

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 632
HOUSE BILL 874

AN ACT TO INCORPORATE THE TOWN OF KINGSTOWN.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Town of Kingstown is enacted to read:

"CHARTER OF THE TOWN OF KINGSTOWN.

"Chapter I.

"Incorporation and Corporate Powers.

"Sec. 1-1. **Incorporation and corporate powers.** The inhabitants of the Town of Kingstown, in the County of Cleveland, State of North Carolina, are a body corporate and politic under the name 'Town of Kingstown'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the General Law of North Carolina.

"Chapter II.

"Corporate Boundaries.

"Sec. 2-1. **Town boundaries.** Until modified in accordance with law, the boundaries of the Town of Kingstown are as follows:

BEGINNING at an iron pin located in the point of intersection of centerline of the intersection of KINGSTON ROAD (S.R. 1341) and ZION CHURCH ROAD (S.R. 1337) and proceeding thence N 26-30-15 W 128.44 feet to an iron pin located in the centerline of KINGSTON ROAD (S.R. 1341); thence N87-58 W 2905.02 feet to an iron pin; thence along the center of and following the course of BRUSHY CREEK, N 24-05 W 695 feet, further N 52-22 W 507.37 feet, further N 86-31-30 W 207.45 feet, further N 05-45-15 W 295.16 feet, further N 07-58-E 255.50 feet, further N 08-11 W 224.84, further N 00-14-40 W 547.43 feet, further N 05-19-30 W 155.64 feet, N 22-25-00 W 161.02 feet, N 07-09-15 W 150.35 feet, N 34-48-25 W 108.50 feet, N 52-50-00 W 229.24 feet, N 01-06-30 W 119.63 feet, N 30-23-10 W 132.59 feet, N 10-30-00 W 128.72 feet, N 51-29-00 W 169.65 feet, thence in a Southerly direction through the Kingston Community leaving out the lands of Virginia M. Allen (Deed Book 15 V, at Page 109), Phillip & Albert Greene (Deed Book 7P, at Page 253), Albert Greene & Sarah Greene (Deed Book 185, at Page 841), J. M. Mauney (Deed Book 9U, at Page 628), and Mt. Calvary Baptist Church (Deed Book 10D, at Page 413) to an iron pin located in Southern border of the Kingston Community; thence S 50-34-05 E 257.00 feet; thence; further S 51-44-15 W 22 feet, S 16-50-50 E 63.72 feet, S 30-21-18 E 141.40 feet, S 18-18-10 E 129.12 feet, S 15-10-10 E 113.51 feet, S 09-49-05 E 113.00 feet, S 00-01-35 W 151.00 feet, further S 20-42-50 E 71.51 feet; thence S 71-00-00 E 300.00 feet to an iron pin; thence N 82-24-05 E 585.02 feet to an iron pin; thence S 23-

00-00 E 220.00 feet to an iron pin, thence N 80-15-00 E 440 feet to an iron pin; S 09-43-30 E 200.00 feet to an iron pin; S 88-16-30 W 265.58 feet to an iron pin; thence S 41-01-03 E 70.35 feet to an iron pin; N 80-39-40 E 415.09 feet to an iron pin; S 09-29-30 E 405.50 feet to an iron pin; thence S 50-33-35 W 217.59 feet to an iron pin located in the centerline of WILLIAMSTON ROAD: thence S 54-46-50 W 465.13 feet to an iron pin; thence N 17-11-00 W 173.00 feet to an iron pin; thence S 80-15-00 W 260.52 feet to an iron pin; S 17-11-00 E 120 feet to an iron pin; thence S 24-55-15 E 722.67 feet to an iron pin; thence S 24-55-15 E 722.67 feet to an iron pin; thence S 06-12-00 E 196.60 feet to an iron pin; thence 2-23-31 E 957.00 feet to an iron pin; thence S 81-59-45 W 752.28 feet to an iron pin; thence S 26-08-42 E 690.20 feet to an iron pin; S 60-29-20 E 264.00 feet to an iron pin; thence N 88-32-36 E 651.75 feet to an iron pin; thence S 06-55-50 W 503.15 feet to an iron pin; thence S 15-57-40 W 165.87 feet to iron pin; thence across a branch S 84-08-40 E 391.58 feet to an iron pin; thence S 20-35-35 E 540.91 feet to an iron pin; thence S 17-41-20 E 940.04 feet to an iron pin; thence in a Southerly direction through the Kingston Community to the point and place of BEGINNING.

"Chapter III.

"Governing Body.

"Sec. 3-1. Structure of governing body; number of members.

The governing body of the Town of Kingstown is the Town Council, which has five members, and the Mayor.

"Sec. 3-2. Manner of electing Council.

(a) The qualified voters of the entire Town nominate and elect the members of the Council.

(b) The governing body of the Town may, by ordinance duly adopted, provide that the governing body of the Town shall consist of six members elected by wards which shall as nearly as possible be numerically equal in population and have fixed, known, and visible boundaries.

"Sec. 3-3. Term of office of Council members.

In 1989, five members of the Council shall be elected. The three receiving the highest numbers of votes are elected to four-year terms, the two receiving the next highest numbers of votes are elected to two-year terms. In 1991 and each four years thereafter, two members of the Council shall be elected for four-year terms. In 1993 and each four years thereafter, three members of the Council shall be elected for four-year terms.

"Sec. 3-4. **Election of Mayor.** A Mayor shall be elected in 1989 and every four years thereafter for a four-year term.

"Chapter IV.

"Elections.

"Sec. 4-1. Conduct of Town elections.

(a) Elections shall be conducted in accordance with the general election laws pertaining to municipal elections.

(b) Town officers shall be elected on a nonpartisan basis and the results determined by a majority of votes cast, with a runoff election if necessary, as provided by G.S. 163-293.

"Chapter V.
"Administration.

"Sec. 5-1. Mayor-council form of government.

(a) The Town shall adopt the mayor-council form of government and shall operate under the mayor-council form of government in accordance with Part 3 of Article 7 of Chapter 160A of the General Statutes and any charter provisions not in conflict therewith.

(b) The Town Council may appoint a treasurer, a tax collector, an accountant, a town attorney, a chief of police, a fire chief, and such other officers and employees as may be necessary, none of whom need be a resident of the Town at the time of appointment. Such employees or officers shall serve at the pleasure of the Town Council. The Town Council shall fix all salaries, prescribe bonds and require such oaths as they may deem necessary.

(c) The Town Council shall choose a town clerk. The town clerk shall keep the records of the Town Council and perform such other duties as may be required by law or the Town Council.

(d) The Town Council may designate the holder of any office listed under this section to hold ex officio any of the other offices listed under this section."

Sec. 2. (a) Until the organizational meeting after the 1989 regular Town election, the following persons shall be members of the Town Council:

Vice President - Ronald Evans

Secretary - Mary Evans

Assistant Secretary - Chinnetta Brooks

Treasurer - Charlie Mintz

Assistant Treasurer - Walter Benton

(b) Until the organizational meeting after the 1989 regular Town election, Clarence Withrow shall be Mayor.

Sec. 3. From and after July 1, 1989, the citizens and property in the Town of Kingstown shall be subject to municipal taxes levied for the year beginning July 1, 1989, and for that purpose the Town shall obtain from Cleveland County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1989, and the businesses in the Town shall be liable for privilege license tax from the effective date of the privilege license tax ordinance. The Town may adopt a budget ordinance for fiscal year 1989-90 without following the timetable in the Local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical. The Town may not levy an ad valorem tax for fiscal year 1988-89.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1989.