

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

HOUSE BILL 415
RATIFIED BILL

AN ACT PROVIDING FOR AN ELECTION IN THE VILLAGE OF HATTERAS ON THE QUESTION OF ALLOWING THE HATTERAS VILLAGE COMMUNITY CENTER DISTRICT TO EXPAND THE USES OF AD VALOREM TAX FUNDS COLLECTED BY THE COUNTY ON BEHALF OF THE DISTRICT FOR THE CONSTRUCTION AND MAINTENANCE OF MULTIUSE PATHWAYS AROUND THE VILLAGE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The Board of County Commissioners of Dare County is hereby authorized to call an election to be conducted by the Board of Elections of Dare County in Hatteras voting precinct as described in this subsection for the purpose of submitting to the voters therein the single issue of authorizing the Hatteras Village Community Center District to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to include funding the construction and maintenance of multiuse pathways around the village of Hatteras.

The area of the district is more specifically described as follows: All of the Hatteras Voting Precinct bounded on the west by Hyde County, on the north by Avon Voting Precinct, on the east by Frisco Voting Precinct, and on the south by the Atlantic Ocean, all as shown on the map in the office of the Board of Elections of Dare County, North Carolina, entitled "ELECTION PRECINCT BOUNDARIES – DARE COUNTY" dated July 13, 1978, signed by Orman L. Mann, Chairman, Dare County Board of Elections, which said map is incorporated herein by reference.

SECTION 1.(b) The election provided for in this section shall be conducted in accordance with Chapter 163 of the General Statutes. The Board of Elections of Dare County shall determine and declare the results of the election and certify the same to the Board of County Commissioners of Dare County, and the same shall thereupon be spread upon the minutes of the Board.

SECTION 1.(c) The ballot shall contain the date of the election, the words "Hatteras Village", and shall further be in the following form:

"[] FOR allowing the Hatteras Village Community Center District to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to include funding the construction and maintenance of multiuse pathways around the village of Hatteras."

"[] AGAINST allowing the Hatteras Village Community Center District to expand the uses of the ad valorem tax authorized in Chapter 212 of the Session Laws of 1981 to include funding the construction and maintenance of multiuse pathways around the village of Hatteras."

The ballot shall contain the facsimile signature of the Chairman of the Board of Elections of Dare County.

SECTION 1.(d) If a majority of the qualified voters voting at the election shall vote in favor of allowing the Hatteras Village Community Center District to expand the uses of the ad valorem tax to include funding the construction and maintenance of multiuse pathways



around the village of Hatteras, the Board of County Commissioners of Dare County shall, upon receipt of the certified copy of the results of the election from the Board of Elections, adopt a resolution to that effect and shall file a copy of the resolution with the Clerk of the Superior Court of Dare County.

SECTION 2.(a) Sections 4 and 5 of Chapter 212 of the Session Laws of 1981 read as rewritten:

"**Sec. 4.** If a majority of the qualified voters voting at said election shall vote in favor of creating the Hatteras Village Community Center District and the levying of a tax as aforesaid for the operation, maintenance and repair of a community center building, as provided by this act, the Board of County Commissioners of Dare County shall upon receipt of the certified copy of the results of said election from the Board of Elections adopt a resolution creating the Hatteras Township Community Center District, and shall file a copy of the said resolution so adopted with the Clerk of the Superior Court of Dare County. Upon creation and establishment of the Hatteras Village Community Center District, the Board of County Commissioners of Dare County be and it is hereby authorized and directed to levy and collect an ad valorem tax on all taxable property in said district in such amount as it may deem necessary, not exceeding fifteen cents (15c) on each one hundred dollar (\$100.00) taxable valuation of property in said district from year to year, and shall cause the same to be kept in a separate and special fund, to be used only for the maintenance, operation and repair of a community center within said ~~district~~ district and for the construction and maintenance of multiuse pathways around the village of Hatteras, as provided by Section 5 of this act.

"**Sec. 5.** The Hatteras Village Community Center District shall constitute a political subdivision of the State of North Carolina, and shall be a body corporate and politic, exercising public power. The Hatteras Village Community Center District is authorized to establish, operate and maintain the community center for the use and benefit of all the residents of the district by: providing suitable facilities for public meetings; for public agencies providing services to the public; providing recreational park and playground facilities; providing facilities for meetings of civic and fraternal organizations; and providing facilities for the general use of residents of the district in all matters relating to the improvement of the general health and welfare of said district and all matters of community interest. The Hatteras Village Community Center District is also authorized to fund the construction and maintenance of multiuse pathways around the village of Hatteras.

The district and its governing body shall have the following powers:

...

(7) To fund the construction and maintenance of multiuse pathways around the village of Hatteras."

SECTION 2.(b) This section becomes effective only if a majority of the qualified voters voting at the election provided for in Section 1 of this act vote in favor of allowing the Hatteras Village Community Center District to expand the uses of the ad valorem tax to include funding the construction and maintenance of multiuse pathways around the village of Hatteras.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 26th day of June, 2017.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives