

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 667
HOUSE BILL 529

1 AN ACT TO VALIDATE ACTIONS HERETOFORE TAKEN IN RELATION TO
2 SANITARY DISTRICTS, INCLUDING THE CREATION THEREOF, THE ISSUANCE
3 OF BONDS THEREBY, AND THE APPOINTMENT OR ELECTION OF MEMBERS
4 OF THE GOVERNING BOARDS THEREOF.

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6 The General Assembly of North Carolina do enact:
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8 **Section 1.** All actions heretofore had and taken by the boards of commissioners of
9 the various counties of the State, by the State Board of Health, by any officer thereof or by any
10 other agency, board or officer of the State in the formation and creation of sanitary districts in
11 the State wheresoever situate, and the formation and creation, or the attempted formation and
12 creation, of any and all such sanitary districts are hereby in all respects legalized, ratified,
13 approved, validated and confirmed, and each and all such sanitary districts are hereby declared
14 to be lawfully formed and created and to be in all respects legal and valid sanitary districts.

15 **Sec. 2.** All actions and proceedings heretofore had and taken in the appointment or
16 election of any members of any sanitary district board are hereby in all respects legalized,
17 ratified, approved, validated and confirmed, and any and all members of any such board
18 heretofore appointed or elected shall have all the powers and may perform all the duties
19 required or permitted of them to be performed by Article 12 of Chapter 130 of the General
20 Statutes until their respective successors are elected and qualified: Provided, however, that any
21 vacancy in any sanitary district board may be filled as provided in Section 130-127 of the
22 General Statutes.

23 **Sec. 3.** The provisions of this Act are severable, and if any of its provisions shall be
24 held unconstitutional by any court of competent jurisdiction, the decision of such court shall
25 not affect or impair any of the remaining provisions.

26 **Sec. 3 1/2.** Nothing in this Act shall be construed to create, revive, or renew
27 proceedings to create a sanitary district where a court of competent jurisdiction has ruled that
28 such district was not legally or properly created.

29 **Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

30 **Sec. 4.5.** The provisions of this Act shall not apply to pending litigation.

31 **Sec. 5.** This Act shall be in full force and effect from and after its ratification.

32 In the General Assembly read three times and ratified, this the 6th day of June,

33 1961.