

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 665

Short Title: Incorporate Summerfield.

(Local)

Sponsors: Representative Decker.

Referred to: Local and Regional Government I.

April 10, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF SUMMERFIELD IN GUILFORD
3 COUNTY SUBJECT TO A REFERENDUM.

4 The General Assembly of North Carolina enacts:

5 Section 1. A Charter is enacted for the Town of Summerfield to read:

6 "CHARTER OF THE TOWN OF SUMMERFIELD.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Section 1.1. The inhabitants of the Town of Summerfield are a body corporate and
10 politic under the name 'Town of Summerfield'. Under that name they have all the
11 powers, duties, rights, privileges, and immunities conferred and imposed upon cities by
12 the General Law of North Carolina.

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2.1. Until changed in accordance with law, the boundaries of the Town of
16 Summerfield are as follows: BEGINNING at a point at the intersection of the
17 Guilford/Rockingham County Line and the center of U.S. Highway 220; thence in a
18 southerly direction following the center line of U.S. Highway 220 to a point on the
19 southern bank of the Haw River; thence in a generally western direction following the
20 southern bank of the Haw River to a point on the Bruce Township line; thence south to
21 the a point in the center of Brookbank Road (2127); thence in a generally eastern
22 direction along the center line of Brookbank Road (2127) to the intersection of the
23 Summerfield Fire District line as shown on the Guilford County tax map ACL-10-654;
24 thence following the Summerfield Fire District line as shown on Guilford County Tax

1 Maps ACL-10-654 and ACL-10-652 to a point on the Northern Bank of the Reedy Fork
2 Creek; thence in a generally eastern direction along the northern Bank of the Reedy
3 Ford Creek to a point of intersection with the High Water Mark of Lake Brant; thence
4 continuing in a generally easterly direction following along the High Water Mark of
5 Lake Brant to a point of intersection with the center line of U.S. Highway 220; thence
6 north along the center line of U.S. Highway 220 to a point of intersection with the
7 center line of Strawberry Road (2321); thence along the center line of Strawberry Road
8 (2321) to the intersection of the center line of Scalesville Road (1002); thence in an
9 generally eastern direction along the center line of Scalesville Road to the Bruce
10 Township line; thence north along the Bruce Township Line to the Guilford County
11 Line; thence west along the Guilford County Line to the point and place of beginning.

12 "CHAPTER III.

13 "GOVERNING BODY.

14 "Sec. 3.1. The governing body of the Town of Summerfield is the Town Council
15 which has six members.

16 "Sec. 3.2. The qualified voters of the entire town elect the members of the Town
17 Council.

18 "Sec. 3.3. From the effective date of this Charter until the organizational meeting of
19 the Town Council after the 1993 municipal election, the members of the Town Council
20 shall be: Roger Barricks, Sara D. Friddle, Douglas C. Parrish, Mary M. Decker, Floyd
21 L. Moore, and Joan T. Beeson.

22 "Sec. 3.4. At the regular town election in 1993, six council members shall be
23 elected. The persons receiving the three highest number of votes shall be elected for
24 four-year terms and the three persons receiving the next highest number of votes shall
25 be elected for two-year terms. In 1995 and quadrennially thereafter, three council
26 members shall be elected for four-year terms. In 1997 and quadrennially thereafter,
27 three council members shall be elected for four-year terms.

28 "Sec. 3.5. Should any member of the council be unable to serve his or her full term,
29 the council shall appoint a resident of the Town of Summerfield to fill the vacancy to
30 the end of the vacant term.

31 "Sec. 3.6. At the organizational meeting of the initial council and at the
32 organizational meeting after each election, the council shall elect one of its members to
33 serve at its pleasure as Mayor.

34 "CHAPTER IV.

35 "ELECTIONS.

36 "Sec. 4.1. The council shall be elected on a nonpartisan basis and the results
37 determined by plurality in accordance with G.S. 163-292.

38 "Sec. 4.2. Elections shall be conducted in accordance with Chapter 163 of the
39 General Statutes.

40 "CHAPTER V.

41 "ADMINISTRATION.

42 "Sec. 5.1. The Town of Summerfield shall operate under the mayor-council plan as
43 provided in Part 3 of Article 7 of Chapter 160A of the General Statutes.

1 "Sec. 5.2. From and after the effective date of the incorporation, the citizens and the
2 property in the Town of Summerfield shall be subject to municipal taxes levied for the
3 year beginning July 1, 1991, and for that purpose the Town shall obtain from Guilford
4 County a record of property in the area herein incorporated which was listed for taxes as
5 of January 1, 1991, and the businesses of the Town shall be liable for privilege license
6 tax from the effective date of the privilege license ordinance. The Town may adopt a
7 budget ordinance for the fiscal year 1991-92 without following the timetable in the
8 Local Government Budget and Fiscal Control Act, but shall follow the sequence of
9 actions in the spirit of the act insofar as is practical. For fiscal year 1991-92, ad valorem
10 taxes may be paid at par or face amount within 90 days of the adoption of the budget
11 ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes
12 had been due and payable on September 1, 1991."

13 Sec. 2. (a) The Guilford County Board of Elections shall conduct an election
14 as soon as is practical after the enactment of this Charter for the purpose of submission
15 to the qualified voters of the area described in Section 2.1 of the Charter of
16 Summerfield, the question of whether or not such area shall be incorporated as
17 Summerfield. Registration for the election shall be in accordance with G.S. 163-288.2.

18 (b) In the election, the question on the ballot shall be:

19 FOR the Incorporation of Summerfield

20 AGAINST the Incorporation of Summerfield".

21 Sec. 3. In such election, if a majority of the votes cast shall be cast FOR the
22 Incorporation of Summerfield, then Sections 1 and 2 of this act shall become effective
23 on the date that the Guilford County Board of Elections determines the result of this
24 election.

25 Sec. 4. In such election, if less than a majority of the votes cast are cast FOR
26 the Incorporation of Summerfield, then Sections 1 and 2 of this act shall have no force
27 and effect.

28 Sec. 5. This act is effective upon ratification.