

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 242

Short Title: Hampstead Incorporated.

(Local)

Sponsors: Senator Ballantine.

Referred to: Rules and Operations of the Senate.

February 26, 1997

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE VILLAGE OF HAMPSTEAD.  
3 The General Assembly of North Carolina enacts:

4 Section 1. A Charter of the Village of Hampstead is enacted as follows:

5 "THE CHARTER OF THE VILLAGE OF HAMPSTEAD.

6 "CHAPTER I.

7 "INCORPORATION AND CORPORATE POWERS.

8 "Section 1-1. **Incorporation.** The inhabitants of the Village of Hampstead are a  
9 body corporate and politic under the name 'Village of Hampstead'. Under that name  
10 they have all the powers, duties, rights, privileges, and immunities conferred and  
11 imposed on cities by the general law of North Carolina.

12  
13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Section 2-1. **Village Boundaries.** Until modified in accordance with the law, the  
16 boundaries of the Village of Hampstead are as follows:

17 Beginning at the intersection of the center line of Sloop Point Road (SR  
18 1561) and the high water mark of the Intracoastal Waterway, runs thence with the center  
19 line of Sloop Point Road in a westerly direction approximately 4 miles to the center line  
20 of US Highway 17; thence in a westerly direction on a bearing which is perpendicular to  
21 the center line of US Highway 17, 1000 feet to a point; thence in a southwesterly  
22 direction on a line which is parallel to and at all points 1000 feet distant from the center  
23 line of US Highway 17 approximately 8.7 miles to the center line of Hoover Road;  
24 thence continuing in a southwesterly direction on a line parallel to and 1000 feet distant

1 from the center line of US Highway 17 approximately 3.5 miles to the center line of old  
2 Brown Town Road; thence in an easterly direction to the center line of US Highway 17  
3 at the point of its intersection with the southern boundary of Whitebridge Development;  
4 thence in an easterly direction with the southern boundary of Whitebridge Development  
5 to the western boundary of Postal Zone 28443; thence with the boundary of Postal Zone  
6 28443 in a southerly and easterly direction to the high water mark of the Intracoastal  
7 Waterway; thence with the high water mark of the Intracoastal Waterway in a northerly  
8 direction approximately 10 miles to the southeastern corner of the Village of Sloop  
9 Point; thence with the boundaries of the Village of Sloop Point in a westerly, then  
10 northerly, then easterly direction to the high water mark of the Intracoastal Waterway;  
11 thence with the high water mark of the Intracoastal Waterway to the Beginning.

### 12 "CHAPTER III.

#### 13 "GOVERNING BODY.

14 "Section 3-1. **Structure of the Governing Body; Number of Members.** The  
15 governing body of the Village of Hampstead is the Village Council which has five  
16 members.

17 "Section 3-2. **Manner of Electing Council.** The qualified voters of the entire  
18 village nominate and elect the council.

19 "Section 3-3. **Term of Office of Council Members.** In 1997, the two persons  
20 receiving the highest numbers of votes are elected to four-year terms, and the three  
21 persons receiving the next highest numbers of votes are elected to two-year terms. In  
22 1999 and quadrennially thereafter, three persons are elected for four-year terms. In  
23 2001 and quadrennially thereafter, two persons are elected to four-year terms.

24 "Section 3-4. **Mayor; Term of Office.** The Mayor shall be selected by the  
25 qualified voters of the village in 1997 and biennially thereafter for a two-year term.

### 26 "CHAPTER IV.

#### 27 "ELECTIONS.

28 "Section 4-1. **Elections.** Council members shall be elected on a plurality basis and  
29 the results determined in accordance with G.S. 163-292.

30 "Section 4-2. **Results.** Election results shall be determined by the Pender County  
31 Board of Elections according to Chapter 163 of the General Statutes.

### 32 "CHAPTER V.

#### 33 "ADMINISTRATION.

34 "Section 5-1. **Mayor-Council Plan.** The Village of Hampstead shall operate under  
35 the Mayor-Council Plan as provided in Part 3 of Article 7 of Chapter 160A of the  
36 General Statutes."

37 Section 2. (a) From and after the effective date of this act, the citizens and  
38 property in the Village of Hampstead shall be subject to municipal taxes levied for the  
39 year beginning July 1, 1997, and for that purpose the Village shall obtain from Pender  
40 County a record of property in the area herein incorporated which was listed for taxes as  
41 of January 1, 1997; and the businesses in the Village shall be liable for privilege license  
42 tax from the effective date of the privilege license tax ordinance.

43 (b) The Village may adopt a budget ordinance for fiscal year 1997-98 without  
44 following the timetable in the Local Government Budget and Fiscal Control Act, but

1 shall follow the sequence of actions in the spirit of the act insofar as is practical. For  
2 fiscal year 1997-98, ad valorem taxes may be paid at par or face amount within 90 days  
3 of adoption of the budget ordinance, and thereafter in accordance with the schedule in  
4 G.S. 105-360 as if the taxes had been due and payable on September 1, 1997.

5 Section 3. The Pender County Board of Elections shall adopt a special filing  
6 period for the 1997 regular municipal election.

7 Section 4. (a) The Pender County Board of Elections shall conduct an election on  
8 September 9, 1997, for the purpose of submission to the qualified voters of the area  
9 described in Section 2-1 of the Charter of the Village of Hampstead, the question of  
10 whether or not such area shall be incorporated as the Village of Hampstead.  
11 Registration for the election shall be conducted in accordance with G.S. 163-288.2.

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

13 **"[ ] FOR [ ] AGAINST**  
14 **INCORPORATION OF THE VILLAGE OF HAMPSTEAD".**

15 Section 5. In the election, if a majority of the votes are cast "FOR  
16 incorporation of the Village of Hampstead", Sections 1 and 2 of this act become  
17 effective January 1, 1998, except that the regular municipal election shall take place as  
18 provided in that Charter and the organizational meeting of the Village Council shall take  
19 place at 12:00 noon on January 5, 1998. Section 3 of this act becomes effective on the  
20 date of the certification of the results of the election. Otherwise, Sections 1 through 3 of  
21 this act have no force and effect.

22 Section 6. This act is effective when it becomes law.