

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 549

Short Title: Incorporate Enochville. (Local)

Sponsors: Senator Brock.

Referred to: Finance.

March 12, 2009

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

4 **SECTION 1.** A Charter for the Town of Enochville is enacted to read:

5 "CHARTER OF THE TOWN OF ENOCHVILLE.

6 "ARTICLE I. INCORPORATION AND CORPORATE POWERS.

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

11 "ARTICLE II. CORPORATE BOUNDARIES.

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

14 "ARTICLE III. GOVERNING BODY.

15 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing body
16 of the Town of Enochville is the Town Council, which shall have a Mayor and four members.

17 "Section 3.2. **Temporary Officers.** Until the organizational meeting after the initial
18 election in 2010 provided for by Section 4.2 of this Charter, D. Yolonda Simpock is hereby
19 appointed Mayor, and Bob R. Blevins, Bill McCorkle, Betty James, and Todd Hyde are
20 appointed Council members of the Town of Enochville, and they shall possess and exercise the
21 powers granted to the governing body until their successors are elected or appointed and
22 qualified pursuant to this Charter. If any person named in this section is unable to serve, the
23 remaining temporary officers shall, by majority vote, appoint a person to serve until the initial
24 municipal election is held in 2010.

25 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified voters of
26 the entire Town shall elect the members of the Town Council and, except as provided in this
27 section, they shall serve four-year terms. In 2010, the two candidates receiving the highest
28 numbers of votes shall be elected to four-year terms, and the two candidates receiving the next
29 highest numbers of votes shall be elected to two-year terms. In 2012, and quadrennially
30 thereafter, two members shall be elected to four-year terms. In 2014, and quadrennially
31 thereafter, two members shall be elected to four-year terms.

32 "Section 3.4. **Manner of Electing Mayor; Term of Office; Duties.** The qualified voters of
33 the entire Town shall elect the Mayor. In 2010, and quadrennially thereafter, the Mayor shall be
34 elected for a term of four years. The Mayor shall be the official head of Town government and
35 shall preside at all meetings of the Council, shall have the right to vote only when there is an
36 equal division on any question or matter before the Council, and shall exercise the powers and
37 duties conferred by law or as directed by the Council.



1 "ARTICLE IV. ELECTIONS.

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

4 "Section 4.2. **Date of Election.** Elections shall be conducted in accordance with Chapter
5 163 of the General Statutes, with the first regular municipal election to be held in November
6 2010.

7 "ARTICLE V. ADMINISTRATION.

8 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town shall operate
9 under the Mayor-Council form of government as provided in Part 3 of Article 7 of Chapter
10 160A of the General Statutes.

11 "Section 5.2. **Town Attorney.** The Town Council shall appoint a Town Attorney licensed
12 to practice law in North Carolina. It shall be the duty of the Town Attorney to represent the
13 Town, advise Town officials, and perform other duties as required by law or as directed by the
14 Town Council. The Town Attorney shall serve at the pleasure of the Town Council.

15 "Section 5.3. **Town Clerk.** The Town Council shall appoint a Town Clerk who shall
16 perform duties as required by law or as directed by the Town Council. The Town Clerk shall
17 serve at the pleasure of the Town Council.

18 "ARTICLE VI. TAXES AND BUDGET ORDINANCE.

19 "Section 6.1. **Commencement of Tax Collection.** From and after the effective date of this
20 act, the citizens and property in the Town of Enochville shall be subject to municipal taxes
21 levied for the year beginning July 1, 2009, and for that purpose the Town shall obtain from
22 Rowan County a record of property in the area herein incorporated which was listed for
23 property taxes as of January 1, 2009.

24 "Section 6.2. **Budget.** The Town may adopt a budget ordinance for fiscal year 2009-2010
25 without following the timetable in the Local Government Budget and Fiscal Control Act but
26 shall follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal year
27 2009-2010, ad valorem taxes may be paid at par or face amount within 90 days of adoption of
28 the budget ordinance and thereafter in accordance with the schedule in G.S. 105-360 as if the
29 taxes had been due and payable on September 1, 2009."

30 **SECTION 2.** The Rowan County Board of Elections shall conduct an election on
31 November 3, 2009, for the purpose of submission to the qualified voters for the area described
32 in Section 2.1 of the Charter of the Town of Enochville the question of whether or not the area
33 shall be incorporated as the Town of Enochville. Registration for the election shall be
34 conducted in accordance with G.S. 163-288.2.

35 **SECTION 3.** In the election, the question on the ballot shall be:

36 "[] FOR [] AGAINST

37 Incorporation of the Town of Enochville."

38 **SECTION 4.** In the election, if a majority of the votes are cast "For the
39 Incorporation of the Town of Enochville," Section 1 of this act shall become effective on the
40 date that the Rowan County Board of Elections certifies the results of the election. Otherwise,
41 Section 1 of this act shall have no force and effect.

42 **SECTION 5.** This act is effective when it becomes law.