

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 474
SENATE BILL 394

1 AN ACT TO AMEND ARTICLE 26 OF CHAPTER 153 OF THE GENERAL STATUTES
2 OF NORTH CAROLINA TO AUTHORIZE COASTAL CITIES TO LEVY SPECIAL
3 ASSESSMENTS FOR BEACH EROSION CONTROL AND FLOOD AND HURRICANE
4 PROTECTION PROJECTS AND TO ENLARGE THE DISCRETION OF COUNTY
5 COMMISSIONERS WITH RESPECT TO THE LEVYING OF SPECIAL
6 ASSESSMENTS FOR THE SAME PURPOSE.

7
8 The General Assembly of North Carolina do enact:
9

10 **Section 1.** G.S. 153-326 of the General Statutes of North Carolina is hereby
11 rewritten to read as follows:

12 **"Sec. 153-326. Authority to make special assessments.** — The board of commissioners of
13 any county may specially assess all, or part, of the cost of any beach erosion control or flood
14 and hurricane protection works against the property to be benefited by such works. The
15 authority herein granted shall apply only to those counties which are bounded, in part, by the
16 Atlantic Ocean."

17 **Sec. 2.** Article 26 of Chapter 153 of the General Statutes of North Carolina is
18 hereby amended to add thereto a new section, 153-341, to read as follows:

19 **"Sec. 153-341. Coastal municipalities granted same authority.** — The authority granted in
20 this Article to the board of commissioners of any county bounded, in part, by the Atlantic
21 Ocean is hereby granted to the governing board of any municipality bounded, in part, by the
22 Atlantic Ocean.

23 "For the purpose of exercising the authority granted by this Section to the governing board
24 of any municipality bounded, in part, by the Atlantic Ocean, all references in this Article to
25 'county', 'counties', the 'board of commissioners', the 'county tax collector', and the 'clerk to the
26 board of commissioners' shall be construed, respectively, as referring to 'municipality',
27 'municipalities', the 'municipal governing board', the 'municipal tax collector', and the
28 'municipal clerk'. In G.S. 153-335 the references to 'the superior court of the county' and the
29 'chairman of the board of commissioners' shall be construed, respectively, as referring to 'the
30 superior court of the county in which the municipality is located' and the 'mayor'."

31 **Sec. 3.** All laws and clauses of laws in conflict with this Act are repealed.

32 **Sec. 4.** This Act shall be in full force and effect from and after its ratification.

33 In the General Assembly read three times and ratified, this the 13th day of May,
34 1969.