

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 179
SENATE BILL 273

AN ACT PROVIDING FOR THE TRANSFER OF THE CONTROL,
MANAGEMENT, AND OPERATION OF THE CHARLOTTE PARK AND
RECREATION COMMISSION TO THE CITY OF CHARLOTTE.

The General Assembly of North Carolina enacts:

Section 1. The City Council of the City of Charlotte, North Carolina, if it deems wise, is hereby authorized and empowered to abolish the Charlotte Park and Recreation Commission and to create and establish a city department to be known as the "Park and Recreation Department", or by some other appropriate title. The city council may exercise the power and authority herein conferred only after a public hearing held by said council pursuant to 30 days' notice of said public hearing published once in a newspaper having general circulation in said city, and by the adoption of a resolution as hereinafter provided.

Sec. 2. Upon the adoption of a resolution, the Charlotte City Council may abolish the Charlotte Park and Recreation Commission, such abolition to be effective on a day set in such resolution not less than 90 days after its adoption. Upon the adoption of such a resolution, the Charlotte Park and Recreation Commission is hereby authorized and directed to take such actions and to execute such documents as will carry into effect the provisions and the intent of the resolution, and as will effectively transfer its authority, responsibilities, obligations, personnel and property, both real and personal, to the City of Charlotte.

On the day set in the resolution of the governing body:

(1) The Charlotte Park and Recreation Commission shall cease to exist as a body politic and corporate and as a public body.

(2) All property, real and personal and mixed, belonging to the Charlotte Park and Recreation Commission shall vest in, belong to, and be the property of the City of Charlotte.

(3) All judgments, liens, rights of liens, and causes of action of any nature in favor of the Charlotte Park and Recreation Commission shall remain, vest in, and inure to the benefit of the City of Charlotte.

(4) All rentals, taxes, assessments, and any other funds, charges or fees, owing to the Charlotte Park and Recreation Commission shall be owed to and collected by the City of Charlotte.

(5) Any actions, suits, and proceedings pending against, or having been instituted by the Charlotte Park and Recreation Commission shall not be abated by such

abolition but all such actions, suits and proceedings shall be continued and completed in the same manner as if abolition had not occurred, and the City of Charlotte shall be a party to all such actions, suits and proceedings in the place and stead of the Charlotte Park and Recreation Commission and shall pay or cause to be paid any judgment rendered against the Charlotte Park and Recreation Commission in any such actions, suits or proceedings, and no new process need be served in any such action, suit or proceeding.

(6) All obligations of the Charlotte Park and Recreation Commission, including outstanding indebtedness, shall be assumed by the City of Charlotte, and all such obligations and outstanding indebtedness shall be constituted obligations and indebtedness of the city.

(7) All rules, regulations and policies of the Charlotte Park and Recreation Commission shall continue in full force and effect until repealed or amended by the city council.

Sec. 3. In the event the City Council of the City of Charlotte adopts a resolution as herein provided abolishing the Charlotte Park and Recreation Commission, then Chapter 51 of the Public-Local and Private Laws, 1927 Session and Subchapter C of Chapter V, Sections 5.41 through and including Section 5.49 of Chapter 713 of the 1965 Session Laws, as amended, have served the purpose for which they were enacted and are hereby repealed.

Sec. 4. This act shall apply to the City of Charlotte only.

Sec. 5. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of April, 1977.