

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 426  
HOUSE BILL 334

AN ACT TO CORRECT OMISSIONS, TECHNICAL ERRORS, AND INTERNAL  
INCONSISTENCIES IN CHAPTER 160A OF THE GENERAL STATUTES.

The General Assembly of North Carolina enacts:

**Section 1.** All references in this act to portions of Chapter 160A of the General Statutes refer to Chapter 160A as it appears in the 1972 Replacement Volume 3D.

**Sec. 2.** G.S. 160A-5 is amended by striking out the word "clearly" in the fifth line and inserting in its place the word "nearly." G.S. 160A-5 is further amended in line three by placing a comma after the words "local act" and inserting "or any city ordinance, resolution, or order,".

**Sec. 3.** The first subparagraph of G.S. 160A-1 (definition of "Chapter") is amended by striking out "Article 6" and inserting in its place "Article 5."

**Sec. 4.** Subparagraph (3) of G.S. 160A-7 is amended by striking out "G.S. 160-291" and inserting in its place "G.S. 160A-101."

**Sec. 5.** G.S. 160A-9.2(4) is rewritten to read as follows:

"(4) That no portion of the area lies within one mile of the corporate limits of any other city having a population of 5,000 or more according to the most recent decennial census of population taken by order of Congress, or within three miles of the corporate limits of any other city having a population of 10,000 or more according to the most recent decennial census of population taken by order of Congress, or within five miles of the corporate limits of any other city having a population of 50,000 or more according to the most recent decennial census of population taken by order of Congress."

G.S. 160A-9.2 is further amended by inserting a new unnumbered paragraph at the end thereof as follows:

"If the area does not meet all of the criteria set out in this section, the Board may not incorporate it as a city."

**Sec. 6.** Subparagraph (3) of G.S. 160A-9.4 is rewritten to read as follows:

"(3) The composition and mode of election of the governing body within the optional forms set out in G.S. 160A-101."

G.S. 160A-9.4 is further amended by inserting a new unnumbered paragraph at the end thereof as follows:

"In fixing the date of the first regular municipal election, the Board is not bound by G.S. 163-279, but all subsequent elections in the newly incorporated city shall be conducted in accordance with Subchapter IX of Chapter 163 of the General Statutes."

**Sec. 7.** G.S. 160A-11 is amended by deleting from the second line the word "former."

**Sec. 8.** G.S. 160A-17.1 is amended by striking out the word "municipality" wherever it appears and inserting in its place the words "city or county."

G.S. 160A-17.1 is further amended by striking out the words "general or local law" in the first unnumbered paragraph and inserting in their place the words "general law or local act."

G.S. 160A-17.1 is further amended by striking out the third unnumbered paragraph.

**Sec. 9.** Chapter 160A of the General Statutes is amended by inserting a new section in Article 3 thereof as follows:

"§ **160A-19. Leases.** — A city is authorized to lease as lessee, with or without option to purchase, any real or personal property for any authorized public purpose. A lease of personal property with an option to purchase is subject to Article 8 of Chapter 143 of the General Statutes."

**Sec. 10.** G.S. 160A-22 is amended in line two by inserting the word "or" after the comma following the word "map."

G.S. 160A-22 is further amended by rewriting the last two sentences to read as follows:

"The council may provide for revisions in any map or other description of the city boundaries. A revised map or description shall supersede for all purposes the earlier map or description that it is designated to replace."

**Sec. 11.** G.S. 160A-63 is amended by inserting a new paragraph at the end thereof as follows:

"In cities whose elections are conducted on a partisan basis, a person appointed to fill a vacancy in an elective office shall be a member of the same political party as the person whom he replaces if that person was elected as the nominee of a political party."

**Sec. 12.** G.S. 160A-64(a) is rewritten to read as follows:

"(a) The council may fix its own compensation and the compensation of the mayor and any other elected officers of the city by publication in and adoption of the annual budget ordinance, but the salary of an elected officer other than a member of the council may not be reduced during the then current term of office unless he agrees thereto. The mayor, councilmen, and other elected officers are entitled to reimbursement for actual expenses incurred in the course of performing their official duties at rates not in excess of those allowed to other city officers and employees."

**Sec. 13.** G.S. 160A-68 is amended in line two by inserting after the words "shall be" the words "held on the date and at the time of."

**Sec. 14.** G.S. 160A-71(a) is rewritten to read as follows:

"(a) The council shall fix the time and place for its regular meetings. If no action has been taken fixing the time and place for regular meetings, a regular meeting shall be held at least once a month at 10:00 a.m. on the first Monday of the month."

**Sec. 15.** The second sentence of G.S. 160A-72 is rewritten to read as follows: "The results of each vote shall be recorded in the minutes, and upon the request of any member of the council, the ayes and noes upon any question shall be taken."

**Sec. 16.** The first unnumbered paragraph of G.S. 160A-75 is amended by inserting the following at the end thereof: "The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct."

**Sec. 17.** G.S. 160A-76(b) is amended in the third line by changing the comma after "G.S. 143-138(e)" to a period, and by capitalizing the following word "A."

**Sec. 18.** G.S. 160A-79(a) is rewritten to read as follows:

"(a) In all civil and criminal cases a city ordinance that has been codified in a code of ordinances adopted and issued in compliance with G.S. 160A-77 must be pleaded by both section number and caption. In all civil and criminal cases a city ordinance that has not been codified in a code of ordinances adopted and issued in compliance with G.S. 160A-77 must be pleaded by its caption. In both instances, it is not necessary to plead or allege the substance or effect of the ordinance unless the ordinance has no caption and has not been codified."

G.S. 160A-79(b)(1) is amended by striking out the words "pursuant to G.S. 160A-77."

**Sec. 19.** G.S. 160A-101(6) is amended by inserting the words "single-member" before the words "electoral district" wherever they appear therein.

G.S. 160A-101 is amended by rewriting paragraph (4) to read as follows:

"(4) Terms of office of members of the council:

Members of the council shall serve terms of office of either two or four years. All of the terms need not be of the same length, and all of the terms need not expire in the same year."

G.S. 160A-101(8) is amended by inserting a new unnumbered paragraph therein as follows:

"Under option a., the mayor may be given the right to vote on all matters before the council, or he may be limited to voting only to break a tie. Under option b., the mayor has the right to vote on all matters before the council. In both cases the mayor has no right to break a tie vote in which he participated."

**Sec. 20.** The last unnumbered paragraph of G.S. 160A-102 is amended by striking out "G.S. 160A-128" and inserting in its place "G.S. 160A-104."

The second sentence of the third unnumbered paragraph of G.S. 160A-102 is amended by striking out "20" and inserting in its place "30."

**Sec. 21.** The fifth sentence of G.S. 160A-104 is rewritten to read as follows: "Upon receipt of a valid initiative petition, the council shall call a special election on the question of adopting the charter amendments proposed therein, and shall give public notice thereof not less than 30 days before the last day on which voters may register to vote in the special election."

**Sec. 22.** G.S. 160A-148(1) is amended by striking out the words "city employees" and inserting in their place the words "city officers and employees not elected by the people, and whose appointment or removal is not otherwise provided for by law,".

**Sec. 23.** G.S. 160A-167 is amended by inserting after the word "city" wherever it appears the words "or county."

**Sec. 24.** G.S. 160A-176 is rewritten to read as follows:

"§ 160A-176. **Ordinances effective on city property outside limits.** — Any city ordinance may be made effective on and to property and rights-of-way belonging to the city and located outside the corporate limits."

**Sec. 25.** G.S. 160A-184 is amended by striking out the word "loud" in the body of the section and by revising the caption to read "Noise regulation."

**Sec. 26.** G.S. 160A-185 is rewritten to read as follows:

"§ 160A-185. **Emission of pollutants or contaminants.** — A city may by ordinance regulate, restrict, or prohibit the emission or disposal of substances or effluents that tend to pollute or contaminate land, water, or air, rendering or tending to render it injurious to human health or welfare, to animal or plant life or to property, or interfering or tending to interfere with the enjoyment of life or property. Any such ordinance shall be consistent with and supplementary to State and federal laws and regulations."

**Sec. 27.** G.S. 160A-191 is amended by striking out "G.S. 18-107" and inserting in its place "G.S. 18A-33(b)."

**Sec. 28.** Chapter 160A of the General Statutes is amended by inserting a new section in Article 8 thereof as follows:

"§ 160A-195. **Regulating speed of trains.** — A city may by ordinance regulate the speed at which railroad trains may be operated within the corporate limits."

**Sec. 29.** G.S. 160A-207 is amended by striking out "(G.S. 105-271 to 105-395)."

**Sec. 30.** G.S. 160A-208 is amended by striking out "(G.S. 105-271 to 105-395)."

**Sec. 31.** G.S. 160A-209 is amended by striking out "(G.S. 105-271 to 105-395)."

**Sec. 32.** G.S. 160A-214 is amended by striking out "160A-320" and inserting in its place "160A-319."

**Sec. 33.** G.S. 160A-217 is amended in the first sentence by striking out "street and sidewalk" and inserting in its place "street or sidewalk."

**Sec. 34.** The fifth sentence of G.S. 160A-228 is rewritten to read as follows: "From and after the time of confirmation, the assessments shall be a lien on the property assessed of the same nature and to the same extent as the lien for county and city property taxes, according to the priorities set out in G.S. 160A-233(c)."

**Sec. 35.** Article 10 of Chapter 160A of the General Statutes is amended by inserting a new section therein as follows:

**"§ 160A-237. Authority to hold water and sewer assessments in abeyance.** — The assessment resolution may provide that assessments levied under this article for water or sewer improvements be held in abeyance without interest until improvements on the assessed property are actually connected to the water or sewer system for which the assessment was levied, or a date certain not more than 10 years from the date of confirmation of the assessment roll, whichever event first occurs. Upon termination of the period of abeyance, the assessment shall be paid in accordance with the terms set out in the assessment resolution. If assessments are to be held in abeyance, the assessment resolution shall classify the property assessed according to general land use, location with respect to the water or sewer system, or other relevant factors, and shall provide that the period of abeyance shall be the same for all assessed property in the same class.

All statutes of limitations are suspended during the time that any assessment is held in abeyance without interest."

**Sec. 36.** G.S. 160A-241 is amended in the fourth line by striking out "necessary or useful" and by inserting the words and punctuation ", either inside or outside the corporate limits,."

**Sec. 37.** G.S. 160A- 243.1 is rewritten to read as follows:

**"§ 160A-243.1. Costs in unsuccessful condemnation actions and in inverse condemnation actions.** — If a city or an agency, board, or commission of a city institutes an action to acquire by condemnation any interest in real property and (i) if the final judgment in the action is that the city or the agency, board, or commission is not authorized to condemn the property, or (ii) if the city or agency, board, or commission abandons the action, the court with jurisdiction over the action shall award each owner of the property sought to be condemned a sum that, in the opinion of the court, will reimburse the owner for his reasonable costs, disbursements, and expenses (including reasonable attorney, appraisal, and engineering fees) incurred because of the action.

If an action is brought against a city or an agency, board or commission of a city seeking compensation for the taking of any interest in property by the city or agency, board or commission and judgment is for the plaintiff, the court shall award to the plaintiff as a part of the judgment a sum that, in the opinion of the court, will reimburse the plaintiff for his reasonable costs, disbursements, and expenses (including reasonable attorney, appraisal, and engineering fees) incurred because of the action."

**Sec. 38.** G.S. 160A-247 is rewritten to read as follows:

**"§ 160A-247. Preliminary condemnation resolution served on owners and recorded.** — A copy of the preliminary condemnation resolution, and any amendments thereto, shall be served on all persons named as owners or parties therein. The original resolution, and any amendments to the description of the land or easement to be acquired or adding, deleting, substituting, or correcting the names of the owners of the property, shall be recorded in the office of the register of deeds of the county or counties in which the land affected thereby lies. The register of deeds shall record and index the resolution (and any amendments thereto required to be recorded) in the same manner as a deed of trust affecting the property, with the owners named therein treated as the grantor under a deed of trust. If the city abandons condemnation proceedings after the resolution has been recorded, the register of deeds shall cancel it in the

same manner as a deed of trust is canceled upon presentation to him of a certified copy of the resolution of the city council abandoning the proceedings."

**Sec. 39.** G.S. 160A-252(9) is amended by striking out "45 days" and inserting in its place "30 days."

**Sec. 40.** G.S. 160A-255 is amended by striking out "10 days" and inserting in its place "30 days."

**Sec. 41.** G.S. 160A-258 is amended in the seventh line by placing a comma after the word "compensation."

**Sec. 42.** G.S. 160A-262 is repealed.

**Sec. 42.1.** G.S. 160A-266 is rewritten to read as follows:

"§ 160A-266. **Methods of sale; limitation.** — (a) Subject to the limitations prescribed in subsection (b) of this section, and according to the procedures prescribed in this Article, a city may dispose of real or personal property belonging to the city by:

- (1) Private negotiation and sale;
- (2) Advertisement for sealed bids;
- (3) Negotiated offer, advertisement, and upset bid;
- (4) Public auction; or
- (5) Exchange.

(b) Private negotiation and sale may be used only with respect to personal property valued at less than five thousand dollars (\$5,000) for any one item or group of similar items. Real property and personal property valued at five thousand dollars (\$5,000) or more for any one item or group of similar items may be sold by any method permitted by this Article other than private negotiation and sale, or may be exchanged as permitted by G.S. 160A-271."

The first sentence of G.S. 160A-271 is amended by inserting the words "or personal" after the word "real".

G.S. 160A-271 is further amended by inserting a new sentence to follow the first sentence as follows: "A city may also exchange facilities of a city-owned enterprise for like facilities located within or outside the corporate limits."

**Sec. 43.** G.S. 160A-270 is rewritten to read as follows:

"§ 160A-270. **Public auction.** — (a) Real Property. When it is proposed to sell real property at public auction, the council shall first adopt a resolution authorizing the sale, describing the property to be sold, specifying the date, time, place, and terms of sale, and stating that any offer or bid must be accepted and confirmed by the council before the sale will be effective. The resolution may, but need not, require the highest bidder at the sale to make a bid deposit in a specified amount. The council shall then publish a notice of the sale at least once and not less than 30 days before the sale. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to the authorizing resolution. After bids have been received, the highest bid shall be reported to the council, and the council shall accept or reject it within 30 days thereafter. If the bid is rejected, the council may readvertise the property for sale.

(b) Personal Property. When it is proposed to sell personal property at public auction, the council shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property at public auction. The resolution or order shall identify the property to be sold and set out the date, time, place, and terms of the sale. The resolution or order (or a notice summarizing its contents) shall be published at least once and not less than 10 days before the date of the auction."

**Sec. 44.** Article 12 of Chapter 160A of the General Statutes is amended by inserting therein a new section as follows:

"§ 160A-276. **Sate of stocks, bonds, and other securities.** — A city may sell through a broker without complying with the preceding sections of this article shares of common and preferred stock, bonds, options, and warrants or other rights with respect to stocks and bonds,

and other securities, when the stock, bond, or other right or security has an established market and is traded in the usual course of business on a national stock exchange or over-the-counter by reputable brokers and securities dealers. The city may pay the usual fees and taxes incident to such transactions. Nothing in this section authorizes a city to deal in its own bonds in any manner inconsistent with Chapter 159 of the General Statutes, nor to invest in any securities not authorized by G.S. 159-30."

**Sec. 45.** G.S. 160A-281 is amended by striking out the words "if the council shall permit" and inserting in their place "unless the council provides otherwise."

**Sec. 46.** The first paragraph of G.S. 160A-286 is amended by changing the period at the end to a comma, and inserting the following: "and on all property owned by or leased to the city wherever located."

**Sec. 47.** G.S. 160A-299 is amended by inserting a new subdivision therein as follows:

"(e) No street or alley under the control of the State Highway Commission may be closed unless the Commission consents thereto."

**Sec. 48.** G.S. 160A-301 is rewritten to read as follows:

"§ 160A-301. **Parking.** — (a) On-Street Parking. A city may by ordinance regulate, restrict, and prohibit the parking of vehicles on the public streets, alleys, and bridges within the city. When parking is permitted for a specified period of time at a particular location, a city may install a parking meter at that location and require any person parking a vehicle therein to place the meter in operation for the entire time that the vehicle remains in that location, up to the maximum time allowed for parking there. Parking meters may be activated by coins or tokens. Proceeds from the use of parking meters on public streets must be used to defray the cost of enforcing and administering traffic and parking ordinances and regulations.

(b) Off-Street Parking. A city may by ordinance regulate the use of lots, garages, or other facilities owned or leased by the city and designated for use by the public as parking facilities. The city may impose fees and charges for the use of these facilities, and may provide for the collection of these fees and charges through parking meters, attendants, automatic gates, or any other feasible means. The city may make it unlawful to park any vehicle in an off-street parking facility without paying the established fee or charge and may ordain other regulations pertaining to the use of such facilities.

Revenues realized from off-street parking facilities may be pledged to amortize bonds issued to finance such facilities, or used for any other public purpose.

(c) Nothing contained in Public Laws 1921, Chapter 2, Section 29, or Public Laws 1937, Chapter 407, Section 61, shall be construed to affect the validity of a parking meter ordinance or the revenues realized therefrom."

**Sec. 49.** G.S. 160A-302.1 is amended by striking out the word "municipality" wherever it appears and inserting in its place the word "city."

**Sec. 50.** G.S. 160A-303 is amended by striking out the words and figures "fifty dollars (\$50.00)" wherever they appear and inserting in their place the words and figures "one hundred dollars (\$100.00)."

G.S. 160A-303(c) is amended by inserting a new sentence at the end thereof as follows:

"Notice need not be given to the registered owner of the vehicle when it does not display a license plate and the vehicle identification numbers have been removed or defaced so as to be illegible."

G.S. 160A-303 is further amended by inserting a new subdivision (f) therein as follows:

"(f) Subsections (d) and (e) of this section do not apply when the vehicle does not display a license plate and the vehicle identification numbers have been removed or defaced so

as to be illegible. Such vehicles may be destroyed or sold at private sale (without regard to value) after being held for 48 hours.

G.S. 160A-303 is further amended by renumbering the last two paragraphs thereof as paragraphs (g) and (h) respectively.

G.S. 160A-303(d) is amended by striking out from the third, fourth, and fifth lines the words and punctuation "the city shall have it appraised by two disinterested dealers or garagemen, and if the appraisal is less than fifty dollars (\$50.00),".

**Sec. 51.** The second sentence of G.S. 160A-312 is rewritten to read as follows: "Subject to Part 2 of this article, a city may acquire, construct, establish, enlarge, improve, maintain, own, and operate any public enterprise outside its corporate limits, within reasonable limitations, but in no case shall a city be held liable for damages to those outside the corporate limits for failure to furnish any public enterprise service."

**Sec. 52.** G.S. 160A-331(5) is amended by striking out the word "customers" in the second line and inserting in its place the word "consumers."

**Sec. 53.** G.S. 160A-333 is amended by striking out the word "services" in line eight and inserting in its place the word "service."

**Sec. 54.** G.S. 160A-334 is rewritten to read as follows:

**§ 160A-334. Authority and jurisdiction of Utilities Commission.** — Notwithstanding G.S. 160A-332 and 160A-333, if the North Carolina Utilities Commission finds that service being furnished to or to be furnished to the consumer by a secondary supplier is or will be inadequate or undependable, or that rates, conditions of service or service regulations, applied to such consumer, are unreasonably discriminatory, the Commission shall have the authority and jurisdiction, after notice to each affected electric supplier, and after hearing, if a hearing is requested by an interested party, to:

- (1) Order a primary supplier that is subject to the jurisdiction of the Commission to furnish electric service to any consumer who desires service from the primary supplier at any premises served by a secondary supplier, or at premises which a secondary supplier has the right to serve pursuant to other sections of this part, and to order such secondary supplier to cease and desist from furnishing electric service to such premises, or
- (2) Order any secondary supplier to cease and desist from furnishing electric service to any premises being served by it or to any premises which it has the right to serve pursuant to other sections of this part, if the consumer desires service from a primary supplier that is not subject to the jurisdiction of the Commission and which is willing to furnish service to such premises."

**Sec. 55.** The third subparagraph of G.S. 160A-353 is rewritten to read as follows:

- "(3) Acquire real property, either within or without the corporate limits of the city or the boundaries of the county, including water and air rights, for parks and recreation programs and facilities by gift, grant, purchase, lease, exercise of the power of eminent domain, or any other lawful method."

**Sec. 56.** G.S. 160A-360(f) is rewritten to read as follows:

"(f) When a city annexes, or a new city is incorporated in, or a city extends its jurisdiction to include, an area that is currently being regulated by the county, the county regulations and powers of enforcement shall remain in effect until (i) the city has adopted such regulations, or (ii) a period of 60 days has elapsed following the annexation or incorporation, whichever is sooner. During this period the city may hold hearings and take any other measures that may be required in order to adopt its regulations for the area."

**Sec. 57.** The first and second lines of the second unnumbered paragraph of G.S. 160A-361 is rewritten to read as follows: "An agency created or designated pursuant to this section may include one or more of the following, with such staff as the council may deem appropriate:."

**Sec. 58.** The last sentence of G.S. 160A-364 is repealed.

**Sec. 59.** The third unnumbered paragraph of G.S. 160A-372 is rewritten to read as follows:

"The ordinance may provide for the reservation of school sites in accordance with comprehensive land use plans approved by the council or the planning agency. In order for this authorization to become effective, before approving such plans the council or planning agency and the board of education with jurisdiction over the area shall jointly determine the specific location and size of any school sites to be reserved, which information shall appear in the comprehensive land use plan. Whenever a subdivision is submitted for approval which includes part or all of a school site to be reserved under the plan, the council or planning agency shall immediately notify the board of education and the board shall promptly decide whether it still wishes the site to be reserved. If the board of education does not wish to reserve the site, it shall so notify the council or planning agency and no site shall be reserved. If the board does wish to reserve the site, the subdivision shall not be approved without such reservation. The board of education shall then have 18 months beginning on the date of final approval of the subdivision within which to acquire the site by purchase or by initiating condemnation proceedings. If the board of education has not purchased or begun proceedings to condemn the site within 18 months, the subdivider may treat the land as freed of the reservation."

**Sec. 60.** G.S. 160A-373, 160A-382, 160A-397, 160A-398, 160A-406, 160A-441, 160A-442, 160A-444, 160A-445, and 160A-448 are each amended by striking the word "Article" each time it appears in the sections and inserting in lieu thereof the word "Part". G.S. 160A-387 is amended by striking the word "Article" the first time it appears and inserting in lieu thereof the word "Part".

**Sec. 61.** G.S. 160A-376 is amended in the third line by striking out the comma after the word "sale," and in the fourth line by striking out the word "division" and inserting in its place the word "divisions."

**Sec. 62.** (a) G.S. 157A-2 is rewritten to read as follows:

**"§ 157A-2. Appointment or designation of historic properties commission.** — Before it may exercise the powers set forth in this part, a city or county shall establish or designate a historic properties commission. The city or county governing board shall determine the number of members of the commission, which shall be at least three, and the length of their terms, which shall be no greater than four years. A majority of the members of such a commission shall have demonstrated special interest, experience, or education in history or architecture; and all the members shall reside within the territorial jurisdiction of the city or county as established pursuant to G.S. 160A-360. In establishing such a commission and making appointments to it, a city or county may seek the advice of any State or local historical agency, society, or organization.

In lieu of establishing a separate historic properties commission, a city or county may designate as its historic properties commission either (i) the city or county historic districts commission, established pursuant to G.S. 160A-396. Or (ii) the city or county planning board. In order for the planning board to be designated, at least two of its members shall have demonstrated special interest, experience, or education in history or architecture.

A county and one or more cities in the county may establish or designate a joint historic properties commission. If a joint commission is established or designated, the county and city or cities involved shall determine the residence requirements for members of the joint historic properties commission."

(b) G.S. 160A-396 is rewritten to read as follows:

**"§ 160A-396. Historic district commission.** — Before it may designate one or more historic districts, a municipality shall establish or designate a historic district commission. The municipal governing board shall determine the number of members of the commission, which shall be at least three, and the length of their terms, which shall be no greater than four years. A

majority of the members of such a commission shall have demonstrated special interest, experience, or education in history or architecture; and all the members shall reside within the territorial jurisdiction of the municipality as established pursuant to G.S. 160A-360.

In lieu of establishing a separate historic district commission, a municipality may designate as its historic district commission, either (i) the municipal historic properties commission, established pursuant to G.S. 160A-399.2, or (ii) the municipal planning board. In order for the planning board to be designated, at least two of its members shall have demonstrated special interest, experience, or education in history or architecture.

A county and one or more cities in the county may establish or designate a joint historic district commission. If a joint commission is established or designated, the county and city and cities involved shall determine the residence requirements of members of the joint historic district commission."

(c) G.S. Chapter 157A, as amended by this section, is reenacted and transferred to G.S. Chapter 160A, Article 19, as a new Part 3B, G.S. 160A-399.1 through 160A-399.13.

**Sec. 63.** G.S. 160A-451 is amended by adding a second paragraph thereto to read as follows:

"A county and one or more cities in the county may establish a joint appearance commission. If a joint commission is established, the county and the city or cities involved shall determine the residence requirements for members of the joint commission."

**Sec. 64.** G.S. 160A-413 is amended by deleting the period at the end of the third unnumbered paragraph and inserting the following: "in the manner provided in G.S. 160A-360(g)."

**Sec. 65.** G.S. 160A-417 is amended by rewriting the sentence beginning on the twentieth line to read as follows: "When any provision of the General Statutes of North Carolina or of any ordinance requires that work be done by a licensed specialty contractor of any kind, no permit for the work shall be issued unless the work is to be performed by such a duly licensed contractor."

**Sec. 66.** The second sentence of G.S. 160A-423 is rewritten to read as follows: "No new building or part thereof may be occupied, and no addition or enlargement of an existing building may be occupied, and no existing building that has been altered or moved may be occupied, until the inspection department has issued a certificate of compliance."

**Sec. 67.** The last sentence of G.S. 160A-425 is rewritten to read as follows: "The owner or occupant shall each immediately remedy the defects, hazardous conditions, or violations of law in the property he owns."

**Sec. 68.** G.S. 160A-429 is amended in the third line by inserting "a" between the words "in" and "condition".

**Sec. 69.** The last two sentences of G.S. 160A-430 are rewritten to read as follows: "In the absence of an appeal, the order of the inspector shall be final. The city council shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order."

**Sec. 70.** G.S. 160A-443(3) is amended in subparagraphs a. and b. by striking the word "cost" which appears within a parenthetical in each subparagraph and inserting in lieu thereof the word "value".

**Sec. 71.** G.S. 160A-470 is amended by inserting the following at the end thereof: "For the purposes of this part, 'unit of local government' means a county, city, or consolidated city-county."

**Sec. 72.** The second sentence of G.S. 160A-471 is amended by striking out the word "unanimous" and inserting in its place the words "a majority".

**Sec. 73.** G.S. 160A-476 is rewritten to read as follows:

"§ 160A-476. **Fiscal affairs.** — Each unit of local government having membership in a regional council may appropriate funds to the council from any legally available revenues.

Services of personnel, use of equipment and office space, and other services may be made available to the council by its member governments as a part of their financial support."

**Sec. 73.1.** A new section, numbered G.S. 160A-493 is added to G.S. Chapter 160A to read as follows:

"§ 160A-493. **Animal Shelters.** — A city may establish, equip, operate, and maintain an animal shelter or may contribute to the support of an animal shelter, and for these purposes may appropriate funds not otherwise limited as to use by law."

**Sec. 74.** Subchapter VI of Chapter 160 of the General Statutes, comprising G.S. 160-445 through 160-453.24, is reenacted and transferred to G.S. Chapter 160A as G.S. 160A-24 through 160A-56. Part 1 of Chapter 160, Subchapter VI, Article 36, is redesignated as Chapter 160A, Article 4, Part 2, Extension by Referendum or Petition. Part 2 of Chapter 160, Subchapter VI, Article 36, is redesignated as Chapter 160A, Article 4, Part 3, Annexation by Cities of Less than 5,000. Part 3 of Chapter 169, Subchapter VI, Article 36, is redesignated as Chapter 160A, Article 4, Part 4, Annexation by Cities of 5,000 or more. All internal references in Chapter 160, Subchapter VI, are amended to conform to the transfer, renumbering, and redesignations effected by this section.

**Sec. 75.** Subchapter VII of Chapter 160 of the General Statutes, is reenacted and transferred to G.S. Chapter 160A as a new Article 22, and renumbered G.S. 160A-500 through 160A-527. All internal references in Chapter 160, Subchapter VII, are amended to conform to the transfer and renumbering effected by this section.

**Sec. 76.** When the next replacement volume is issued for Volume 3D of the General Statutes, the Revisor of Statutes is authorized to redesignate all of Chapter 160A as Chapter 160.

**Sec. 77.** Section 73 of this act shall become effective on July 1, 1973. All other sections of this act become effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of May, 1973.