

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 1119
HOUSE BILL 1184

AN ACT TO PROVIDE FOR THE ELECTION IN THE CITY OF KINSTON AND
THE KINSTON SCHOOL DISTRICT ON THE QUESTION OF LEVYING AN
AD VALOREM TAX FOR THE OPERATION OF A BUS SYSTEM.

The General Assembly of North Carolina do enact:

Section 1. The governing body of the City of Kinston is hereby authorized and empowered, in its discretion, to submit to the qualified voters of the City of Kinston the question of the levy and collection of an annual ad valorem tax of not to exceed five cents (5¢) on each one hundred dollars (\$100.00) of assessed valuation of the taxable property within the City of Kinston for the establishment, operation, maintenance and support of a system of bus service within said City, which said system of bus service may be established, operated, maintained and supported solely by the City, or jointly by the City, and a private operator or operators.

Sec. 2. The question of the tax levy for establishment, operation, maintenance and support of a system of bus service within the City of Kinston, as provided herein, may be submitted at a regular municipal election, or at a special election, such election to be held and conducted in the same manner as elections are held to determine the question of issuance of bonds. At such election, those voters who are in favor of establishing a system of bus service and levying a tax within the City of Kinston for the operation, maintenance and support of such system shall vote a ballot on which shall be written or printed the words "FOR tax for establishment of a system of bus service within the City of Kinston. Those voters who are against establishing a system of bus service and levying a tax within the City of Kinston for the operation, maintenance and support of such system as provided in this Act shall vote a ballot on which shall be written or printed the words "AGAINST tax for establishment of a system of bus service within the City of Kinston.

Sec. 3. If a majority of the qualified voters voting in said election vote in favor of the tax herein provided for the establishment, operation, maintenance and support of a system of bus service in said areas, the governing body of the City of Kinston is hereby authorized and empowered to levy and collect the ad valorem tax, the levy of which is so approved, said tax not to exceed five cents (5¢) on each one hundred dollars (\$100.00) of assessed valuation of the taxable property within the City. Such ad valorem tax shall be in addition to all taxes authorized by any other special or general act, and shall be levied and collected as other general taxes are levied and collected on all taxable property within the City of Kinston. The funds so derived from the levy of

such ad valorem tax shall be kept in a separate and special fund and shall be expended exclusively for the purposes for which they are voted.

Sec. 4. Upon approval of the tax levy, as herein provided, the governing body of the City of Kinston is hereby authorized and empowered to take such action as may be necessary to establish a system of bus service within the area of the City of Kinston. Such system of bus service may be established, operated, maintained and supported by the City from revenues obtained from said ad valorem taxes authorized by this Act, and said City is hereby authorized and empowered to purchase the necessary facilities and vehicles; employ the personnel necessary for the operation of such system; adopt ordinances and rules and regulations for the establishment, operation, maintenance and support of such system; determine and collect reasonable charges from those using said bus service; determine and lay out routes for said service; and take such other action as may be necessary to carry out the purposes of this Act. The City of Kinston is hereby authorized and empowered as an alternative, in its discretion, to negotiate for the establishment, operation and maintenance of such system of bus service with any person, firm or corporation it may deem fit to provide the type of service deemed necessary, and upon finding that such person, firm or corporation is fit and able to provide the service required, may enter into a contract for such service and may participate with such person, firm or corporation in the establishment, operation and maintenance of such system of bus service, provided, that no such contract shall be for more than twelve months' duration and shall be renewable annually at the option of the City. Any such contract shall be on such terms and conditions as the City may deem prudent or necessary for the establishment, operation and maintenance of such service, and specifically may contain a provision that the operator of such service shall receive a certain fixed amount from the City to meet expenses incurred in the operation of such system; said amount to be paid by the City from revenues received from the ad valorem tax authorized by the election provided in this Act.

Sec. 5. The establishment, operation, maintenance and support of such system of bus service in the City of Kinston, as herein authorized, and the expenditure of funds which may be required thereby are hereby declared to be for a public purpose.

Sec. 6. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 21st day of June, 1961.