

GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND EXTRA SESSION 1996

CHAPTER 1
SENATE BILL 3

AN ACT TO INCORPORATE THE TOWN OF PELETIER.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Town of Peletier is enacted to read:

"CHARTER OF THE TOWN OF PELETIER.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Peletier are a body corporate and politic under the name 'Town of Peletier'. 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.

"Sec. 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries of the Town of Peletier are as follows:

Beginning at the middle of the North Carolina Highway 58 bridge over Pettiford Creek and running thence in an easterly and northeasterly direction for approximately 1500 feet, more or less, to Mills Branch and the property line of the Croatan National Forest; thence in a northerly, northeasterly, northwesterly, and southwesterly direction with the boundaries of the Croatan National Forest to the East line of Whitehouse Forks Road; thence in a northeasterly direction with the East line of Whitehouse Forks Road to the South line of the Herbert and L.B. Page Tract containing approximately 76 acres and being identified as County tax parcel 15-27-01-9; thence with the common boundary line between the Page and Croatan National Forest Tracts in a northeasterly and northwesterly direction to Starkey's Creek Road; thence in a southwesterly direction along the West line of Starkey's Creek Road to the Northeast corner of the 101.85 acre tract of K&S Associates (Book 546, Page 31); thence along the North and Northwest line of K&S Associates to the easternmost corner of the property of Donald Doherty (Book 668, Page 274), identified as County tax parcel 15-23-1-38; thence in a northwesterly direction along the Northeast line of Donald Doherty to the North line of Croatan Drive; thence in a southwesterly direction along the North line of Croatan Drive to North Carolina Highway 58; thence with Highway 58 in a northwesterly direction to the intersection of the center lines of Highway 58 and State Road 1109; thence in a southerly direction along the center line of State Road 1109 to the easternmost corner of the Silver Creek Golf Course property identified as County tax parcel 15-23-4-2; thence with the Silver Creek Golf Course Property in a westerly and

southwesterly direction to the Northeast corner of Silver Lakes Subdivision (see Map Book 26, Page 81); thence along the East line of Silver Lakes Subdivision to State Road 1106; thence in a westerly direction along State Road 1106 to Silver Lake Court which serves as the access road into Silver Lake Subdivision; thence along the northern extension of Silver Lake Court to the easternmost corner of the L.E. McNeil residence adjoining Silver Creek Golf Course; thence in a westerly and southerly direction around the perimeter of the L.E. McNeil residence to State Road 1106; thence in a westerly direction approximately 660 feet to State Road 1107; thence in a southerly direction along the western line of State Road 1107 approximately 550 feet, more or less, to the North line of Silver Creek Plantation as the same is identified on a plat recorded in Map Book 25, Page 83, Carteret County Registry; thence along the North line of Silver Creek Plantation South 86-54-22 West 227.53 feet and South 75-30-50 West 30.40 feet to the William Truckner property (now or formerly) as identified on a plat recorded in Map Book 25, Page 83, Carteret County Registry; thence along the common boundary between William and Milton Truckner and Silver Creek Plantation in a southwesterly direction to White Oak River; thence in an easterly, southerly and easterly direction along the high water mark of the White Oak River and Pettiford Creek to the point of beginning; but excluding from the boundaries herewith any portions of Silver Creek Golf Course and the Croatan National Forest which may be located therein, as well as the property occupied by McCall's Restaurant and identified as County tax parcel 538509065869 and also excluding all territory located within the extraterritorial zoning jurisdiction of the town of Cape Carteret under Article 19 of Chapter 160A of the General Statutes on the date of ratification of this act.

"Sec. 2.2. **Survey.** The Town Board may cause to be completed a survey of the above described property by a registered land surveyor or engineer and to adopt the survey by resolution as the official map of the boundaries of the Town. Upon adoption and recordation of the same in the Carteret County Register of Deeds, the same shall become the official plat or map of the Town Boundaries.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing body of the Town of Peletier is the Town Council which shall have five members.

"Sec. 3.2. **Manner of Electing Board.** The qualified voters of the entire Town shall elect the members of the Council.

"Sec. 3.3. **Term of Office of Council Members.** Members of the Town Council are elected to four-year terms, except at the initial election in 1997, the three highest vote getters shall be elected to four-year terms, and the next two highest vote getters shall be elected to two-year terms.

"Sec. 3.4. **Selection of Mayor; Term of Office.** The qualified voters of the entire Town shall elect the Mayor. A Mayor shall be elected in 1997 and biennially thereafter for a two-year term.

"CHAPTER IV.

"ELECTIONS.

"Sec. 4.1. **Conduct of Town Elections.** The Town Council shall be elected on a nonpartisan basis and the results determined by the plurality method as provided by G.S. 163-292.

"CHAPTER V.
"ADMINISTRATION.

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

Sec. 2. Until members of the Town Council are elected in 1997 in accordance with the Town Charter and the law of North Carolina, Donald T. Robinson, Eugene W. Jones, Billy Norris, Doris Wettig, and Alice Dunn shall serve as members of the Town Council, and Alan Walter Vinson shall serve as Mayor.

Sec. 3. From and after the effective date of this act, the citizens and property in the Town of Peletier shall be subject to municipal taxes levied for the year beginning July 1, 1996, and for that purpose the Town shall obtain from Carteret County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1996, and the businesses in the Town shall be liable for privilege license tax from the effective date of the privilege license tax ordinance. The Town may adopt a budget ordinance for fiscal year 1996-97 without following the timetable in the Local Government Budget and Fiscal Control Act.

Sec. 4. On November 5, 1996, the Carteret 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 Peletier, the question of whether or not such area shall be incorporated as the Town of Peletier. Registration for the election shall be conducted in accordance with G.S. 163-288.2.

Sec. 5. In the election, the questions on the ballot shall be:

"[]FOR []AGAINST
Incorporation of the Town of Peletier".

Sec. 6. In the election, if a majority of the votes are cast "For incorporation of the Town of Peletier", this Charter shall become effective on the date that the Carteret County Board of Elections certifies the results of the election. Otherwise, Sections 1 through 3 of this act shall have no force and effect.

Sec. 7. If a majority of the voters approve the incorporation of Peletier, the election of the Town Council and Mayor shall take place at an election held on the general election Tuesday of November 1997.

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 17th day of July, 1996.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives