

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 454

Short Title: Outer Banks Beautification District.

(Local)

Sponsors: Senator Basnight.

Referred to: Local Government and Regional Affairs.

March 16, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR AN ELECTION IN THE NORTHEASTERNMOST
2 PART OF DARE COUNTY ON THE QUESTION OF ESTABLISHING AN
3 OUTER BANKS BEAUTIFICATION DISTRICT AND TO PROVIDE FOR THE
4 LEVY AND COLLECTION OF PROPERTY TAXES IN THIS DISTRICT.
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6 The General Assembly of North Carolina enacts:

7 Section 1. Election Authorized. The Dare County Board of County
8 Commissioners may call an election in the Outer Banks Beautification District,
9 described in Section 2 of this act, to submit to the voters in the district the single issue
10 of establishing the Outer Banks Beautification District and authorizing the annual levy
11 and collection of a special ad valorem tax on all taxable property in the district to
12 beautify the district and protect the citizens of the district by providing for the
13 installation of underground utility lines and facilities. The Dare County Board of
14 Elections shall conduct this election, in accordance with Chapter 163 of the General
15 Statutes, and shall certify the results of the election to the Dare County Board of
16 Commissioners.

17 Sec. 2. Description of District. The Outer Banks Beautification District
18 consists of that part of Dare County beginning at the point at which the Dare County
19 boundary, the Currituck County boundary, and the Atlantic Ocean intersect; then
20 proceeding along the Dare/Currituck boundary to Currituck Sound, then proceeding
21 southward along the eastern side of the Currituck Sound, Albemarle Sound, and Croatan
22 Sound; then proceeding eastward through the Oregon Inlet; and then proceeding
23 northward along the Dare County boundary on the Atlantic Ocean to the point of

1 beginning. The district also includes the territory of the Manteo Precinct of Dare
2 County as of the date of ratification of this act.

3 Sec. 3. Ballot. The Dare County Board of Elections shall prepare ballots in
4 the following form for an election called under Section 1 of this act:

5 "[] FOR creation of the Outer Banks Beautification District and the levy
6 of an ad valorem tax, not to exceed five cents (5¢) for each one
7 hundred dollars (\$100.00) taxable valuation, to beautify the district and
8 protect the citizens of the district by providing for the underground
9 installation of utility lines and facilities.

10 [] AGAINST creation of the Outer Banks Beautification District and the
11 levy of an ad valorem tax, not to exceed five cents (5¢) for each one
12 hundred dollars (\$100.00) taxable valuation, to beautify the district and
13 protect the citizens of the district by providing for the underground
14 installation of utility lines and facilities."

15 Sec. 4. District Established; Tax Levy. If a majority of the qualified voters
16 voting on an election called under Section 1 of this act vote in favor of creating the
17 Outer Banks Beautification District and authorizing the levy and collection of an ad
18 valorem tax in the district, the Dare County Board of Commissioners shall, upon receipt
19 of a certified copy of the election results, adopt a resolution creating the Outer Banks
20 Beautification District and shall file a copy of the resolution with the clerk of superior
21 court of Dare County. Upon establishing the Outer Banks Beautification District, the
22 Dare County Board of Commissioners may annually levy an ad valorem tax on all
23 taxable property in the district in an amount the board considers necessary to provide for
24 the installation of underground utility lines and facilities, not to exceed five cents (5¢)
25 for each one hundred dollars (\$100.00) taxable valuation of property. The proceeds of
26 this tax shall be used only to provide for the underground installation of utility lines and
27 facilities in the district.

28 Sec. 5. Nature of District; Governing Body. If created, the Outer Banks
29 Beautification District shall be a body politic and corporate and shall have the power to
30 provide for the installation of underground utility lines and facilities and do all acts
31 reasonably necessary to fulfill this purpose. The Dare County Board of Commissioners
32 shall serve, ex officio, as the governing body of the district, and the officers of the board
33 of county commissioners shall likewise serve as the officers of the governing body of
34 the district. A simple majority of the governing body constitutes a quorum, and
35 approval by a majority of those present is sufficient to determine any matter before the
36 governing body, if a quorum is present.

37 Sec. 6. This act is effective upon ratification.