NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 450
HOUSE BILL 406

AN ACT TO PROVIDE FOR MUTUAL AID BETWEEN MUNICIPALITIES IN RESTORING UTILITY SERVICES IN EVENT OF EMERGENCIES.

The General Assembly of North Carolina do enact:

Section 1. Chapter 160 of the General Statutes is hereby amended by inserting therein a new Section to be designated as Section 160-257.1 and to read as follows:

"**Section 160-257.1. Mutual Aid Contracts.** (a) The governing bodies of any two or more municipalities may enter into contracts with each other to provide mutual aid and assistance in restoring electric, water, sewerage, or gas services in the event of natural disasters or other emergencies under such terms and conditions as may be agreed upon. Such contracts may include provisions for the furnishing of personnel, equipment, apparatus, supplies, and materials; for reimbursement of the aiding municipality or municipalities for services rendered in giving such aid; for reimbursement or indemnification of the aiding municipality or municipalities for loss or damages incurred by reason of giving such aid; for delegation to a designated official or employee of the authority to send aid upon request; and any other provisions not inconsistent with law.

"(b) Officials and employees furnished by one municipality in aid of another municipality pursuant to any contract entered under authority of this Section shall be conclusively deemed for all purposes to remain officials or employees of the aiding municipality, and while providing aid to another municipality, and while traveling to and from such other municipality pursuant to giving such aid, such officials and employees shall have all rights, privileges, and immunities, including coverage under the North Carolina Workmen's Compensation Act, which are afforded them while performing their normal duties.

"(c) Notwithstanding G.S. 160-59 or any other general, local, or special act, any municipality may, pursuant to a contract entered under authority of this Section, sell or otherwise convey to another municipality any personal property to be used in restoring utility services pursuant to such contract, without any declaration that such property is surplus.

"(d) Nothing in this Section shall be construed so as to deprive the governing body of any municipality of its discretion in sending or declining to send its personnel, equipment, and apparatus to another municipality under any circumstances, whether or not obligated by contract to do so. In no case shall a municipality or any of its officials or employees be held liable in damages for declining to send personnel, equipment, or apparatus to another municipality, whether or not obligated by contract to do so."

Sec. 2. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 3. This Act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 16th day of May, 1967.