

**NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION**

**CHAPTER 403
HOUSE BILL 901**

**AN ACT AUTHORIZING ESTABLISHMENT OF A RECREATION TRUST FUND
FOR THE TOWN OF RUTHERFORDTON.**

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Rutherfordton, being Chapter 350, Session Laws of 1979, is amended by adding a new Article to read:

"ARTICLE VI.

"Recreation Trust Fund.

"Sec. 6.1. Powers Conferred. In addition to all other funds authorized by law, the Town of Rutherfordton is hereby authorized and empowered to establish and maintain a perpetual Recreation Trust Fund in the manner hereinafter provided.

"Sec. 6.2. Establishment of Fund. When the Town Council elects to establish a Recreation Trust Fund, it shall pass an ordinance creating the fund, which ordinance shall state substantially the following:

(1) That a Recreation Trust Fund is thereby created for the Town of Rutherfordton pursuant to the provisions of this act, which fund shall be perpetual;

(2) That the source of moneys to be deposited in said fund shall be gifts, grants and bequests;

(3) That the ordinance shall take effect on its passage.

"Sec. 6.3. Depository. Promptly upon establishment of a Recreation Trust Fund the Town Council shall designate one or more banks or trust companies in North Carolina as official depositories of said fund in which moneys of the fund shall be deposited.

"Sec. 6.4. Investments. Pending their use for the purpose or purposes hereinafter authorized, moneys in the Recreation Trust Fund may be deposited at interest or invested in any manner authorized by the Local Government Budget and Fiscal Control Act.

"Sec. 6.5. Security. The amount of funds on deposit in an official depository or deposited at interest shall be secured as required by the provisions of the Local Government Budget and Fiscal Control Act.

"Sec. 6.6. Purposes of Expenditures. The principal of the Recreation Trust Fund, as such principal shall exist from time to time, shall constitute a perpetual Trust Fund, and no part of the principal of such fund received by gifts, grants or bequests shall be expended for any purpose. The interest, dividends or income from the principal of such fund shall be expended by the Town only for operation costs and expenses of the Town of Rutherfordton Community and Recreation Center; provided, however, if excess

accumulates, such excess may be used for related recreational purposes as may be deemed appropriate by unanimous decision of the Town Council."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of May, 1981.