

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1669

Short Title: Sunset Harbor Incorporated.

(Local)

Sponsors: Representative Redwine.

Referred to: Finance.

June 13, 2002

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE TOWN OF SUNSET HARBOR.

The General Assembly of North Carolina enacts:

SECTION 1. A Charter for the Town of Sunset Harbor is enacted to read:

"CHARTER OF THE TOWN OF SUNSET HARBOR.

"ARTICLE I. INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Sunset Harbor are a body corporate and politic under the name 'Town of Sunset Harbor.' The Town of Sunset Harbor has all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general laws of North Carolina.

"ARTICLE II. CORPORATE BOUNDARIES.

"Section 2.1. **Town Boundaries.** Until modified in accordance with the law, the boundaries of the Town of Sunset Harbor shall be as follows:

Beginning at a point in the run of Mercer's Mill Pond Creek where said run of Mercer's Mill Pond Creek is intercepted by the southern boundary of River Run Plantation, as the same is shown on plats of River Run Plantation recorded in the Brunswick County Registry, as extended to the west; thence running eastwardly with the southern boundary of River Run Plantation as the same is shown on plats of River Run Plantation recorded in the Brunswick County Registry; thence across Sunset Harbor Road (State Road #1112) to the western boundaries of the Old Swain Property; thence southwardly with the western boundary of the Old Swain Property to a point where said extended line intersects with the boundary line of Lockwood Folly Township and Smithville Township in the U. S. Intracoastal Waterway, thence westwardly with the boundary line of Lockwood's Folly Township and Smithville Township in the U.S. Intracoastal Waterway, back to the run of Mercer's Mill Pond Creek; thence continuing with the run of Mercer's Mill Pond Creek, to a point in the run of Mercer's Mill Pond Creek where said run of Mercer's Mill Pond Creek is intercepted by the southern boundary of River

1 Run Plantation, as the same is shown on plats of River Run Plantation recorded in the
2 Brunswick County Registry, as extended to the west, the place and point of beginning.

3 "ARTICLE III. GOVERNING BODY.

4 "Section 3.1. **Structure of Governing Body.** The governing body of Sunset Harbor
5 shall be the Board of Aldermen, which shall have five members and a Mayor.

6 "Section 3.2. **Temporary Officers.**

7 "Section 3.3. **Manner of Electing Board of Aldermen; Terms of Office.** The
8 qualified voters of the entire Town shall elect the members of the Board of Aldermen
9 and, except as provided in this section, they shall be elected to two-year terms. In 2003,
10 the two candidates receiving the highest number of votes shall be elected to four-year
11 terms and the three candidates receiving the next highest number of votes shall be
12 elected to two-year terms. In 2005, and biennially thereafter, three members shall be
13 elected to two-year terms. In 2007, and biennially thereafter, two members shall be
14 elected to two-year terms.

15 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of
16 the entire town shall elect the Mayor. In 2003, and biennially thereafter, the Mayor shall
17 be elected for a term of two years.

18 "ARTICLE IV. ELECTIONS.

19 "Section 4.1. **Conduct of Town Elections.** Elections shall be conducted on a
20 nonpartisan basis and the results determined by a plurality as provided in G.S. 163-292.

21 "ARTICLE V. ADMINISTRATION.

22 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Sunset
23 Harbor will operate under the Mayor-Council plan as provided in Part 3 of Article 7 of
24 Chapter 160A of the General Statutes.

25 "Section 5.2. **Ad valorem Taxes.** The maximum ad valorem tax rate for the Town of
26 Sunset Harbor is hereby established as ten cents (10¢) per one hundred dollars
27 (\$100.00) valuation, and the Board of Aldermen shall not increase that rate without the
28 vote or consent of a majority of the qualified voters of the Town of Sunset Harbor."

29 **SECTION 2.** From and after the effective date of this act, the citizens and
30 property in the Town of Sunset Harbor shall be subject to municipal taxes levied for the
31 year beginning July 1, 2002, and for that purpose, the Town shall obtain from
32 Brunswick County a record of property in the area incorporated in Section 1 of this act
33 that was listed for taxes as of January 1, 2002. The Town may adopt a budget ordinance
34 for fiscal year 2002-2003 without following the timetable in the Local Government
35 Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of
36 the act insofar as is practical. For fiscal year 2002-2003, ad valorem taxes may be paid
37 at par or face amount within 90 days of adoption of the budget ordinance and thereafter
38 in accordance with the schedule in G.S. 105-360. If the effective date of incorporation is
39 prior to July 1, 2002, the Town may adopt a budget ordinance for fiscal year 2001-2002
40 without following the timetable in the Local Government Budget and Fiscal Control
41 Act, but shall follow the sequence of actions in the spirit of the act insofar as is
42 practical.

43 **SECTION 3.** This act is effective when it becomes law.