

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION

CHAPTER 251  
HOUSE BILL 813

AN ACT TO AMEND THE POWERS OF THE NEW HANOVER COUNTY  
AIRPORT AUTHORITY, AND RELATING TO THE DARE COUNTY AIRPORT  
AUTHORITY.

The General Assembly of North Carolina enacts:

Section 1. Section 4 of Chapter 404 of the 1989 Session Laws, as amended by Chapter 748 of the 1989 Session Laws, reads as rewritten:

"Sec. 4. Said Airport Authority shall constitute a body, both corporate and politic, and may:

- (1) Purchase, acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate the New Hanover County International Airport for the use of airplanes, and other aircraft, and all facilities incidental to the operation of such airport, within the limits of New Hanover County; and for any of such purposes, to purchase, acquire, own, hold, lease and/or operate real or personal property;
- (2) Purchase real or personal property;
- (3) Sue or be sued in the name of the Airport Authority, make contracts necessary for the exercise of the powers of the Airport Authority, and acquire by purchase, lease, or otherwise, any existing lease, leasehold right or other interest in any existing airport located in New Hanover County;
- (4) Charge and collect reasonable and adequate fees, royalties, rents or other charges for the use of the property owned, leased or otherwise controlled or operated by said Airport Authority or for services rendered in the operation thereof;
- (5) Make all reasonable rules and regulations as it deems necessary for the proper maintenance, use, operation, and control of any airport or airport facilities owned, leased, or otherwise controlled by said Airport Authority; to provide penalties for the violation of such rules and regulations; provided said rules and regulations and penalties be not in conflict with the laws of the State of North Carolina and the rules and regulations of the Federal Aviation Administration;
- (6) Sell, lease, or otherwise dispose of, any property, real or personal, belonging to the Airport Authority, but no sale of real property shall be made without the approval of the Board of County Commissioners of New Hanover County and the Federal Aviation Administration;

- (7) Purchase such insurance as said Airport Authority shall deem necessary;
- (8) Deposit or invest and reinvest any of its funds as provided by the Local Government Finance Act, as it may be amended from time to time, for the deposit or investment of unit funds;
- (9) Operate, own, lease, control, regulate, or grant to others the right to operate on any airport premises, restaurants, snack bars, and vending machines, food and beverage dispensing outlets, rental car services, catering services, novelty shops, insurance sales, advertising media, merchandising outlets, motels, hotels, barber shops, automobile parking and storage facilities, automobile service stations, garage service facilities, motion pictures, personal service establishments and all other types of facilities as may be directly or indirectly related to the maintenance and furnishing to the general public of a complete air terminal installation;
- (10) Possess the same exemptions in respect to payment of taxes and license fees and be eligible for sales and use tax refunds to the same extent as provided for municipal corporations by the laws of the State of North Carolina;
- (11) Issue revenue bonds pursuant to Article 5 of Chapter 159 of the General Statutes of North Carolina;
- (12) Have all the same power and authority granted to cities and counties pursuant to General Statutes Chapter 63, AERONAUTICS;
- (13) Have a corporate seal which may be altered at ~~will~~-will; and
- (14) Engage, on an airport, in commercial, industrial and manufacturing projects which relate to, develop, or further airborne commerce and cargo and passenger traffic, and, in connection with any project, improve real estate on an airport and lease that improved real estate to public or private commercial and industrial enterprises, or contract with others to do so."

Sec. 2. Section 2 of Chapter 503 of the 1971 Session Laws, as amended by Chapter 161 of the 1977 Session Laws, reads as rewritten:

"Sec. 2. The Airport Authority shall consist of nine members who shall be appointed to staggered terms of four years by the Dare County Board of Commissioners. Any member may be removed without cause by the affirmative vote of five members of the Board of Commissioners after written notice to the member that the member's removal will be considered by the Board of Commissioners. The written notice shall be provided to the member at least 15 days before the Board of Commissioners may remove the member. All of the members shall be residents of the County of Dare. Each of the members and their successors so appointed shall take and subscribe to an oath of office before the Clerk of the Superior Court of Dare County and file same with the County Commissioners of Dare County. Upon the occurrence of any vacancy on said Authority, said vacancy shall be filled within sixty (60) days after notice thereof at a regular meeting of the Board of County Commissioners."

Sec. 3. Section 12 of Chapter 503 of the 1971 Session Laws reads as rewritten:

"Section 12. The said Airport Authority is hereby authorized to employ such agents, engineers, and attorneys and other persons whose services may be deemed by the Airport Authority to be necessary or useful in carrying out the provisions of this act. ~~Members of the Dare Airport Authority shall not be personally liable in any manner, for their acts as members of the Airport Authority, except for misfeasance or malfeasance.~~"

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 30th day of June, 1993.

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Dennis A. Wicker  
President of the Senate

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Daniel Blue, Jr.  
Speaker of the House of Representatives