

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 72

Short Title: Oak Ridge Incorporated.

(Local)

Sponsors: Representative Decker.

Referred to: Local and Regional Government II, if favorable, Finance.

February 6, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF OAK RIDGE, SUBJECT TO A
3 REFERENDUM.

4 The General Assembly of North Carolina enacts:

5 Section 1. A charter is enacted for the Town of Oak Ridge to read:

6 "CHARTER OF THE TOWN OF OAK RIDGE.

7 "CHAPTER 1.

8 "INCORPORATION AND CORPORATE POWERS.

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

13 "CHAPTER 2.

14 "CORPORATE BOUNDARIES.

15 "Sec. 2.1. Until changed in accordance with law, the boundaries of the Town of Oak
16 Ridge are as follows:

17 All the territory in Oak Ridge Township, Guilford County, as of January 1, 1997.

18 "CHAPTER 3.

19 "GOVERNING BODY.

1 "Sec. 3.1. The governing body of the Town of Oak Ridge is the Town Council, which
2 has five members.

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

5 "Sec. 3.3. From the effective date of this charter until the organizational meeting of
6 the Town Council after the 1999 municipal elections the Mayor, Mayor Pro Tem, and the
7 other three members of Town Council will be:

8 Interim Mayor Bill Parrish
9 Mayor Pro Tem Gary Blackburn
10 Council Mack Peoples
11 Council Greg Bissett
12 Council Roger Howerton

13 The Interim Mayor and Mayor Pro Tem named by this section shall only serve as such if
14 another council member is not chosen for that position as provided by Section 3.5 of this
15 Charter.

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

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

25 "CHAPTER 4.

26 "ELECTIONS.

27 "Sec. 4.1. The Town Council shall be elected by the nonpartisan plurality method as
28 provided by G.S. 163-292. Elections shall be governed by general law except as
29 provided otherwise by this Charter.

30 "CHAPTER 5.

31 "ADMINISTRATION.

32 "Sec. 5.1. The Town of Oak Ridge shall operate under the Mayor-Council plan as
33 provided in Part 3 of Article 7 of Chapter 160A of the General Statutes.

34 "CHAPTER 6.

35 "TAXATION.

36 "Sec. 6.1. Notwithstanding G.S. 160A-209(d), except with the approval of the
37 qualified voters of the Town in a referendum under G.S. 160A-209, the Town may not
38 levy ad valorem taxes in excess of twenty cents (20¢) on the one hundred dollars
39 (\$100.00) valuation. This section does not limit taxation to pay the debt service on
40 general obligation indebtedness incurred by the Town in accordance with law."

41 Section 2. From and after the effective date of the incorporation, the citizens
42 and property in the Town of Oak Ridge shall be subject to municipal taxes levied for the
43 year beginning July 1, 1997, and for that purpose the Town shall obtain from Guilford

1 County a record of property in the area herein incorporate which was listed for taxes as of
2 January 1, 1997, and the businesses in the Town shall be liable for privilege license tax
3 from the effective date of the privilege license tax ordinance. The Town may adopt a
4 budget ordinance for fiscal year 1997-98, without following the timetable in the local
5 government budget and fiscal control act, but shall follow the sequence of actions in the
6 spirit of the act insofar as is practical. For fiscal year 1997-98 ad valorem taxes may be
7 paid at par or face amount within 90 days of adoption of the budget ordinance, and
8 thereafter in accordance with the schedule in G.S. 105-36 as if taxes had been due and
9 payable on September 1, 1997.

10 Section 3. (a) The Guilford County Board of Elections, shall conduct an
11 election on the Tuesday after the first Monday in November of 1997 for the purpose of
12 submission of the proposed Charter to the qualified voters of the area described in
13 Section 2.1 of the Charter of the Town of Oak Ridge. Registration for the election shall
14 be conducted in accordance with G.S. 163-288.2.

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

16 **"[] FOR [] AGAINST**
17 **INCORPORATION OF THE TOWN OF OAK RIDGE".**

18 Section 4. In such election if a majority of the votes cast are not cast "For
19 incorporation of the Town of Oak Ridge", then Sections 1 and 2 of this act shall have no
20 force or effect.

21 Section 5. In such election, if a majority of the votes cast shall be cast "For
22 incorporation of the Town of Oak Ridge", then Sections 1 and 2 of this act shall become
23 effective on the date that the Guilford County Board of Elections determines the result of
24 the election.

25 Section 6. This act is effective when it becomes law.