CHAPTER 40-61
MUNICIPAL PARKING AUTHORITY ACT

40-61-01. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "Authority" means any corporation created under the authority of this chapter.
2. "Board" means the members of the authority.
3. "Bonds" means the bonds authorized in this chapter.
4. "City" means any city with a municipal parking authority.
5. "Project" means any area or place operated or to be operated by an authority for the parking or storing of motor and other vehicles and includes all real and personal property, driveways, roads, approaches, structures, terminals of all kinds, garages, meters, mechanical equipment, and all appurtenances and facilities either on, above, or under the ground which are used and usable in connection with such parking or storing of such vehicles in the area of the city.
6. "Projects" means more than one project.
7. "Property owner" means either a real estate owner, the beneficial owner of a leasehold on a building constructed on railroad property, or the owner of a retail or wholesale personal property inventory subject to an annual tax in excess of one thousand dollars.
8. "Real property" means lands, structures, franchises, and interest in lands, and any and all things usually included within the said term, and includes not only fees simple absolute but also any and all lesser interests, such as easements, rights of way, uses, leases, licenses, and all other incorporeal hereditaments and every estate, interest, or right, legal or equitable, including terms of years.

40-61-02. Municipal parking authorities.

Any city may create a board to be known as a municipal parking authority. Such board shall be a body corporate, constituting a public benefit corporation, and its existence shall commence upon the appointment of the members as herein provided. It shall consist of a chairman and four other members, who shall be appointed by the governing body of the city. Three members of the board shall be property owners within the benefited areas and two members of the board shall be guarantors of the bonds of the authority if any have been issued and guaranteed by property owners. If the authority has not issued bonds or if property owners have not guaranteed said bonds as hereinafter provided, then two members may be appointed at large. Of the members first appointed, one shall be appointed for a period of one year, one for a period of two years, one for a period of three years, one for a period of four years, and one for a period of five years. At the expiration of such terms, the terms of office of their successors shall be five years. Each member shall continue to serve until the appointment and qualification of the member's successor. Vacancies in such board occurring otherwise than by the expiration of term shall be filled for the unexpired term. The members of the board shall choose from their number a vice chairman. The governing body of the city may remove any member of the board for inefficiency, neglect of duty, or misconduct in office, giving that member a copy of the charges against that member and an opportunity of being heard in person, or by counsel, in that member's defense upon not less than ten days' notice. The members of the board shall be entitled to no compensation for their services but shall be entitled to reimbursement for their actual and necessary expenses incurred in the performance of their official duties. The powers of the authority shall be vested in and exercised by a majority of the members of the board then in office. Such board may delegate to one or more of its members or to its officers, agents, and employees such powers and duties as it may deem proper. Such board and the corporate existence of the authority shall continue until all its liabilities have been met and its bonds have been paid in full or such liabilities or bonds have otherwise been discharged and until the existence of the authority is terminated by official action of the governing body of the city. Upon its ceasing to exist, all its rights and properties shall pass to the city.

40-61-03. Purpose and powers of an authority.

The purpose of an authority shall be to construct, operate, and maintain one or more projects in the city and to promote and acquire municipal parking facilities in accordance with the provisions of this chapter and to promote municipal development by making space above, below, or adjacent to parking facilities available for commercial development and use in order to further purposes outlined in this chapter and in chapter 40-60. To carry out said purpose, an authority shall have power:

1. To sue and be sued.
2. To acquire, hold, and dispose of personal property for its corporate purposes, including the power to purchase prospective or tentative awards in connection with the condemnation of real property.
3. To acquire in the name of the city by purchase or condemnation, and use necessary real property. All real property acquired by the authority by condemnation must be acquired in the manner provided in the condemnation law or in the manner provided by chapter 32-15 for the condemnation of land by a city.
4. To make bylaws for the management and regulation of its affairs and, subject to agreements with bondholders, for the regulation of the project.
5. To appoint officers, agents, and employees, to prescribe their qualifications, and to fix their compensation. However, the officers, agents, and employees shall not be subject to the civil service law.
6. To appoint an attorney, who may be the city attorney, and to fix that person's compensation.
7. To make contracts and leases and to execute all instruments necessary or convenient.
8. To construct such buildings, structures, and facilities as may be necessary.
9. To reconstruct, improve, maintain, and operate the projects.
10. To accept grants, loans, or contributions from the United States, the state of North Dakota, or any agency or instrumentality of either of them, or the city, or an individual, by bequest or otherwise, and to expend the proceeds for any purposes of the authority.
11. To fix and collect rentals, fees, and other charges for the use of the projects or any of them, subject to and in accordance with such agreements with bondholders as may be made as hereinafter provided.
12. To construct, operate, or maintain in the projects all facilities necessary or convenient in connection therewith. To contract for the construction, operation, or maintenance of any parts thereof or for services to be performed. To rent parts thereof, and grant concessions, all on such terms and conditions as it may determine. However, the authority, the city, or any agency of an authority or city, or any other person, firm, corporation, or limited liability company may not, within or on any property comprising a part of any project authorized by this chapter, sell, dispense, or otherwise handle any product used in or for the servicing of any motor vehicle using any project or facility authorized by this chapter and the location of sites of the projects shall be subject to the prior approval of the governing body of the city.
13. To encourage commercial development and use of space above, below, or adjacent to parking facilities by exercising the powers granted municipalities under subsection 5 of section 40-60-02. However, subdivision c of subsection 5 of section 40-60-02 is not applicable to leases entered into by the authority.

40-61-03.1. Financing projects and facilities.

An authority may provide funds for its purposes by using the following methods or any combination thereof:

1. Issuing bonds of an authority as authorized by section 40-61-08.
2. Issuing notes of an authority as authorized by section 40-61-09.
3. In cooperation with cities whereby cities may agree to assist in financing projects and facilities through the issuance of municipal bonds or other obligations, budgeting of current funds from revenues derived from its general fund levy authority, the levy of special assessments, or by any combination of these means pursuant to or in

accordance with the provisions of chapters 21-03, 40-22 to 40-27, 40-35, 40-40, and 40-57 and all other applicable laws now in force or hereafter enacted.

40-61-04. Officers and employees.

Municipal parking authorities shall not be subject to civil service or merit system laws, veterans preference laws, or other laws, ordinances, and regulations pertaining to the status of municipal employees. Employees of a municipal parking authority shall have the same position as employees of a private corporation and the board of directors of a municipal parking authority shall manage their employee relationships in the same manner as private corporations.

40-61-05. Conveyance of property by a city to an authority - Acquisition of property by a city or by an authority.

1. A city may, by resolution or resolutions of the governing body or by instruments authorized by such resolutions, convey, with or without consideration, to an authority real and personal property owned by the city for use by an authority as a project or projects or a part thereof. In case of real property so conveyed, the title thereto shall remain in the city but the authority shall have the use and occupancy thereof for so long as its corporate existence shall continue. In the case of personal property so conveyed, the title shall pass to the authority.
2. A city may acquire in the name of the city by purchase or condemnation real property in the city for any of the projects.
3. Contracts may be entered into between a city and an authority providing for the property to be conveyed by a city to an authority, the additional property to be acquired by a city and so conveyed, and the amounts, terms, and conditions of payment to be made by an authority. Any such contracts between a city and an authority may be pledged by the authority to secure its bonds and may not be modified thereafter except as provided by the terms of the pledge. The governing body of a city may authorize such contracts between a city and an authority and no other authorization on the part of a city for such contracts shall be necessary.
4. An authority may itself acquire real property for a project in the name of the city at the cost and expense of the authority by purchase or condemnation pursuant to chapter 32-15 and to the laws relating to the condemnation of land by cities. An authority shall have the use and occupancy of such real property so long as its corporate existence shall continue.
5. In case an authority shall have the use and occupancy of any real property which it shall determine is no longer required for a project, then, if such real property was acquired at the cost and expense of the city, the authority shall have power to surrender its use and occupancy thereof to the city, or, if such real property was acquired at the cost and expense of an authority, then the authority shall have power to sell, lease, or otherwise dispose of said real property at public or private sale, and shall retain and have the power to use the proceeds of sales, rentals, or other moneys derived from the disposition thereof for its purposes.

40-61-06. Construction contracts.

An authority shall let contracts for construction in the same manner, so far as practicable, as is provided by law for contracts of cities except that if the estimated expense of a contract does not exceed five hundred dollars, such contract may be entered into without public letting. Nothing in this section shall be construed to limit the power of an authority to do any construction directly by the officers, agents, and employees of the authority.

40-61-07. Moneys of the authority.

All moneys of an authority shall be paid to the city auditor as agent of the authority, who shall not commingle such moneys with any other moneys. Such moneys shall be deposited in a separate bank account or accounts. The moneys in such accounts shall be paid out by the auditor on requisition of the chairman of the authority or of such other person or persons as the

authority may authorize to make such requisitions after audit by the auditor. Approval of the payment of an account or claim shall be recorded in the record of the proceedings of the authority and this shall be sufficient to indicate approval without requiring the approving members to sign or initial the voucher or order for payment. All deposits of such moneys shall, if required by the auditor or the authority, be secured by obligations of the United States or of the state of North Dakota of a market value equal at all times to the amount of the deposit, and all banks and trust companies are authorized to give such security for such deposits. The auditor and the auditor's legally authorized representatives are authorized and empowered from time to time to examine the accounts and books of the authority, including its receipts, disbursements, contracts, leases, sinking funds, investments, and any other records and papers relating to its financial standing. An authority shall have power, notwithstanding the provisions of this section, to contract with the holders of any of its bonds as to the custody, collection, securing, investment, and payment of any moneys of the authority, or any moneys held in trust or otherwise for the payment of bonds or in any way to secure bonds, and to carry out any such contract notwithstanding that such contract may be inconsistent with the previous provisions of this section. Moneys held in trust or otherwise for the payment of bonds or in any way to secure bonds and deposits of such moneys may be acquired in the same manner as moneys of the authority, and all banks and trust companies are authorized to give such security for such deposits.

40-61-08. Bonds of an authority.

1. An authority may from time to time issue its negotiable bonds for any purpose mentioned in section 40-61-03, including the acquisition, construction, reconstruction, and repair of personal and real property of all kinds deemed by the board to be necessary or desirable to carry out such purpose, as well as to pay such expenses as may be deemed by the board necessary or desirable to the financing and placing the project or projects in operation. An authority may from time to time and whenever it deems refunding expedient, refund any bonds by the issuance of new bonds, whether the bonds to be refunded have or have not matured, and may issue bonds partly to refund bonds then outstanding and partly for any other purpose hereinabove described. The refunding bonds may be exchanged for the bonds to be refunded, with such cash adjustments as may be agreed, or may be sold and the proceeds applied to the purchase or payment of the bonds to be refunded. In computing the total amount of bonds of an authority which may at any time be outstanding, the amount of the outstanding bonds to be refunded from the proceeds of the sale of new bonds or by exchange for new bonds shall be excluded. Except as may otherwise be expressly provided by an authority, the bonds of every issue shall be payable out of any moneys or revenues of an authority, subject only to any agreements with the holders of particular bonds pledging any particular moneys or revenues. Notwithstanding the fact that the bonds may be payable from a special fund, if they are otherwise of such form and character as to be negotiable instruments under chapter 41-08, the bonds shall be and are hereby made negotiable instruments within the meaning of and for all the purposes of chapter 41-08, subject only to the provisions of the bonds for registration.
2. The bonds shall be authorized by resolution of the board and shall bear such date or dates, mature at such time or times, not exceeding thirty years from their respective dates, bear interest at such rate or rates, resulting in an average annual net interest cost not exceeding twelve percent per annum payable annually or semiannually on those issues which are sold at private sale, be in such denominations, be in such form, either coupon or registered, carry such registration privileges, be executed in such manner, be payable in lawful money of the United States at such place or places, and be subject to such terms of redemption, as such resolution or resolutions may provide. The bonds may be sold at public or private sale for such price or prices as the authority shall determine. There is no interest rate ceiling on those issues sold at public sale or to the state of North Dakota or any of its agencies or instrumentalities.

3. Any resolution or resolutions authorizing any bonds or any issue of bonds may contain provisions, which shall be part of the contract with the holders of the bonds thereby authorized, as to:
   a. Pledging all or any part of the revenues of a project or projects to secure the payment of the bonds, subject to such agreements with bondholders as may then exist.
   b. The rentals, fees, and other charges to be charged, and the amounts to be raised in each year thereby, and the use and disposition of the revenues.
   c. The setting aside of reserves or sinking funds, and the regulation and disposition thereof.
   d. Limitations on the right of an authority to restrict and regulate the use of a project.
   e. Limitations on the purpose to which the proceeds of sale of any issue of bonds then or thereafter to be issued may be applied and pledging such proceeds to secure the payment of the bonds or of any issue of the bonds.
   f. Limitations on the issuance of additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding or other bonds.
   g. The procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto, and the manner in which such consent may be given.
   h. Limitations on the amount of moneys derived from a project to be expended for operation, administration, or other expenses of an authority.
   i. Vesting in a trustee or trustees of such property, rights, powers, and duties in trust as an authority may determine which may include any or all of the rights, powers, and duties of the trustee appointed by the bondholders pursuant to section 40-61-15, and limiting or abrogating the right of the bondholders to appoint a trustee under said section or limiting the rights, duties, and powers of such trustee.
   j. Any other matters, of like or different character, which in any way affect the security or protection of the bonds.
4. It is the intention hereof that any pledge of revenues or other moneys made by an authority shall be valid and binding from the time when the pledge is made, that the revenues or other moneys so pledged and thereafter received by an authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and that the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against an authority irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.
5. Neither the members of an authority nor any person executing the bonds shall be liable personally on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.
6. An authority shall have power out of any funds available therefor to purchase bonds. An authority may hold, cancel, or resell such bonds, subject to and in accordance with agreements with bondholders.
7. In the discretion of an authority, the bonds may be secured by a trust indenture by and between an authority and a corporate trustee, which may be any trust company or bank within or without the state of North Dakota. Such trust indenture may contain such provisions for protecting, and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of an authority in relation to the construction, maintenance, operation, repair, and insurance of the project or projects and the custody, safeguarding, and application of all moneys, and may provide that the project or projects shall be constructed and paid for under the supervision and approval of consulting engineers. Notwithstanding the provisions of section 40-61-07, an authority may provide by such trust indenture for the payment of the proceeds of the bonds and the revenues of the project or projects to the trustee under such trust indenture or

other depository, and for the method of disbursement thereof, with such safeguards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation, and repairs of the project or projects. If the bonds shall be secured by a trust indenture, the bondholders shall have no authority to appoint a separate trustee to represent them, and the trustee under such trust indenture shall have and possess all of the powers which are conferred by section 40-61-15 upon a trustee appointed by bondholders.

8. An authority shall also have power and is hereby authorized from time to time to issue revenue bonds in accordance with the provisions of chapter 40-57, but only for the purpose of financing a parking project in support of those projects referred to in subdivision c of subsection 2 of section 40-57-02. In the issuance of such bonds, the authority shall have all of the powers granted to a municipality in chapter 40-57, and shall be controlled in the exercise of such powers only by the provisions of chapter 40-57, and not by any of the provisions of this chapter with reference to other bonds and notes of the authority.

40-61-09. Notes of an authority.

An authority shall have power from time to time to issue notes and from time to time to issue renewal notes, herein referred to as notes, maturing not later than five years from their respective original dates for any purpose or purposes for which bonds may be issued, whenever an authority shall determine the payment thereof can be made in full from any moneys or revenues which an authority expects to receive from any source. Such notes may, among other things, be issued to provide funds to pay preliminary costs of surveys, plans, or other matters relating to any proposed or existing project. An authority may pledge such moneys or revenues, subject to any other pledge thereof, for the payment of the notes and may in addition secure the notes in the same manner and with the same effect as herein provided for bonds and may also secure the notes by the guarantee of two or more property owners. The notes shall be issued in the same manner as bonds. An authority shall have power to make contracts for the future sale from time to time of the notes, by which the purchasers shall be committed to purchase the notes from time to time on terms and conditions stated in such contracts, and an authority shall have power to pay such consideration as it shall deem proper for such commitments. In case of default on its notes, or violation of any of the obligations of an authority to the noteholders, the noteholders shall have all the remedies provided herein for bondholders.

40-61-10. Debt guarantee.

Prior to the issuance of any bonds authorized by this chapter, except revenue bonds authorized in subsection 8 of section 40-61-08, the authority shall require that the payment of not less than ten percent of the principal and interest of the bonds issued for any project be guaranteed through the use of one or more of the following methods:

1. A contract of personal guarantee entered into between the authority, the bondholders, and at least three benefited property owners.
2. The guarantee of said payments by the municipality through the issuance of municipal bonds or other obligations, budgeting of current funds from revenues derived from its general fund levy authority, the levy of special assessments or by any combination of these pursuant to and in accordance with the provisions of chapters 21-03, 40-22 to 40-27, 40-35, 40-40, and 40-57 and of all other applicable laws now in force or hereinafter enacted.

40-61-11. Agreement of a city.

1. Cities may pledge to and agree with the holders of the bonds that the city will not limit or alter the rights hereby vested in the authority to acquire, construct, maintain, reconstruct, and operate the project or projects, to establish and collect rentals, fees, and other charges and to fulfill the terms of any agreements made with the holders of the bonds, or in any way impair the rights and remedies of the bondholders, until the bonds, together with interest thereon, with interest on any unpaid installments of

interest and all costs and expenses in connection with any action or proceeding by or on behalf of the bondholders are fully met and discharged.

2. Authorities are hereby authorized, in their discretion, for and on behalf of themselves and the city which authorized them, to covenant and agree with the holders of the bonds, with such exceptions and limitations as it may deem in the public interest, that no public parking areas except those acquired and operated by the authority will be constructed or operated in the city by the city, or by any public benefit or other corporation the members or some of which are elected or are appointed by city officials, until either the bonds, together with interest thereon, interest on any unpaid installments of interest and all costs and expenses in connection with any action or proceeding by or on behalf of the bondholders are fully met and discharged, or principal or interest of any of the bonds shall be overdue and unpaid for a period of three years or more.

40-61-12. State and city not liable on bonds - Exceptions as to cities.

The bonds and other obligations of an authority shall not be a debt of the state of North Dakota and the state shall not be liable thereon. The bonds and other obligations of an authority shall not be a debt of a city and a city shall not be liable thereon unless a city agrees to assist in financing projects and facilities through the issuance of municipal bonds or other obligations which are considered to be a part of the debt of the city as provided in section 40-61-03.1.

40-61-13. Bonds legal investments for public officers.

Except as otherwise provided in the Constitution of North Dakota, the bonds are hereby made securities in which all public officers and bodies of this state and all municipalities and municipal subdivisions, all banks, bankers, trust companies, savings banks, savings associations, including savings and loan associations, investment companies, and other persons carrying on a banking business, and all other persons whatsoever except as hereinafter provided, who are now or may hereafter be authorized to invest in bonds or other obligations of the state, may properly and legally invest funds, including capital in their control or belonging to them. However, notwithstanding the provisions of any other general or special law to the contrary, the bonds are not eligible for the investment of funds, including capital, of trusts, estates, or guardianships under the control of individual administrators, guardians, executors, trustees, and other individual fiduciaries. The bonds are authorized securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and municipal subdivisions for any purpose for which the deposit of bonds or other obligations of this state is now or may hereafter be authorized.

40-61-14. Tax exemptions.

1. It is hereby determined that the creation of an authority and the carrying out of its corporate purposes is in all respects for the benefit of the people of the city which has authorized it and its environs, and is a public purpose, and an authority shall be regarded as performing a governmental function in the exercise of the powers conferred upon it by this chapter and shall be required to pay no ad valorem taxes upon any of the property acquired by it or under its jurisdiction or control or supervision or upon its activities. If property acquired by an authority is leased to any person and is used exclusively for automobile parking for general public patronage, the leasehold interest of the lessee shall not be subject to ad valorem taxation if exempt from such taxation by the governing board of the city in which such authority is located.
2. Any bonds or notes issued pursuant to this chapter, together with the income therefrom, as well as the property of an authority, shall be exempt from taxation, except for transfer and estate taxes.

40-61-15. Tax contract by the state.

The state of North Dakota covenants with the purchasers and with all subsequent holders and transferees of bonds or notes issued by an authority pursuant to this chapter, in

consideration of the acceptance of and payment for the bonds or notes, that the bonds and notes of an authority issued pursuant to this chapter and the income therefrom, and all moneys, funds, and revenues pledged to pay or secure the payment of such bonds or notes shall at all times be free from taxation, except for estate taxes and taxes on transfers by or in contemplation of death.

40-61-16. Remedies of bondholders.

1. In the event that an authority shall default in the payment of principal of or interest on any issue of the bonds after the same shall become due, whether at maturity or upon call for redemption, and such default shall continue for a period of thirty days, or in the event that an authority shall fail or refuse to comply with the provisions of this chapter, or shall default in any agreement made with the holders of any issue of the bonds, the holders of twenty-five percent in aggregate principal amount of the bonds of such issue then outstanding, by instrument or instruments filed in the office of the recorder of the county in which the authority is located, unless the board of county commissioners designates a different official, and proved or acknowledged in the same manner as a deed to be recorded, may appoint a trustee to represent the holders of such bonds for the purposes herein provided.
2. Such trustee may, and upon written request of the holders of twenty-five percent in principal amount of such bonds then outstanding shall, in the trustee's own name:
   a. By action or special proceeding enforce all rights of the bondholders, including the right to require an authority to collect revenues adequate to carry out by any agreement as to, or pledge of, such revenues, and to require an authority to carry out any other agreements with the holders of such bonds and to perform its duties under this chapter.
   b. Bring suit upon such bonds.
   c. By action or suit in equity, require an authority to account as if it were the trustee of an express trust for the holders of such bonds.
   d. By action or suit in equity, enjoin any acts or things which may be unlawful or in violation of the rights of the holders of such bonds.
   e. Declare all such bonds due and payable, and if all defaults shall be made good then with the consent of the holders of twenty-five percent of the principal amount of such bonds then outstanding, to annul such declaration and its consequences.
3. The district court shall have jurisdiction of any suit, action, or proceeding by the trustee on behalf of bondholders. The venue of any such suit, action, or proceeding shall be laid in the county in which the authority is located.
4. Before declaring the principal of all such bonds due and payable, a trustee shall first give thirty days' notice in writing to an authority.
5. Any such trustee, whether or not the issue of bonds represented by such trustee has been declared due and payable, shall be entitled as of right to the appointment of a receiver of any part or parts of the project the revenues of which are pledged for the security of the bonds of such issue, and such receiver may enter and take possession of such part or parts of the project and, subject to any pledge or agreement with bondholders, shall take possession of all moneys and other property derived from or applicable to the acquisition, construction, operation, maintenance, and reconstruction of such part or parts of the project and proceed with the acquisition of any necessary real property in connection with the project that an authority has covenanted to construct and with any construction which an authority is under obligation to do and to operate, maintain, and reconstruct such part or parts of the project and collect and receive all revenues thereafter arising therefrom subject to any pledge thereof or agreement with bondholders relating thereto and perform the public duties and carry out the agreements and obligations of an authority under the direction of the court. In any suit, action, or proceeding by the trustee, the fee, counsel fees, and expenses of the trustee and of the receiver, if any, shall constitute taxable disbursements and all costs and disbursements allowed by the court shall be a first charge on any revenues derived from such project.

6. Such trustee shall, in addition to the foregoing, have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of bondholders on the enforcement and protection of their rights.

40-61-17. Actions against an authority.

In every action against an authority for damages, for injuries to real or personal property, or for the destruction thereof, or for personal injuries or death, the complaint shall contain an allegation that at least thirty days have elapsed since the demand, claim, or claims upon which such action is founded were presented to a member of the authority, or to its secretary, or to its chief executive officer and that the authority has neglected or refused to make an adjustment or payment thereof for thirty days after such presentment.

40-61-18. Termination of an authority.

Repealed by S.L. 1969, ch. 387, § 9.

40-61-18.1. Termination of an authority by governing body.

A majority vote of the governing body of any city shall terminate an existing authority, and all rights, titles, and interest, and all obligations and liabilities thereof shall be vested in or possessed by the city which created the authority.

40-61-19. Inconsistent provisions in other acts superseded.

Insofar as the provisions of this chapter are inconsistent with the provisions of any other act, general or special, or of any local law of a city, the provisions of this title shall be controlling.