

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 653\*  
Committee Substitute Favorable 5/12/97

Short Title: Wentworth Charter Amendments.

(Local)

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Sponsors:

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Referred to:

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March 27, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH,  
3 SUBJECT TO A REFERENDUM.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 76 of the Private Laws of 1798 is amended by adding a new  
6 section to read:

7 "VII. The Charter of the Town of Wentworth is revised and consolidated to read:

8 "CHARTER OF THE TOWN OF WENTWORTH.

9 "CHAPTER I.

10 "INCORPORATION AND CORPORATE POWERS.

11 "Sec. 1.1. The inhabitants of the Town of Wentworth are a body corporate and politic  
12 under the name 'Town of Wentworth'. Under that name they have all the powers, duties,  
13 rights, privileges, and immunities conferred and imposed upon cities by the general law  
14 of North Carolina.

15 "CHAPTER II.

16 "CORPORATE BOUNDARIES.

17 "Sec. 2.1. Until changed in accordance with law, the boundaries of the Town of  
18 Wentworth are as follows:

1 Beginning at a point four hundred feet northwest of the northern right-of-way of Sandy  
2 Cross Road; said point being four hundred feet southwest of and perpendicular to the  
3 southern right-of-way of Vernon Road; thence from said point in a generally  
4 northeasterly direction and being four hundred feet parallel to the northern right-of-way  
5 of the Sandy Cross Road to a point in the centerline of NC Highways 65 and 87; said  
6 point being four hundred feet perpendicular to and westerly from the northern right-of-  
7 way of Sandy Cross Road Extended to the centerline of NC Highways 65 and 87; thence  
8 from said point, westerly with the centerline of NC Highways 65 and 87 about fifty feet  
9 to a point; thence from said point in a northeasterly direction about four hundred fifty feet  
10 to a point; said point being four hundred feet perpendicular to and northeasterly from the  
11 northern right-of-way of NC Highways 65 and 87 and four hundred feet perpendicular to  
12 and northwesterly from the northern right-of-way of Wentworth Street; thence from said  
13 point four hundred feet parallel to the northern right-of-way of Wentworth Street and  
14 running in a generally northeasterly direction to a point; said point being about two  
15 hundred feet east of Setliff Road and four hundred feet north of Wentworth Street; thence  
16 in a northerly direction about two thousand one hundred feet to the northeast corner of lot  
17 seven of the Setliff Glenn Subdivision (MB 28-275); said point located about eight  
18 hundred fifty feet to the east of the cul-de-sac at the end of Setliff Road; thence  
19 northeasterly about two thousand thirty feet to a point at the corner of the University  
20 Estates Subdivision; thence easterly about two thousand feet along the southeasterly  
21 boundary line of the University Estates Subdivision to a point near Cedar Lane which  
22 intersects the boundary of the existing Wentworth Fire District boundary line; thence  
23 northerly along the Wentworth Fire District line about five thousand five hundred feet to a  
24 point; said point being about four hundred feet south of the intersection of NC 1992 and  
25 Berrymore Road; thence from said point north about eight hundred sixty feet to a point;  
26 said point being four hundred feet north of and perpendicular to the northern right-of-way  
27 of Berrymore Road; thence from said point in a generally westerly direction and being  
28 four hundred feet parallel to the northern right-of-way of Berrymore Road to a point four  
29 hundred feet east of the eastern right-of-way of Ashley Loop Road; said point being four  
30 hundred feet east of and perpendicular to the eastern right-of-way of Ashley Loop Road;  
31 thence from said point in a generally northerly direction and being four hundred feet  
32 parallel to the eastern right-of-way of Ashley Loop Road to a point; said point being  
33 about four hundred thirty feet east of the intersection of Ashley Loop Road and  
34 Richardson Road; thence from said point in a westerly direction about eight hundred  
35 sixty feet to a point four hundred feet west of the the western right-of-way of Ashley  
36 Loop Road; said point being four hundred feet west of and perpendicular to the western  
37 right-of-way of Ashley Loop Road; thence from said point in a generally southerly  
38 direction and being four hundred feet west of and parallel to the western right-of-way of  
39 Ashley Loop Road to a point four hundred feet east of its intersection with the eastern  
40 right-of-way of NC Highway 87; said point being four hundred feet east of and  
41 perpendicular to the eastern right-of-way of NC Highway 87; thence from said point in a  
42 generally northerly direction and being four hundred feet east of and parallel to the  
43 eastern right-of-way of NC Highway 87 to a point in the center of Roach Creek; said

1 point being four hundred feet east of and perpendicular to the eastern right-of-way of NC  
2 Highway 87; thence from said point in a generally westerly direction following the  
3 centerline of Roach Creek about eight hundred sixty feet to a point in Roach Creek; said  
4 point being four hundred feet west of and perpendicular to the western right-of-way of  
5 NC Highway 87; thence from said point in a generally southerly direction and being four  
6 hundred feet west of and parallel to the western right-of-way of NC Highway 87 to a  
7 point four hundred feet north of its intersection with the northern right-of-way of Dillard  
8 Road; said point being four hundred feet north of and perpendicular to the northern right-  
9 of-way of Dillard Road; thence from said point in a generally westerly direction and  
10 being four hundred feet north of and parallel to the northern right-of-way of Dillard Road  
11 to a point four hundred feet north of the end of the northern right-of-way of Dillard Road;  
12 said point being four hundred feet north of and perpendicular to the northern right-of-way  
13 of Dillard Road; thence from said point south about five hundred sixty feet to a point one  
14 hundred feet south of the end of the southern right-of-way of Dillard Road; said point  
15 being one hundred feet south of and perpendicular to the end of the right-of-way of  
16 Dillard Road; thence from said point in a generally easterly direction and being one  
17 hundred feet south of and parallel to the southern right-of-way of Dillard Road to a point  
18 four hundred feet west of the western right-of-way of NC Highway 87; said point being  
19 one hundred feet south of and perpendicular to the southern right-of-way of Dillard Road;  
20 thence from said point in a generally southerly direction and being four hundred feet west  
21 of and parallel to the western right-of-way of NC Highway 87 to a point four hundred  
22 feet north of its intersection with the northern right-of-way of Pannel Road; said point  
23 being four hundred feet north of and perpendicular to the northern right-of-way of Pannel  
24 Road; thence from said point in a generally westerly direction and being four hundred  
25 feet north of and parallel to the northern right-of-way of Pannel Road to a point in the  
26 center of Rock House Creek; said point being four hundred feet north of and  
27 perpendicular to the northern right-of-way of Pannel Road; thence from said point in a  
28 generally southerly direction with the center of Rock House Creek to a point four  
29 hundred feet south of its intersection with the southern right-of-way of NC Highway 65;  
30 said point being four hundred feet south of and perpendicular to the southern right-of-  
31 way of NC Highway 65; thence from said point in a generally easterly direction and  
32 being four hundred feet south of and parallel to the southern right-of-way of NC Highway  
33 65 to a point on the northwest right-of-way of the Transcontinental gas pipeline; said  
34 point being four hundred feet southwest of and perpendicular to the southwest right-of-  
35 way of NC Highway 65; thence from said point in a generally southwesterly direction  
36 and following the northwest right-of-way of the Transcontinental gas pipeline to a point  
37 four hundred feet northeast of its intersection with the northeast right-of-way of  
38 Gunntown Road; said point being four hundred feet northeast of and perpendicular to the  
39 northeast right-of-way of Gunntown Road; thence from said point in a generally  
40 northwesterly direction and being four hundred feet northeast of and parallel to the  
41 northeasterly right-of-way of Gunntown Road to a point four hundred feet northeast of  
42 the end of the right-of-way for Gunntown Road; said point being four hundred feet  
43 northeast of and perpendicular to the northeast right-of-way of Gunntown Road; thence

1 from said point southwest about eight hundred sixty feet to a point four hundred feet  
2 southwest of the end of the southwest right-of-way of Gunntown Road; said point being  
3 four hundred feet southwest of and perpendicular to the end of the southwest right-of-  
4 way of Gunntown Road; thence from said point in a generally southeasterly direction and  
5 being four hundred feet southwest of and parallel to the southwest right-of-way of  
6 Gunntown Road to a point four hundred feet northwest of the northern right-of-way of  
7 Carter Road; said point being four hundred feet west of and perpendicular to Gunntown  
8 Road; thence from said point in a westerly direction and being four hundred feet north of  
9 and parallel to the northern right-of-way of Carter Road to a point four hundred feet north  
10 of the end of the northern right-of-way of Carter Road; said point being four hundred feet  
11 north of and perpendicular to the northern right-of-way of Carter Road; thence from said  
12 point southwest about eight hundred sixty feet to a point four hundred feet south of the  
13 end of the southern right-of-way of Carter Road; said point being four hundred feet  
14 southwest of and perpendicular to the end of the southern right-of-way of Carter Road;  
15 thence from said point in a generally easterly direction and being four hundred feet south  
16 of and parallel to the southern right-of-way of Carter Road to a point four hundred feet  
17 west of the western right-of-way of Spring Road; said point being four hundred feet south  
18 of and perpendicular to the southern right-of-way of Carter Road; thence from said point  
19 in a generally easterly direction being four hundred feet south of and parallel to the  
20 southern right-of-way of Spring Road to a point four hundred feet west of the western  
21 right-of-way of County Home Road; said point being four hundred feet south of and  
22 perpendicular to the southern right-of-way of Spring Road; thence from said point in a  
23 generally southwesterly direction and being four hundred feet northwest of and parallel to  
24 the northwestern right-of-way of County Home Road to a point four hundred feet  
25 northwest of its intersection of the northern right-of-way of Sims Road; said point being  
26 four hundred feet north of and perpendicular to the northern right-of-way of Sims Road;  
27 thence from said point in a generally westerly direction and being four hundred feet north  
28 of and parallel to the northern right-of-way of Sims Road to a point four hundred feet  
29 north of the end of the northern right-of-way of Sims Road; said point being four hundred  
30 feet north of and perpendicular to the northern right-of-way of Sims Road; thence from  
31 said point south about eight hundred sixty feet to a point four hundred feet south of the  
32 southern right-of-way for Sims Road; said point being four hundred feet south of and  
33 perpendicular to the southern right-of-way of Sims Road; thence from said point in a  
34 generally easterly direction and being four hundred feet south of and parallel to the  
35 southern right-of-way of Sims Road to a point four hundred feet northwest of the  
36 northwest right-of-way of County Home Road; said point being four hundred feet  
37 southwest of and perpendicular to the southern right-of-way of Sims Road; thence from  
38 said point in a generally southwesterly direction and being four hundred feet northwest of  
39 and parallel to the northwest right-of-way of County Home Road to a point four hundred  
40 feet northwest of the northern right-of-way of Sunset View Road; said point being four  
41 hundred feet northwest of and perpendicular to the northern right-of-way of Sunset View  
42 Road; thence from said point in a generally westerly direction and being four hundred  
43 feet north of and parallel to the northern right-of-way of Sunset View Road to a point

1 four hundred feet north of the end of the northern right-of-way of Sunset View Road; said  
2 point being four hundred feet north of and perpendicular to the northern right-of-way of  
3 Sunset View Road; thence from said point about eight hundred sixty feet south to a point  
4 four hundred feet south of the southern right-of-way of Sunset View Road; said point  
5 being four hundred feet south of and perpendicular to the southern right-of-way of Sunset  
6 View Road; thence from said point in a generally easterly direction and being four  
7 hundred feet south of and parallel to the southern right-of-way for Sunset View Road to a  
8 point four hundred feet west of its intersection with the western right-of-way of County  
9 Home Road; said point being four hundred feet south of and perpendicular to the  
10 southern right-of-way of Sunset View Road; thence from said point in a generally  
11 southerly direction and being four hundred feet west of and parallel to the western right-  
12 of-way of County Home Road to a point four hundred feet north of its intersection with  
13 the northern right-of-way of Vernon Road; said point being four hundred feet west of and  
14 perpendicular to the western right-of-way of County Home Road; thence from said point  
15 about eight hundred sixty feet south to a point four hundred feet south of the southern  
16 right-of-way of Vernon Road; said point being four hundred feet south of and  
17 perpendicular to the southern right-of-way of Vernon Road; thence from said point in a  
18 generally easterly direction and being four hundred feet south of and parallel to the  
19 southern right-of-way of Vernon Road to the point of beginning.

20 "Sec. 2.2. (a) An annexation ordinance adopted by the Town of Wentworth under  
21 G.S. 160A-49(e) or G.S. 160A-37(e) shall become effective only if approved by the  
22 voters of the area to be annexed in a referendum conducted under subsection (b) of this  
23 section.

24 (b) The town council shall order the Rockingham County Board of Elections to  
25 call an election to determine whether or not the proposed territory shall be annexed to the  
26 town. Within 90 days after receiving such order from the town council, the county board  
27 of elections shall proceed to hold an election on the question.

28 Such election shall be called by a resolution or resolutions of said county board of  
29 elections which shall:

- 30 (1) Describe the territory proposed to be annexed to the said city or town as  
31 set out in the order of the said local governing body;
- 32 (2) Provide that the matter of annexation of such territory shall be submitted  
33 to the vote of the qualified voters of the territory proposed to be  
34 annexed; and
- 35 (3) Provide for registration of voters in the territory proposed to be annexed  
36 for said election in accordance with G.S. 163-288.2.

37 Said resolution shall be published in one or more newspapers of the said county once  
38 a week for 30 days prior to the closing of the registration books. All costs of holding  
39 such election shall be paid by the town. Except as herein provided, the election shall be  
40 held under the same statutes, rules, and regulations as are applicable to elections in the  
41 town.

42 At such election the question on the ballot shall be:

43 **"[ ] FOR [ ] AGAINST**

**ANNEXATION."**

If at the election a majority of the votes cast from the area proposed for annexation shall be 'For Annexation', the annexation ordinance shall become effective as provided by Article 4A of Chapter 160A of the General Statutes, but not prior to the date of certification of the results of the election.

"Sec. 2.3. The Town of Wentworth may not annex any territory east of the following line:

Beginning at a point in the centerline of the Iron Works Road; said point being westerly and 400 feet perpendicular to the western right-of-way of Woolen Store Road Extended to the centerline of the Iron Works Road; thence from said point northerly about 430 feet to a point; said point being 400 feet perpendicular to and northerly from the northern right-of-way of the Iron Works Road; thence from said point in a generally northeasterly direction and being 400 feet parallel to the northern right-of-way of the Iron Works Road and Sandy Cross Road to a point in the centerline of NC Hwy. 65 and 87; said point being 400 feet perpendicular to and westerly from the northern right-of-way of Sandy Cross Road Extended to the centerline of NC Hwy. 65 and 87; thence from said point, westerly with the centerline of NC Hwy. 65 and 87 about 50 feet to a point; thence from said point in a northeasterly direction about 450 feet to a point; said point being 400 feet perpendicular to and northeasterly from the northern right-of-way of NC Hwy. 65 and 87 and 400 feet perpendicular to and northwesterly from the northern right-of-way of Wentworth Street; thence from said point 400 feet parallel to the northern right-of-way of Wentworth Street and running in a generally northeasterly direction to a point; said point being about 200 feet east of Setliff Road and 400 feet north of Wentworth Street; thence in a northerly direction about 2100 feet to the northeast corner of lot 7 of the Setliff Glenn Subdivision (MB 28-275); said point located about 850 feet east of the cul-de-sac at the end of Setliff Road; thence northeasterly about 2030 feet to a point at the corner of the University Estates Subdivision; thence easterly about 2000 feet along the southeasterly boundary line of the University Estates Subdivision to a point near Cedar Lane which intersects the boundary of the existing Wentworth Fire District boundary line; thence northerly along the Wentworth Fire District line about 5500 feet to a point; said point being about 400 feet south of the intersection of NC 1992 and Berrymore Road; thence parallel to and 400 feet from and on the southeast side of Berrymore Road to a point; said point being on NC 14 about 400 feet southeast of the intersection of Berrymore Road and NC 14.

**"CHAPTER III.****"GOVERNING BODY.**

"Sec. 3.1. The governing body of the Town of Wentworth is the Town Council, which has five members.

"Sec. 3.2. The qualified voters of the entire Town elect the members of the Town Council.

"Sec. 3.3. From the effective date of this Charter until the organizational meeting of the Town Council after the 1999 municipal election, the members of the Town Council

1 shall be Cassandra Broadnax, Evelyn Conner, George Murphy, Larry Terrell, and Dennis  
2 Paschal.

3 "Sec. 3.4. At the regular town election in 1999, five Town Council members shall be  
4 elected. The persons receiving the three highest numbers of votes shall be elected for  
5 four-year terms, and the two persons receiving the next highest numbers of votes shall be  
6 elected for two-year terms. In 2001 and quadrennially thereafter, two Town Council  
7 members shall be elected for four-year terms. In 2003 and quadrennially thereafter, three  
8 Town Council members shall be elected for four-year terms.

9 "Sec. 3.5. At the organizational meeting of the initial Town Council and at the  
10 organizational meeting after each election, the council shall elect one of its members to  
11 serve at its pleasure as Mayor.

#### 12 "CHAPTER IV.

#### 13 "ELECTIONS.

14 "Sec. 4.1. The Town Council shall be elected on the nonpartisan basis and the results  
15 determined by plurality in accordance with G.S. 163-292.

16 "Sec. 4.2. Elections shall be conducted in accordance with Chapter 163 of the  
17 General Statutes.

#### 18 "CHAPTER V.

#### 19 "ADMINISTRATION.

20 "Sec. 5.1. The Town of Wentworth shall operate under the mayor-council plan as  
21 provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

22 Section 2. From and after the effective date of the revival of the Charter, the  
23 citizens and property in the Town of Wentworth shall be subject to municipal taxes levied  
24 for the year beginning July 1, 1998, and for that purpose the Town shall obtain from  
25 Rockingham County a record of property in the area herein incorporated which was listed  
26 for taxes as of January 1, 1998, and the businesses in the Town shall be liable for  
27 privilege license tax from the effective date of the privilege license tax ordinance. The  
28 Town may adopt a budget ordinance for fiscal year 1998-99 without following the  
29 timetable in the Local Government Budget and Fiscal Control Act, but shall follow the  
30 sequence of actions in the spirit of the act insofar as is practical. For fiscal year 1998-99,  
31 ad valorem taxes may be paid at par or face amount within 90 days of adoption of the  
32 budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if  
33 the taxes had been due and payable on September 1, 1998.

34 Section 3. (a) The Rockingham County Board of Elections shall conduct an  
35 election on November 4, 1997, for the purpose of submission to the qualified voters of  
36 the area described in Section 2.1 of the Charter of Wentworth, the question of whether or  
37 not the Charter of the Town of Wentworth should be revived and new boundaries  
38 established. Registration for the election shall be conducted in accordance with G.S. 163-  
39 288.2.

40 (b) In the election, the question on the ballot shall be:

41 "[ ] FOR [ ] AGAINST  
42

1                   Amendment of the Charter of the Town of Wentworth and establishment of  
2                   new boundaries for the town."

3                   Section 4. In such election, if a majority of the votes cast shall be cast "FOR  
4 Amendment of the Charter of the Town of Wentworth and establishment of new  
5 boundaries for the town", then Sections 1 and 2 of this act become effective July 1, 1998.  
6 Otherwise, those sections have no effect.

7                   Section 5. This act is effective when it becomes law.