

NORTH CAROLINA GENERAL ASSEMBLY  
1971 SESSION

CHAPTER 100  
HOUSE BILL 281

AN ACT AMENDING THE CHARTER OF THE CITY OF WINSTON-SALEM.

The General Assembly of North Carolina do enact:

**Section 1.** Section 54 of Chapter 232 of the Private Laws of 1927, as amended, is hereby amended by adding, at the end thereof, a new paragraph as follows:

"The City shall have authority to permit encroachments upon public streets and rights-of-way of the City for private purposes upon such terms and conditions as the Board of Aldermen shall determine, provided the property rights of others are not invaded and the public use of the street or right-of-way is not unreasonably obstructed. The authority hereby conferred upon the City shall include, but not be limited to, the authority to grant temporary or permanent easements underground or in the airspace above such streets and rights-of-way for the construction and maintenance of tunnels, tramways, bridges, projections or other purposes approved by the Board of Aldermen. All such encroachments permitted by the City shall be constructed, operated and maintained at the expense and risk of the party to whom such permit is granted and such party's heirs, successors and assigns; and the owner of such encroachments shall be obligated to indemnify, save, protect and hold harmless the City against and from all claims, damages, suits, expenses, and costs arising from or in any way growing out of the construction, repair, replacement, use or maintenance of the encroaching structure or facility."

**Sec. 2.** Any such encroachments permitted by the City prior to the effective date of this act are hereby ratified and confirmed and made subject to the provisions hereof.

**Sec. 3.** The authority contained herein shall be in addition to any authority which the Board of Aldermen of the City may have under any other law, public or private.

**Sec. 4.** This Act shall become effective upon its ratification.

In the General Assembly read three times and ratified, this the 18th day of March, 1971.