

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1497

Short Title: Cranberry Incorporated.

(Local)

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Sponsors: Representatives Buchanan; and Thompson.

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Referred to: Local and Regional Government II, if favoarable, Finance.

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May 26, 1998

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE TOWN OF CRANBERRY.

3 The General Assembly of North Carolina enacts:

4 Section 1. A Charter for the Town of Cranberry is enacted as follows:

5 "CHARTER OF TOWN OF CRANBERRY.

6 "CHAPTER I.

7 "INCORPORATION AND CORPORATE POWERS.

8 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town  
9 of Cranberry, which area is described in Section 2.1 of this Charter, are a body corporate  
10 and politic under the name 'Town of Cranberry.' Under that name they have all the  
11 powers, duties, rights, privileges, and immunities conferred and imposed on cities by the  
12 general law of North Carolina.

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2.1. **Town Boundaries.** Until modified in accordance with the law, the  
16 boundaries of the Town of Cranberry are as follows: A circle with a radius of 4,200 feet  
17 as measured from a PK Nail set in a chiseled X located in the walkway of the Cranberry  
18 Baptist Church, said nail being located N 80° 18' 49"W 47.31' from the Northwest corner  
19 of the Church and N 50° 20' 28"W 47.93' from the Southwest corner of the Church and  
20 having NAD 83 Grid Coordinates of N 883,703.1137 and E 1,123,879.3799.

1                                   **"CHAPTER III.**  
2                                   **"GOVERNING BODY.**

3           "Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing  
4 body of the Town of Cranberry is the Board of Aldermen, which has five members and  
5 the Mayor.

6           "Sec. 3.2. **Temporary Officers.** Until the organizational meeting after the initial  
7 election in 1999 provided for by Section 4.1 of this Charter, Michael Phillip Jones is  
8 appointed Mayor and David Turbyfill, Linda T. Brown, Raymond Turbyfill, and J.W.  
9 Ollis are appointed members of the Board of Aldermen, and they shall possess and may  
10 exercise the powers granted to the Mayor and Board of Aldermen until their successors  
11 are elected or appointed and qualify pursuant to this Charter.

12           "Sec. 3.3. **Manner of Electing Board of Aldermen; Term of Office.** The qualified  
13 voters of the entire Town shall elect the members of the Board of Aldermen. In 1999 and  
14 biennially thereafter, five members of the Board of Aldermen are elected for two-year  
15 terms.

16           "Sec. 3.4. **Manner of Electing Mayor; Term of Office.** At its organizational  
17 meeting after each election, the Board of Aldermen shall elect one of its members as  
18 Mayor to serve at the pleasure of the Board of Aldermen.

19                                   **"CHAPTER IV.**  
20                                   **"ELECTIONS.**

21           "Sec. 4.1. **Conduct of Town Elections.** Town officers shall be elected on a  
22 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

23                                   **"CHAPTER V.**  
24                                   **"ADMINISTRATION.**

25           "Sec. 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Cranberry  
26 operates under the Mayor-Council plan as provided in Part 3 of Article 7 of Chapter  
27 160A of the General Statutes."

28           Section 2. From and after the effective date of this act, the citizens and  
29 property in the Town of Cranberry shall be subject to municipal taxes levied for the year  
30 beginning July 1, 1998, and for that purpose the Town shall obtain from Avery County a  
31 record of property in the area herein incorporated which was listed for taxes as of January  
32 1, 1998. The Town may adopt a budget ordinance for fiscal year 1998-99 without  
33 following the timetable in the Local Government Budget and Fiscal Control Act, but shall  
34 follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal  
35 year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days of  
36 adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S.  
37 105-360 as if the taxes had been due and payable on September 1, 1998. If this act is  
38 ratified before July 1, 1998, the Town may adopt a budget ordinance for fiscal year 1997-  
39 98 without following the timetable in the Local Government Budget and Fiscal Control  
40 Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical,  
41 but no ad valorem taxes may be levied for the 1997-98 fiscal year.

42           Section 3. This act is effective when it becomes law.