

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 387
HOUSE BILL 890

AN ACT TO AMEND ARTICLE 3 OF CHAPTER 139 OF THE GENERAL STATUTES TO AUTHORIZE CAMDEN COUNTY BOARD OF COMMISSIONERS TO ESTABLISH WATERSHED IMPROVEMENT DISTRICTS IN AREAS OF THE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 139-39 is amended to read as follows:

"§ 139-39. Alternative method of financing watershed improvement programs by special county tax. – (a) The Board of County Commissioners of Camden County, by adoption of an appropriate resolution, may declare and establish a watershed improvement district within any area of the county or in the county as a whole. If the Board establishes a watershed improvement district in any area of the county, it shall accurately describe the area by delineating the boundaries thereof on a map, or by referring to established geographical features and political boundaries, or in such other manner that the extent and limits of the area can be easily and accurately ascertained; and a certified copy of the description shall be filed permanently with the clerk of superior court and the register of deeds in said county.

(b) The Board of County Commissioners of Camden County is authorized to call a special election to determine whether it be the will of the qualified voters of any area of the county wherein a watershed improvement district is established, or of the qualified voters of the county, if a county-wide watershed improvement district is established, that the Board levy and cause to be collected annually, at the same time and in the same manner as the general county taxes are levied and collected, a special tax at a rate not to exceed twenty-five cents (25¢) on each one hundred dollars (\$100.00) valuation of property in said county, to be known as a 'Watershed Improvement Tax,' the funds therefrom, if the levy be authorized by the voters, to be used for the prevention of floodwater and sediment damages, and for furthering the conservation, utilization and disposal of water and the development of water resources.

(c) Every watershed improvement district established pursuant to this act shall constitute a local unit of government and a body corporate and politic, authorized to contract debts and pledge its faith and credit; provided, that any debt contracted or any pledge of the faith and credit by a district established under this act shall be an obligation of that district only and shall not extend to the county as a whole, unless the district has been established as a county-wide district.

(d) If the Board of County Commissioners of Camden County establishes a county-wide watershed improvement district, all districts previously established by the

Board shall become merged with the county-wide district, and said district shall assume and become liable for the obligations of all previously created districts within the county."

Sec. 2. G.S. 139-40(b) is amended by amending the last sentence thereof to read as follows:

"At such special election, the election board shall cause to be placed at each voting precinct in the watershed improvement district a ballot box marked 'Watershed Improvement Tax Election'."

Sec. 3. G.S. 139-40(d) is amended to read as follows:

"(d) If a majority of those voting in such election favor the levying of such a tax, the Board of County Commissioners is authorized to levy a special tax at a rate not to exceed twenty-five cents (25¢) on each one hundred dollars (\$100.00) of assessed value of real and personal property taxable in said district and not to exceed the maximum rate of tax approved by the voters in such election; and the General Assembly does hereby give its special approval for the levy of such special tax."

Sec. 4. This act shall apply to Camden County.

Sec. 5. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 8th day of May, 1973.