

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 624
HOUSE BILL 1084

AN ACT TO AMEND THE LOCAL GOVERNMENT BOND ACT TO PROVIDE THAT A COUNTY WATER AND SEWER DISTRICT IS AUTHORIZED TO ISSUE ITS BONDS THEREUNDER AND TO AMEND ARTICLE 6 OF CHAPTER 162A OF THE GENERAL STATUTES OF NORTH CAROLINA TO DELETE THE REQUIREMENT OF A PETITION IN CONNECTION WITH THE CREATION OF A COUNTY WATER AND SEWER DISTRICT THEREUNDER AND TO PROVIDE THAT THE INHABITANTS OF ANY SUCH DISTRICT MAY ESTABLISH, REVISE AND COLLECT RATES, FEES OR OTHER CHARGES AND PENALTIES FOR THE USE OF OR THE SERVICES FURNISHED OR TO BE FURNISHED BY ANY SYSTEM OF SUCH DISTRICT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 159-48(e) is amended by deleting therefrom the word "and" before the words "metropolitan water district" and by inserting therein the words ", and county water and sewer district" after the words "metropolitan water district".

Sec. 2. The heading and subsection (a) of G.S. 162A-86 are amended to read:
"§ 162A-86. **Formation of district; hearing.** — (a) The board of commissioners of any county may create a county water and sewer district."

Sec. 3. The second sentence of G.S. 162A-86(b) is amended to read:
"Notice of the hearing shall state the date, hour, and place of the hearing and its subject and shall set forth a description of the territory to be included within the proposed district."

Sec. 4. The last sentence of G.S. 162A-87(a) is amended to read:
"Otherwise, the board of commissioners may define as the district all or any portion of the territory described in the notice of the public hearing."

Sec. 5. The last sentence of G.S. 162A-88 is amended by inserting therein the words "may establish, revise and collect rates, fees or other charges and penalties for the use of or the services furnished or to be furnished by any sanitary sewer system, water system or sanitary sewer and water system of the district;" before the words "and may exercise those powers conferred on them by this Article."

Sec. 6. Nothing in this act is intended to affect in any way any public or private rights or interests (i) now vested or accrued, in whole or in part, the validity of which might be sustained or preserved by reference to any provisions of law amended by this act or (ii) derived from or which might be sustained or preserved in reliance upon action heretofore taken, including the adoption of orders, ordinances, or resolutions, pursuant to or within the scope of any provision of law amended by this act.

Sec. 7. Nothing in this act shall be construed to impair the obligation of any bond, note or coupon outstanding on the effective date of this act.

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 23rd day of May, 1979.