

NORTH CAROLINA GENERAL ASSEMBLY  
1967 SESSION

CHAPTER 797  
HOUSE BILL 982

1 AN ACT TO AMEND CHAPTER 160 OF THE GENERAL STATUTES TO AUTHORIZE  
2 MUNICIPALITIES AND COUNTIES TO CREATE REGIONAL COUNCILS OF  
3 LOCAL OFFICIALS.  
4

5 The General Assembly of North Carolina do enact:  
6

7 **Section 1.** Chapter 160 of the General Statutes is hereby amended by inserting  
8 therein a new Article to be designated "Article 8A and to read as follows:  
9

10 Article 8A

11 Regional Councils of Local Officials

12 **G.S. 160-77.1. Creation of Regional Councils Authorized.** Any two or more municipalities,  
13 or counties, or municipalities and counties, may create a Regional Council of local officials to  
14 have and exercise such of the powers and duties herein granted as shall be specified in the  
15 creating resolutions or in amendments thereto. The membership of any Regional Council of  
16 local officials shall be limited to elected members of the governing bodies of the creating  
17 governmental units. Creation of a Regional Council shall be accomplished by the adoption of  
18 identical resolutions by the governing bodies of the creating governmental units. Such  
19 resolutions shall specify the name of the Council and the powers, duties, and functions which  
20 the Council may exercise and perform. Such resolutions shall establish the number of Council  
21 members to represent the respective governmental units, the terms of members, procedures for  
22 replacing members, and the method for determining the financial support to be given the  
23 Council by each governmental unit. Such resolutions shall require that the fiscal procedures of  
24 the Council substantially comply with the Municipal Fiscal Control Act or the County Fiscal  
25 Control Act. Such resolutions may provide for compensation of Council members and for  
26 reimbursement of expenses of Council members, and may establish rules and regulations by  
27 which the Council shall conduct its business. Any governmental unit may withdraw from a  
28 Regional Council at the end of any fiscal year after having given at least 60 days' notice to the  
29 other member units. Any municipality or county may at any time join an existing Regional  
30 Council with the concurrence of the member governmental units, by adoption of a resolution  
31 identical to the ones under which such Council is then operating.

32 **G.S. 160-77.2. Organization of Council; Rules and Regulations.** Upon its creation, a  
33 Regional Council shall meet at a time and place agreed upon by the governing bodies of the  
34 member governmental units. It shall elect from among its individual members a chairman and  
35 such other officers as it may choose, for such terms as may be prescribed in its rules and  
36 regulations. The Council shall adopt such rules and regulations for the conduct of its business  
37 as it may deem necessary for the proper discharge of its specified duties and the performance of  
38 its specified functions, not inconsistent with any rules and regulations established by the  
39 resolutions under which it operates. The chairman may appoint such committees as may be  
40 authorized in its rules and regulations. The Council shall meet regularly, at such times and  
41 places as may be specified in its rules and regulations, and special meetings may be called  
42 pursuant to such rules and regulations. All meetings of the Council shall be open to the public.

43 **G.S. 160-77.3. Staff; Contracts.** If granted power to do so by the resolutions under which it  
operates, and within the limit of funds available to it, any Regional Council may:

1 (a) hire and fix the compensation of such employees as may be necessary in order for it  
2 to perform the duties and functions specified in the resolutions under which it operates;

3 (b) contract with consultants and other experts for such services as may be required in  
4 order for it to perform the duties and functions specified in such resolutions;

5 (c) contract with the State of North Carolina or the Federal government, or any agency  
6 or department thereof, for such services as may be provided by such agencies to assist it in  
7 performing the duties and functions specified in such resolutions;

8 (d) contract with any member governmental unit for the services of any officers or  
9 employees of such unit useful to it in performing the duties and functions specified in such  
10 resolutions.

11 **G.S. 160-77.4. Fiscal Affairs Generally; Reports; Appropriations.** Any Regional Council  
12 may accept, receive, and disburse in furtherance of the duties and functions specified in the  
13 resolutions under which it operates any funds, grants, and services made available by the State  
14 of North Carolina and its agencies; the Federal government and its agencies; any municipality  
15 or county or other governmental unit, whether or not a member of such Council; and private  
16 and civic sources. The fiscal procedure of all Regional Councils shall substantially comply with  
17 the Municipal Fiscal Control Act or the County Fiscal Control Act. Each Regional Council  
18 shall prepare each year a report of its activities, including a financial statement, to be  
19 distributed to its member governmental units, and shall prepare and distribute such other  
20 reports as may be required by the resolutions under which it operates.

21 Each municipality and county having membership on a Regional Council shall have  
22 authority to appropriate funds to the Council and may also levy annually taxes for the payment  
23 of such appropriation as a special purpose, in addition to any allowed by the Constitution. The  
24 levy of taxes and the expenditure of the proceeds thereof for the purposes of this Article are  
25 hereby declared to be a necessary expense and a special purpose, and the special approval of  
26 the General Assembly is hereby given for such levy and expenditure. In the event a court of  
27 competent jurisdiction should declare that such levy and expenditure is not a necessary  
28 expense, then any municipality or county shall have the authority to call and conduct a  
29 referendum upon the question of the levy of taxes or the expenditure of tax funds for such  
30 purposes, to be conducted in accordance with the laws governing elections for members of its  
31 governing body. Services of personnel, use of equipment and office space, and other services  
32 may also be made available to the Council, and such services may be accepted from member  
33 governmental units as a part of their financial support.

34 **G.S. 160-77.5. Powers and Duties Which May be Granted.** (a) A regional Council shall  
35 have the power to:

36 (1) study such of the following area governmental problems common to two or  
37 more of its member governmental units as may be specified in the  
38 resolutions under which it operates: matters affecting health, safety, welfare,  
39 education, recreation, economic conditions, regional planning, or regional  
40 development;

41 (2) promote cooperative arrangements and coordinated action among its  
42 member governmental units;

43 (3) make recommendations for review and action to its member governmental  
44 units and other public agencies which perform functions within the region in  
45 which its member governmental units are located.

46 (b) A Regional Council may exercise such other powers as are exercised or capable of  
47 exercise by its member governmental units and necessary or desirable for dealing with  
48 problems of mutual concern, and which are specified in the resolutions under which it operates.

49 **G.S. 160-77.6. Powers Granted Supplementary.** The powers granted to municipalities and  
50 counties by this Article shall be deemed supplementary to any powers heretofore or hereafter  
51 granted by any other general or local law for the same or similar purposes, and in any case

1 where the provisions of this Article conflict with or differ from the provisions of any other such  
2 law, the municipal or county governing body may in its discretion proceed in accordance with  
3 the provisions of this Article or in accordance with the provisions of such other law or in  
4 accordance with the provisions both of this Article and of such other law.

5 **Sec. 2.** Should any Section, clause, or provision of this Act be declared by a court  
6 of competent jurisdiction to be invalid for any reason, such declaration shall not affect the  
7 validity of the Act as a whole nor of any part thereof other than the part so declared to be  
8 invalid, and to that end the provisions of this Act are hereby declared to be severable.

9 **Sec. 3.** Subject to the provisions of G.S. 160-77.6, as enacted by Section 1 hereof,  
10 all laws and clauses of laws in conflict with this Act are hereby repealed.

11 **Sec. 4.** This Act shall be effective upon its ratification.

12 In the General Assembly read three times and ratified, this the 15th day of June,  
13 1967.