

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1108  
HOUSE BILL 1487

AN ACT CREATING EMERGENCY AUTHORITY TO OPERATE WATER OR SEWER  
UTILITY.

The General Assembly of North Carolina enacts:

**Section 1.** Section 116 of Chapter 62 of the General Statutes of North Carolina is hereby amended by designating the present G.S. 62-116 as paragraph (a) under G.S. 62-116 and by adding a new paragraph (b) as follows:

"(b) Upon its own initiative, or upon written request by any customer or by any representative of a local or State government agency, and after issuance of notice to the owner and operator and after hearing in accordance with G.S. 1A-1 Rule 65(b), the Commission may grant emergency operating authority to any person to furnish water or sewer utility service to meet an emergency to the extent necessary to relieve the emergency; provided, that the Commission shall find from such request, or from its own knowledge, that a real emergency exists and that the relief authorized is immediate, pressing and necessary in the public interest, and that the person so authorized has the necessary ability and is willing to perform the prescribed emergency service. Upon termination of the emergency, the emergency operating authority so granted shall expire upon order of the Commission. An emergency is defined herein as the imminent danger of losing adequate water or sewer utility service or the actual loss thereof."

**Sec. 2.** Except as herein amended, the provisions of Chapter 62 of the General Statutes of North Carolina shall remain in full force and effect. To the extent that other laws or clauses of laws are in conflict with the provisions of this act, such laws and clauses are, to that extent, hereby repealed.

**Sec. 3.** This act shall become effective on October 1, 1974.

In the General Assembly read three times and ratified, this the 3rd day of April, 1974.