

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 351
HOUSE BILL 623

AN ACT TO INCORPORATE THE TOWN OF KING IN STOKES COUNTY.

The General Assembly of North Carolina enacts:

Section 1. The Charter for the Town of King shall be as follows:

"Article I.

"Incorporation and Corporate Powers.

"Section 1.1. Incorporation. The citizens of the area described in Chapter II of this Article shall be and constitute a body politic and corporate under the name of 'Town of King', and shall have all of the powers, authority, rights, privileges, and immunities conferred upon municipal corporations by the Constitution and general laws of North Carolina.

"Sec. 1.2. Powers. The Town shall have all the powers, duties, rights, privileges and immunities now vested in the Town and now or hereafter granted to municipal corporations by the Constitution, by the general laws of the State of North Carolina, and by this Charter. The Town shall exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, and general welfare of the Town and of its citizens, unless otherwise prohibited in this Charter.

"Article II.

"Corporate Boundaries.

"Sec. 2.1. Until changed in accordance with law, the boundaries of the Town are:

BEGINNING at a point on Stokes-Forsyth County line 300 feet on northside of King-Tobaccoville Road, running parallel to King- Tobaccoville Road north to Frank Fowler-Richard Stone property, thence west following said property west and north to Andrew Loggin property, thence west and following the Sub-Division of Worthing-Way to 300 feet from Meadowbrook Drive, thence west parallel to Meadowbrook Drive to Highway 52, thence following Highway 52 centerline North to the southwest corner of Meadowbrook Estates, then north to Crooked Run Creek, then following said Creek east to Jack Hooker property, following said property lines to Pilot View Sub-Division to a point 300 feet west of Pilot View Drive, thence north parallel to Pilot View Drive to King Arthur Court, thence direct west to intersect of centerline of White Road, thence north crossing Dalton Road, railroad track, and 600 feet north of Old Highway 52, thence east to Keith Fowler property, thence north along said property lines to Brentwood 2 Sub-Division following said Sub-Division to Holly Hills Sub-Division, thence following said Sub-Division to and following Harold Boyles property line to Danbury Creek, following said creek northwest to Country Place Sub-Division,

following the entire Sub-Division boundary lines to Brown Road thence to intersect with Brentwood 3 Sub-Division, following said Sub-Division to 300 feet east of Southern Road, thence south paralleling Southern Road to 600 feet north of Old 52 Highway, thence east to within 300 feet of mountain view Road, thence North to a point that intersects with an east-west line of Shelton-Kiser property, following east along said property lines to the Woodcreek Sub-Division, thence north and subsequently the Sub-Division property lines to the southeast corner of Ed Shelton property line, thence following said property line south to 300 feet south of Helsabeck Road, thence west to Fair Oaks Sub-Division following said Sub-Division property lines south and extended across Old Highway 52 to railroad tracks, thence northwest to within 300 feet east of Kirby Road, thence following Kirby Road to 300 feet north of Spainhour Road, thence east to and following the entire line of the Dunwoody Sub-Division, thence following the southeast line of Dunwoody Sub-Division, south in a straight line to the Stokes-Forsyth County line, thence west along said county line to a point of BEGINNING.

"Sec. 2.2. In taking any action under Part 2 or Part 3 of Article 4A of Chapter 160A of the General Statutes, the town council may not adopt an annexation ordinance unless at or prior to the public hearing, a petition favoring the annexation and signed by a majority of the registered voters in the area to be annexed is presented to the council.

"Article III.

"Governing Body.

"Sec. 3.1. Number of members. The elective officers of the city shall be a Mayor and town council composed of four members.

"Sec. 3.2. Manner of election. The Mayor shall be elected by and from the qualified voters of the town at large. The Town Council shall be elected by and from the qualified voters of the town at large.

"Sec. 3.3. Results. (a) Elections shall be conducted by the Stokes County Board of Election, unless provided otherwise.

(b) The election shall be conducted under the nonpartisan plurality method, and the results determined in accordance with G.S. 163-292.

"Sec. 3.4. Term of office. The Mayor shall be elected in 1983 and quadrennially thereafter for a four-year term. In 1983, the two candidates for council receiving the highest number of votes shall be elected for four-year terms, and the two candidates for council receiving the next highest number of votes shall be elected for two-year terms. In 1985 and biennially thereafter, two council members shall be elected for four-year terms.

"Article IV.

"Form of Government.

"Sec. 4.1. The Town shall operate under the Council-Manager form of Government in accordance with Part 2 of Article 7 of Chapter 160A of the General Statutes."

Sec. 2. Interim budget. The Town Council may adopt a budget ordinance for the 1983-84 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, 1984, 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, 1983.

Sec. 3. Special election for approval. (a) The Board of Elections in Stokes County is hereby authorized and directed to call and conduct a special election on a date to be set by the Stokes County Board of Commissioners not earlier than 90 days after ratification of this act but not later than September 15, 1983 for the purpose of submitting to the qualified voters of the area heretofore described as the proposed corporate limits of the Town of King, the question of whether or not such area shall be incorporated as a municipal corporation known as the Town of King. In conducting the election required to be held by this act, the Board of Elections of Stokes 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 of North Carolina regarding municipal elections.

(b) In the special election, those voters who favor the incorporation of the Town of King as provided in this act shall vote a ballot upon which shall be printed the words: "FOR Incorporation of the Town of King"; and those voters who are opposed to the incorporation of the Town of King as provided in this act shall vote a ballot upon which shall be printed the words "AGAINST Incorporation of the Town of King".

(c) If the majority of the votes cast in such special election shall be cast "AGAINST Incorporation of the Town of King", then the provisions of Sections 1, 2, 4, 5, and 6 of this act shall have no force and effect, except that the county commissioners may call a second special election to be held between July 1, 1984 and June 30, 1985 on the same question, and if such question is approved at the second special election, then subsection (d) of this section applies, Section 2 of this act is amended by substituting "1985-86" for "1983-84", by changing "January 1, 1984" to "January 1, 1985", and by changing "September 1, 1983" to "September 1, 1985", and Section 3.4 of the Charter is amended by deleting "1983", and inserting "1985", and by deleting "1985", and inserting "1987".

(d) If a majority of the votes cast in the special election shall be cast "FOR Incorporation of the Town of King", then the provisions of Sections 1, 2, 4, 5 and 6 of this act shall be in full force and effect from and after the date upon which the Stokes County Board of Elections determines the results of the election.

Sec. 4. Vacancies. The provisions of G.S. 160A-63 shall not apply to the Town of King until after the first election for Town Council.

Sec. 5. G.S. 160A-44 is amended by deleting "to the Town of King in Stokes County, nor".

Sec. 6. Chapter 876, Session Laws of 1965, Chapter 1194, Session Laws of 1969, and Chapter 228, Session Laws of 1971, are repealed.

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 23rd day of May, 1983.