

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 726
SENATE BILL 357

AN ACT TO PROVIDE FOR AN ELECTION WITHIN THE NORTH
ASHEBORO-CENTRAL FALLS SANITARY DISTRICT AND THE TOWN OF
ASHEBORO ON THE PROPOSITION OF MERGER.

The General Assembly of North Carolina do enact:

Section 1. On the first Saturday in March, 1965, unless some earlier date is mutually agreed to by the parties hereto, the Randolph County Board of Commissioners shall cause to be held through the Randolph County Board of Elections or the appointment of special election officials in their discretion, an election within the Town of Asheboro and the North Asheboro-Central Falls Sanitary District to afford the voters of the Sanitary District and the said contiguous town the opportunity to vote on the question of whether or not they are in favor of a merger of the Town of Asheboro and the North Asheboro-Central Falls Sanitary District.

Sec. 2. The board of commissioners may in their discretion create such voting precincts as to them seems best to suit the convenience of the voters. The board of commissioners of the county in their discretion and on the recommendation of the board for the Sanitary District and the contiguous Town of Asheboro either call for special registration in either or both the Sanitary District and said Town of Asheboro, or the board of commissioners may declare eligible to vote all those registered and eligible to vote in the city election for the Town of Asheboro and those registered and eligible to vote in the general election within said Sanitary District. The notice of the election shall be given by publication once a week for three successive weeks, the first to be at least thirty days before the election.

Sec. 3. Opportunity shall be provided for new registration of qualified voters within the Sanitary District and contiguous Town of Asheboro and notice of such new registration shall be deemed to be sufficiently given if given at least thirty days before the close of the registration books by publication once in some newspaper published or circulated in said Sanitary District and contiguous Town of Asheboro. The notice of registration may be considered one of the three notices required of the election. Time of such registration shall as near as may be conform with that of the registration of voters in municipal elections as provided in G. S. 160-37. The published notice of registration shall state the days on which the books shall be open for registration of voters and place or places at which they will be open on Saturdays. The books of such new registration shall close on the second Saturday before the election. The Saturday before the election

shall be Challenge Day, and except as otherwise provided in this Article, such election shall be held in accordance with the law governing general elections.

Sec. 4. Ballots shall be provided and distributed at all polling places within the Town of Asheboro and the North Asheboro-Central Falls Sanitary District containing on separate lines the words:

"FOR merger of the Town of Asheboro and the North Asheboro-Central Falls Sanitary District, effective July 1, 1965, if a majority of the registered voters of both the Sanitary District and the town vote in favor of merger, the combined territory to be known as the Town of Asheboro and to assume all of the obligations of the Sanitary District and to receive from the Sanitary District all the property rights of the district; from and after merger residents of the district would enjoy all of the benefits of the municipality and would assume their proportionate share of the obligations of the town as merged."; and

"AGAINST merger of the Town of Asheboro and the North Asheboro-Central Falls Sanitary District". Those voters favoring merger shall mark in the voting square to the left of the words "FOR merger of the Town of Asheboro and the North Asheboro-Central Falls Sanitary District, etc." printed on the ballot, and a vote for such merger shall include a vote for the Town of Asheboro to assume the obligations of the district, and those opposed to a merger shall mark in the voting square to the left of the words "AGAINST merger of the Town of Asheboro and the North Asheboro-Central Falls Sanitary District".

Sec. 5. In the event a majority of those voting within the Town of Asheboro favor the merger and a majority of those voting within the North Asheboro-Central Falls Sanitary District favor the merger, the North Asheboro-Central Falls Sanitary District shall merge with the Town of Asheboro on July 1, 1965. Should the majority of the registered voters of either the North Asheboro-Central Falls Sanitary District or the Town of Asheboro vote against the proposition of merger, then the merger authorized under this Act shall not be effected, and the Sanitary District would not merge with or become a part of the Town of Asheboro, but would continue to operate as the North Asheboro-Central Falls Sanitary District under the provisions of Article 12 of Chapter 130 of the General Statutes of North Carolina. Provided, however, that in the event a majority of those voting in either the Town of Asheboro or the North Asheboro-Central Falls Sanitary District shall vote against the proposition of merger, the Sanitary District Board and the governing body of the town may adopt resolutions and call for elections on similar propositions of merger at any future date, provided that the election shall not be held within less than one year from the date of the last election or referendum.

Sec. 6. If the majority of the registered voters who shall vote at said election of both the Sanitary District and the town vote in favor of said merger, and the merger becomes effective July 1, 1965, the combined territory shall be known as the Town of Asheboro, and the Town of Asheboro shall then assume all of the obligations of the Sanitary District, and the Sanitary District shall convey all property rights to the Town of Asheboro. The residents of the Sanitary District shall from and after July 1 following the said election enjoy all of the benefits of the municipality and shall after that date assume their share of the obligations of the town as merged with the Sanitary District.

All taxes levied and collected by the town from and after the effective date of the merger shall be levied and collected uniformly in all of the territory embraced in the enlarged municipality. Provided further that the North Asheboro-Central Falls Sanitary District shall cease to exist as a political subdivision from and after the effective date of the merger.

Sec. 7. If merger is approved, the governing body of the Town of Asheboro shall determine the proportion of the district indebtedness which was incurred for construction of the water system, and the proportion which was incurred for the construction of the sewage disposal system. Upon making such determination the governing body shall send a certified copy to the Local Government Commission in order that the said commission and the governing body of the merged municipality can determine the net debt of the merged municipality as required by G. S. 160-383.

Sec. 8. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 9. 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 13th day of June, 1961.