

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 47

Short Title: Maple Hill Incorporation.

(Local)

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Sponsors: Senator Jordan.

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Referred to: State and Local Government.

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February 8, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCORPORATE THE TOWN OF MAPLE HILL SUBJECT TO A  
3 REFERENDUM.

4 The General Assembly of North Carolina enacts:

5 Section 1. A Charter for the Town of Maple Hill is enacted to read:

6 "CHARTER OF THE TOWN OF MAPLE HILL.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town  
10 of Maple Hill are a body corporate and politic under the name 'Town of Maple Hill'.  
11 Under that name they shall 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 "TOWN BOUNDARIES.

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

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20 "CHAPTER III.

**"GOVERNING BODY.**

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2 "Section 3.1. **Structure of Governing Body; Numbers of Members.** The  
3 governing body of the Town of Maple Hill is the Town Council, which has five members  
4 and the Mayor.

5 "Section 3.2. **Council Members; Terms of Office.** The Council shall be composed  
6 of five members to be elected by all the qualified voters of the Town for terms of four  
7 years, or until their successors are elected and qualified.

8 "Section 3.3. **Mayor; Term of Office; Duties.** The Mayor shall be elected by all the  
9 qualified voters of the Town for a term of four years or until his or her successor is  
10 elected and qualified. The Mayor shall be the official head of the Town government,  
11 preside at meetings of the Council, have the right to vote only when there is an equal  
12 division on any question or matter before the Council, and shall exercise the powers and  
13 duties conferred by law or as directed by the Council.

14 "Section 3.4. **Meetings.** In accordance with general law, the Council shall establish a  
15 suitable time and place for its regular meetings. Special and emergency meetings may be  
16 held as provided by general law.

17 "Section 3.5. **Voting Requirements; Quorum.** Official actions of the Council and  
18 all votes shall be taken in accordance with the applicable provisions of general law,  
19 particularly G.S. 160A-75. The quorum provisions of G.S. 160A-74 shall apply.

20 "Section 3.6. **Compensation; Qualifications for Office; Vacancies.** The  
21 compensation and qualifications of the Mayor and Council shall be fixed in accordance  
22 with general law. Vacancies that occur in any elective office of the Town shall be filled  
23 by appointment as provided in G.S. 160A-63.

**"CHAPTER IV.****"ELECTIONS.**

26 "Section 4.1. **Regular Municipal Elections.** Regular municipal elections shall be  
27 held in each odd-numbered year in accordance with the uniform municipal election laws  
28 of North Carolina. Elections shall be conducted on a partisan basis in accordance with  
29 G.S. 163-291.

30 "Section 4.2. **Election of Council Members.** The initial Town Council are those  
31 individuals named and appointed in this act. All initial Town Council members shall  
32 serve until the organizational meeting after the 1999 municipal election. Elections shall  
33 be conducted by the Pender County Board of Elections, unless otherwise provided in  
34 accordance with G.S. 163-285. In 1999, the three persons who receive the highest  
35 number of votes shall serve four-year terms, and the two persons who receive the next  
36 highest number of votes shall serve two-year terms. The terms will continue to be  
37 staggered, with ensuing Council members being elected for four-year terms.

38 "Section 4.3. **Special Elections and Referenda.** Special elections and referenda may  
39 be held only as provided by general law or applicable local acts of the General Assembly.

**"CHAPTER V.****"ADMINISTRATION.**

1       "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town of Maple  
2 Hill shall operate under the Mayor-Council plan as provided in Part 3 of Article 7 of  
3 Chapter 160A of the General Statutes."

4             Section 2. From and after the effective date of this act, the citizens and  
5 property in the Town of Maple Hill shall be subject to municipal taxes levied for the year  
6 beginning July 1, 1999, and for that purpose the Town shall obtain from Pender County a  
7 record of property in the area herein incorporated which was listed for taxes as of January  
8 1, 1999; and the businesses in the Town shall be liable for privilege license tax from the  
9 effective date of the privilege license tax ordinance.

10            Section 3. The Town may adopt a budget ordinance for fiscal year 1999-2000  
11 without following the timetable in the Local Government Budget and Fiscal Control Act,  
12 but shall follow the sequence of actions in the spirit of the act insofar as is practical. For  
13 fiscal year 1999-2000, ad valorem taxes may be paid at par or face amount within 90  
14 days of adoption of the budget ordinance, and thereafter in accordance with the schedule  
15 in G.S. 105-360 as if the taxes had been due and payable on September 1, 1999.

16            Section 4. The Pender County Board of Elections shall conduct an election on  
17 a date set by the Board, to be not less than 60 nor more than 120 days after this act  
18 becomes law, for the purpose of submission to the qualified voters of the area described  
19 in Section 2.1 of the Charter of the Town of Maple Hill the question of whether or not the  
20 area shall be incorporated as the Town of Maple Hill. Registration for the election shall  
21 be conducted in accordance with G.S. 163-288.2.

22            Section 5. In the election, the question on the ballot shall be:

23    " FOR  AGAINST

24    **INCORPORATION OF THE TOWN OF MAPLE HILL."**

25            Section 6. In the election, if a majority of the votes are cast "For incorporation  
26 of the Town of Maple Hill", Sections