

NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 832
SENATE BILL 284

1 AN ACT TO AMEND ARTICLE 1 OF CHAPTER 63 OF THE GENERAL STATUTES OF
2 NORTH CAROLINA SO AS TO PROVIDE FOR AN ELECTION UPON THE
3 LEVYING OF A SPECIAL TAX FOR AIRPORT PURPOSES.
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5 The General Assembly of North Carolina do enact:
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7 **Section 1.** Article 1 of Chapter 63 of the General Statutes of North Carolina is
8 hereby amended by adding a new Section to be designated as indicated and to read as follows:

9 "§ 63-8.1. (a) Notwithstanding any limitation provided by any general, public-local or private
10 law, the governing body of any city, town or county is hereby authorized and empowered to
11 submit to the qualified voters of such city, town or county the question of the levy of a special
12 annual tax on each one hundred dollars (\$100.00) of assessed valuation of the taxable property
13 therein for constructing, improving, equipping, maintaining and operating airports, landing
14 fields and other air navigation facilities provided for in this Chapter, or for any one or more of
15 such special purposes. The rate or amount of such tax for which a levy may be made hereunder
16 shall be determined by the governing body of such city, town or county and the special
17 approval of the General Assembly is hereby given for the levying of such tax for such
18 purposes.

19 "(b) (1) Such question may be submitted to the voters at any election, whether
20 general, regular or special, or at a special election called for such purpose,
21 and such election shall be held and conducted in the same manner as such
22 general, regular or special election or in the same manner as elections are
23 held to determine the question of the issuance of bonds. The form of the
24 ballot shall be determined by the governing body of such city, town or
25 county and voting machines may be used.

26 "(2) The governing body shall prepare a statement showing the number of votes
27 cast for and against the levy of such tax and declaring the result of the
28 election, which statement shall be signed by a majority of the members of
29 the governing body and delivered to the clerk or recording officer who shall
30 record it in the minutes of the governing body and file the original in his
31 office and publish it once in a newspaper of general circulation in such city,
32 town or county.

33 "(3) No right of action or defense founded upon the invalidity of the election
34 shall be asserted, nor shall the validity of the election be open to question in
35 any court upon any ground whatever except in an action or proceeding
36 commenced within thirty days after the publication of such statement.

37 "(c) If a majority of the qualified voters voting on such question in such election shall
38 vote in favor of the levy of such tax, the governing body of such city, town or county is hereby
39 authorized and empowered to levy and collect the special tax so approved, such tax to be in
40 addition to all taxes authorized by any other special or general act, and such special tax within
41 the limit approved by the voters shall be levied and collected as other general taxes are levied
42 and collected on all the taxable property in such city, town or county. The funds so derived
43 from the levy of such tax shall be expended exclusively for the purposes for which it is voted.

1 "(d) In any city, town or county in which a special tax for the purposes herein authorized
2 has been voted under this Chapter or under any other general, public-local or private law, the
3 governing body thereof may submit to the voters of such city, town or county the question of an
4 increase or decrease of such tax in the manner and within the limitations of this Chapter."

5 **Sec. 2.** Any steps and proceedings heretofore taken by any city, town or county in
6 connection with submitting to the voters thereof the question of levying a special tax for the
7 purposes herein authorized and any election hereafter held pursuant to such steps and
8 proceedings heretofore taken and any election heretofore held for such purpose are hereby in all
9 respects ratified, approved, confirmed and validated.

10 **Sec. 3.** All laws and clauses of laws in conflict with the provisions of this Act are
11 hereby repealed.

12 **Sec. 4.** This Act shall be in full force and effect from and after its ratification.
13 In the General Assembly read three times and ratified, this the 8th day of June,
14 1965.