

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1533
Committee Substitute Favorable 8/13/98

Short Title: Halifax Regional Airport.

(Local)

Sponsors:

Referred to:

May 27, 1998

A BILL TO BE ENTITLED

1 AN ACT TO ENABLE THE COUNTY OF HALIFAX, THE COUNTY OF
2 NORTHAMPTON, AND THE CITY OF ROANOKE RAPIDS TO ESTABLISH AN
3 AIRPORT AUTHORITY FOR THE MAINTENANCE OF REGIONAL AIRPORT
4 FACILITIES.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. Section 1 of S.L. 1997-275 reads as rewritten:

8 "Section 1. There is hereby created the 'Halifax-Roanoke-Rapids-Halifax Regional
9 Airport Authority' (for brevity hereinafter referred to as the 'Airport Authority'), which
10 shall be a body both corporate and politic, having the powers and jurisdiction hereinafter
11 enumerated and such other and additional powers as shall be conferred upon it by general
12 law and future acts of the General Assembly. For purposes of this act the word 'City'
13 when used alone shall mean the City of Roanoke Rapids and the word 'County' when
14 used alone shall mean either Halifax County or Northampton County."

15 Section 2. Section 2 of S.L. 1997-275 reads as rewritten:

16 "Section 2. The Airport Authority shall consist of ~~seven~~nine members, ~~three~~two of
17 whom shall be appointed to staggered three-year terms by the Roanoke Rapids City
18 ~~Council~~Council, two of whom shall be appointed to staggered three-year terms by the
19 Northampton County Board of Commissioners, and ~~three~~four of whom shall be appointed

1 to staggered three-year terms by the Halifax County Board of ~~Commissioners~~
2 Commissioners, and one of whom shall be appointed by the other ~~six~~ eight members of
3 the Airport Authority. The members appointed by the Roanoke Rapids City Council
4 shall be qualified voters of the City of Roanoke Rapids, the members appointed by the
5 Northampton County Board of Commissioners shall be qualified voters of the County of
6 Northampton, and the members appointed by the Halifax County Board of
7 Commissioners ~~and the Airport Authority~~ shall be qualified voters of the County of
8 Halifax. Each member appointed from Halifax County shall take and subscribe before
9 the Clerk of Superior Court of Halifax County an oath of ~~office and~~ office. Each member
10 appointed from Northampton County shall take and subscribe before the Clerk of
11 Superior Court of Northampton County an oath of office. They shall file the same with
12 the Halifax County Board of ~~Commissioners~~ Commissioners, the Northampton County
13 Board of Commissioners, and the Roanoke Rapids City Council. Membership on the
14 Halifax County Board of ~~Commissioners~~ Commissioners, the Northampton County Board
15 of Commissioners, or the Roanoke Rapids City Council and the Airport Authority shall
16 not constitute double office holding within the meaning of Article VI, Section 9 of the
17 Constitution of North Carolina."

18 Section 3. Section 3 of S.L. 1997-275 reads as rewritten:

19 "Section 3. The Airport Authority may adopt suitable bylaws for its management.
20 The members of the Airport Authority ~~shall~~ may receive compensation, per diem, or
21 otherwise as the Roanoke Rapids City ~~Council~~ Council, the Halifax County Board of
22 ~~Commissioners~~ Commissioners, or the Northampton County Board of Commissioners
23 from time to time determines and be paid their actual traveling expenses incurred in
24 transacting the business and at the instance of the Airport Authority. Members of the
25 Airport Authority shall not be personally liable for their acts as members of the Airport
26 Authority, except for acts resulting from misfeasance or malfeasance."

27 Section 4. Subsection (a) of Section 4 of S.L. 1997-275 reads as rewritten:

28 "(a) The Airport Authority shall constitute a body, both corporate and politic, and
29 shall have the following powers and authority:

- 30 (1) To purchase, acquire, establish, construct, own, control, lease, equip,
31 improve, maintain, operate, and regulate airports and landing fields
32 for the use of airplanes and other aircraft within the limits of the
33 County and for this purpose to purchase, improve, own, hold, lease,
34 or operate real or personal property. The Airport Authority may
35 exercise these powers alone or in conjunction with the City of
36 ~~Roanoke Rapids~~ Rapids, the County of Northampton, or the County
37 of Halifax.
- 38 (2) To sue and be sued in the name of the Airport Authority, to make
39 contracts and hold any personal property necessary for the exercise
40 of the powers of the Airport Authority, and acquire by purchase,
41 lease, or otherwise any existing lease, leasehold right, or other
42 interest in any existing airport located in the County.

- 1 (3) To charge and collect reasonable and adequate fees and rents for the
2 use of airport property or for services rendered in the operation of
3 the airport.
- 4 (4) To make all reasonable rules and regulations it deems necessary for
5 the proper maintenance, use, operation, and control of the airport and
6 provide penalties for the violation of these rules and regulations;
7 provided, the rules and regulations and schedules of fees not be in
8 conflict with the laws of North Carolina, and the regulations of the
9 Federal Aviation Administration. The Airport Authority may
10 administer and enforce any airport zoning regulations adopted by the
11 City of Roanoke ~~Rapids~~ Rapids, the County of Northampton, or the
12 County of Halifax.
- 13 (5) To issue bonds pursuant to Article 5 of Chapter 159 of the General
14 Statutes.
- 15 (6) To sell, lease, or otherwise dispose of any property, real or personal,
16 belonging to the Airport Authority, according to the procedures
17 described in Article 12 of Chapter 160A of the General Statutes, but
18 no sale of real property shall be made without the approval of the
19 Halifax County Board of ~~Commissioners~~ Commissioners, the
20 Northampton County Board of Commissioners, and the Roanoke
21 Rapids City Council.
- 22 (7) To purchase any insurance that the Federal Aviation Administration
23 or the Airport Authority shall deem necessary. The Airport
24 Authority shall be responsible for any and all insurance claims or
25 liabilities.
- 26 (8) To deposit or invest and reinvest any of its funds as provided by the
27 Local Government Finance Act, as it may be amended from time to
28 time, for the deposit or investment of unit funds.
- 29 (9) To purchase any of its outstanding bonds or notes.
- 30 (10) To operate, own, lease, control, regulate, or grant to others, for a
31 period not to exceed 25 years, the right to operate on any airport
32 premises restaurants, snack bars, vending machines, food and
33 beverage dispensing outlets, rental car services, catering services,
34 novelty shops, insurance sales, advertising media, merchandising
35 outlets, motels, hotels, barber shops, automobile parking and storage
36 facilities, automobile service establishments, and all other types of
37 facilities as may be directly or indirectly related to the maintenance
38 and furnishing to the general public of a complete air terminal
39 installation.
- 40 (11) To contract with persons, firms, or corporations for terms not to
41 exceed 25 years, for the operation of airline-scheduled passenger and
42 freight flights, nonscheduled flights, and any other airplane activities

1 not inconsistent with the grant agreements under which the airport
2 property is held.

3 (12) To erect and construct buildings, hangars, shops, and other
4 improvements and facilities, not inconsistent with or in violation of
5 the agreements applicable to and the grants under which the real
6 property of the airport is held; to lease these improvements and
7 facilities for a term or terms not to exceed 25 years; to borrow
8 money for use in making and paying for these improvements and
9 facilities, secured by and on the credit only of the lease agreements
10 in respect to these improvements and facilities, and to pledge and
11 assign the leases and lease agreements as security for the authorized
12 loans.

13 (13) Subject to the limitations set out in this act, to have all the same
14 power and authority granted to cities and counties pursuant to
15 Chapter 63 of the General Statutes, Aeronautics.

16 (14) To have a corporate seal, which may be altered at will."

17 Section 5. Section 8 of S.L. 1997-275 reads as rewritten:

18 "Section 8. The Airport Authority shall make an annual report to the Halifax County
19 Board of ~~Commissioners~~ Commissioners, the Northampton County Board of
20 Commissioners, and the Roanoke Rapids City Council setting forth in detail the
21 operations and transactions conducted by it pursuant to this act. The Airport Authority
22 shall not have the power to pledge the credit of Halifax ~~County~~ County, Northampton
23 County, or the City of Roanoke Rapids, or any subdivision thereof, or to impose any
24 obligation on Halifax ~~County~~ County, Northampton County, or the City of Roanoke
25 Rapids, or any of their subdivisions, except when that power is expressly granted by
26 statute."

27 Section 6. Section 9 of S.L. 1997-275 reads as rewritten:

28 "Section 9. Subject to the limitations as set out in this act, all rights and powers given
29 and granted to counties or municipalities by general law, which may now be in effect or
30 enacted in the future relating to the development, regulation, and control of municipal
31 airports and the regulation of aircraft are vested in the Airport Authority. The Halifax
32 County Board of ~~Commissioners~~ Commissioners, the Northampton County Board of
33 Commissioners, or the Roanoke Rapids City Council may delegate their powers under
34 these acts to the Airport Authority, and the Airport Authority shall have concurrent rights
35 with Halifax ~~County~~ County, Northampton County, and the City of Roanoke Rapids to
36 control, regulate, and provide for the development of aviation in Halifax ~~County~~ County
37 and Northampton County."

38 Section 7. Section 12 of S.L. 1997-275 reads as rewritten:

39 "Section 12. The Halifax County Board of ~~Commissioners~~ Commissioners, the
40 Northampton County Board of Commissioners, or the Roanoke Rapids City Council may
41 appropriate funds derived from any source including ad valorem taxes to carry out the
42 provisions of this act in any proportion or upon any basis as may be determined by the

1 Halifax County Board of ~~Commissioners~~ Commissioners, the Northampton County Board
2 of ~~Commissioners~~, or the Roanoke Rapids City Council."

3 Section 8. Section 15 of S.L. 1997-275 reads as rewritten:

4 "Section 15. The powers granted to the Airport Authority shall not be effective until
5 the members of the Airport Authority have been appointed by the Halifax County Board
6 of ~~Commissioners~~ Commissioners, the Northampton County Board of Commissioners, and
7 the Roanoke Rapids City Council, and nothing in this act shall require the Board of
8 Commissioners or City Council to make the initial appointments. It is the intent of this
9 act to enable but not to require the formation of the ~~Halifax-Roanoke-Rapids~~ Halifax
10 Regional Airport Authority."

11 Section 9. This act is effective when it becomes law.