

REPORT TO THE GENERAL ASSEMBLY
PROPOSED INCORPORATION OF THE
TOWN OF PFAFFTOWN
DECEMBER 18, 2000

The Joint Legislative Commission on Municipal Incorporations was created in 1986 by the General Assembly to conduct an independent review and evaluation of proposed municipal incorporations. This evaluation, to be conducted in accordance with statutory criteria, is designed to allow the General Assembly to determine the feasibility of the proposed new municipality. The Commission consists of four members of the General Assembly, one city official, and one county official. The list of current members appears in Appendix A.

The statutory criteria require a review of community support, population, land development, nearness to other urban areas, and ability to provide municipal services at a reasonable tax rate. A copy of the statutes authorizing the Commission and setting up the review standards is attached as Appendix B.

The Commission received a petition proposing the incorporation of the Town of Pfafftown in Forsyth County on July 16, 1999. Because of deficiencies, the petition was returned to the proposed Town. The deficiencies were subsequently addressed and the petition was resubmitted to the Commission at its meeting on March 8, 2000. A copy of the petition is attached as Appendix C.

The Commission, pursuant to G.S. 120-161, asked the Division of Community Assistance of the Department of Commerce to evaluate the petition. The Division conducted the evaluation and, based upon its report, the Commission on March 8, 2000 found that the requirements of G.S. 120-163 and G.S. 120-164 had been met (a copy of the report is attached as Appendix D).

The Commission further asked the Division of Community Assistance to evaluate the proposed Town's petition for incorporation under G.S. 120-166 (a copy of the report is attached as Appendix E). The Division conducted the evaluation and found that the Town of Lewisville and the City of Winston-Salem must, by resolution, expressly approve the incorporation of the proposed Town because their population and distance from the proposed Town are within the ranges prescribed in G.S. 120-166. Neither the Town of Lewisville nor the City of Winston-Salem has submitted a resolution approving the incorporation of the proposed Town.

The Division also evaluated the proposed Town's petition under G.S. 120-167 through G.S. 120-170 (a copy of the report is attached as Appendix F). The Division found that all statutory requirements have been met.

The Commission finds that the proposed Town of Pfafftown does not meet the standards required by Article 20 of Chapter 160A of the General

Statutes, and therefore the Commission does not recommend incorporation of the area as the Town of Pfafftown.