

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 117
HOUSE BILL 275

AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF
LUCAMA, NORTH CAROLINA, AND TO REPEAL PRIOR CHARTER ACTS.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Lucama, Wilson County, North Carolina, is hereby revised and consolidated to read as follows:

"THE CHARTER OF THE TOWN OF LUCAMA.

"CHAPTER I.

"ARTICLE I.

"INCORPORATION AND CORPORATE POWERS.

"Sec. 1-1. Incorporation and general powers. The inhabitants of the town of Lucama are a body corporate and politic under the name of the 'Town of Lucama'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina.

"ARTICLE II.

"CORPORATE BOUNDARIES.

"Sec. 2-1. Town boundaries. Until modified in accordance with law, the boundaries of the town of Lucama are as follows:

BEGINNING at a point in the center of the North bound track of the Seaboard Coastline Railroad, said point being designated Y = 692,045.37 - X = 2,295,833.89 in the North Carolina Grid System, thence from said point of beginning South 27 deg. 09 min. 49 sec. East 1,388.51 feet, cornering, thence South 62 deg. 50 min. 11 sec. West 169.74 feet to a point in the center of S.R. #1649, cornering, thence with and along the center of S.R. #1649 South 02 deg. 12 min. 13 sec. East 305.64 feet, South 00 deg. 30 min. 35 sec. East 65.12 feet, South 06 deg. 36 min. 16 sec. West 100.93 feet, South 15 deg. 41 min. 34 sec. West 99.96 feet, South 19 deg. 11 min. 51 sec. West 508.40 feet and South 21 deg. 18 min. 41 sec. West 99.98 feet to a point in the center of S.R. #1645 (Black Creek Road), continuing thence with and along the center of S.R. #1649 South 21 deg. 55 min. 16 sec. West 332.55 feet, South 20 deg. 01 min. 16 sec. West 99.99 feet, South 17 deg. 53 min. 14 sec. West 99.99 feet, South 16 deg. 50 min. 22 sec. West 285.25 feet, South 16 deg. 19 min. 27 sec. West 165.55 feet and South 14 deg. 00 min. 55 sec. West 1,454.13 feet to a point, cornering, thence leaving S.R. #1649 North 12 deg. 34 min. 28 sec. West 2,117.16 feet to a point, cornering, thence North 89 deg. 47 min. 41 sec. West 464.32 to a point, cornering, thence South 79 deg. 07 min. 16 sec. West 1,509.88 feet to a point, cornering, thence North 27 deg. 09 min. 49 sec. West

2,803.02 feet to a point, cornering, thence North 62 deg. 50 min. 11 sec. East 3,271.54 feet to a point, cornering, thence North 00 deg. 31 min. 41 sec. West 143.27 feet to a point, cornering, thence North 82 deg. 11 min. 42 sec. East 386.33 feet to a point, cornering, thence North 62 deg. 50 min. 11 sec. East 187.81 feet to a point cornering, thence South 27 deg. 09 min. 49 sec. East 65.99 feet to a point, cornering, thence North 82 deg. 11 min. 42 sec. East 1,151.12 feet to a point in the Westerly right of way of S.R. #1649, cornering, thence with and along the Westerly right of way of S.R. #1649, cornering, thence with and along the Westerly right of way of S.R. # 1649 South 06 deg. 13 min. 41 sec. East 433.60 feet to a point, the beginning of a sight distance, cornering, thence along the said sight distance South 28 deg. 53 min. 48 sec. West 62.24 feet to a point in the Northerly right of way of U.S. Highway #301, cornering, thence with and along the Northerly right of way of U.S. Highway #301, South 62 deg. 42 min. 14 sec. West 880.04 feet to a point, cornering, thence South 27 deg. 09 min. 49 sec. East 524.99 feet to the point of beginning.

"ARTICLE III.

"GOVERNING BODY.

"Sec. 3-1. Structure of governing body; number of members. The governing body of the town of Lucama is the board of commissioners, which has five members, and the mayor.

"Sec. 3-2. Manner of election of board. The qualified voters of the entire town elect the members of the board.

"Sec. 3-3. Term of office of members of the board. At the 1977 regular municipal election, all five members of the board of commissioners shall be elected. The three candidates receiving the highest number of votes shall be elected for four-year terms and the two candidates receiving the next highest number of votes shall be elected for two-year terms. Thereafter, all members of the board are elected to four-year terms. In the 1979 regular municipal election and each fourth year thereafter, two members of the board shall be elected to four-year terms. In the 1981 regular municipal election and each fourth year thereafter, three members of the board shall be elected to four-year terms.

"Sec. 3-4. Manner of election of mayor. The qualified voters of the entire town elect the mayor.

"Sec. 3-5. Term of office of mayor. At the 1977 regular municipal election, the mayor shall be elected to serve a two-year term. In the 1979 regular municipal election and each fourth year thereafter, the mayor shall be elected to a four-year term of office.

"ARTICLE IV.

"ELECTIONS.

"Sec. 4-1. Conduct of town elections. Town officers shall be elected on a nonpartisan basis and the results determined by plurality, as provided by N.C. General Statutes 163-292.

"ARTICLE V.

"ADMINISTRATION.

"Sec. 5-1. Town to operate under mayor-council plan. The town of Lucama operates under the mayor-council plan as provided in North Carolina General Statutes 160A, Article 7, Part 3."

Sec. 2. The purpose of this act is to revise the Charter of the Town of Lucama and to consolidate herein certain acts concerning the property, affairs, and government of the town. It is intended to continue without interruption those provisions of prior acts which are consolidated in this act, so that all rights and liabilities that have accrued are preserved and may be enforced.

Sec. 3. The following acts or portions of acts having served the purposes for which enacted or having been consolidated into this act, are hereby repealed:

Chapter 209, Private Laws of 1889, an act to incorporate the Town of Lucama;

Chapter 159, Private Laws of 1891, an act to amend the act incorporating the Town of Lucama;

Chapter 296, Private Laws of 1895, an act to amend the Charter of the Town of Lucama;

Chapter 244, Private Laws of 1909, an act to amend Chapter 159 of the Private Acts of 1891;

Chapter 637, Public Local Laws of 1913, an act to provide for election of cotton weighers;

Chapter 517, Public Local Laws of 1937, an act to amend the Charter of] Town of Lucama;

Chapter 562, 1953 Session Laws, an act amending Chapter 209 of the Private Laws of North Carolina, 1889, the same being the Charter of the Town of Lucama, in Wilson County relating to the elective officials of said town and their method of election;

Chapter 876, 1955 Session Laws, an act to increase the town limits of the town of Lucama in Wilson County.

Sec. 4. No provision of this act is intended, nor shall be construed, to affect in any way any rights or interest (whether public or private):

(a) Now vested or accrued, in whole or in part, the validity of which might be sustained or preserved by reference to any provisions of law repealed by this act;

(b) Derived from, or which might be sustained or preserved in reliance upon, action heretofore taken (including the adoption of ordinances or resolutions) pursuant to or within the scope of any provision of law repealed by this act.

Sec. 5. No law heretofore repealed expressly or by implication, and no law granting authority which has been exhausted, shall be revived by:

(a) The repeal herein of any act repealing such law, or

(b) Any provision of this act that disclaims an intention to repeal or effect enumerated or designated laws.

Sec. 6. (a) All existing ordinances and resolutions of the Town of Lucama, and all existing rules or regulations of departments or agencies of the Town of Lucama, not inconsistent with the provisions of this act, shall continue in full force and effect until repealed, modified, or amended.

(b) No action or proceeding of any nature (whether civil or criminal, judicial or administrative, or otherwise) pending at the effective date of this act by or against the Town of Lucama or any of its departments or agencies shall be abated or otherwise affected by the adoption of this act.

Sec. 7. Severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 8. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 9. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of March, 1977.