

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1263
Finance Committee Substitute Adopted 7/15/98
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Short Title: Unionville Charter Revived.

(Local)

Sponsors:

Referred to:

May 27, 1998

A BILL TO BE ENTITLED

AN ACT TO REVIVE THE CHARTER OF THE TOWN OF UNIONVILLE AND TO
REVIVE THE CHARTER OF THE TOWN OF WOODLAWN.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 62 of the Private Laws of 1911 reads as
rewritten:

"Section 3. That the elected officers of ~~said the~~ town shall consist of a ~~mayor, mayor~~
and five commissioners, a constable, a secretary and treasurer, and the following persons
shall fill the offices until the regular election in ~~May, one thousand nine hundred and eleven,~~
viz: Mayor, J. B. Little; commissioners, A. A. Seerest, T. L. A. Helms, J. T. Price, Dr. A. D. N.
Whitley and C. D. Benton, all of which offices shall be filled by election of popular vote, except
~~constable, secretary and treasurer, who shall be chosen by commissioners of said town. The~~
~~constable and treasurer shall give bond in such sum as the commissioners shall determine for the~~
~~faithful performance of the duties of their respective offices.~~ November of 1999: Mayor, Larry
B. Simpson; commissioners, Kenneth J. Price, Jimmy Lee Baucom, Kenneth M. Brown,
Jr., Robert L. Crouch, and Randy Keith Baucom."

1 Section 2. Section 4 of Chapter 62 of the Private Laws of 1911 reads as
2 rewritten:

3 "Section 4. That officers and their successors shall be elected under ~~the laws of chapter~~
4 ~~seventy-three of The Revisal of one thousand nine hundred and five, relating to elections,~~
5 Chapter 160A and Chapter 163 of the General Statutes and shall hold their offices for ~~the~~
6 four-year terms prescribed under the general law."

7 Section 3. Sections 5 and 6 of Chapter 62 of the Private Laws of 1911 are
8 repealed.

9 Section 4. Section 7 of Chapter 62 of the Private Laws of 1911 reads as
10 rewritten:

11 "Section 7. Said commissioners shall have and are hereby vested with all the powers
12 conferred upon commissioners of towns and cities and subject to the performance of all
13 the duties as such, conferred under the general laws. ~~laws of chapter seventy-three of The~~
14 ~~Revisal of one thousand nine hundred five."~~

15 Section 5. Chapter 62 of the Private Laws of 1911 is amended by adding a
16 new section to read:

17 Section 5.1. The Town of Unionville operates under the Mayor-Council Plan
18 as provided by Part 3 of Article 7 of Chapter 160A of the General Statutes.

19 Section 5.2. Section 2 of Chapter 62 of the Private Laws of 1911 is rewritten
20 to read:

21 "Section 2. The boundaries of the Town of Unionville are as follows:

22 BEGINNING at the intersection of Friendly Baptist Church Road and Ridge Road;
23 thence along and with Ridge Road in a generally southeast direction to the intersection of
24 Ridge Road and U.S. Highway 601; thence with U.S. Highway 601 in a generally
25 southwest direction approximately 400 feet to the southwest corner of parcel 9-174-12B;
26 thence along and with the southern boundaries of the following properties: parcels 9-174-
27 6G; 9-174-10; 9-174-6D; Country Ridge and Country Ridge, Sec. 2 as shown on plats
28 recorded in Plat Cabinet B, Files 109A and 111A in the Office of the Union County
29 Register of Deeds; the minor subdivision of Kelly Helms and wife, Pauline Helms as
30 shown on plat recorded in Plat Cabinet B, File 343A in the Office of the Union County
31 Register of Deeds; thence with the eastern boundary of parcel 9-177-75 in a generally
32 northerly direction to a point in the centerline of Baucom-Deese Road; thence with
33 Baucom-Deese Road in a generally easterly direction to the intersection of Baucom-
34 Deese Road with Morgan Mill Road; thence with Morgan Mill Road in a generally
35 northeast direction to the intersection of Morgan Mill Road with Henry Baucom Road;
36 thence extending past said intersection and running with the centerline of said road
37 approximately 701 feet; thence in a generally northwesterly direction with the line of
38 parcel 8-072-19 to said parcel's northernmost boundary line; thence with the
39 northernmost boundary lines of the following properties: 8-072-19, 8-072-25A, and 8-
40 072-25; thence generally north with the property lines of parcel 8-072-9 to the
41 northernmost line of parcel 8-072-9; thence with the northernmost property lines of
42 parcels 9, 9A, and 8B; thence in a generally southerly direction along and with the
43 westernmost property lines of parcels 8-072-8B, 8-072-8D, and 8-072-8A to the

1 centerline of Henry Baucom Road; thence with the centerline of said Road in a generally
2 westerly direction to the intersection of Henry Baucom Road with Haigler-Baucom Road;
3 thence with Haigler-Baucom Road in a generally northwest direction to the intersection
4 of Haigler-Baucom Road with Sikes Mill Road; thence with Sikes Mill Road in a
5 generally northerly direction to the intersection of Sikes Mill Road with Clontz-Long
6 Road; thence in a generally westerly direction with Clontz-Long Road to the intersection
7 of Clontz-Long Road with U.S. Highway 601; thence with U.S. Highway 601 in a
8 generally southerly direction to the intersection of U.S. Highway 601 and Lawyers Road;
9 thence with Lawyers Road in a generally westerly direction to the intersection of
10 Lawyers Road and Friendly Baptist church Road; thence along and with Friendly Baptist
11 Church Road to the point and place of the BEGINNING."

12 Section 6. (a) From and after the effective date of this act, the citizens and property
13 in the Town of Unionville shall be subject to municipal taxes levied for the year
14 beginning July 1, 1998, and for that purpose the Town shall obtain from Union County a
15 record of property in the area herein incorporated which was listed for taxes as of January
16 1, 1998; and the businesses in the Town shall be liable for privilege license tax from the
17 effective date of the privilege license tax ordinance.

18 (b) The Town may adopt a budget ordinance for fiscal year 1998-99 without
19 following the timetable in the Local Government Budget and Fiscal Control Act, but shall
20 follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal
21 year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days of
22 adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S.
23 105-360 as if the taxes had been due and payable on September 1, 1998.

24 Section 7. On the date of the general election in 1998, the Union County
25 Board of Elections shall conduct a special election for the purpose of submission to the
26 qualified voters of the area described in Chapter 62 of the Private Laws of 1911, the
27 question of whether or not the charter of the Town shall be revived.

28 Section 8. In the election, the question on the ballot shall be:

29 **"[]FOR []AGAINST**
30 **REVIVAL OF THE CHARTER OF THE TOWN OF UNIONVILLE".**

31 Section 9. In the election, if a majority of the votes are cast "For the Revival of
32 the Charter of the Town of Unionville", Sections 1 through 6 of this act become effective
33 on the date that the Union County Board of Elections certifies the results of the election.
34 Otherwise, Sections 1 through 6 of this act have no force and effect.

35 Section 9.1. A Charter for the Town of Woodlawn is enacted as follows:

36 **"CHARTER OF TOWN OF WOODLAWN.**

37 **"CHAPTER I.**

38 **"INCORPORATION AND CORPORATE POWERS.**

39 "Section 1.1. **Incorporation and corporate powers.** The inhabitants of the Town of
40 Woodlawn are a body corporate and politic under the name 'The Town of Woodlawn'.
41 Under that name they have all the powers, duties, rights, privileges, and immunities
42 conferred and imposed upon cities by the general law of North Carolina.

43 **"CHAPTER II.**

"CORPORATE BOUNDARIES.

"Section 2.1. **Town boundaries.** (a) Until modified in accordance with law, the boundaries of the Town of Woodlawn are as follows:

The incorporated Town of Woodlawn shall consist of the tracts of land in the Melville Township of Alamance County, generally described as those properties between US 70, NC 119, White Level Road, Bason Road, and described more specifically as:

Beginning at the intersection of NC Hwy 119 & White Level Road and running North along the Eastern boundaries of the following property:

<u>Tax Map</u>	<u>Lot Number</u>
10-1	50

The boundary proceeds West along the Northern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-2	50
10-1	47
10-1	47B
10-2	5
10-2	3
10-2	2

The boundary proceeds West across Quaker Creek Reservoir and continues West along the Northern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-25	12D
13-25	12E

The boundary crosses Miles Chapel Road and continues West along the Northern boundary of the following property:

<u>Tax Map</u>	<u>Lot Number</u>
13-24	34

The boundary turns South and continues along the Eastern edge of Quaker Creek Reservoir and the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-24	34
13-24	78
13-24	48
13-24	34A
13-24	33
13-24	51

The boundary continues 100' along the Northern edge of property 13-22/35A. The boundary then crosses Mebane-Rogers Road (SR 1921) and continues South along the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-22	35A
13-22	35E

1	13-22	35B
2	13-22	35C
3	13-22	41
4	13-22	59
5	13-22	58
6	13-22	57
7	13-22	31
8	13-22	36
9	13-22	30
10	13-22	30G
11	13-22	30H
12	13-22	40
13	13-22	54

14 The boundary crosses Dodson Road (SR 1927) and continues South along the
15 Western boundaries of the following properties:

16	<u>Tax Map</u>	<u>Lot Number</u>
17	13-22	30F
18	13-22	4

19 The boundary turns East and follows the Southern boundaries of the following
20 properties:

21	<u>Tax Map</u>	<u>Lot Number</u>
22	13-22	4
23	13-22	30F
24	13-22	30D

25 The boundary turns Southeast at the Southeast corner of Lot 13-22/30D and continues
26 across Quaker Creek Reservoir to the Northern tip of Lot 10-2/95. The boundary
27 proceeds South along the western boundaries of the following properties:

28	<u>Tax Map</u>	<u>Lot Number</u>
29	10-2	95
30	10-2	34M

31 The boundary turns East along the Southern boundary of Lot 10-2/34M. The
32 boundary turns South and follows the Western boundaries of the following properties:

33	<u>Tax Map</u>	<u>Lot Number</u>
34	10-2	34F
35	10-2	34G
36	10-2	34A
37	10-2	34E

38 The boundary now turns East and follows the Southern boundaries of the following
39 properties:

40	<u>Tax Map</u>	<u>Lot Number</u>
41	10-2	34E
42	10-2	34D
43	10-2	34C

1	10-2	33
2	10-2	29
3	10-2	94
4	10-2	93
5	10-2	92
6	10-2	90
7	10-2	89
8	10-2	88
9	10-2	87
10	10-2	109
11	10-2	108
12	10-2	107

13 The boundary turns South and follows the Western boundaries of the following
14 properties:

15	<u>Tax Map</u>	<u>Lot Number</u>
16	10-2	107
17	10-2	104
18	10-2	103
19	10-4	71A

20 The boundary turns East and follows the Southern boundaries of the following
21 properties:

22	<u>Tax Map</u>	<u>Lot Number</u>
23	10-4	71A
24	10-4	89
25	10-4	72A

26 The boundary turns South and follows the Western boundary of Lot 10-5/22. The
27 boundary then intersects with US 70 turning East and proceeding along the Southern
28 boundaries of the following properties:

29	<u>Tax Map</u>	<u>Lot Number</u>
30	10-5	22
31	10-5	28
32	10-5	24A
33	10-5	24
34	10-5	25
35	10-5	26
36	10-5	26B
37	10-5	27
38	10-5	55
39	10-5	28
40	10-5	29
41	10-6	2
42	10-6	3
43	10-6	4

1 quadrennially thereafter, three members of the Council shall be elected for four-year
2 terms.

3 "Section 3.4. **Selection of Mayor; term of office.** At the organizational meeting of
4 the interim Council and at the organizational meeting after each election, the Council
5 shall elect one of its members to serve as Mayor at its pleasure. The Mayor has the right
6 to vote on all matters before the Council.

7 **"CHAPTER IV.**

8 **"ELECTIONS.**

9 "Section 4.1. **Conduct of Town elections.** The Town Council shall be elected on a
10 nonpartisan basis. Elections shall be conducted in accordance with Chapter 163 of the
11 General Statutes.

12 "Section 4.2. **Determination of election results.** The results shall be determined by
13 the plurality method in accordance with G.S. 163-292.

14 **"CHAPTER V.**

15 **"ADMINISTRATION.**

16 "Section 5.1. **Mayor-Council plan.** The Town of Woodlawn operates under the
17 Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General
18 Statutes.

19 "Section 5.2. **Administration of budget.** The Town may adopt a budget ordinance
20 for fiscal year 1998-1999 without following the timetable in the Local Government
21 Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the
22 act insofar as is practical.

23 "Section 5.3. **Interim governing board.** Until members of the Town Council are
24 elected in 1999 in accordance with the Town Charter and the general law of North
25 Carolina, Mike Baptiste, L. Joy Albright, Andy Corbett, Bob Eudy, and Audrey McBane
26 shall serve as members of the Town Council. The initial meeting of the Town Council
27 shall be called by the Clerk to the Board of Commissioners of Alamance County.

28 "Section 5.4. **Eligibility for State funds.** The Town of Woodlawn is eligible to
29 receive distributions of State funds during fiscal year 1998-1999."

30 Section 9.2. Chapter 348 of the Public-Local Laws of 1939 is repealed. Any
31 property of Woodlawn Community, Incorporated, under that act shall vest by operation
32 of law in the Town of Woodlawn.

33 Section 9.3. On the date of the general election in 1998, the Alamance County
34 Board of Elections shall conduct a special election for the purpose of submission to the
35 qualified voters of the area described in Section 2.1 of the Charter of the Town of
36 Woodlawn, the question of whether such area shall be incorporated as the Town of
37 Woodlawn.

38 Section 9.4. In the election, the question on the ballot shall be:

39 **"[]FOR []AGAINST**

40 **REVIVAL OF THE CHARTER OF THE TOWN OF WOODLAWN".**

41 Section 9.5. In the election, if a majority of the votes are cast "For the Revival
42 of the Charter of the Town of Woodlawn", Sections 9.1 through 9.2 of this act become

1 effective on the date that the Alamance County Board of Elections certifies the results of
2 the election. Otherwise, Sections 9.1 through 9.2 of this act have no force and effect.

3 Section 9.5A. Section 3.4 of Ratified Senate Bill 1514, 1997 Regular Session,
4 is amended by deleting "Revival of the Charter", and substituting "Incorporation".

5 Section 9.6. The General Assembly finds that the short period of time between
6 the enactment of this act and the date of the 1998 general election when the two referenda
7 under this act are to be held require modification of the general law election procedures
8 to accommodate this.

9 Therefore, for the elections called under Sections 7 and 9.3 of this act:

10 (1) In applying G.S. 163-33(8), "10 days" is substituted for "20 days", and
11 "10-day" is substituted for "20-day".

12 (2) In applying G.S. 163-288.2 on account of G.S. 163-288.1A, "one-week
13 period" is substituted for "two-week period" all places, "At least two
14 days", is substituted for "At least one week" all places, and "one
15 Saturday" is substituted for "two Saturdays".

16 (3) Notwithstanding G.S. 163-302(a), absentee voting shall not be allowed.

17 Section 10. This act is effective when it becomes law.