are audited.

SEC. 6. That all laws and clauses of laws in conflict herewith regarding the disposition of costs received by the office of the clerk of the Superior Court of Stanly County, or any of the courts inferior to said Superior Court, are hereby repealed.

SEC. 7. That this Act shall be in full force and effect from and after the date of its ratification.

In the General Assembly read three times and ratified, this the 12th day of March, 1941.

### S. B. No. 253

### CHAPTER 292

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTY-EIGHT, PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-NINE, RELATIVE TO AN ACT ENABLING THE CITY OF RALEIGH, THE CITY OF DURHAM, THE COUNTY OF DURHAM, AND THE COUNTY OF WAKE, TO JOINTLY ACQUIRE AND ESTABLISH AN AIRPORT BY SAID CITIES AND COUNTIES.

*The General Assembly of North Carolina do enact:*

Ch. 168,  
Public-Local  
Laws, 1939,  
amended, as to  
powers of  
Raleigh, Durham,  
Wake and  
Durham counties,  
in establishing  
airport.

Acquisition of  
graveyards, etc.,  
by condemna-  
tion.

Procedure for  
removing and  
re-interring dead.

Notice to  
surviving kin.

SECTION 1. That Chapter one hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and thirty-nine be, and the same is hereby amended, by inserting and adding as a separate section after Section four and before Section five the following, to be known and designated as Section four(a) in words and figures as follows, to-wit:

"SEC. 4(a). The power to acquire lands by condemnation herein granted to the said cities and counties for the purpose of such airport or landing field shall embrace the power to acquire by condemnation any dwelling, yard, orchard, garden, kitchen, burial ground, graveyard or cemetery located or situate upon the lands found necessary to be acquired for such purpose; and in the event there are graves located upon such lands which may be necessary to be acquired by condemnation, it shall be lawful for said cities and counties, after thirty (30) days' notice to the surviving husband or wife, or next of kin of the deceased buried therein, or the person in control of such graves, if any are known, and if not known, then after publishing a notice once a

week for four (4) weeks in a newspaper published in Wake County and for a like period in a newspaper published in Durham County, to open any such graves, and to take therefrom any dead body, or part thereof buried therein, and anything interred therewith, and to remove and re-inter the same in some other cemetery or suitable place in the same county to be selected by the next of kin, or the welfare officer of the county or by the Clerk of the Superior Court of said county in the order named. Due care shall be taken to do said work in a proper and decent manner, and, if necessary, to furnish suitable coffins or boxes for re-interring said remains. Due care shall also be taken to remove all tombstones and other markers from said graves, and to protect and replace all such tombstones or other markers so as to leave the new grave in as good condition as the former one. All of said work shall be done under the supervision and direction of the welfare officer of the county, if one, or his representatives, but if there is no welfare officer, then under the supervision and direction of the Clerk of the Superior Court of said county, or his representatives. All the expense connected with said work, including the actual expense of one of "next of kin" in attending to same, if one does attend, shall be borne by the said cities and counties doing or causing same to be done."

Notice by publication.

Removal and burial in another cemetery.

Due care required in removing bodies, tombstones, etc.

Supervision of work by welfare officer or C.S.C.

Expenses borne by cities and counties.

SEC. 2. That Section seven of Chapter one hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and thirty-nine be, and the same is hereby amended by inserting in line three after the word "to" and before the word "control" the following: "establish, construct."

Sec. 7, amended, as to powers of Aeronautics Authority.

SEC. 3. That Chapter one hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and thirty-nine be and the same is hereby amended by adding at the end of Section seven the following:

Sec. 7, amended further, empowering Aeronautics Authority to expend funds, make contracts, etc.

"Said authority shall have the right and is empowered to expend such funds as are appropriated from time to time by the said governmental units jointly or severally for joint airport purposes and is empowered to enter into contracts and pledge the credit of the authority to the extent of the moneys appropriated by the said governmental units for joint airport purposes."

SEC. 4. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 5. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 12th day of March, 1941.

“Nash” between the word “Moore” and the word “Person” in line twenty thereof.

SEC. 2. All laws and clauses of laws in conflict with this Act are hereby repealed. Conflicting laws repealed.

SEC. 3. This Act shall be in full force and effect from and after its ratification.

Ratified this the 7th day of February, 1945.

## H. B. 111

## CHAPTER 79

AN ACT TO AMEND CHAPTER ONE HUNDRED AND SIXTY-EIGHT PUBLIC-LOCAL LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-NINE RELATIVE TO AN ACT ENABLING THE CITY OF RALEIGH, THE CITY OF DURHAM, THE COUNTY OF DURHAM, AND THE COUNTY OF WAKE TO JOINTLY ACQUIRE AND ESTABLISH AN AIRPORT BY SAID CITIES AND COUNTIES.

*The General Assembly of North Carolina do enact:*

SECTION 1. That Chapter one hundred and sixty-eight of the Public-Local Laws of one thousand nine hundred and thirty-nine as amended by Chapter two hundred and ninety-two of the Public-Local Laws of one thousand nine hundred and forty-one, be, and the same is, hereby amended by striking out Sections six and seven and adding in lieu thereof the following: Amending law, relating to establishment of airport by Durham, Raleigh and Counties of Durham and Wake.

SEC. 6. The joint board to be appointed by the governing bodies of the said municipalities and counties shall be appointed as follows: Appointment of Board, governing said airport.

Each municipality shall be entitled to have two representatives on said board and the representatives shall be appointed biennially by a majority of the governing body of the said municipality, at the first regular meeting in January. Said representatives shall hold office from their appointment until their successors are appointed and qualified and until the first regular meeting of the governing body in the second January thereafter, when successors shall be appointed. Only a municipality contributing in equal part to the establishment of an airport or airports shall be entitled to have representation on the board. Each city to have two members.

Each county shall be entitled to have two representatives on said board and the representatives shall be appointed biennially by a majority of the board of county commissioners of said county at the first regular meeting in January. Said representatives shall hold office from their appointment until their successors are appointed and qualified and until the first regular meeting Each County to have two members.

Said Board to be known as Raleigh-Durham Airport Authority.

of the board of county commissioners in the second January thereafter, when successors shall be appointed. Only a county or counties contributing an equal part to the establishment of an airport or airports shall be entitled to have representation on said board. The said board so appointed by the governing bodies of the municipalities and counties, shall be known as the "Raleigh-Durham Airport Authority." Upon the occurrence of any vacancy on said board, said vacancy shall be filled within sixty (60) days after notice thereof by a majority of the governing body of the municipality or county which has a vacancy within its representation. Within thirty (30) days after the ratification of this Act, the governing body of each of said municipalities and counties shall appoint its representatives on said board to hold office until successors shall be appointed in the manner hereinbefore set forth, *provided however*, that the representatives first so appointed by each of said municipalities and counties shall hold office from appointment until the second January thereof, at which time successors shall be appointed in the manner hereinbefore set forth.

Said Board shall not have authority to pledge credit of either participating City or County.

Certain powers of said Board.

SEC. 7. The board appointed as herein provided for by the governing bodies of said municipalities and counties shall act in an administrative capacity and shall be vested with the authority to establish, construct, control, lease, maintain, improve, operate and regulate joint airports or landing fields. It shall have complete authority over any airport or landing field jointly acquired, established or constructed by the said municipalities and counties represented on said board. *Provided* that said board or the individual members thereof shall have no authority to pledge the credit of said municipalities or counties. The said board shall have the right and authority and is empowered to expend such funds as are appropriated from time to time by the said municipalities and counties jointly or severally for joint airport purposes and is empowered to enter into contracts and pledge the credit of the board to the extent of the moneys appropriated by the said municipalities and counties for joint airport purposes. The said board shall have authority to deal with the Civil Aeronautics Authority of the United States Government and any other representative of the United States Government relative to the grading, constructing, equipping, improving, maintaining and operating of airports and landing fields established or acquired under the authority of this Act. A majority of said board shall control its decisions. Each member of said board, including the chairman, shall have one vote. At the first meeting of said board and annually thereafter, it shall elect from among its members a chairman and a secretary and a treasurer. The said board shall meet at such places and time as the chairman shall designate. The members of said board shall take an oath of office to faithfully perform his duties.

All members of said board who are fulltime officials or fulltime employees of either of the municipalities or counties shall serve without compensation. Members of said board who are not fulltime officials or fulltime employees of either said municipality or county shall be paid a per diem of ten dollars (\$10.00) for each day served in attending the meetings of said board, and in addition thereto shall be reimbursed for actual necessary expenses incurred in attending the meetings, including actual traveling expenses or an allowance of five cents per mile where such member uses his personally owned automobile.

Compensation of Board members.

The board is hereby authorized and empowered in its discretion to fix a reasonable salary for the secretary of said board whether or not such secretary is an official or fulltime employee of said municipalities or counties.

Secretary of Board.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Conflicting laws repealed.

SEC. 3. That this Act shall be in full force and effect from and after its ratification.

Ratified this the 7th day of February, 1945.

H. B. 151

CHAPTER 80

AN ACT TO ALLOW THE CITY OF GREENSBORO TO RELEASE ANY INTEREST IT MAY HAVE IN CERTAIN LANDS FOR THE PURPOSE OF CHANGING THE LOCATION OF A PORTION OF CYPRESS AND THIRD STREETS IN THE CITY OF GREENSBORO.

*The General Assembly of North Carolina do enact:*

SECTION 1. That the governing body of the City of Greensboro is hereby authorized to execute and deliver such release deeds, quitclaim deeds, or other instruments or papers as may be necessary to release the interest of the City of Greensboro and the public generally in and to those portions of Cypress and Third Streets situate, lying and being in Gilmer Township, in the City of Greensboro, North Carolina, and more particularly described as follows:

Authorizing Greensboro to convey certain lands.

Beginning at a point in the North margin of Third Street, said point being North eighty-six degrees thirty-eight minutes thirty seconds West forty-five and thirty-two one hundredths feet from a point where the North line of Third Street intersects the West line of Maple Street and running thence along the North line of Third Street North eighty-six degrees thirty-eight minutes thirty seconds West three hundred and twenty-two and sixty-six one hundredths feet to a point in the West line of Cypress Street thence South three degrees fifty-one minutes

Boundary lines of said property.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of May, 1955.

## H. B. 1307

## CHAPTER 1096

AN ACT TO AMEND CHAPTER 168 PUBLIC-LOCAL LAWS 1939, AS AMENDED BY CHAPTER 292, PUBLIC-LOCAL LAWS OF 1941, AS AMENDED BY CHAPTER 79, SESSION LAWS OF 1945, RELATING TO THE ACQUISITION, ESTABLISHMENT AND OPERATION OF THE RALEIGH-DURHAM AIRPORT.

*The General Assembly of North Carolina do enact:*

Section 1. That Chapter 168 Public-Local Laws of 1939, as amended by Chapter 292, Public-Local Laws of 1941, as amended by Chapter 79, Session Laws of 1945, is hereby amended by striking out Section 7 thereof and substituting in lieu thereof the following:

“Sec. 7. The board appointed as herein provided by the governing bodies of said municipalities and counties shall act in an administrative capacity and shall be vested with the following authorities and powers; and it is hereby authorized and empowered:

“(a) To establish, construct, control, lease, maintain, improve, operate and regulate joint airports and landing fields; to have complete authority over any airport or landing field jointly acquired, established, or constructed by said municipalities and counties represented on said board.

“(b) To adopt, repeal, amend, and re-adopt rules, regulations, laws and ordinances not inconsistent with this Act, as amended, for its own government, management and operation, and for the government, control, administration, management and operation of the Raleigh-Durham Airport, and the users thereof, including persons, firms and corporations using the said airport, or any of its facilities, as tenants, licensees, invitees or as members of the general public.

“(c) To lease (without the joinder in the lease agreements of the owning municipalities, to wit, the Counties of Wake and Durham, and the Cities of Raleigh and Durham) for a term not to exceed 15 years, and for purposes not inconsistent with the grants and agreements under which the said airport is held by said owning municipalities, real or personal property under the supervision of or administered by the said Authority.

“(d) To contract with persons, firms or corporations for terms not to exceed 15 years, for the operation of airline-scheduled passenger and freight flights, non-scheduled flights, and any other airplane activities, not inconsistent with said grant agreements under which the airport property is held by the owning municipal corporations, and to charge and collect reasonable and adequate fees, charges and rents for the use of such property or for services rendered in the operation thereof.

“(e) To operate, own, control, regulate, lease or grant to others the right to operate any airport premises, restaurants, apartments, hotels, motels, agricultural fairs, tracks, motion picture shows, cafes, soda foun-

tains, or other businesses, amusements or concessions for a term not exceeding 15 years, as may appear to said Authority advantageous or conducive to the development of said airport.

“(f) To erect and construct buildings, hangars, shops and other improvements and facilities, not inconsistent with or in violation of the agreements applicable to and the grants under which the real property of the airport is held; to lease the same for a term or terms not to exceed 15 years; to borrow money for use in making or paying for such improvements and facilities, secured by and on the credit only of the lease agreements in respect thereto, to pledge and assign such leases and lease agreements as security for loans herein authorized.

“(g) In addition to the power to borrow money hereinbefore authorized, to borrow money for operating expenses, to become due, not in excess of 12 months from the date of such loan, repayable solely from operating revenues only; provided the gross amount of such loans at any one time outstanding shall not exceed the sum of ten thousand dollars (\$10,000.00); and provided further, that this paragraph shall not be interpreted to exclude loans contemplated in the paragraph next above utilized for the erection of permanent improvements to the property.

“(h) To expend funds appropriated from time to time by said municipalities and counties, jointly or severally, for joint airport purposes, and to appropriate and expend for airport purposes funds received by it from fees, charges, rents and dues arising out of the operation of said airport, the facilities, improvements and concessions located thereat or operated thereon.

“(i) To enter into contracts and to pledge the credit of the said Airport Authority to the extent herein authorized; provided, however, that neither said Airport Authority nor the individual members thereof shall have authority to pledge the credit of or contract for the City of Raleigh, the City of Durham, the County of Wake, the County of Durham, or either of them.

“(j) To contract and deal with the Civil Aeronautics Authority of the United States Government and any other representative or agency of said government relating to the grading, constructing, equipping, improving, maintaining and operating of airports and landing fields acquired under the authority of this Act.

“Sec. 8. A majority of the Raleigh-Durham Airport Authority shall control its decisions. Each member of the board, including the chairman, shall have one vote. The board shall elect annually in April, from among its members, a chairman, a vice chairman, a secretary and treasurer. In the absence of rules of the board in respect thereof, the board shall meet at such places and times as the chairman shall designate. Each member of said board shall take an oath of office to faithfully perform his duties.

“All members of said board who are full-time officials or full-time employees of either of the municipalities or counties shall serve without compensation. Members of said board who are not full-time officials or full-time employees of either said municipality or county shall be paid a per diem of ten dollars (\$10.00) for each day served in attending the meeting

of said board, and in addition thereto shall be reimbursed for actual necessary expenses incurred in attending the meetings, including actual traveling expenses or in allowance of five cents (5c) per mile where such member uses his personally-owned automobile.

"The board is hereby authorized and empowered in its discretion to fix a reasonable salary for the secretary of said board whether or not such secretary is an official or full-time employee of said municipalities or counties.

"Sec. 9. The Raleigh-Durham Airport Authority shall in no case be liable for damages for injuries to persons or property caused by or growing out of fueling, refueling or servicing any airplane at said airport."

Sec. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 18th day of May, 1955.

## S. B. 60

## CHAPTER 1097

AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO DRINK OR HAVE IN HIS OR HER POSSESSION ANY BEER, WINE, OR WHISKEY, OR OTHER INTOXICATING BEVERAGE IN OR UPON CHURCH, CEMETERY OR SCHOOL PROPERTY.

*The General Assembly of North Carolina do enact:*

Section 1. It shall be unlawful for any person to drink, or have in his or her possession, any beer, wine, whiskey, or other intoxicating beverage, in or upon any property or premises customarily used or held for church, cemetery or school purposes. Provided, this Act shall not apply to wine held or used for sacrament purposes.

Sec. 2. All persons violating any of the provisions of this Act shall be guilty of a misdemeanor, and shall be fined not more than fifty dollars (\$50.00) or imprisoned not more than thirty days.

Sec. 2½. Provided that the provisions of this Act shall apply only to Mecklenburg County.

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 19th day of May, 1955.

## H. B. 641

## CHAPTER 453

## AN ACT APPOINTING CERTAIN MEMBERS OF THE FAIRMONT CITY BOARD OF EDUCATION.

*The General Assembly of North Carolina do enact:*

Section 1. That pursuant to the provisions of Chapter 307, Session Laws of 1955, D. M. Britt and A. D. Lewis be and they are hereby appointed members of the Fairmont City Board of Education, formerly designated as the Board of Trustees of the Fairmont City Administrative School Unit, for terms of four years each from and after July 1, 1957 and until their successors are duly appointed and qualified.

Sec. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of April, 1957.

## H. B. 642

## CHAPTER 454

## AN ACT AMENDING CHAPTER 1043, SESSION LAWS OF 1955 SO AS TO EXEMPT ROBESON COUNTY FROM THE PROVISIONS OF SAID ACT.

*The General Assembly of North Carolina do enact:*

Section 1. That §3½, Chapter 1043, Session Laws of 1955, amending G. S. 110-22 and G. S. 110-23, be and the same is hereby amended by inserting the word Robeson between the words Lenoir and Transylvania in the fourth line of said Section.

Sec. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of April, 1957.

## H. B. 644

## CHAPTER 455

## AN ACT TO AMEND CHAPTER 168, PUBLIC-LOCAL LAWS OF 1939, AS AMENDED BY CHAPTER 292, PUBLIC-LOCAL LAWS OF 1941, AS AMENDED BY CHAPTER 79, SESSION LAWS OF 1945, AS AMENDED BY CHAPTER 1096, SESSION LAWS OF 1955, RELATING TO THE ACQUISITION, ESTABLISHMENT AND OPERATION OF THE RALEIGH-DURHAM AIRPORT.

*The General Assembly of North Carolina do enact:*

Section 1. Chapter 168, Public-Local Laws of 1939, as amended by Chapter 292, Public-Local Laws of 1941, as amended by Chapter 79, Session

Laws of 1945, as amended by Chapter 1096, Session Laws of 1955, is hereby amended by striking out Section 7 (b) thereof and substituting in lieu thereof the following:

“(b) (1) To adopt, repeal, amend and readopt rules, regulations, laws and ordinances not inconsistent with this Act as amended, for its own government, management and operation; and

“(b) (2) To adopt, repeal, amend and readopt rules, regulations and ordinances with respect to traffic on and use of streets, alleys, driveways, roadways, parking areas, cross-walks, and safety areas (not included in the public road system of the State of North Carolina) located within the territorial limits of the lands comprising the Raleigh-Durham Airport, including by way of illustration but not in limitation of the authority herein granted, the establishment of routes of traffic, the regulation of speed, the location of parking areas, the regulation and prohibition of parking and standing in designated areas and on said streets, driveways, alleys and roadways, the prohibition of obstruction thereof, the prohibition of vehicles and pedestrians on the aprons, ramps, taxiways, runways and other designated parts of the Airport.

“(b) (3) To adopt, repeal, amend and readopt rules, regulations, and ordinances with respect to the use of the Airport and its facilities by the public, including by way of illustration but not in limitation of the authority granted, the Terminal Building, the ramps, aprons, hangars, taxiways, runways, water plants and shops, and to prohibit the use of, occupation of, or trespass upon any part thereof.

“(b) (4) All rules, regulations and ordinances adopted pursuant to the authority of this Section 7 shall be recorded in the proceedings of the Raleigh-Durham Airport Authority and a true copy of all such rules, regulations and ordinances, certified under the hand of the secretary and the seal of the authority, shall be filed with the Board of County Commissioners of Wake County, the Board of Commissioners of Durham County, the City Council of the City of Raleigh, and the City Council of Durham.

“(b) (5) The Raleigh-Durham Airport Authority shall cause to be posted at appropriate places on the Raleigh-Durham Airport, notice to the public of applicable rules, regulations and ordinances pertaining to the Raleigh-Durham Airport.

“(b) (6) To prescribe penalties for the violation of any rules, regulation or ordinance adopted pursuant to the provisions of this Section.

“(b) (7) Any person violating any rule, regulation or ordinance adopted pursuant to Section 7 (b) (2) through (b) (6) inclusive shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine of not exceeding fifty dollars (\$50.00) or imprisonment for not exceeding thirty days.”

Sec. 2. A new subsection be added to Section 7 as follows:

“(k). In addition to all other rights and powers herein conferred, the Raleigh-Durham Airport Authority is authorized and empowered to exercise the powers granted political subdivisions under the Model Airport Zoning Act contained in Article 4, Chapter 63, of the General Statutes of North Carolina, and is authorized and empowered to exercise the powers

granted to municipalities by the terms of Article 6, Chapter 63, of the General Statutes of North Carolina concerning public airports and related facilities.”

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of April, 1957.

## H. B. 650

## CHAPTER 456

AN ACT TO AMEND CHAPTER 984 OF THE SESSION LAWS OF 1953 SO AS TO AUTHORIZE THE EMPLOYMENT OF A PLUMBING INSPECTOR IN UNINCORPORATED AREAS IN MONTGOMERY COUNTY.

*The General Assembly of North Carolina do enact:*

Section 1. Section 2 of Chapter 984 of the Session Laws of 1953 is amended by adding at the end thereof a new sentence to read as follows:

“This Act shall also apply to Montgomery County.”

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 24th day of April, 1957.

## H. B. 659

## CHAPTER 457

AN ACT RELATING TO THE ELECTION OF THE MAYOR AND THE BOARD OF COMMISSIONERS OF THE TOWN OF RED SPRINGS.

*The General Assembly of North Carolina do enact:*

Section 1. At the regular municipal election held in the Town of Red Springs in 1957, the Mayor of the town shall be elected for a term of two years, and shall serve for a period of two years and until his successor is elected and qualified. Each mayor elected biennially thereafter shall serve for a term of two years.

Sec. 2. At the regular municipal election to be held for the year 1957 there shall be elected six commissioners to succeed those whose term expires at that time. The three commissioners who receive the highest number of votes in the election to be held for the year 1957 shall serve for terms of four years, and the three commissioners who receive the next highest number of votes shall serve for terms of two years.

Sec. 3. At the regular municipal election for the year 1959 and biennially thereafter there shall be elected three commissioners who shall serve for terms of four years and until their successors are elected and qualified.

Sec. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of June, 1959.

## H. B. 863

## CHAPTER 754

AN ACT TO AMEND CHAPTER 76 OF THE PUBLIC LAWS OF 1929 RELATING TO THE GRAND AND PETIT JURIES OF NORTH-AMPTON COUNTY.

*The General Assembly of North Carolina do enact:*

Section 1. Section 2 of Chapter 76 of the Public Laws of 1929 is hereby amended by striking out the word "forty" immediately following the word "of" and immediately preceding the word "qualified", in line 5 of said Section, and substituting in lieu thereof the word "sixty".

Sec. 2. Section 3 of Chapter 76 of the Public Laws of 1929 is hereby amended by striking out the word "twenty-four" immediately following the word "of", at the end of line 2 of said Section, and substituting in lieu thereof the word "thirty-six".

Sec. 3. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of June, 1959.

## H. B. 878

## CHAPTER 755

AN ACT TO AMEND CHAPTER 168 OF PUBLIC-LOCAL LAWS 1939, AS AMENDED BY CHAPTER 292 OF PUBLIC-LOCAL LAWS 1941, AS AMENDED BY CHAPTER 79, SESSION LAWS OF 1945, AS AMENDED BY CHAPTER 1096, SESSION LAWS OF 1955, AS AMENDED BY CHAPTER 455, SESSION LAWS OF 1957, RELATING TO THE RALEIGH-DURHAM AIRPORT.

*The General Assembly of North Carolina do enact:*

Section 1. That Chapter 168 of Public-Local Laws 1939, as amended by Chapter 292 of Public-Local Laws 1941, as amended by Chapter 79, Session Laws of 1945, as amended by Chapter 1096, Session Laws of 1955, as amended by Chapter 455, Session Laws of 1957, is hereby amended in the following particulars:

1. By striking out Section 7 (c) thereof and substituting in lieu thereof the following:

"(c) To lease (without the joinder in the lease agreements of the owning municipalities, to wit, the Counties of Wake and Durham, and the Cities of Raleigh and Durham) for a term not to exceed 40 years, and for

purposes not inconsistent with the grants and agreements under which the said airport is held by said owning municipalities, real or personal property under the supervision of or administered by the said Authority.”

2. By striking out Section 7 (d) thereof and substituting in lieu thereof the following:

“(d) To contract with persons, firms or corporations for terms not to exceed 40 years, for the operation of airline-scheduled passenger and freight flights, non-scheduled flights, and any other airplane activities, not inconsistent with said grant agreements under which the airport property is held by the owning municipal corporations, and to charge and collect reasonable and adequate fees, charges and rents for the use of such property or for services rendered in the operation thereof.”

3. By striking out Section 7 (e) thereof and substituting in lieu thereof the following:

“(e) To operate, own, control, regulate, lease or grant to others the right to operate any airport premises, restaurants, apartments, hotels, motels, agriculture fairs, tracks, motion picture shows, cafes, soda fountains, or other businesses, amusements or concessions for a term not exceeding 40 years, as may appear to said Authority advantageous or conducive to the development of said airport.”

4. By striking out Section 7 (f) thereof and substituting in lieu thereof the following:

“(f) To erect and construct buildings, hangars, shops and other improvements and facilities, not inconsistent with or in violation of the agreements applicable to and the grants under which the real property of the airport is held; to lease the same for a term or terms not to exceed 40 years; to borrow money for use in making or paying for such improvements and facilities, secured by and on the credit only of the lease agreements in respect thereto, to pledge and assign such leases and lease agreements as security for loans herein authorized.”

5. By striking out Section 7 (g) thereof and substituting in lieu thereof the following:

“(g) To issue bonds or other securities and obligations for the purpose of providing funds for the construction, maintenance, purchase, improvement and operation of the said airport, landing fields, runways thereon, or other facilities. The said bonds, if and when so issued, shall be denominated ‘Raleigh-Durham Airport Authority Revenue Bonds’ and shall be issued in such form and denomination and shall mature at such time or times, not exceeding 35 years after their date, and shall bear such rate of interest, not exceeding six per cent (6%) per annum, payable annually or semiannually, as the said Raleigh-Durham Airport Authority may determine. The bonds shall be signed by the Chairman of said Airport Authority and the corporate seal affixed or impressed upon each bond and attested by the Secretary of said Authority. The coupons to be attached to said bonds shall bear the facsimile signature of the Treasurer of the Authority. Such bonds, notes or securities issued for the purpose, or purposes above set out, shall be sold under the supervision and with the approval of the Local Government Commission.

“Bonds and notes issued under this Act shall be exempt from all State, Federal, county or municipal taxes or assessments, direct or indirect, general or special, and the interest paid on said bonds or notes shall not be subject to taxation as income. The said bonds, notes or other security shall not be obligations of the County of Wake, the County of Durham, the City of Durham or the City of Raleigh, but the said Airport Authority is authorized and empowered to pledge the revenues, rents, income and tolls arising out of the use of any airport property or any specific part of said airport property until such time as the sums borrowed therefor are fully amortized and repaid. The said bonds or other securities which the said Airport Authority may incur shall be issued and incurred upon such other terms, covenants and conditions as the said Airport Authority may deem proper.

“The said bonds or other securities shall be issued and secured as provided for similar bonds by the Revenue Bond Act of One Thousand Nine Hundred and Thirty-Eight, which Act is made applicable to the Raleigh-Durham Airport Authority.”

6. By striking out Section 7 (h) thereof and substituting in lieu thereof the following:

“(h) To expend funds appropriated from time to time by said municipalities and counties, jointly or severally, for joint airport purposes and to appropriate and expend for airport purposes funds received by it from fees, charges, rents and dues arising out of the operation of said airport, the facilities, improvements and concessions located thereat or operated thereon and from the sale of bonds or other securities herein authorized.”

7. By adding another Section as follows:

“Sec. 10. The Raleigh-Durham Airport Authority is authorized and empowered to adopt and use a seal.”

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 4th day of June, 1959.

## H. B. 915

## CHAPTER 756

### AN ACT TO AMEND G. S. 7-70 RELATING TO TERMS OF SUPERIOR COURT IN DAVIDSON COUNTY.

*The General Assembly of North Carolina do enact:*

Section 1. That portion of G. S. 7-70 which fixes terms of Superior Court to be held in Davidson County, is hereby amended by adding at the end thereof a new paragraph to read as follows:

“In addition to the above terms of court there shall be held in Davidson County the following terms of court: The sixth Monday before the first Monday in March, to continue one week for the trial of civil cases only; the second Monday after the first Monday in March, to continue one

law, public or private, in effect at the time of the adoption of this Act, such pre-existing laws shall continue and remain in effect, notwithstanding any repealing clause contained herein.

Sec. 57. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 58. This Act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 14th day of June, 1967.

## H. B. 888

## CHAPTER 781

AN ACT TO AMEND CHAPTER 168 OF PUBLIC-LOCAL LAWS 1939,  
AS AMENDED RELATING TO THE RALEIGH-DURHAM AIRPORT.

*The General Assembly of North Carolina do enact:*

Section 1. That Chapter 168 of the Public-Local Laws of 1939, as amended by Chapter 292 of Public-Local Laws of 1941, as amended by Chapter 79 of Session Laws of 1945, as amended by Chapter 1096 of Session Laws of 1955, as amended by Chapter 455 of Session Laws of 1957, as amended by Chapter 755 of Session Laws of 1959, is hereby amended in the following particulars:

A. By adding the following two paragraphs at the end of Section 3:

“Said cities and counties shall each hold and be vested with an undivided interest in and to lands so acquired, owned, controlled and occupied in proportion to the respective payments made by the several cities and counties to the acquisition and improvement of said lands and to the maintenance of the said Airport established thereon.

“The County of Wake, the City of Raleigh, the County of Durham, and the City of Durham, with the approval of the Raleigh-Durham Airport Authority, are authorized to convey to the State of North Carolina, or to any public board, municipality or authority, by deed or other instrument, upon such terms and conditions as may be agreed upon, without the necessity of complying with the provisions of G. S. 160-59, any real properties vested in the said counties and cities and comprising a part of lands held for airport purposes, in exchange for a conveyance of lands vested in the State of North Carolina or in any other public board, municipality or authority.”

B. By adding at the end of Section 4 the following:

“For the purpose of aiding the Raleigh-Durham Airport Authority in the financing of improvements at the Raleigh-Durham Airport, the County of Wake and the County of Durham are each hereby authorized to issue bonds, under and pursuant to The County Finance Act, for airport purposes as provided in Section 153-77 of said Act the same as if such bonds were to be issued to finance improvements at an airport owned and operated by such County, and notwithstanding that the Raleigh-Durham Airport is located outside the corporate limits of the County of Durham. The proceeds of the sale of any such bonds may be expended by the County issuing such bonds or by the Raleigh-Durham Airport Authority, as may be determined by the Board of Commissioners of the County issuing such bonds.”

C. By changing the period after the word “board” at the end of the second paragraph of Section 6 to a semicolon and adding the following:

“provided, however, that the representation of a municipality on said Board shall not be changed or affected in the event either the County of Wake or the County of Durham, or both, issue bonds for the purpose of aiding the Raleigh-Durham Airport Authority in the financing of improvements at the Raleigh-Durham Airport.”

Sec. 2. The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Sec. 3. That all laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 4. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of June, 1967.

## H. B. 1008

## CHAPTER 782

AN ACT TO RAISE THE SALARIES OF THE CLERK OF THE SUPERIOR COURT AND THE REGISTER OF DEEDS OF MECKLENBURG COUNTY.

*The General Assembly of North Carolina do enact:*

Section 1. Effective commencing July 1, 1967, the annual salary of the Clerk of Superior Court of Mecklenburg County is hereby increased by one thousand dollars (\$1,000.00), and the annual salary of the Register of Deeds of Mecklenburg County by one thousand dollars (\$1,000.00).

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall become effective July 1, 1967.

In the General Assembly read three times and ratified, this the 14th day of June, 1967.

## H. B. 1054

## CHAPTER 783

AN ACT TO AMEND CHAPTER 248, SESSION LAWS OF 1961, RELATING TO THE COMPENSATION OF THE CHAIRMAN AND MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF GREENE COUNTY.

*The General Assembly of North Carolina do enact:*

Section 1. Chapter 248, Session Laws of 1961, is hereby amended by rewriting Section 1 thereof, to read as follows:

“Section 1. The salary of the Chairman of the Board of County Commissioners of Greene County shall be thirty dollars (\$30.00) per month, and the salary of the other members of the Board of County Commissioners of Greene County shall be twenty-five dollars (\$25.00) per month.”

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect on and after July 1, 1967.

In the General Assembly read three times and ratified, this the 14th day of June, 1967.

and no refund shall be made on applications not filed within the time allowed by this section and in such manner as the Commissioner may require.”

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 4th day of May, 1971.

## S. B. 410

## CHAPTER 287

AN ACT TO AMEND CHAPTER 168 OF THE PUBLIC-LOCAL LAWS OF 1939, AS AMENDED, RELATING TO THE RALEIGH-DURHAM AIRPORT AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS BY THE RALEIGH-DURHAM AIRPORT AUTHORITY.

*The General Assembly of North Carolina do enact:*

**Section 1.** That Chapter 168 of the Public-Local Laws of 1939, as amended by Chapter 292 of the Public-Local Laws of 1941, as amended by Chapter 79 of the Session Laws of 1945, as amended by Chapter 1096 of Session Laws of 1955, as amended by Chapter 455 of Session Laws of 1957, as amended by Chapter 755 of Session Laws of 1959, as amended by Chapter 781 of Session Laws of 1967, is hereby amended in the following particulars:

A. By adding the following paragraph to Section 7 of said act as amended, as follows:

“Section 7(L). To issue bonds, notes or other securities and obligations for the purpose of providing funds for the construction, maintenance, improvement and operation of the Raleigh-Durham Airport landing fields, runways, buildings, water, sewer, and electrical systems, and facilities incidental thereto and for the purchase of equipment, machinery, furniture and furnishings and other personal property used or useful in connection therewith, for the purpose of refunding outstanding bonds, with interest and premiums thereon, other obligations of the Raleigh-Durham Airport Authority, and notes issued in anticipation of an issue of bonds thereafter to be made. The said bonds, if and when so issued, shall be denominated ‘Raleigh-Durham Airport Authority Revenue Bonds’, with such additional description as may be deemed appropriate to distinguish each issue; and shall be issued in such form and denomination and shall mature at such time or times, not exceeding thirty-five years after their date, and shall bear such rate of interest, payable annually or semiannually, as the Raleigh-Durham Airport Authority may determine. The bonds shall be signed by the Chairman of said Airport Authority and the corporate seal affixed or impressed upon each bond and attested by the Secretary of said Authority. The coupons to be attached to said bonds shall bear the facsimile signature of the Treasurer of the Authority. Such bonds, notes or securities issued for the purpose or purposes set out, shall be sold under the supervision and with the approval of the Local Government Commission. Bonds and notes issued under this act shall be exempt from all State, federal, county or municipal taxes or assessments, direct or indirect, general or special, and the interest paid on said bonds or notes shall not be subject to taxation as income. The said bonds, notes or other securities shall not be the obligation of the County of Wake, the County of Durham, the City of Durham, or the City of Raleigh, but the Airport Authority is authorized and empowered to pledge the revenues, rents, income and tolls arising out of the use of any Airport property or any specific part of said Airport property until such time as the sums borrowed therefor are fully amortized and repaid. The said bonds or other securities which the

said Airport Authority may incur shall be issued and incurred upon such other terms, covenants and conditions as the said Airport Authority may deem proper.

In addition to the power hereby conferred the Authority shall have such additional powers as may be conferred upon a municipality by the Revenue Bond Act of 1938 and such act is made applicable to the Authority. The bonds, notes or other securities which the Authority is authorized to issue shall be issued and secured in the same manner as bonds issued by a municipality pursuant to said Revenue Bond Act of 1938.”

**Sec. 2.** All laws and clauses of laws in conflict with this act are hereby repealed.

**Sec. 3.** This act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 4th day of May, 1971.

## S. B. 423

## CHAPTER 288

## AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF CORNELIUS.

*The General Assembly of North Carolina do enact:*

**Section 1.** The Charter of the Town of Cornelius is hereby revised and consolidated to read as follows:

## “THE CHARTER OF THE TOWN OF CORNELIUS

## “ARTICLE I. INCORPORATION AND CORPORATE POWERS

“Sec. 1.1. *Incorporation and General Powers.* The Town of Cornelius shall continue to be a body politic and corporate under the name and style of the ‘Town of Cornelius’, and shall continue to be vested with all property and rights which now belong to the Town; shall have perpetual succession; may have a common seal and alter and renew the same at pleasure; may sue and be sued; may contract, may acquire and hold all such property, real and personal, as may be devised, bequeathed, sold or in any manner conveyed or dedicated to it, or otherwise acquired by it, and may from time to time hold or invest, sell, or dispose of the same; and shall have and may exercise in conformity with this Charter all municipal powers, functions, rights, privileges, and immunities of every name and nature; and may pass all ordinances for the good government of the Town and for the promotion of the health, morals, and general welfare of the Town, not inconsistent with the Constitution and laws of the State of North Carolina and the United States of America.

“Sec. 1.2. *Exercise of Powers.* All powers, functions, rights, privileges, and immunities of the Town, its officers, agencies, or employees, shall be carried into execution as provided by this Charter, or, if this Charter makes no provisions, as provided by ordinance or resolution of the Board of Commissioners, and as provided by the general laws of North Carolina pertaining to municipal corporations.

“Sec. 1.3. *Enumerated Powers Not Exclusive.* The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive but, in addition to the powers enumerated herein or implied hereby, or those appropriate to the exercise of such powers, the Town of Cornelius shall have and may exercise all powers which are granted to municipal corporations by the general laws of North Carolina and all powers which, under the Constitution of North Carolina, it would be competent for this Charter specifically to enumerate.

and does not exceed the actual loss sustained. Settlement of the claim by the County Manager pursuant to this section shall constitute a complete release of the County from any and all damages sustained by the person involved in such settlement in any manner arising out of the accident, occasion, or taking complained of. All such releases shall be subject to approval of the County Attorney.

5. For any contract involving a construction project, the County Manager is authorized, in his sound judgment and discretion, to approve change orders and extensions in such construction contract up to an amount not exceeding five thousand dollars (\$5,000) for each such change order or extension. Such approval shall be valid provided that the County Accountant has verified the amount of funds available and legal approval has been secured by the County Attorney. In order to implement any such change order and extensions in the manner hereinabove set out, the County Manager may further authorize payment and allocation of funds as necessary for the accomplishment thereof.

6. To sell any personal property not exceeding five thousand dollars (\$5,000) in value at the time of sale.

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of April, 1973.

## H. B. 680

## CHAPTER 221

AN ACT TO AMEND CHAPTER 168 OF THE PUBLIC-LOCAL LAWS OF 1939, AS AMENDED, RELATING TO THE RALEIGH-DURHAM AIRPORT AND AUTHORIZING AGREEMENTS BETWEEN THE RALEIGH-DURHAM AIRPORT AUTHORITY AND THE COUNTIES OF WAKE AND DURHAM PROVIDING FOR THE LEVY OF TAXES TO SECURE THE PAYMENT OF REVENUE BONDS ISSUED BY THE RALEIGH-DURHAM AIRPORT AUTHORITY.

*The General Assembly of North Carolina enacts:*

**Section 1.** That Chapter 168 of the Public-Local Laws of 1939, as amended by Chapter 292 of the Public-Local Laws of 1941, as amended by Chapter 79 of the Session Laws of 1945, as amended by Chapter 1096 of the Session Laws of 1955, as amended by Chapter 455 of the Session Laws of 1957, as amended by Chapter 755 of the Session Laws of 1959, as amended by Chapter 781, of the Session Laws of 1967, and as amended by Chapter 287 of the Session Laws of 1971, is hereby amended in the following particulars:

A. By adding the following paragraph to Section 7 of said act as amended, as follows:

“Section 7.(M) The County of Wake and the County of Durham are authorized to aid the Raleigh-Durham Airport Authority in the financing of improvements at the Raleigh-Durham Airport by entering into and performing contracts and agreements with said Authority to pay the principal of and interest on bonds, notes or other securities and obligations issued by said Authority to the extent that revenues of said Authority may not be sufficient to pay such principal or interest. Such contracts or agreements may be pledged by said Authority to the holders of bonds of said Authority or to a trustee for such holders as security for the payment of principal of and interest on such bonds, notes or other securities and obligations. Such contracts or agreements may

provide that the County of Wake and the County of Durham shall levy taxes in any fiscal year for the purpose of providing moneys with which to pay principal of and interest on bonds of said Authority and the amounts of such taxes may be based upon an estimate of a deficiency in revenues of said Authority for a forthcoming fiscal year or years. Such contracts or agreements may also provide that the County of Wake and the County of Durham shall levy a tax in any fiscal year or years for the purpose of providing moneys with which to replenish any reserve fund of said Authority established to further secure the payment of the principal and interest on its bonds, notes or other securities and obligations to the extent moneys in such fund have been withdrawn and applied to the payment of such principal and interest.

Such contracts or agreements, before becoming effective, shall be authorized by resolution adopted by the Board of Commissioners of the affected County and shall be approved by a favorable vote of the majority of the qualified voters of such County voting at a general election or at a special election; provided, however, that no such contract shall be entered into unless each County has authorized their respective contracts and such contract has been approved by the voters of the respective County as provided herein. Upon the approval of the qualified voters and the authorization by the Board of Commissioners and proper execution of such contracts or agreements, each County shall thereafter be authorized to levy a tax in each of the fiscal years covered by such contracts in an amount necessary to provide for the payment of principal and interest on bonds, notes or other securities and obligations of the Raleigh-Durham Airport Authority to the extent that the revenues of said Authority are not sufficient for such purpose and in accordance with terms of and as provided by such contracts.”

Sec. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 3. This act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 17th day of April, 1973.

## H. B. 691

## CHAPTER 222

AN ACT TO AMEND CHAPTER 72 OF THE SESSION LAWS OF NORTH CAROLINA FOR THE YEAR 1969, AS AMENDED, REVISING THE DESCRIPTION OF THE CORPORATE LIMITS OF WHISPERING PINES TO SHOW CORRECTION OF AN ERROR TO SHOW AREAS ANNEXED, AND TO SHOW EXCLUSION OF PROPERTY FORMERLY INCLUDED BY MISTAKE.

*The General Assembly of North Carolina enacts:*

**Section 1.** Article III, Section 1, entitled “Corporate Limits” of Section one of Chapter 72 of the 1969 Session Laws, as amended by Chapter 372 of the 1969 Session Laws is hereby amended to show the new corporate limit lines of the Village of Whispering Pines:

“BEGINNING at the intersection of the north line of State Road No. 1843 with the west line of State Road No. 1842, said Road No. 1843 leading from Lakeview of Knollwood Airport and Road No. 1842 leading from Road No. 1843 to the Whispering Pines Country Club, running thence from the beginning with the west line of State Road No. 1842 in a northerly direction to a line of

- a. returns to work for at least five weeks and is paid cumulative wages of at least 10 times his weekly benefit amount;
- b. subsequently becomes unemployed through no fault of his own; and
- c. meets the availability requirements of the law.

Provided for good cause shown the commission in its discretion may as to any permanent disqualification provided in this Chapter reduce the disqualification period to a time certain but not less than five weeks. The maximum amount of benefits due any individual whose permanent disqualification is changed to a time certain shall be reduced by an amount determined by multiplying the number of weeks of disqualification by the weekly benefit amount."

**Sec. 2.** This act shall become effective July 3, 1977.

In the General Assembly read three times and ratified, this the 24th day of February, 1977.

## H. B. 11

## CHAPTER 27

AN ACT TO PREVENT THE ANNEXATION OF TERRITORY WITHIN BRUNSWICK COUNTY UNDER THE PROCEDURES OF PART 2 OF ARTICLE 4A OF CHAPTER 160A.

*The General Assembly of North Carolina enacts:*

**Section 1.** G.S. 160A-44 as the same appears in the 1975 Cumulative Supplement to Volume 3D of the General Statutes is hereby amended on lines 8 and 9 by deleting the words "by any city with a population according to the most recent federal census of less than 2,000".

**Sec. 2.** This act shall become effective upon ratification, but it shall not affect annexations presently in progress.

In the General Assembly read three times and ratified, this the 24th day of February, 1977.

## S. B. 30

## CHAPTER 28

AN ACT TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS.

*The General Assembly of North Carolina enacts:*

**Section 1.** Section 8 of the Charter of Raleigh-Durham Airport Authority is hereby amended by rewriting the second sentence of the second paragraph, as the same appears in Section 1 of Chapter 1096 of the Session Laws of 1955 to read as follows: "Members of said board who are not full-time officials or full-time employees of either said municipality or county shall be paid a per diem of thirty-five dollars (\$35.00) for each day served in attending the meeting of said board. The members of the Airport Authority shall be reimbursed for actual necessary expenses incurred in attending meetings, including actual traveling expenses or an allowance of a sum for each mile traveled where such member uses his personally owned automobile equalled to the amount of the mileage sum paid generally to State of North Carolina employees who are reimbursed on a similar basis from time to time as provided by the General Statutes of North Carolina."

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 25th day of February, 1977.

## H. B. 177

**CHAPTER 29**

AN ACT TO PROVIDE THAT NO BOND SHALL BE REQUIRED OF THE PERSONAL REPRESENTATIVE IF ALL OF THE HEIRS AGREE TO WAIVE BOND OR IF THE PERSONAL REPRESENTATIVE IS THE SOLE HEIR OR DEVISEE.

*The General Assembly of North Carolina enacts:*

**Section 1.** G.S. 28A-8-1(b) is hereby amended by adding two new subdivisions thereof to read as follows:

“(6) a personal representative who resides in the State of North Carolina when all of the heirs of the decedent are over 18 years of age and file with the clerk of superior court a written waiver instrument agreeing to relieve the personal representative from the necessity of giving bond; or

(7) a personal representative when he is the sole heir and or devisee of the decedent.”

**Sec. 2.** This act shall apply to the estates of all decedents dying on or after October 1, 1975.

**Sec. 3.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 25th day of February, 1977.

## H. B. 34

**CHAPTER 30**

AN ACT TO CORRECT AN ERRONEOUS CITATION TO THE PRINCIPAL AND INCOME ACT OF 1973.

*The General Assembly of North Carolina enacts:*

**Section 1.** G.S. 32-27(29), as the same appears in the 1976 Replacement of Volume 2A of the General Statutes is hereby amended on line 2 by deleting the words “Uniform Principal and Income Act” and inserting in lieu thereof the words “Principal and Income Act of 1973”.

**Sec. 2.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 25th day of February, 1977.

## S. B. 6

**CHAPTER 31**

AN ACT TO AMEND CHAPTER 4 OF THE 1971 SESSION LAWS WHICH REQUIRES THAT PHYSICIANS AND HOSPITALS MUST REPORT CERTAIN WOUNDS, INJURIES AND ILLNESSES SO THAT IT WILL APPLY TO FORSYTH COUNTY.

*The General Assembly of North Carolina enacts:*

**Section 1.** Section 2 of Chapter 4 of the 1971 Session Laws, as amended by Chapter 594 of the 1971 Session Laws, is hereby rewritten to read as follows:

“Sec. 2. This act shall apply only to Alamance, Forsyth, Craven, Iredell, Mecklenburg, Buncombe, Polk, Rockingham, Stanly, Montgomery, Onslow, Wake and New Hanover Counties.”

**Sec. 2.** This act shall become effective on July 1, 1977.

municipalities of the adjusted valuations by certified mail and the county and municipalities shall, within 30 days of the receipt of such notice, refund the difference between the amount of taxes paid by the company based on the certified valuations and the amount determined to be due based on the adjusted valuations. In certifying the appraised valuations of the public service company's property to the county and municipalities for the years following an appeal and until another request for hearing is filed as herein provided or a general reappraisal of real property as required in G.S. 105-286(a) is conducted, the Department of Revenue shall adjust the valuations in accordance with the percentage of reduction determined by the Property Tax Commission; provided, however, if a county performs a horizontal adjustment pursuant to G.S. 105-286(b) the percentage of reduction shall be reduced as is appropriate to eliminate any remaining portion of the inequitable difference previously determined.

(6) The hearing provided in this section shall be conducted under the provisions of G.S. 105-342(d)."

**Sec. 2.** This act shall become effective January 1, 1980, and shall not apply to appeals filed with the Property Tax Commission before January 1, 1980.

In the General Assembly read three times and ratified, this the 28th day of May, 1979.

## S. B. 737

## CHAPTER 666

## AN ACT TO AMEND CHAPTER 168 OF PUBLIC-LOCAL LAWS 1939, AS AMENDED, RELATING TO THE RALEIGH-DURHAM AIRPORT.

*The General Assembly of North Carolina enacts:*

**Section 1.** Chapter 168 of Public-Local Laws 1939, as amended, is hereby further amended as follows:

(1) The second sentence of Section 7(g), as it appears in Chapter 755 of the Session Laws of North Carolina 1959, is hereby amended to read as follows:

"The said bonds, if and when so issued, shall be denominated 'Raleigh-Durham Airport Authority Revenue Bonds' and shall be issued in such form and denomination and shall mature at such time or times, not exceeding 35 years after their date, and shall bear such rate of interest, payable annually or semiannually, as the said Raleigh-Durham Airport Authority may determine."

**Sec. 2.** Section 7 of Chapter 168 of Public-Local Laws 1939, as amended, is hereby further amended by adding a new subsection (l) immediately following Section 7(k) and immediately prior to Section 8, said subsection 7(l) to read as follows:

"(l) Private property needed for airport purposes may be acquired by the Raleigh-Durham Airport Authority by gift or devise or by purchase if the Raleigh-Durham Airport Authority is able to agree with the owners on the terms thereof. In case the Raleigh-Durham Airport Authority shall determine that condemnation of real property is necessary for airport purposes, it shall have the right to acquire such property within Wake County or Durham County by condemnation proceedings brought in its own name and without the joinder of the City of Raleigh, the City of Durham, the County of Durham or the County of Wake. The condemnation procedure to be followed shall be the

procedure set out and contained in Article 9 of Chapter 136 of the General Statutes of North Carolina. In such case, the Raleigh-Durham Airport Authority shall have the same powers, and shall follow the same statutory procedures, in the condemnation of land within Wake County or Durham County for airport purposes as the Board of Transportation does in the condemnation of land under Article 9 of Chapter 136 of the General Statutes of North Carolina for highway purposes. Any pleadings or documents necessary to be served on the Raleigh-Durham Airport Authority in such action may be served upon the Chairman or Secretary of the Raleigh-Durham Airport Authority or the Airport Director. Title to property so acquired by condemnation shall vest in the Raleigh-Durham Airport Authority; provided, however, that no such real property shall be sold or conveyed by the Raleigh-Durham Airport Authority without the prior approval of the County of Durham, the County of Wake, the City of Durham and the City of Raleigh.”

**Sec. 3.** Chapter 168 of the Public-Local Laws of 1939, as amended, is further amended by inserting a new Section 8 immediately following Section 7, as amended and immediately prior to the present Section 8, as amended, and by renumbering all succeeding sections of said Chapter 168 as amended, the new Section 8 to read as follows:

“Sec. 8. In the event the Raleigh-Durham Airport Authority shall at any time hereafter cease to exist, all assets and properties of any kind then owned or held by the Raleigh-Durham Airport Authority shall revert to and become the property of the City of Durham, the City of Raleigh, the County of Durham and the County of Wake, subject to any and all debts, obligations and contractual undertakings applicable thereto.”

**Sec. 4.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of May, 1979.

S. B. 273

## CHAPTER 667

### AN ACT TO AMEND CHAPTER 20 OF THE GENERAL STATUTES TO PROVIDE FOR CLASSIFIED DRIVERS' LICENSES.

*The General Assembly of North Carolina enacts:*

**Section 1.** G.S. 20-4.01 is amended as follows:

(1) By striking from line 1 of the subdivision (2) the words “operators’ and chauffeurs” and inserting in lieu thereof the word “drivers”.

(2) By deleting subdivision (3) in its entirety.

**Sec. 2.** G.S. 20-4.18(3) is repealed.

**Sec. 3.** Subsection (a) of G.S. 20-7 is rewritten to read as follows:

“(a) Except as otherwise provided in this Article, no person shall operate a motor vehicle on a highway unless such person has first been licensed by the Division under the provisions of this Article for the type or class of vehicle being driven. Driver’s licenses shall be classified as follows:

(1) Class ‘A’ which entitles a licensee to drive any vehicle or combination of vehicles, except motorcycles, including all vehicles under Classes ‘B’ or ‘C’.

(2) Class ‘B’ which entitles a licensee to drive a single vehicle weighing over 30,000 pounds gross vehicle weight, any such vehicle towing a vehicle weighing 10,000 pounds gross vehicle weight or less, a single

NORTH CAROLINA GENERAL ASSEMBLY  
1981 SESSION

CHAPTER 1192  
HOUSE BILL 1537

AN ACT RELATING TO THE CONDEMNATION OF LAND IN WAKE AND  
DURHAM COUNTIES BY THE RALEIGH-DURHAM AIRPORT AUTHORITY.

Whereas, Chapter 666 of the Session Laws of 1979, authorized and empowered the Raleigh-Durham Airport Authority to acquire by condemnation land in Wake and Durham Counties for airport purposes by procedures under which title to and the right of immediate possession of said land vested in the Raleigh-Durham Airport Authority upon the filing of the complaint; and

Whereas, by inadvertance, Chapter 40A of the General Statutes, enacted in 1981, repealed the aforesaid provisions of Chapter 666 of the Session Laws of 1979 without including therein any provision by which title to or the right of immediate possession of the land being condemned would vest in the Raleigh-Durham Airport Authority upon the filing of the complaint for condemnation; and

Whereas, it is the intent and purpose of this act to restore to the Raleigh-Durham Airport Authority in actions for condemnation the vesting of title and the immediate right of possession upon the filing of the action for condemnation; Now, therefore,

The General Assembly of North Carolina enacts:

**Section 1.** Section 7 of Chapter 168 of Public-Local Laws 1939, as amended, is further amended by adding a new subsection (1) to read:

"(1) Private property needed for airport purposes may be acquired by the Raleigh-Durham Airport Authority by gift or devise or by purchase if the Raleigh-Durham Airport Authority is able to agree with the owners on the terms thereof. In case the Raleigh-Durham Airport Authority shall determine that condemnation of real property is necessary for airport purposes, it shall have the right to acquire such property within Wake County or Durham County by condemnation proceedings brought in its own name and without the joinder of the City of Raleigh, the City of Durham, the County of Durham or the County of Wake. The condemnation procedure to be followed shall be the procedure set out and contained in Article 9 of Chapter 136 of the General Statutes. In such case, the Raleigh-Durham Airport Authority shall have the same powers, and shall follow the same statutory procedures, in the condemnation of land within Wake County or Durham County for airport purposes as the Board of Transportation does in the condemnation of land under Article 9 of Chapter 136 of the General Statutes for highway purposes. Any pleadings or documents necessary to be served on the Raleigh-Durham Airport Authority in such action may be served upon the Chairman or

Secretary of the Raleigh-Durham Airport Authority or the Airport Director. Title to property so acquired by condemnation shall vest in the Raleigh-Durham Airport Authority; provided, however, that no such real property shall be sold or conveyed by the Raleigh-Durham Airport Authority without the prior approval of the County of Durham, the County of Wake, the City of Durham and the City of Raleigh."

**Sec. 2.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of June, 1982.

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1997

SESSION LAW 1998-141  
SENATE BILL 1398

AN ACT TO AMEND CHAPTER 168 OF THE 1939 PUBLIC-LOCAL LAWS, AS PREVIOUSLY AMENDED, WHICH ENABLED THE ESTABLISHMENT OF THE RALEIGH-DURHAM AIRPORT AUTHORITY, TO ALLOW THE AUTHORITY TO CONTRACT WITH PRIVATE PARTIES FOR THE DEVELOPMENT, CONSTRUCTION, AND OCCUPANCY OF SPECIAL USER PROJECTS WITHOUT COMPLYING WITH ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

Section 1. Subsection (f) of Section 7 of Chapter 168 of the Public-Local Laws of 1939, as amended by Chapter 1096 of the 1955 Session Laws, and Chapter 755 of the Session Laws of 1959, is further amended by adding a new subdivision to read:

"(1) Special User Projects. To contract with persons, firms, or corporations for special user projects as defined and described in this subdivision.

Special user projects are projects that are undertaken for the use and benefit of one or more private entities who will lease the facilities from the Authority upon terms and conditions that will make the private entities solely responsible for the repayment of all notes, bonds, debts, or other costs incurred in the financing, acquisition, development, or construction of the project.

A special user project shall include all of the following:

- a. The acquisition of equipment, the development of land belonging to the Authority, the construction of buildings or other structures belonging to the Authority on land belonging to the Authority.
- b. The issuance of the Authority's special facility revenue bonds or other debt instruments, as authorized in Article 5 of Chapter 159 of the General Statutes, in an amount not less than four million dollars (\$4,000,000) by the Local Government Commission, the proceeds of which shall be used to pay the costs of the special user project and which bonds or other debt instruments shall be repayable solely from the rents, fees, charges, payments, or other revenues payable to the Authority by the special user or from the funds, collateral, and

undertakings of private parties that are either assigned or pledged by those parties.

- c. The use of the property acquired, developed, or constructed shall be limited to airline, aircraft, aviation support, air passenger, aircraft maintenance and repair, other airport related purposes, but may include appurtenances and incidental facilities such as driveways, sidewalks, parking facilities, utilities, warehouses, loading facilities, administrative and other office facilities, and other improvements necessary or convenient for the operation of these facilities.

Notwithstanding any other provision of law, the Authority may agree that all contracts relating to the acquisition, design, construction, installation, or equipping of the special user project shall be solicited, negotiated, awarded, and executed by the private parties for which the Authority is financing the special user project or any agents of the private parties subject only to approval by the Authority, as the Authority may require. The Authority may, out of the proceeds of bonds or other debt instruments, make advances to or reimburse the private parties or their agents for all or a portion of the costs incurred in connection with the contracts. For all contracts related to special user projects, the Authority shall be exempt from the requirements of Article 8 of Chapter 143 of the General Statutes."

Section 2. This act is effective when it becomes law and expires on January 1, 2003. All contracts executed under the authority of this act and any bonds or other debt instruments issued pursuant to this act prior to the expiration date of this act shall remain effective until the contracts are completed or the bonds or other debt instruments are retired.

In the General Assembly read three times and ratified this the 14th day of September, 1998.

s/ Dennis A. Wicker  
President of the Senate

s/ Harold J. Brubaker  
Speaker of the House of Representatives