

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-322
HOUSE BILL 653

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WENTWORTH,
SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. Chapter 76 of the Private Laws of 1798 is amended by adding a new section to read:

"VII. The Charter of the Town of Wentworth is revised and consolidated to read:

"CHARTER OF THE TOWN OF WENTWORTH.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Sec. 1.1. The inhabitants of the Town of Wentworth are a body corporate and politic under the name 'Town of Wentworth'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2.1. Until changed in accordance with law, the boundaries of the Town of Wentworth are as follows:

Beginning at a point four hundred feet northwest of the northern right-of-way of Sandy Cross Road; said point being four hundred feet southwest of and perpendicular to the southern right-of-way of Vernon Road; thence from said point in a generally northeasterly direction and being four hundred feet parallel to the northern right-of-way of the Sandy Cross Road to a point in the centerline of NC Highways 65 and 87; said point being four hundred feet perpendicular to and westerly from the northern right-of-way of Sandy Cross Road Extended to the centerline of NC Highways 65 and 87; thence from said point, westerly with the centerline of NC Highways 65 and 87 about fifty feet to a point; thence from said point in a northeasterly direction about four hundred fifty feet to a point; said point being four hundred feet perpendicular to and northeasterly from the northern right-of-way of NC Highways 65 and 87 and four hundred feet perpendicular to and northwesterly from the northern right-of-way of Wentworth Street; thence from said point four hundred feet parallel to the northern right-of-way of Wentworth Street and running in a generally northeasterly direction to a point; said point being about two hundred feet east of Setliff Road and four hundred feet north of Wentworth Street; thence in a northerly direction about two thousand one hundred feet to the northeast corner of lot seven of the Setliff Glenn Subdivision (MB

28-275); said point located about eight hundred fifty feet to the east of the cul-de-sac at the end of Setliff Road; thence northeasterly about two thousand thirty feet to a point at the corner of the University Estates Subdivision; thence easterly about two thousand feet along the southeasterly boundary line of the University Estates Subdivision to a point near Cedar Lane which intersects the boundary of the existing Wentworth Fire District boundary line; thence northerly along the Wentworth Fire District line about five thousand five hundred feet to a point; said point being about four hundred feet south of the intersection of NC 1992 and Berrymore Road; thence from said point north about eight hundred sixty feet to a point; said point being four hundred feet north of and perpendicular to the northern right-of-way of Berrymore Road; thence from said point in a generally westerly direction and being four hundred feet parallel to the northern right-of-way of Berrymore Road to a point four hundred feet east of the eastern right-of-way of Ashley Loop Road; said point being four hundred feet east of and perpendicular to the eastern right-of-way of Ashley Loop Road; thence from said point in a generally northerly direction and being four hundred feet parallel to the eastern right-of-way of Ashley Loop Road to a point; said point being about four hundred thirty feet east of the intersection of Ashley Loop Road and Richardson Road; thence from said point in a westerly direction about eight hundred sixty feet to a point four hundred feet west of the western right-of-way of Ashley Loop Road; said point being four hundred feet west of and perpendicular to the western right-of-way of Ashley Loop Road; thence from said point in a generally southerly direction and being four hundred feet west of and parallel to the western right-of-way of Ashley Loop Road to a point four hundred feet east of its intersection with the eastern right-of-way of NC Highway 87; said point being four hundred feet east of and perpendicular to the eastern right-of-way of NC Highway 87; thence from said point in a generally northerly direction and being four hundred feet east of and parallel to the eastern right-of-way of NC Highway 87 to a point in the center of Roach Creek; said point being four hundred feet east of and perpendicular to the eastern right-of-way of NC Highway 87; thence from said point in a generally westerly direction following the centerline of Roach Creek about eight hundred sixty feet to a point in Roach Creek; said point being four hundred feet west of and perpendicular to the western right-of-way of NC Highway 87; thence from said point in a generally southerly direction and being four hundred feet west of and parallel to the western right-of-way of NC Highway 87 to a point four hundred feet north of its intersection with the northern right-of-way of Dillard Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Dillard Road; thence from said point in a generally westerly direction and being four hundred feet north of and parallel to the northern right-of-way of Dillard Road to a point four hundred feet north of the end of the northern right-of-way of Dillard Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Dillard Road; thence from said point south about five hundred sixty feet to a point one hundred feet south of the end of the southern right-of-way of Dillard Road; said point being one hundred feet south of and perpendicular to the end of the right-of-way of Dillard Road; thence from said point in a generally easterly direction and being one hundred feet south of and parallel to the southern right-of-way of Dillard Road to a

point four hundred feet west of the western right-of-way of NC Highway 87; said point being one hundred feet south of and perpendicular to the southern right-of-way of Dillard Road; thence from said point in a generally southerly direction and being four hundred feet west of and parallel to the western right-of-way of NC Highway 87 to a point four hundred feet north of its intersection with the northern right-of-way of Pannel Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Pannel Road; thence from said point in a generally westerly direction and being four hundred feet north of and parallel to the northern right-of-way of Pannel Road to a point in the center of Rock House Creek; said point being four hundred feet north of and perpendicular to the northern right-of-way of Pannel Road; thence from said point in a generally southerly direction with the center of Rock House Creek to a point four hundred feet south of its intersection with the southern right-of-way of NC Highway 65; said point being four hundred feet south of and perpendicular to the southern right-of-way of NC Highway 65; thence from said point in a generally easterly direction and being four hundred feet south of and parallel to the southern right-of-way of NC Highway 65 to a point on the northwest right-of-way of the Transcontinental gas pipeline; said point being four hundred feet southwest of and perpendicular to the southwest right-of-way of NC Highway 65; thence from said point in a generally southwesterly direction and following the northwest right-of-way of the Transcontinental gas pipeline to a point four hundred feet northeast of its intersection with the northeast right-of-way of Gunntown Road; said point being four hundred feet northeast of and perpendicular to the northeast right-of-way of Gunntown Road; thence from said point in a generally northwesterly direction and being four hundred feet northeast of and parallel to the northeasterly right-of-way of Gunntown Road to a point four hundred feet northeast of the end of the right-of-way for Gunntown Road; said point being four hundred feet northeast of and perpendicular to the northeast right-of-way of Gunntown Road; thence from said point southwest about eight hundred sixty feet to a point four hundred feet southwest of the end of the southwest right-of-way of Gunntown Road; said point being four hundred feet southwest of and perpendicular to the end of the southwest right-of-way of Gunntown Road; thence from said point in a generally southeasterly direction and being four hundred feet southwest of and parallel to the southwest right-of-way of Gunntown Road to a point four hundred feet northwest of the northern right-of-way of Carter Road; said point being four hundred feet west of and perpendicular to Gunntown Road; thence from said point in a westerly direction and being four hundred feet north of and parallel to the northern right-of-way of Carter Road to a point four hundred feet north of the end of the northern right-of-way of Carter Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Carter Road; thence from said point southwest about eight hundred sixty feet to a point four hundred feet south of the end of the southern right-of-way of Carter Road; said point being four hundred feet southwest of and perpendicular to the end of the southern right-of-way of Carter Road; thence from said point in a generally easterly direction and being four hundred feet south of and parallel to the southern right-of-way of Carter Road to a point four hundred feet west of the western right-of-way of Spring Road; said point being four hundred feet south of and perpendicular to the southern

right-of-way of Carter Road; thence from said point in a generally easterly direction being four hundred feet south of and parallel to the southern right-of-way of Spring Road to a point four hundred feet west of the western right-of-way of County Home Road; said point being four hundred feet south of and perpendicular to the southern right-of-way of Spring Road; thence from said point in a generally southwesterly direction and being four hundred feet northwest of and parallel to the northwestern right-of-way of County Home Road to a point four hundred feet northwest of its intersection of the northern right-of-way of Sims Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Sims Road; thence from said point in a generally westerly direction and being four hundred feet north of and parallel to the northern right-of-way of Sims Road to a point four hundred feet north of the end of the northern right-of-way of Sims Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Sims Road; thence from said point south about eight hundred sixty feet to a point four hundred feet south of the southern right-of-way for Sims Road; said point being four hundred feet south of and perpendicular to the southern right-of-way of Sims Road; thence from said point in a generally easterly direction and being four hundred feet south of and parallel to the southern right-of-way of Sims Road to a point four hundred feet northwest of the northwest right-of-way of County Home Road; said point being four hundred feet southwest of and perpendicular to the southern right-of-way of Sims Road; thence from said point in a generally southwesterly direction and being four hundred feet northwest of and parallel to the northwest right-of-way of County Home Road to a point four hundred feet northwest of the northern right-of-way of Sunset View Road; said point being four hundred feet northwest of and perpendicular to the northern right-of-way of Sunset View Road; thence from said point in a generally westerly direction and being four hundred feet north of and parallel to the northern right-of-way of Sunset View Road to a point four hundred feet north of the end of the northern right-of-way of Sunset View Road; said point being four hundred feet north of and perpendicular to the northern right-of-way of Sunset View Road; thence from said point about eight hundred sixty feet south to a point four hundred feet south of the southern right-of-way of Sunset View Road; said point being four hundred feet south of and perpendicular to the southern right-of-way of Sunset View Road; thence from said point in a generally easterly direction and being four hundred feet south of and parallel to the southern right-of-way for Sunset View Road to a point four hundred feet west of its intersection with the western right-of-way of County Home Road; said point being four hundred feet south of and perpendicular to the southern right-of-way of Sunset View Road; thence from said point in a generally southerly direction and being four hundred feet west of and parallel to the western right-of-way of County Home Road to a point four hundred feet north of its intersection with the northern right-of-way of Vernon Road; said point being four hundred feet west of and perpendicular to the western right-of-way of County Home Road; thence from said point about eight hundred sixty feet south to a point four hundred feet south of the southern right-of-way of Vernon Road; said point being four hundred feet south of and perpendicular to the southern right-of-way of Vernon Road; thence from said point in a generally easterly direction and being four

hundred feet south of and parallel to the southern right-of-way of Vernon Road to the point of beginning.

"Sec. 2.2. (a) An annexation ordinance adopted by the Town of Wentworth under G.S. 160A-49(e) or G.S. 160A-37(e) shall become effective only if approved by the voters of the area to be annexed in a referendum conducted under subsection (b) of this section.

(b) The town council shall order the Rockingham County Board of Elections to call an election to determine whether or not the proposed territory shall be annexed to the town. Within 90 days after receiving such order from the town council, the county board of elections shall proceed to hold an election on the question.

Such election shall be called by a resolution or resolutions of said county board of elections which shall:

- (1) Describe the territory proposed to be annexed to the said city or town as set out in the order of the said local governing body;
- (2) Provide that the matter of annexation of such territory shall be submitted to the vote of the qualified voters of the territory proposed to be annexed; and
- (3) Provide for registration of voters in the territory proposed to be annexed for said election in accordance with G.S. 163-288.2.

Said resolution shall be published in one or more newspapers of the said county once a week for 30 days prior to the closing of the registration books. All costs of holding such election shall be paid by the town. Except as herein provided, the election shall be held under the same statutes, rules, and regulations as are applicable to elections in the town.

At such election the question on the ballot shall be:

"[] FOR [] AGAINST
Annexation."

If at the election a majority of the votes cast from the area proposed for annexation shall be 'For Annexation', the annexation ordinance shall become effective as provided by Article 4A of Chapter 160A of the General Statutes, but not prior to the date of certification of the results of the election.

"Sec. 2.3. The Town of Wentworth may not annex any territory east of the following line:

Beginning at a point in the centerline of the Iron Works Road; said point being westerly and 400 feet perpendicular to the western right-of-way of Woolen Store Road Extended to the centerline of the Iron Works Road; thence from said point northerly about 430 feet to a point; said point being 400 feet perpendicular to and northerly from the northern right-of-way of the Iron Works Road; thence from said point in a generally northeasterly direction and being 400 feet parallel to the northern right-of-way of the Iron Works Road and Sandy Cross Road to a point in the centerline of NC Hwy. 65 and 87; said point being 400 feet perpendicular to and westerly from the northern right-of-way of Sandy Cross Road Extended to the centerline of NC Hwy. 65 and 87; thence from said point, westerly with the centerline of NC Hwy. 65 and 87 about 50 feet to a point; thence from said point in a northeasterly direction about 450 feet to a point; said

point being 400 feet perpendicular to and northeasterly from the northern right-of-way of NC Hwy. 65 and 87 and 400 feet perpendicular to and northwesterly from the northern right-of-way of Wentworth Street; thence from said point 400 feet parallel to the northern right-of-way of Wentworth Street and running in a generally northeasterly direction to a point; said point being about 200 feet east of Setliff Road and 400 feet north of Wentworth Street; thence in a northerly direction about 2100 feet to the northeast corner of lot 7 of the Setliff Glenn Subdivision (MB 28-275); said point located about 850 feet east of the cul-de-sac at the end of Setliff Road; thence northeasterly about 2030 feet to a point at the corner of the University Estates Subdivision; thence easterly about 2000 feet along the southeasterly boundary line of the University Estates Subdivision to a point near Cedar Lane which intersects the boundary of the existing Wentworth Fire District boundary line; thence northerly along the Wentworth Fire District line about 5500 feet to a point; said point being about 400 feet south of the intersection of NC 1992 and Berrymore Road; thence parallel to and 400 feet from and on the southeast side of Berrymore Road to a point; said point being on NC 14 about 400 feet southeast of the intersection of Berrymore Road and NC 14.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3.1. The governing body of the Town of Wentworth is the Town Council, which has five members.

"Sec. 3.2. The qualified voters of the entire Town elect the members of the Town Council.

"Sec. 3.3. From the effective date of this Charter until the organizational meeting of the Town Council after the 1999 municipal election, the members of the Town Council shall be Cassandra Broadnax, Evelyn Conner, George Murphy, Larry Terrell, and Dennis Paschal.

"Sec. 3.4. At the regular town election in 1999, five Town Council members shall be elected. The persons receiving the three highest numbers of votes shall be elected for four-year terms, and the two persons receiving the next highest numbers of votes shall be elected for two-year terms. In 2001 and quadrennially thereafter, two Town Council members shall be elected for four-year terms. In 2003 and quadrennially thereafter, three Town Council members shall be elected for four-year terms.

"Sec. 3.5. At the organizational meeting of the initial Town Council and at the organizational meeting after each election, the council shall elect one of its members to serve at its pleasure as Mayor.

"CHAPTER IV.

"ELECTIONS.

"Sec. 4.1. The Town Council shall be elected on the nonpartisan basis and the results determined by plurality in accordance with G.S. 163-292.

"Sec. 4.2. Elections shall be conducted in accordance with Chapter 163 of the General Statutes.

"CHAPTER V.

"ADMINISTRATION.

"Sec. 5.1. The Town of Wentworth shall operate under the mayor-council plan as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

Section 2. From and after the effective date of the revival of the Charter, the citizens and property in the Town of Wentworth shall be subject to municipal taxes levied for the year beginning July 1, 1998, and for that purpose the Town shall obtain from Rockingham County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1998, 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 1998-99 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. For fiscal year 1998-99, ad valorem taxes may be paid at par or face amount within 90 days of adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1, 1998.

Section 3. (a) The Rockingham County Board of Elections shall conduct an election on November 4, 1997, for the purpose of submission to the qualified voters of the area described in Section 2.1 of the Charter of Wentworth, the question of whether or not the Charter of the Town of Wentworth should be revived and new boundaries established. Registration for the election shall be conducted in accordance with G.S. 163-288.2.

(b) In the election, the question on the ballot shall be:

"[] FOR [] AGAINST

Amendment of the Charter of the Town of Wentworth and establishment of new boundaries for the town."

Section 4. In such election, if a majority of the votes cast shall be cast "FOR Amendment of the Charter of the Town of Wentworth and establishment of new boundaries for the town", then Sections 1 and 2 of this act become effective July 1, 1998. Otherwise, those sections have no effect.

Section 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 24th day of July, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives