CHAPTER 11

Housing for National Defense Activities

**SECTION 31‑11‑10.** Definitions.

As used in this chapter:

(1) “Persons engaged in national defense activities” shall include, without limiting the generality thereof, enlisted men in the military and naval services of the United States and employees of the Department of Defense assigned to duty at military or naval reservations, posts or bases, workers engaged or to be engaged in industries connected with and essential to the national defense program and the families of the aforesaid persons who are living with them;

(2) “Persons of low income” shall mean persons or families who lack the amount of income which is necessary (as determined by the housing authority undertaking the housing project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding;

(3) “Development” shall mean any and all undertakings necessary for the planning, land acquisition, demolition, financing, construction or equipment in connection with a project, including the negotiation or award of contracts therefor, and shall include the acquisition of any project, in whole or in part, from the Federal Government;

(4) “Administration” shall mean any and all undertakings necessary for management, operation or maintenance in connection with any project and shall include the leasing of any project, in whole or in part, from the Federal Government;

(5) “Federal Government” shall mean the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America;

(6) The development of such projects shall be deemed to be “initiated” if a housing authority has issued bonds, notes or other obligations with respect to the financing of such project of the housing authority or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such project of the Federal Government for which an allocation of funds has been made or approved during a period of war or national emergency declared by the President or Congress of the United States; and

(7) “Housing authority” shall mean any housing authority established or hereafter established pursuant to this chapter and Chapter 3.

HISTORY: 1962 Code Section 36‑271; 1952 Code Section 36‑271; 1942 (42) 1758; 1951 (47) 179.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

RESEARCH REFERENCES

Forms

Am. Jur. Pl. & Pr. Forms War Section 1 , Introductory Comments.

**SECTION 31‑11‑20.** Undertakings of projects for persons engaged in national defense.

Any housing authority may undertake the development or administration, or both, of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities whom the housing authority determines would not otherwise be able to secure safe and sanitary dwellings within the vicinity thereof, but no housing authority shall initiate the development of any such project pursuant to this chapter except during a period of war or national emergency declared by the President or the Congress of the United States.

HISTORY: 1962 Code Section 36‑272; 1952 Code Section 36‑272; 1942 (42) 1758; 1951 (47) 179.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑30.** Housing authorities’ powers in regard to projects for persons engaged in national defense.

In the ownership, development or administration of such projects a housing authority shall have all the rights, powers, privileges and immunities that such authority has under any provision of law relating to the ownership, development or administration of slum clearance and housing projects for persons of low income, in the same manner as though all the provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities as provided in this chapter. Housing projects developed or administered hereunder shall constitute “projects” under this chapter and Chapter 3 as that term is used herein.

HISTORY: 1962 Code Section 36‑273; 1952 Code Section 36‑273; 1942 (42) 1758; 1951 (47) 179.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑40.** Conditions rendering limitations in Sections 31‑3‑530 and 31‑3‑540 inapplicable to projects for persons engaged in national defense.

During the period (herein called the “national defense period”) that a housing authority finds (which finding shall be conclusive in any suit, action or proceeding) that within its authorized territorial jurisdiction or area of operation, or any part thereof, there is an acute shortage of safe and sanitary dwellings which impedes the national defense program in this State and that the necessary safe and sanitary dwellings would not otherwise be provided when needed for persons engaged in national defense activities, any project developed or administered by such housing authority, or by any housing authority cooperating with it, in such area, with the financial aid of the Federal Government, or as agent for the Federal Government as herein provided, shall not be subject to the limitations provided in the second sentence of Section 31‑3‑530 and in Section 31‑3‑540.

HISTORY: 1962 Code Section 36‑274; 1952 Code Section 36‑274; 1942 (42) 1758; 1951 (47) 179.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑50.** Additional powers conferred upon housing authorities.

This chapter shall constitute an independent authorization for a housing authority to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities as provided herein and for a housing authority to cooperate with, or act as agent for, the Federal Government in the development or administration of similar projects by the Federal Government. In acting under this authorization, a housing authority shall not be subject to any limitations, restrictions or requirements of other laws, except those relating to land acquisition, prescribing the procedure or action to be taken in the development or administration of any public works, including slum clearance and housing projects for persons of low income or undertakings or projects of municipal or public corporations or political subdivisions or agencies of the State. A housing authority may do any and all things necessary or desirable to cooperate with, or act as agent for, the Federal Government or to secure financial aid in the expeditious development or in the administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities and to effect the purposes of this chapter.

HISTORY: 1962 Code Section 36‑275; 1952 Code Section 36‑275; 1942 (42) 1758.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑60.** Cooperation with Federal Government; sale of project to Federal Government.

A housing authority may exercise any of its powers for the purpose of cooperating with, or acting as agent for, the Federal Government in the development or administration of projects by the Federal Government to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities and may undertake the development or administration of any such project for the Federal Government. In order to assure the availability of safe and sanitary housing for persons engaged in national defense activities, a housing authority may sell, in whole or in part, to the Federal Government any housing project or part thereof developed for persons of low income but not yet occupied by such persons. Any such sale shall be at such price and upon such terms as the housing authority shall prescribe and shall include provision for the satisfaction of all debts and liabilities of the housing authority relating to such projects.

HISTORY: 1962 Code Section 36‑276; 1952 Code Section 36‑276; 1942 (42) 1758.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑70.** Effect of other provisions relating to cooperation between State public body and housing authorities.

Any State public body, as defined in Chapter 5 of this Title, shall have the same right and power to cooperate with housing authorities, or with the Federal Government, with respect to the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities that such State public body has pursuant to said chapter for the purpose of assisting the development or administration of slum clearance or housing projects for persons of low income, if such State public body may furnish the aforesaid cooperation to such projects located within the territorial boundaries of such State public body or within ten miles thereof.

HISTORY: 1962 Code Section 36‑277; 1952 Code Section 36‑277; 1942 (42) 1758.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑80.** Operation of projects during and after defense periods.

During the national defense period a housing authority may make payments in such amounts as it finds necessary or desirable for any services, facilities, works, privileges or improvements furnished for or in connection with any such projects. After the national defense period any such projects owned and administered by a housing authority shall be administered for the purposes and in accordance with the provisions of this chapter and Chapter 3.

HISTORY: 1962 Code Section 36‑278; 1952 Code Section 36‑278; 1942 (42) 1758; 1951 (47) 179.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑90.** Bonds or other obligations of authorities as security or investment.

Bonds or other obligations issued by a housing authority for a project developed or administered pursuant to this chapter shall be security for public deposits and legal investments to the same extent and for the same persons, institutions, associations, corporations, bodies and officers as bonds or other obligations issued pursuant to Chapter 3 for the development of a slum clearance or housing project for persons of low income.

HISTORY: 1962 Code Section 36‑279; 1952 Code Section 36‑279; 1942 (42) 1758.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.

**SECTION 31‑11‑100.** Powers conferred herein supplemental to other powers.

The powers conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law and nothing contained herein shall be construed as limiting any other powers of a housing authority.

HISTORY: 1962 Code Section 36‑280; 1952 Code Section 36‑280; 1942 (42) 1758.

Library References

War and National Emergency 242.

Westlaw Topic No. 402.