

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 995
SENATE BILL 745

1 AN ACT TO AMEND SECTION 160-383 OF THE GENERAL STATUTES, BEING A
2 PART OF THE MUNICIPAL FINANCE ACT, 1921, CONCERNING THE LIMITATION
3 ON THE INCURRING OF DEBT.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** Subdivision (4) of subsection (a) of Section 160-383 of Article 28 of
8 Chapter 160 of the General Statutes of North Carolina, the same being part of the Municipal
9 Finance Act, 1921, as amended, is hereby amended to read as follows:

- 10 "(4) The true valuation of taxable property in the municipality, consisting of
11 (i) the true value of real and personal property last used in fixing the
12 assessed valuation of property for municipal taxation
13 and
14 (ii) the true value of property subject to taxation under the provisions of
15 Article 26 of Chapter 105 of the General Statutes, as it may be
16 amended from time to time, as last determined by the State Board of
17 Assessment."

18 and subdivision (5) of subsection (a) of said Section 160-383 is hereby amended to read as
19 follows:

- 20 "(5) The percentage that the net debt bears to said true valuation".

21 **Sec. 2.** Subdivision (5) of subsection (b) of said Section 160-383 is hereby amended
22 to read as follows:

23 "(b) The ordinance shall not be passed unless it appears from said statement that the said
24 net debt does not exceed ___ per centum (___%) of said true valuation, unless the bonds to be
25 issued under the ordinance are to be funding or refunding bonds, or are bonds for water, gas,
26 electric light or power purposes, or two or more of said purposes or are bonds for sanitary
27 sewers, sewage disposal or sewage purification plants, the construction of which shall have
28 been ordered by the Board of Water and Air Resources, which Board is hereby authorized to
29 make such order, or by a court of competent jurisdiction or are bonds for erosion control
30 purposes or are bonds for erecting jetties or other protective works to prevent encroachment by
31 the ocean, sounds or other bodies of water."

32 **Sec. 3.** Nothing in this Act shall be deemed to affect the validity of any bond
33 ordinance adopted prior to the effective date of this Act or the power of a municipality to
34 proceed with the calling and holding of an election thereon or the issuance of bonds or bond
35 anticipation notes pursuant thereto.

36 **Sec. 4.** All laws and clauses of laws in conflict with the provisions of this Act are
37 hereby repealed; provided, however, that nothing in this Act shall limit the power of a
38 municipality to adopt a bond ordinance in accordance with the provisions of any applicable
39 special or local act relating to a limitation on indebtedness notwithstanding that such ordinance
40 could not be adopted under the limitation on indebtedness provided by this Act.

41 **Sec. 5.** This Act shall be in full force and effect on and after July 1, 1969.

42 In the General Assembly read three times and ratified, this the 23rd day of June,
43 1969.