

NORTH CAROLINA GENERAL ASSEMBLY
1959 SESSION

CHAPTER 628
HOUSE BILL 807

AN ACT TO AUTHORIZE THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS TO CALL AN ELECTION ON THE QUESTION OF LEVYING A TAX FOR THE OPERATION OF A RECREATIONAL CENTER IN SEVENTY-FIRST TOWNSHIP.

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of Cumberland County shall order the County Board of Elections to hold a special election to be held on a date to be fixed by the Board of Elections, for the purpose of submitting to the qualified voters of Seventy-First Township, the question of levying a special annual tax of not more than five cents (5¢) on the one hundred dollars (\$100.00) valuation of taxable real and personal property, for the operation and maintenance of a park and recreational system in said township. A registrar and two judges of election for each precinct shall be appointed by the Board of Elections at the time of ordering the same, and the registration books shall be open and the election held under the rules and regulations provided by law for the election of members of the General Assembly, except as otherwise specified and provided in this Act.

Sec. 2. Said board shall cause publication of the time, place and object of said election to be made for thirty (30) days prior to the opening of the books for registration in a newspaper having a general circulation in Cumberland County.

Sec. 3. At said election those favoring the levying of said special tax shall vote a ballot on which shall be printed the words "For Parks and Recreation Tax" and those opposed shall vote a ballot on which shall be printed the words "Against Parks and Recreation Tax".

Sec. 4. On the day following the election the registrars and judges shall make return of the same to the Board of Election, who shall canvass and declare and record the vote, and if it shall be found that a majority of qualified voters have voted "For Parks and Recreation Tax", the board of county commissioners shall, at the time of levying other taxes, levy a tax not exceeding five cents (5¢) on the one hundred dollars (100.00) valuation of taxable real and personal property in said township for the aforesaid purpose, which tax shall be collected as other taxes, and shall be used for the purposes hereafter stated.

Sec. 5. If the majority of the qualified voters voting in said election favor the levying of such a tax, then, and in that event, there shall be created a commission to be known as the Recreation and Park Commission of Seventy-First Township; such

commission shall be composed of nine directors, to be selected by a majority vote of those present at a public meeting to be held for the purpose of selecting said directors. The notice of said meeting for the purpose of selecting the nine directors shall be published in a newspaper with general circulation in Cumberland County. The said notice shall appear at least twice in said newspaper and shall contain the time, place, manner and purpose for which said meeting is called. The meeting for the selection of the nine directors shall be open to all registered voters of said township who were qualified to vote in the election provided for in this Act. At said meeting the three candidates receiving the highest number of votes shall serve for terms of three years; the three candidates receiving the next highest number of votes shall serve for terms of two years; and the three candidates receiving the next highest number of votes shall serve for one year. Thereafter, as their terms of office expire their successors shall be elected for terms of three years, and shall serve until their successors are elected and qualified. After the members of the board of directors shall have been selected and at the time of holding their first meeting, they shall, by a majority vote, name and select, from their own membership, a chairman, a vice-chairman, a secretary and treasurer, and shall adopt bylaws and procedural rules and policies. The board member who shall be named treasurer shall have supervision of all funds administered by the board of directors in any way whatsoever; shall sign and countersign all checks, drafts, bills of exchange, or any and all negotiable instruments which shall properly be issued under his supervision, and shall furnish such surety bond as shall be designated by the Board of Commissioners of Cumberland County.

Sec. 6. The powers and duties of said board of directors shall be to control, manage, operate and superintend all properties which shall come into its hands in such manner as it may deem best for the preservation and improvement of the same and for the benefit and accommodations of the residents of said township; to prescribe and enforce rules and regulations pertaining to the use of the aforesaid park and recreational facilities and properties by the residents of said township, and others, and to fix, determine, collect and receive such dues, charges and fees for the use of such facilities and properties by the residents of said township and others, as it may deem best for the proper preservation, improvement and maintenance of the same; to acquire, on behalf of the township, for the recreational purpose herein contemplated and none other, by purchase, lease, gift or otherwise, and hold, manage, control and operate as above stated any and all properties, real and/or personal, that may be necessary or convenient to the preservation improvement and/or expansion of the said park and recreational facilities and properties, and to do and perform any and all other acts and things necessary or convenient to the accomplishment of the foregoing purposes.

Sec. 7. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 8. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1959.