

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

S

1

SENATE BILL 433

Short Title: Fairview Incorporated.

(Local)

Sponsors: Senators Plyler and Purcell.

Referred to: Finance.

March 13, 2001

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE TOWN OF FAIRVIEW, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

SECTION 1. A Charter for the Town of Fairview is enacted to read:

"Charter of the Town of Fairview.

"ARTICLE I. INCORPORATION AND CORPORATE POWERS.

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

"ARTICLE II. CORPORATE BOUNDARIES.

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

Beginning at the county line on Highway 601 North at Cabarrus County and Union County and following the county line east to Rocky River, then following the south side of Rocky River to Sikes Mill Road. Follow the centerline of Sikes Mill Road, crossing Highway 218 East, until it intersects with Old Fish Road, then taking the centerline of Old Fish Road west until it intersects with Unionville-Brief Road. Taking the centerline of Unionville-Brief Road north until Unionville-Brief Road intersects with Clontz-Long Road. Following the centerline of Clontz-Long Road west until it intersects with Highway 601 and following the centerline of Highway 601 south until it intersects with Lawyers Road. Taking the centerline of Lawyers Road west until it intersects with Howey Bottoms Road. Taking the centerline of Howey Bottoms Road until it intersects with Mill Grove Road and following the centerline of Mill Grove Road northwesterly 1 mile to the property line of Claude Robertson and going westerly for 227 feet and turning north 439 feet to property line of Kenneth Worthy and continuing west 1632

1 feet then turning east 237 feet back to the centerline of Mill Grove Road and continuing
2 northwesterly to Highway 218 West. From Highway 218 West, taking the centerline of
3 Mill Grove Road 2.3 miles until it reaches the Mecklenburg County line. Following the
4 Mecklenburg County line until it reaches the Cabarrus County line and following the
5 Cabarrus County line east to Highway 601 North.

6 "ARTICLE III. GOVERNING BODY.

7 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing
8 body of the Town of Fairview shall be the Town Council, which shall have four
9 members, and the Mayor.

10 "Section 3.2. **Manner of Electing Council.** The qualified voters of the entire Town
11 shall elect the members of the Town Council and, except as provided in this section,
12 they shall serve four-year terms. In 2001, the two candidates receiving the highest
13 numbers of votes shall be elected to four-year terms and the two candidates receiving
14 the next highest numbers of votes shall be elected to two-year terms. In 2003, and
15 quadrennially thereafter, two members shall be elected to four-year terms.

16 "Section 3.3. **Temporary Officers.** Until the initial elections of 2001 provided for
17 by Section 4.1 of this Charter, Richard Williams is hereby appointed Mayor, and Brad
18 Purser, Kathy Casey, Jerry Clontz, and Libby Long are appointed members of the Town
19 Council. They shall possess and exercise the powers granted to the governing body until
20 their successors are elected or appointed and qualified pursuant to this Charter.

21 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of
22 the entire Town shall elect the Mayor. In 2001, and quadrennially thereafter, the Mayor
23 shall be elected for a term of four years.

24 "ARTICLE IV. ELECTIONS.

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

27 "ARTICLE V. ADMINISTRATION.

28 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of
29 Fairview will operate under the Mayor-Council form of government as provided in Part
30 3 of Article 7 of Chapter 160A of the General Statutes."

31 **SECTION 2.** From and after the effective date of this act, the citizens and
32 property in the Town of Fairview shall be subject to municipal taxes levied for the fiscal
33 year beginning July 1, 2001, and for that purpose, the Town shall obtain from Union
34 County a record of property in the area herein incorporated which was listed for taxes as
35 of January 1, 2001. The Town may adopt a budget ordinance for fiscal year 2001-2002
36 without following the timetable in the Local Government Budget and Fiscal Control Act
37 but shall follow the sequence of actions in the spirit of the act insofar as is practical.
38 For fiscal year 2001-2002, ad valorem taxes may be paid at par or face amount within
39 90 days of adoption of the budget ordinance and thereafter in accordance with the
40 schedule in G.S. 105-360 as if the taxes had been due and payable on September 1,
41 2001. If the effective date of the incorporation is prior to July 1, 2001, the Town may
42 adopt a budget ordinance for fiscal year 2000-2001 without following the timetable in
43 the Local Government Budget and Fiscal Control Act but shall follow the sequence of

