

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 1029
HOUSE BILL 1625

AN ACT TO INCORPORATE THE TOWN OF SHALLOTTE POINT, SUBJECT TO
A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. A charter for the Town of Shallotte Point is enacted to read:

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Sec. 1.1. Incorporation. The inhabitants of the Town of Shallotte Point are a body corporate and politic under the name of Town of Shallotte Point. 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.

"CHAPTER II.

"CORPORATE BOUNDARIES.

Sec. 2.1. Town Boundaries. Until modified in accordance with law, the boundaries of the Town of Shallotte Point are as follows:

Including all that land found in Shallotte Township, Brunswick County, North Carolina which is more particularly described as follows:

BEGINNING at a point in Saucepan Creek where it is intersected by a line perpendicular to the western right-of-way line of NC State Road 1150; running thence along the western right-of-way line of SR 1150 to the point where said right-of-way line intersects the southern right-of-way line of SR 1152; running thence west along the southern right-of-way line of SR 1152 to the point where said right-of-way is intersected by the eastern right-of-way of SR 1151; running thence along said eastern right-of-way north to a point 500 feet from the point from where said right-of-way intersects the western right-of-way of SR 1145; running thence north along a line parallel to the western right-of-way of SR 1145 and being always 500 feet from said right-of-way to a point 500 feet north of the point where the western right-of-way of SR 1145 intersects the northern right-of-way of SR 1146; running thence east along the line parallel to SR 1146 and being always 500 feet from said right-of-way to a point where said right-of-way is intersected by the Shallotte River; running thence along the low water mark of the Shallotte River south to the Intracoastal Waterway; thence down the Intracoastal Waterway to the point of beginning; but also including that area known as Monk Island.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3.1. Structure. The governing body of the Town of Shallotte Point is the Board of Aldermen which has five members, and the mayor.

"Sec. 3.2. Election. The qualified voters of the entire Town of Shallotte Point shall elect the members of the Board.

"Sec. 3.3. Term of Office. Members of the Board are elected to four-year terms, except that in the initial election in 1985, only the top two vote getters will serve a four-year term. The three remaining elected Aldermen will serve two-year terms.

"Sec. 3.4. Mayor. The qualified voters of the entire Town of Shallotte Point shall elect the mayor. He is elected to a four- year term of office.

"CHAPTER IV.

"ELECTIONS.

"Sec. 4.1. Election Method. Town officials shall be nominated and elected on a nonpartisan basis and the results determined by a plurality as provided in G.S. 163-292.

"CHAPTER V.

"ADMINISTRATION.

"Sec. 5.1. Form of Government. The Town of Shallotte Point will operate under the mayor-council plan as provided in G.S. Chapter 160A, Article 7, Part 3."

Sec. 2. Interim budget. The Board of Aldermen may adopt a budget ordinance for the 1984-85 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. If the initial budget is adopted after January 1, 1985, then taxes may be paid at par on face amount within 90 days of adoption of the budget, and thereafter according to the schedule in G.S. 105-360 as if the taxes had been due on September 1, 1984.

Sec. 2.1. The following persons are appointed the initial mayor and board of aldermen of the Town of Shallotte Point: Mayor - W.A. English; members of board of aldermen - Olaf Thorsen, G.W. Hughes, Jr., Moore Gore, Rozell Hewett, and Cora Leyman. The interim mayor and board of aldermen serve until the mayor and members of the board of aldermen elected in the 1985 town election take office.

Sec. 3. Special election for approval. (a) The Board of Elections of Brunswick County is hereby authorized and directed to call and conduct a special election on a date to be set by the Brunswick County Board of Commissioners not earlier than 60 days after ratification of this act but not later than 100 days after ratification of this act for the purpose of submitting to the qualified voters of the area heretofore described as the proposed corporate limits of the Town of Shallotte Point, the question of whether or not such area shall be incorporated as a municipal corporation known as the Town of Shallotte Point. In conducting the election required to be held by this act, the Board of Elections of Brunswick County shall follow the procedures contained in G.S. 163-288.2, in this act, and the procedures contained in Chapter 163 of the General Statutes regarding municipal elections, where the same are not in conflict with this act, except that notice of the election shall be given not later than 10 days before the registration books close.

(b) In the special election, those voters who favor the incorporation of the Town of Shallotte Point as provided in this act shall vote a ballot upon which shall be printed the words:

"FOR Incorporation of the Town of Shallotte Point"; and those voters who are opposed to the incorporation of the Town of Shallotte Point as provided in this act shall vote a ballot upon which shall be printed the words "AGAINST Incorporation of the Town of Shallotte Point".

If the majority of the votes cast in such special election shall be cast "AGAINST Incorporation of the Town of Shallotte Point", then the provisions of Sections 1, 2, and 2.1 of this act shall have no force and effect.

If a majority of the votes cast in the special election shall be cast "FOR Incorporation of the Town of Shallotte Point", then the provisions of this act shall be in full force and effect from and after the date upon which the Brunswick County Board of Elections determines the result of the election.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1984.