

NORTH CAROLINA GENERAL ASSEMBLY  
1981 SESSION

CHAPTER 185  
SENATE BILL 241

AN ACT TO AMEND THE METROPOLITAN WATER DISTRICTS ACT TO CONFORM  
THE ELECTIONS FOR WATER AND SEWER SYSTEMS TO THE GENERAL  
ELECTION LAWS.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 162A-35 is amended by rewriting all of the section after the second paragraph, to read as follows:

"If, at or prior to such public hearing, there shall be filed with the district board a petition signed by not less than fifteen percent (15%) of the registered voters of the district requesting an election to be held on the question of including the political subdivision or unincorporated area in the district, the district board shall certify the petition and if found adequate, shall request the county board of elections to hold the election in the district. The election in the district may be held at the same time as the election in the political subdivision or unincorporated area seeking to become a part of the district.

The county board of elections shall give notice of the elections as required in G.S. 163-33(8) and shall conduct the election in the unincorporated area and within the political subdivision unless there is a municipal board of elections which conducts the elections for the municipality.

The cost of the election in the district shall be paid by the district board and the cost of the municipal election by the municipality. The county shall pay the cost of an election in the unincorporated area. The governing body of the political subdivision shall file an accurate description of its boundaries, and those persons signing the petition for an unincorporated area shall file an accurate description of its boundaries with the board of elections at the time the petition is filed with the district board.

The elections shall be held and conducted in accordance with the applicable provisions of Articles 23 and 24 of Chapter 163 of the General Statutes.

The ballot shall contain the words:

'FOR inclusion in the \_\_\_\_\_ Metropolitan Water District of \_\_\_\_\_ County that area known as \_\_\_\_\_'.

'AGAINST inclusion in the \_\_\_\_\_ Metropolitan Water District of \_\_\_\_\_ County that area known as \_\_\_\_\_'.

If a majority of the votes cast in a political subdivision or unincorporated areas proposed to be included are in favor of inclusion, and a majority of the votes cast in the district favor inclusion, then from and after the date of the certification of the results such area or areas shall be a part of the district and subject to the debts of the district.

The results of the elections shall be certified to the district board.

If no election is required to be held in the district, then a favorable vote for inclusion in the political subdivision or unincorporated area shall be deemed to include such area or political subdivision as a part of the district and they shall be subject to the debts of the district.

No right of action or defense founded upon the invalidity of any such election shall be asserted, or open to question in any court upon any grounds unless the action or proceeding is commenced within 30 days after the results have been certified by the board of elections."

**Sec. 2.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of April,  
1981.