

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 782
Committee Substitute Favorable 6/15/99

Short Title: Wilkes Fire Districts.

(Local)

Sponsors:

Referred to:

April 1, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO RESOLVE AN APPARENT OVERLAP IN FIRE DISTRICT
3 BOUNDARIES IN WILKES COUNTY, AND TO VALIDATE PAST LEVY AND
4 COLLECTION OF TAXES FOR THOSE DISTRICTS.

Whereas, Wilkes County has previously identified an overlap between the Ronda and Roaring River Fire Tax Districts in the area from the intersection of Poplar Springs Road and North Ridge Road south to Old U.S. Highway 421, that area being in Edwards and New Castle Township in Wilkes County; and

Whereas, a question exists as to the procedure which was used in approving extensions to the Ronda and Roaring River Fire Tax Districts in 1985, and accordingly a question exists as to which of these Fire Tax Districts the overlap properly belongs; and

Whereas, the Boards of Directors of the Ronda and Roaring River Volunteer Fire Departments wish to resolve the question of this overlap and have mutually agreed to a new boundary line which will represent the line between the Fire Tax Districts in the above described area; and

Whereas, the Presidents of both Volunteer Fire Departments, acting with the knowledge and authority of their respective Boards of Directors, have met with the County Attorney and the County Fire Marshal to discuss the agreement for the new boundary line and the best method of lawfully implementing the same, and all parties have agreed that the best

method would be to request a local act in the General Assembly for the purpose of establishing the newly agreed boundary line between the Fire Tax Districts by law; and Whereas, the parties have further agreed to request that the local act provide that, subject to the new boundary line as herein agreed, the 1985 extensions of the Ronda and Roaring River Fire Tax Districts are deemed valid and lawful; and

Whereas, the parties have further agreed to request that the local act also provide that all collections of fire tax revenues by the County since 1985 in the areas subject to the extensions are deemed valid and lawful, without regard to which Fire Tax District (and corresponding fire tax rate) the revenues were collected from, and without regard to which Volunteer Fire Department the revenues were allocated to; and

Whereas, the parties to this Resolution have approved and signed the same for the purpose of signifying their unanimous consent in this matter and requesting that a local act be introduced for the purposes as set forth herein; and

Whereas, the Board of Commissioners of Wilkes County has agreed to this by resolution; Now, therefore,

1 The General Assembly of North Carolina enacts:

2 Section 1.(a) The newly agreed boundary line for the Roaring River Fire Tax
3 District in Wilkes County in the area from the intersection of Poplar Springs Road and
4 North Ridge Road south to Old U.S. Highway 421 shall be as follows:

5 BEGINNING at the intersection of S.R. 1924 (Poplar Springs Road) and S.R. 2015
6 (North Ridge Road), thence in a southeasterly direction with S.R. 2015 to the intersection
7 of S.R. 2015 and N.C. Highway 268, including all property with primary access from
8 S.R. 2015 between this and the preceding point; thence in a southerly direction in a
9 straight line to a point on S.R. 2321 (Old 60) .2 miles west of Gray's Creek Bridge;
10 thence in a southerly direction in a straight line to the intersection of S.R. 2318 (Mathis
11 Mill Road), S.R. 2319 (South Plum Ridge Road), and S.R. 2320 (North Plum Ridge
12 Road); thence in a southerly direction with S.R. 2319 to the intersection of S.R. 2319 and
13 U.S. Highway 421, including all property adjacent to or accessed from S.R. 2319
14 between this and the preceding point; thence in an easterly direction following the
15 centerline of U.S. Highway 421 to the intersection of U.S. 421 and S.R. 2346 (Old U.S.
16 Highway 421); thence in a westerly direction with S.R. 2346 to a point 1.1 miles west of
17 that intersection, including all property on both sides of S.R. 2346 adjacent to or accessed
18 from S.R. 2346. The foregoing description for that boundary line shall not be affected or
19 altered in any way by the widening, relocation, or four-laning of U.S. Highway 421.

20 Section 1.(b) The newly agreed boundary line for the Ronda Fire Tax District in
21 Wilkes County in the area from the intersection of Poplar Springs Road and North Ridge
22 Road south to Old U.S. Highway 421 shall be as follows:

23 BEGINNING at the intersection of S.R. 1924 (Poplar Springs Road) and S.R. 2015
24 (North Ridge Road), thence in a southeasterly direction with S.R. 2015 to the intersection
25 of S.R. 2015 and N.C. Highway 268, excluding all property with primary access from
26 S.R. 2015 between this and the preceding point; thence in a southerly direction in a
27 straight line to a point on S.R. 2321 (Old 60) .2 miles west of Gray's Creek Bridge;
28 thence in a southerly direction in a straight line to the intersection of S.R. 2318 (Mathis

1 Mill Road), S.R. 2319 (South Plum Ridge Road), and S.R. 2320 (North Plum Ridge
2 Road); thence in a southerly direction with S.R. 2319 to the intersection of S.R. 2319 and
3 U.S. Highway 421, excluding all property adjacent to or accessed from S.R. 2319
4 between this and the preceding point; thence in an easterly direction following the
5 centerline of U.S. Highway 421 to the intersection of U.S. Highway 421 and S.R. 2346
6 (Old U.S. Highway 421); thence in a westerly direction with S.R. 2346 to a point 1.1
7 miles west of that intersection, excluding all property on both sides of S.R. 2346 adjacent
8 to or accessed from S.R. 2346. The foregoing description for that boundary line shall not
9 be affected or altered in any way by the widening, relocation, or four-laning of U.S.
10 Highway 421.

11 Section 2. Subject to the new boundary lines provided in Section 1 of this act,
12 the 1985 extensions of the Ronda and Roaring River Fire Tax Districts are deemed valid
13 and lawful; all levy and collection of fire tax revenues by Wilkes County since 1985 in
14 the areas subject to the extensions are deemed valid and lawful, without regard to which
15 Fire Tax District (and corresponding fire tax rate) those revenues were collected from,
16 and without regard to which Volunteer Fire Department those revenues were allocated to.

17 Section 3. This act is effective when it becomes law.