

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

SESSION LAW 1998-151
SENATE BILL 1263

AN ACT TO REVIVE THE CHARTER OF THE TOWN OF UNIONVILLE AND TO
REVIVE THE CHARTER OF THE TOWN OF WOODLAWN.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 62 of the Private Laws of 1911 reads as rewritten:

"Section 3. That the elected officers of ~~said-the~~ town shall consist of a ~~mayor,~~ mayor and five commissioners, ~~a constable, a secretary and treasurer,~~ and the following persons shall fill the offices until the regular election in ~~May, one thousand nine hundred and eleven, viz: Mayor, J. B. Little; commissioners, A. A. Secrest, T. L. A. Helms, J. T. Price, Dr. A. D. N. Whitley and C. D. Benton,~~ all of which offices shall be filled by election of popular vote, except constable, secretary and treasurer, who shall be chosen by commissioners of said town. The constable and treasurer shall give bond in such sum as the commissioners shall determine for the faithful performance of the duties of their respective offices. November of 1999: Mayor, Larry B. Simpson; commissioners, Kenneth J. Price, Jimmy Lee Baucom, Kenneth M. Brown, Jr., Robert L. Crouch, and Randy Keith Baucom."

Section 2. Section 4 of Chapter 62 of the Private Laws of 1911 reads as rewritten:

"Section 4. That officers and their successors shall be elected under ~~the laws of chapter seventy-three of The Revisal of one thousand nine hundred and five, relating to elections, Chapter 160A and Chapter 163 of the General Statutes~~ and shall hold their offices for the four-year terms prescribed under the general law."

Section 3. Sections 5 and 6 of Chapter 62 of the Private Laws of 1911 are repealed.

Section 4. Section 7 of Chapter 62 of the Private Laws of 1911 reads as rewritten:

"Section 7. Said commissioners shall have and are hereby vested with all the powers conferred upon commissioners of towns and cities and subject to the performance of all the duties as such, conferred under the general laws. ~~laws of chapter seventy-three of The Revisal of one thousand nine hundred five.~~"

Section 5. Chapter 62 of the Private Laws of 1911 is amended by adding a new section to read:

Section 5.1. The Town of Unionville operates under the Mayor-Council Plan as provided by Part 3 of Article 7 of Chapter 160A of the General Statutes.

Section 5.2. Section 2 of Chapter 62 of the Private Laws of 1911 is rewritten to read:

"Section 2. The boundaries of the Town of Unionville are as follows:

BEGINNING at the intersection of Friendly Baptist Church Road and Ridge Road; thence along and with Ridge Road in a generally southeast direction to the intersection of Ridge Road and U.S. Highway 601; thence with U.S. Highway 601 in a generally southwest direction approximately 400 feet to the southwest corner of parcel 9-174-12B; thence along and with the southern boundaries of the following properties: parcels 9-174-6G; 9-174-10; 9-174-6D; Country Ridge and Country Ridge, Sec. 2 as shown on plats recorded in Plat Cabinet B, Files 109A and 111A in the Office of the Union County Register of Deeds; the minor subdivision of Kelly Helms and wife, Pauline Helms as shown on plat recorded in Plat Cabinet B, File 343A in the Office of the Union County Register of Deeds; thence with the eastern boundary of parcel 9-177-75 in a generally northerly direction to a point in the centerline of Baucom-Deese Road; thence with Baucom-Deese Road in a generally easterly direction to the intersection of Baucom-Deese Road with Morgan Mill Road; thence with Morgan Mill Road in a generally northeast direction to the intersection of Morgan Mill Road with Henry Baucom Road; thence extending past said intersection and running with the centerline of said road approximately 701 feet; thence in a generally northwesterly direction with the line of parcel 8-072-19 to said parcel's northernmost boundary line; thence with the northernmost boundary lines of the following properties: 8-072-19, 8-072-25A, and 8-072-25; thence generally north with the property lines of parcel 8-072-9 to the northernmost line of parcel 8-072-9; thence with the northernmost property lines of parcels 9, 9A, and 8B; thence in a generally southerly direction along and with the westernmost property lines of parcels 8-072-8B, 8-072-8D, and 8-072-8A to the centerline of Henry Baucom Road; thence with the centerline of said Road in a generally westerly direction to the intersection of Henry Baucom Road with Haigler-Baucom Road; thence with Haigler-Baucom Road in a generally northwest direction to the intersection of Haigler-Baucom Road with Sikes Mill Road; thence with Sikes Mill Road in a generally northerly direction to the intersection of Sikes Mill Road with Clontz-Long Road; thence in a generally westerly direction with Clontz-Long Road to the intersection of Clontz-Long Road with U.S. Highway 601; thence with U.S. Highway 601 in a generally southerly direction to the intersection of U.S. Highway 601 and Lawyers Road; thence with Lawyers Road in a generally westerly direction to the intersection of Lawyers Road and Friendly Baptist church Road; thence along and with Friendly Baptist Church Road to the point and place of the BEGINNING."

Section 6. (a) From and after the effective date of this act, the citizens and property in the Town of Unionville shall be subject to municipal taxes levied for the year beginning July 1, 1998, and for that purpose the Town shall obtain from Union County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1998; and the businesses in the Town shall be liable for privilege license tax from the effective date of the privilege license tax ordinance.

(b) The Town may adopt a budget ordinance for fiscal year 1998-99 without following the timetable in the Local Government Budget and Fiscal Control

Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days of adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1, 1998.

Section 7. On the date of the general election in 1998, the Union County Board of Elections shall conduct a special election for the purpose of submission to the qualified voters of the area described in Chapter 62 of the Private Laws of 1911, the question of whether or not the charter of the Town shall be revived.

Section 8. In the election, the question on the ballot shall be:

"[]FOR []AGAINST

Revival of the Charter of the Town of Unionville".

Section 9. In the election, if a majority of the votes are cast "For the Revival of the Charter of the Town of Unionville", Sections 1 through 6 of this act become effective on the date that the Union County Board of Elections certifies the results of the election. Otherwise, Sections 1 through 6 of this act have no force and effect.

Section 9.1. A Charter for the Town of Woodlawn is enacted as follows:

"CHARTER OF TOWN OF WOODLAWN.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

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

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Section 2.1. **Town boundaries.** (a) Until modified in accordance with law, the boundaries of the Town of Woodlawn are as follows:

The incorporated Town of Woodlawn shall consist of the tracts of land in the Melville Township of Alamance County, generally described as those properties between US 70, NC 119, White Level Road, Bason Road, and described more specifically as:

Beginning at the intersection of NC Hwy 119 & White Level Road and running North along the Eastern boundaries of the following property:

<u>Tax Map</u>	<u>Lot Number</u>
10-1	50

The boundary proceeds West along the Northern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-2	50
10-1	47
10-1	47B
10-2	5
10-2	3

10-2

2

The boundary proceeds West across Quaker Creek Reservoir and continues West along the Northern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-25	12D
13-25	12E

The boundary crosses Miles Chapel Road and continues West along the Northern boundary of the following property:

<u>Tax Map</u>	<u>Lot Number</u>
13-24	34

The boundary turns South and continues along the Eastern edge of Quaker Creek Reservoir and the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-24	34
13-24	78
13-24	48
13-24	34A
13-24	33
13-24	51

The boundary continues 100' along the Northern edge of property 13-22/35A. The boundary then crosses Mebane-Rogers Road (SR 1921) and continues South along the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-22	35A
13-22	35E
13-22	35B
13-22	35C
13-22	41
13-22	59
13-22	58
13-22	57
13-22	31
13-22	36
13-22	30
13-22	30G
13-22	30H
13-22	40
13-22	54

The boundary crosses Dodson Road (SR 1927) and continues South along the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-22	30F
13-22	4

The boundary turns East and follows the Southern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
13-22	4
13-22	30F
13-22	30D

The boundary turns Southeast at the Southeast corner of Lot 13-22/30D and continues across Quaker Creek Reservoir to the Northern tip of Lot 10-2/95. The boundary proceeds South along the western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-2	95
10-2	34M

The boundary turns East along the Southern boundary of Lot 10-2/34M. The boundary turns South and follows the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-2	34F
10-2	34G
10-2	34A
10-2	34E

The boundary now turns East and follows the Southern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-2	34E
10-2	34D
10-2	34C
10-2	33
10-2	29
10-2	94
10-2	93
10-2	92
10-2	90
10-2	89
10-2	88
10-2	87
10-2	109
10-2	108
10-2	107

The boundary turns South and follows the Western boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-2	107
10-2	104
10-2	103
10-4	71A

The boundary turns East and follows the Southern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-4	71A
10-4	89
10-4	72A

The boundary turns South and follows the Western boundary of Lot 10-5/22. The boundary then intersects with US 70 turning East and proceeding along the Southern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-5	22
10-5	28
10-5	24A
10-5	24
10-5	25
10-5	26
10-5	26B
10-5	27
10-5	55
10-5	28
10-5	29
10-6	2
10-6	3
10-6	4
10-6	30
10-6	5

The boundary turns North and proceeds along the Eastern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-6	5
10-6	4

The boundary turns Northeast and follows the Southern boundary of Lot 10-6/8. The boundary turns North and continues along the Eastern boundary of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-6	7E
10-6	7A
10-6	7B
10-6	7C
10-6	7
10-6	6
10-6	20
10-6	21

The boundary crosses Mebane-Rogers Road and turns right proceeding East along the Southern boundary of Lot 10-1/43. The boundary turns North and continues along the Eastern boundaries of the following properties:

<u>Tax Map</u>	<u>Lot Number</u>
10-1	43
10-1	28
10-1	29
10-1	30

The boundary crosses White-Level Road and returns to the BEGINNING point.

The described boundary includes some 2,300 acres more or less. The footage in this description is taken from approximations based on the Alamance County tax maps for the Haw River & Melville Townships.

"CHAPTER III.

"GOVERNING BODY.

"Section 3.1. **Structure of governing body; number of members.** The governing body of the Town of Woodlawn is the Town Council, which has five members.

"Section 3.2. **Manner of electing Council.** The qualified voters of the entire Town elect the members of the Council.

"Section 3.3. **Term of office of Council members.** Members of the Town Council are elected to four-year terms, except at the initial elections in 1999 when the three highest vote getters who are elected shall be elected to four-year terms and the next two highest vote getters shall be elected to two-year terms. In 2001 and quadrennially thereafter, two members of the Council shall be elected for four-year terms. In 2003 and quadrennially thereafter, three members of the Council shall be elected for four-year terms.

"Section 3.4. **Selection of Mayor; term of office.** At the organizational meeting of the interim Council and at the organizational meeting after each election, the Council shall elect one of its members to serve as Mayor at its pleasure. The Mayor has the right to vote on all matters before the Council.

"CHAPTER IV.

"ELECTIONS.

"Section 4.1. **Conduct of Town elections.** The Town Council shall be elected on a nonpartisan basis. Elections shall be conducted in accordance with Chapter 163 of the General Statutes.

"Section 4.2. **Determination of election results.** The results shall be determined by the plurality method in accordance with G.S. 163-292.

"CHAPTER V.

"ADMINISTRATION.

"Section 5.1. **Mayor-Council plan.** The Town of Woodlawn operates under the Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General Statutes.

"Section 5.2. **Administration of budget.** The Town may adopt a budget ordinance for fiscal year 1998-1999 without following the timetable in the Local Government

Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical.

"Section 5.3. **Interim governing board.** Until members of the Town Council are elected in 1999 in accordance with the Town Charter and the general law of North Carolina, Mike Baptiste, L. Joy Albright, Andy Corbett, Bob Eudy, and Audrey McBane shall serve as members of the Town Council. The initial meeting of the Town Council shall be called by the Clerk to the Board of Commissioners of Alamance County.

"Section 5.4. **Eligibility for State funds.** The Town of Woodlawn is eligible to receive distributions of State funds during fiscal year 1998-1999."

Section 9.2. Chapter 348 of the Public-Local Laws of 1939 is repealed. Any property of Woodlawn Community, Incorporated, under that act shall vest by operation of law in the Town of Woodlawn.

Section 9.3. On the date of the general election in 1998, the Alamance County Board of Elections shall conduct a special election for the purpose of submission to the qualified voters of the area described in Section 2.1 of the Charter of the Town of Woodlawn, the question of whether such area shall be incorporated as the Town of Woodlawn.

Section 9.4. In the election, the question on the ballot shall be:

"[] FOR [] AGAINST

Revival of the Charter of the Town of Woodlawn".

Section 9.5. In the election, if a majority of the votes are cast "For the Revival of the Charter of the Town of Woodlawn", Sections 9.1 through 9.2 of this act become effective on the date that the Alamance County Board of Elections certifies the results of the election. Otherwise, Sections 9.1 through 9.2 of this act have no force and effect.

Section 9.5A. Section 3.4 of Ratified Senate Bill 1514, 1997 Regular Session, is amended by deleting "Revival of the Charter", and substituting "Incorporation".

Section 9.6. The General Assembly finds that the short period of time between the enactment of this act and the date of the 1998 general election when the two referenda under this act are to be held require modification of the general law election procedures to accommodate this.

Therefore, for the elections called under Sections 7 and 9.3 of this act:

- (1) In applying G.S. 163-33(8), "10 days" is substituted for "20 days", and "10-day" is substituted for "20-day".
- (2) In applying G.S. 163-288.2 on account of G.S. 163-288.1A, "one-week period" is substituted for "two-week period" all places, "At least two days", is substituted for "At least one week" all places, and "one Saturday" is substituted for "two Saturdays".
- (3) Notwithstanding G.S. 163-302(a), absentee voting shall not be allowed.

Section 10. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 23rd day of September, 1998.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives