

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 24**

Short Title: West Norman Incorporation.

(Local)

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Sponsors: Senator Odom.

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Referred to: State and Local Government.

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February 1, 2001

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE TOWN OF WEST NORMAN SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

**SECTION 1.** A Charter for the Town of West Norman is enacted to read:

"CHARTER OF THE TOWN OF WEST NORMAN.

"ARTICLE I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of West Norman are a body corporate and politic under the name 'Town of West Norman'. The Town of West Norman has all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general laws of North Carolina.

"ARTICLE II.

"CORPORATE BOUNDARIES.

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

Starting at the center of the Catawba River Bridge and the north right-of-way of Highway 73 and the east corner of Lincoln County, west along the north right-of-way of Highway 73 to the intersection of South Pilot Knob Road; southwest along the northwest right-of-way of South Pilot Knob Road to the intersection of the Boundary of Waterside Crossing property; south along the boundary line of Waterside Crossing property south of South Pilot Knob Road to the southwest corner of Waterside Crossing property and the northwest right-of-way of South Pilot Knob Road; southwest along the northwest right-of-way of South Pilot Knob Road to the intersection of South Little Egypt Road; thence northwest along the northeast right-of-way of South Little Egypt Road crossing Highway 16 to the southeast intersection of Oxford Hunt property and South Little Egypt Road; southwest along the boundary of Oxford Hunt Property to include all Oxford Hunt property southwest of South Little Egypt Road and back to the

1 intersection of the west side of Oxford Hunt property and the northeast right-of-way of  
2 South Little Egypt Road, thence northwest along the northeast right-of-way of South  
3 Little Egypt Road to the intersection of the north right-of-way of Highway 73 thence  
4 west along the north right-of-way of Highway 73 to the intersection of Schronce Road  
5 and Highway 73; thence northeast along the southeast right-of-way of Schronce Road;  
6 next northeast along the present Lincoln County Triangle precinct line to the  
7 intersection of the Verdict Ridge property line and the west boundary of the present  
8 Lincoln County Triangle precinct line; thence northwest along the Verdict Ridge  
9 development property line crossing Kidville Road to the Denver Associates Partner  
10 property; thence northwest and northeast along the Denver Associates Partner property  
11 line; thence to the southeast intersection of the boundary line of the Denver Associates  
12 Partner property and the junction of the present Lincoln County Triangle precinct line at  
13 St. James Church Road; then northeast along the present Lincoln County Triangle  
14 precinct line to the intersection of the present Lincoln County Westport precinct line;  
15 thence northeast along the present Lincoln County Westport precinct line to the  
16 intersection of Highway 16 and Webbs Road; thence along the south right-of-way of  
17 Webbs Road to the intersection of Burton Lane and Webbs Road; then north along the  
18 east right-of-way of Burton Lane to the intersection of Burton Lane and the northwest  
19 corner of Crescent Resources property; thence east along the north boundary of  
20 Crescent Resources property to the east boundary of Lincoln County in Lake Norman;  
21 thence south along the east boundary of Lincoln County in Lake Norman to include the  
22 Cowans Ford Hydroelectric Plant and south to the starting point at the east boundary of  
23 Lincoln County and the north right-of-way of Highway 73 on the Catawba River  
24 Bridge.

25 "ARTICLE III.

26 "GOVERNING BODY.

27 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing  
28 body of the Town of West Norman is the Town Council, which shall have five members  
29 and the Mayor.

30 "Section 3.2. **Temporary Officers.** Until the initial elections of 2003 provided for  
31 by Section 4.1 of this Charter, Larry Olmsted is hereby appointed Mayor, and Jack G.  
32 McCachern, Thomas McGuire, Gregory H. Coffey, Leonard McPherson, and Celeste I.  
33 Renaldo are appointed members of the Town Council. They shall possess and exercise  
34 the powers granted to the governing body until their successors are elected or appointed  
35 and qualified pursuant to this Charter. If any person named in this section is unable to  
36 serve, the remaining temporary officers shall, by majority vote, appoint a person to  
37 serve until the regular municipal elections are held in 2003.

38 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified  
39 voters of the entire Town shall elect the members of the Town Council and, except as  
40 provided in this section, they shall serve four-year terms. In 2003, the three candidates  
41 receiving the highest numbers of votes shall be elected to four-year terms and the two  
42 candidates receiving the next highest numbers of votes shall be elected to two-year  
43 terms. In 2005, and quadrennially thereafter, two members shall be elected to four-year

1 terms. In 2007, and quadrennially thereafter, three members shall be elected to four-year  
2 terms.

3 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of  
4 the entire Town shall elect the Mayor. In 2003, and biennially thereafter, the Mayor  
5 shall be elected for a term of two years.

6 "ARTICLE IV.

7 "ELECTIONS.

8 "Section 4.1. **Conduct of Town Elections.** Elections shall be conducted on a  
9 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

10 "ARTICLE V.

11 "ADMINISTRATION.

12 "Section 5.1. **Town to Operate under Council-Manager Plan.** The Town shall  
13 operate under the Council-Manager form of government as provided in Part 2 of Article  
14 7 of Chapter 160A of the General Statutes."

15 **SECTION 2.(a)** The whole or any portion of the Denver Fire Protection  
16 District and the East Lincoln Fire Protection District that is located within the  
17 boundaries of the Town of West Norman upon the effective date of this act shall remain  
18 a fire protection district or portion of a fire protection district and the district or portion  
19 shall be subject to G.S. 69-25.4 authorizing the Lincoln County Board of  
20 Commissioners to levy and collect a tax in the district or portion for the purpose of  
21 furnishing fire protection therein.

22 **SECTION 2.(b)** G.S. 69-25.15 shall not apply to the Town of West Norman.

23 **SECTION 2.(c)** Upon the adoption of an ordinance by the governing body of  
24 the Town of West Norman finding that the Town is able to establish a fire and rescue  
25 department staffed either by volunteers or by full-time professional employees, or to  
26 otherwise adequately provide for fire protection and rescue services, the whole or any  
27 portion of the Denver Fire Protection District and the East Lincoln Fire Protection  
28 District that is located within the boundaries of the Town of West Norman shall  
29 immediately cease to be a fire protection district or portion of a fire protection district  
30 and the district or portion shall no longer be subject to G.S. 69-25.4. Any ordinance  
31 adopted under this subsection shall become effective on the first day of July which is  
32 more than 60 days after adoption of the ordinance.

33 **SECTION 3.** From and after the effective date of this act, the citizens and  
34 property in the Town of West Norman shall be subject to municipal taxes levied for the  
35 year beginning July 1, 2001. For that purpose the Town shall obtain from Lincoln  
36 County a record of property in the area herein incorporated which was listed for  
37 property taxes as of January 1, 2001. The Town may adopt a budget ordinance for  
38 fiscal year 2001-2002 without following the timetable in the Local Government Budget  
39 and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act  
40 insofar as is practical. For fiscal year 2001-2002, ad valorem taxes may be paid at par  
41 or face amount within 90 days of adoption of the budget ordinance and thereafter in  
42 accordance with the schedule in G.S. 105-360. If the effective date of the incorporation  
43 is prior to July 1, 2001, the Town may adopt a budget ordinance for fiscal year  
44 2000-2001 without following the timetable in the Local Government Budget and Fiscal

1 Control Act, but shall follow the sequence of actions in the spirit of the act insofar as  
2 practical. No ad valorem taxes may be levied for the 2000-2001 fiscal year.

3 **SECTION 4.** The Lincoln County Board of Elections shall conduct an  
4 election on a date set by the Board, to be not less than 60 nor later than 120 days after  
5 this act becomes law, for the purpose of submission to the qualified voters for the area  
6 described in Section 2.1 of the Charter of the Town of West Norman the question of  
7 whether or not the area shall be incorporated as the Town of West Norman. Registration  
8 for the election shall be conducted in accordance with G.S. 163-288.2.

9 **SECTION 5.** In the election, the question on the ballot shall be:

10 "  FOR  AGAINST

11 Incorporation of the Town of West Norman".

12 **SECTION 6.** In the election, if a majority of the votes are cast "For the  
13 Incorporation of the Town of West Norman", Sections 1 through 3 of this act shall  
14 become effective on the date that the Lincoln County Board of Elections certifies the  
15 results of the election. Otherwise, Sections 1 through 3 of this act shall have no force  
16 and effect.

17 **SECTION 7.** This act is effective when it becomes law.