

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 266
SENATE BILL 361

AN ACT TO MERGE THE TOWNS OF LEWISTON AND WOODVILLE IN
BERTIE COUNTY INTO A SINGLE MUNICIPALITY TO BE KNOWN AS THE
TOWN OF LEWISTON WOODVILLE.

The General Assembly of North Carolina enacts:

Section 1. The following provisions of law shall constitute the Charter of the Town of Lewiston Woodville:

"The Charter of the Town of Lewiston Woodville.

"ARTICLE I.

"Incorporation and Corporate Powers.

"Section 1.1. Incorporation and general powers. The inhabitants of the Town of Lewiston Woodville are a body corporate and politic under the name of the Town of Lewiston Woodville. Under that name they have all powers, duties, rights, privileges and immunities conferred and imposed upon municipal corporations by the general law of North Carolina.

"ARTICLE II.

"Corporate Boundaries.

"Sec. 2.1. The corporate boundaries of the Town of Lewiston Woodville, until changed in accordance with law, are as follows: All of the land which was within the corporate limits of either the Town of Lewiston or the Town of Woodville on June 30, 1981.

"ARTICLE III.

"Governing Body.

"Sec. 3.1. Elected officers. The elected officers of the town shall, beginning with the 1981 municipal election, consist of a Town Council composed of five members and a Mayor elected by the voters of the town. The terms of office of the members of the Town Council and of the Mayor shall be two years.

"Sec. 3.2. Manner of election. Elections shall be held in accordance with Subchapter IX of Chapter 163 of the General Statutes, and the results determined by the nonpartisan plurality method as provided in G.S. 163-292.

"Sec. 3.3. Election of Mayor and Council. The Town of Lewiston Woodville shall be divided into two districts. District 1 shall consist of the area within the corporate limits of the Town of Lewiston on June 30, 1981. District 2 shall consist of the area within the corporate limits of the Town of Woodville on June 30, 1981. Each district shall have two council members. Candidates shall reside in and represent their district, but all candidates shall be elected by all the qualified voters of the town. In addition, one

council member shall be elected at large by all the qualified voters of the town. The Mayor shall be elected by all the qualified voters of the town.

"ARTICLE IV.

"Administration.

"Sec. 4.1. Form of government. The Town of Lewiston Woodville shall operate under the mayor-council form of government as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

Sec. 2. From June 30, 1981, until the organizational meeting following the 1981 municipal election, the Town of Lewiston Woodville shall be governed by a Town Council composed of four members, and a Mayor. Two council members shall be appointed by the governing board of the Town of Lewiston on or before June 30, 1981. Two council members shall be appointed by the governing board of the Town of Woodville on or before June 30, 1981. The Mayor shall be chosen jointly by the governing boards of the two towns on or before June 30, 1981, with each board having one vote.

Sec. 3. (a) All property, real and personal and mixed, including accounts receivable, belonging to the Town of Lewiston shall vest in, belong to, and be the property of, the new municipality created by this act. The governing body of the Town of Lewiston is hereby authorized and directed to take such actions and to execute such documents as will carry into effect the provisions and the intent of this section.

(b) All judgments, liens, rights of liens, and causes of action of any nature in favor of the Town of Lewiston shall vest in and remain and inure to the benefit of the new municipality created by this act.

(c) All taxes, assessments, water or sewer charges, and any other charges or fees, owing to the Town of Lewiston shall be owed to and collected by the new municipality created by this act.

(d) All actions, suits, and proceedings pending against, or having been instituted by, the Town of Lewiston shall not be abated by this act or by the consolidation herein provided for, but all such actions, suits, and proceedings shall be continued and completed in the same manner as if consolidation had not occurred, and the new municipality created by this act shall be a party to all such actions, suits, and proceedings in the place and stead of the Town of Lewiston and shall pay or cause to be paid any judgments rendered against the Town of Lewiston in any such actions, suits, or proceedings. No new process need be served in any such action, suit, or proceeding.

(e) All obligations of the Town of Lewiston, including outstanding indebtedness, shall be assumed by the new municipality, and all such obligations and outstanding indebtedness are hereby constituted obligations and indebtedness of the new municipality, and the full faith and credit of the new municipality shall be deemed to be pledged for the punctual payment of the principal of and interest on all general obligation bonds and bond anticipation notes of the Town of Lewiston, and all the taxable property within the new municipality, as well as that formerly located within the Town of Lewiston, shall be and remain subject to taxation for such payment.

(f) All ordinances of the Town of Lewiston shall continue in full force and effect within the area to which they apply on June 30, 1981, as ordinances of the

new municipality until repealed or amended by the governing body of the new municipality.

(g) All franchises heretofore granted by the Town of Lewiston, which are still in force shall continue as valid franchises of the new municipality for the purposes granted within the area formerly comprising the Town of Lewiston, but shall not hereby be constituted valid franchises for any other portion of the corporate limits of the new municipality.

(h) The Town of Lewiston is hereby abolished.

Sec. 4. (a) All property, real and personal and mixed, including accounts receivable, belonging to the Town of Woodville shall vest in, belong to, and be the property of, the new municipality created by this act. The governing body of the Town of Woodville is hereby authorized and directed to take such actions and to execute such documents as will carry into effect the provisions and the intent of this section.

(b) All judgments, liens, rights of liens, and causes of actions of any nature in favor of the Town of Woodville shall vest in and remain and inure to the benefit of the new municipality created by this act.

(c) All taxes, assessments, water or sewer charges, and any other charges or fees, owing to the Town of Woodville shall be owed to and collected by the new municipality created by this act.

(d) All actions, suits, and proceedings pending against, or having been instituted by, the Town of Woodville shall not be abated by this act or by the consolidation herein provided for, but all such actions, suits, and proceedings shall be continued and completed in the same manner as if consolidation had not occurred, and the new municipality created by this act shall be a party to all such actions, suits, and proceedings in the place and stead of the Town of Woodville and shall pay or cause to be paid any judgments rendered against the Town of Woodville in any such actions, suits or proceedings. No new process need be served in any such action, suit, or proceeding.

(e) All obligations of the Town of Woodville including outstanding indebtedness, shall be assumed by the new municipality, and all such obligations and outstanding indebtedness are hereby constituted obligations and indebtedness of the new municipality, and the full faith and credit of the new municipality shall be deemed to be pledged for the punctual payment of the principal of and interest on all general obligation bonds and bond anticipation notes of the Town of Woodville, and all the taxable property within the new municipality, as well as that formerly located within the Town of Woodville, shall be and remain subject to taxation for such payment.

(f) All ordinances of the Town of Woodville shall continue in full force and effect within the area to which they apply on June 30, 1981, as ordinances of the new municipality until repealed or amended by the governing body of the new municipality.

(g) All franchises heretofore granted by the Town of Woodville, which are still in force shall continue as valid franchises of the new municipality for the purposes granted within the area formerly comprising the Town of Woodville, but shall not

hereby be constituted valid franchises for any other portion of the corporate limits of the new municipality.

(h) The Town of Woodville is hereby abolished.

Sec. 5. The following acts, having served the purposes for which they were enacted, or having been consolidated into this act are hereby repealed:

Chapter 91, Private Laws of 1881

Chapter 27, Private Laws of 1911

Chapter 57, Private Laws of 1927

Chapter 63, Private Laws of 1927

Chapter 111, Private Laws of 1935

Chapter 568, Session Laws of 1947

Chapter 461, Session Laws of 1957

Chapter 574, Session Laws of 1967.

Sec. 6. This act shall not be construed so as to repeal, modify, or in any manner affect any acts validating, confirming, approving, or legalizing official proceedings, actions, contracts, or obligations of any kind of the Town of Lewiston or of the Town of Woodville.

Sec. 7. Sections 1, 5, and 6 of this act shall become effective June 30, 1981. Section 2 is effective upon ratification. Sections 3 and 4 shall become effective June 30, 1981, but the Town of Lewiston and the Town of Woodville may take any action required by Section 3(a) or Section 4(a) beginning upon ratification. The Town Council of Lewiston Woodville may adopt a budget ordinance for the 1981-82 fiscal year, following their qualification for office, without having to comply with the budget preparation and adoption timetable set out in the Local Government Budget and Fiscal Control Act.

In the General Assembly read three times and ratified, this the 27th day of April, 1981.