

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 642

Short Title: Incorporate Chimney Rock Village.

(Local)

Sponsors: Representatives Withrow and Jack Hunt.

Referred to: Local and Regional Government II.

April 10, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD  
3 COUNTY.

4 The General Assembly of North Carolina enacts:

5 Section 1. A charter for the Village of Chimney Rock is enacted to read:

6 "CHARTER OF CHIMNEY ROCK VILLAGE.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of Chimney  
10 Rock Village are a body corporate and politic under the name 'Chimney Rock Village.'  
11 Under that name they have all the powers, duties, rights, privileges, and immunities  
12 conferred and imposed on cities by the general law of North Carolina.

13 "CHAPTER II.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2-1. **Town Boundaries.** Until modified in accordance with the law, the  
16 boundaries of Chimney Rock Village are as follows:

17 BEGINNING at a point in the Broad River (Rocky Broad River) at the Chimney Rock  
18 Park entrance, the village boundary follows the Rocky Broad River westward to the  
19 Henderson County boundary, then proceeds northward along the county border between  
20 Rutherford County and Henderson County to the point where the Chimney Rock Fire  
21 District begins; then follows the Chimney Rock Fire District boundary to Cedar Knob  
22 and follow the Fire District line as it continues northward along the Rutherford County  
23 and Buncombe County boundaries; at Shumont Mountain, the Village boundary turns  
24 eastward, following the Chimney Rock Fire District and proceeds to the Town of Lake

1 Lure town limits line; then follows the Town of Lake Lure Town limits across the  
2 Rocky Broad River, turning westward following the Chimney Rock Park boundary and  
3 Lake Lure Town limits to the point of beginning in the Rocky Broad River at the  
4 Chimney Rock Park entrance.

5 **"CHAPTER III.**

6 **"GOVERNING BODY.**

7 "Sec. 3-1. **Structure of Governing Body; Number of Members.** The governing  
8 body of Chimney Rock Village is the Village Council, which has five members.

9 "Sec. 3-2. **Manner of Electing Council.** The qualified voters of the entire Village  
10 elect the members of the Council.

11 "Sec. 3-3. **Term of Office of Council Members.** Members of the Council are  
12 elected to four-year terms. At the initial election in 1991, the three highest vote getters  
13 shall be elected to four-year terms and the next two highest vote getters shall be elected  
14 to two-year terms. In 1993 and quadrennially thereafter, two members of the Council  
15 shall be elected for four-year terms. In 1995 and quadrennially thereafter, three  
16 members of the Council shall be elected for four-year terms.

17 "Sec. 3-4. **Election of Mayor; Term of Office.** At the organizational meeting of  
18 the Council following each election, the Council shall elect one of its members to serve  
19 as Mayor. The Mayor serves as such at the pleasure of the Council.

20 **"CHAPTER IV.**

21 **"ELECTIONS.**

22 "Sec. 4-1. **Conduct of Village Elections.** Village officers shall be elected on a  
23 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

24 **"CHAPTER V.**

25 **"ADMINISTRATION.**

26 "Sec. 5-1. **Village to Operate Under Mayor-Council Plan.** The Village of  
27 Chimney Rock operates under the Mayor-Council plan as provided in Part 3 of Article 7  
28 of Chapter 160A of the General Statutes."

29 Sec. 2. Until the organizational meeting of the Village Council of Chimney  
30 Rock following the 1991 municipal election, Barbara Meliski, Mike Keys, Steve Gale,  
31 Randy Griffin, and Mark Piper shall serve as members of the Village Council. Mark  
32 Piper is authorized to call the first meeting of the interim governing body. The interim  
33 governing body shall, at its first meeting, elect from among its members a chairman  
34 who shall have the powers of a mayor provided by general law.

35 Sec. 3. From and after the effective date of this act, the citizens and property  
36 in Chimney Rock Village shall be subject to municipal taxes levied for the year  
37 beginning July 1, 1991, and for that purpose the Village shall obtain from Rutherford  
38 County a record of property in the area herein incorporated which was listed for taxes as  
39 of January 1, 1991. The Village may adopt a budget ordinance for fiscal year 1991-92  
40 without following the timetable in the Local Government Budget and Fiscal Control  
41 Act, but shall follow the sequence of actions in the spirit of the act insofar as is  
42 practical. For fiscal year 1991-92, ad valorem taxes may be paid at par or face amount  
43 within 90 days of adoption of the budget ordinance, and thereafter in accordance with

1 the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1,  
2 1991.

3           Sec. 4. This act is effective upon ratification.