



CHAPTER 62
ARTICLE 5 - REVIEW AND ENFORCEMENT OF ORDERS

N.C.G.S. § 62-98.

Peremptory mandamus to enforce order,
when no appeal.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	1987 (Reg. Sess., 1988), c. 1037, s. 92 — fourth act in the lineage	21 September 2026, 02:04 UTC	bb71e682c98b6f0d90ea271d - 00f64eeec47b47b41a2ec009 - 0d22e44b25f8b081

§ 62-98(a) If no appeal is taken from an order or decision of the Commission within the time prescribed by law and the person to which the order or decision is directed fails to put the same in operation, as therein required, the Commission may apply to a superior court judge who has jurisdiction pursuant to G.S. 7A-47.1 or G.S. 7A-48 in Wake County or in the district or set of districts as defined in G.S. 7A-41.1 in which the business is conducted, upon 10 days' notice, for a peremptory mandamus upon said person for the putting in force of said order or decision; and if said judge shall find that the order of said Commission was valid and within the scope of its powers, he shall issue such peremptory mandamus.

§ 62-98(b) An appeal shall lie to the Court of Appeals in behalf of the Commission, or the defendant, from the refusal or the granting of such peremptory mandamus. The remedy prescribed in this section for enforcement of orders of the Commission is in addition to other remedies prescribed by law.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1949		1958		1967
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				
Nº	YEAR	ACT			CHARACTER
01	1949	c. 989, s. 1			ENACTED
02	1963	c. 1165, s. 1			AMENDED
03	1967	c. 1190, s. 4			AMENDED
04	1967	1987 (Reg. Sess., 1988), c. 1037, s. 92			AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 7A-47.1	(a)	"judge who has jurisdiction pursuant to"
G.S. 7A-48	(a)	"jurisdiction pursuant to G.S. 7A-47.1 or"
G.S. 7A-41.1	(a)	"set of districts as defined in"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 62-98 (1967).

PINPOINT

N.C. Gen. Stat. § 62-98(a) (1967).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1949, c. 989, s. 1; 1963, c. 1165, s. 1; 1967, c. 1190, s. 4; 1987 (Reg. Sess., 1988), c. 1037, s. 92.)

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