

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 862

Short Title: Fayetteville Downtown Revitalization.

(Local)

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Sponsors: Representatives McAllister; and Kinney.

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Referred to: Rules, Calendar and Operations of the House.

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April 7, 1997

A BILL TO BE ENTITLED

1 AN ACT TO LIMIT THE CITY OF FAYETTEVILLE'S SPENDING ON  
2 DOWNTOWN REVITALIZATION, SUBJECT TO A REFERENDUM.  
3

4 The General Assembly of North Carolina enacts:

5 Section 1. The Charter of the City of Fayetteville, being Chapter 557 of the  
6 1979 Session Laws, as amended, is amended by adding a new Article to Chapter VIII to  
7 read:

8 "ARTICLE 9.

9 "Downtown Revitalization.

10 "Section 8.34. **Spending on downtown revitalization.** The City of Fayetteville shall  
11 not spend or commit to spend any public funds for downtown revitalization unless such  
12 spending or commitment to spend has been approved by a majority of the qualified voters  
13 of the City voting in a general referendum. Downtown revitalization means the planning  
14 and implementation of an overall plan or series of plans of reconstruction, commercial  
15 development, and renovation using public funds, the gross total of which would exceed  
16 two percent (2%) of the City's annual budget, not including funds received by the City  
17 from the Public Works Commission, within the following area of the City: Bounded on  
18 the North Side of Grove Street and Rowan Street beginning at the intersection of  
19 Highway 301 and continuing west to Bragg Boulevard; thence south along Bragg  
20 Boulevard and Robeson Street Extension to the intersection of Whitfield Avenue; thence

1 southwest along Whitfield Avenue to Southern Avenue; thence in a general easterly  
2 direction along Southern Avenue to Gillespie Street; continuing across Gillespie Street  
3 and down Campbell Avenue in an easterly direction to Old Wilmington Road; thence in a  
4 general northerly direction along Old Wilmington Road to Russell Street; thence in a  
5 general easterly direction along Russell Street to Highway 301; thence in a general  
6 northerly direction along Highway 301 to the intersection of Grove Street.

7 "Section 8.35. **Referendum.** A petition may be filed by any citizen of the City calling  
8 for a referendum on the City Council's anticipated expenditure of public monies for  
9 downtown revitalization that would exceed two percent (2%) of the City's annual budget,  
10 not including funds received by the City from the Public Works Commission.

11 The petition shall be filed with the City Clerk, who shall immediately forward it to the  
12 Cumberland County Board of Elections. The petition shall bear the signatures equal in  
13 number to at least ten percent (10%) of the registered voters in the City or ten percent  
14 (10%) of the taxpayers in the City whose names and property are registered with the  
15 Cumberland County Tax Office or 5,000 signatures of any combination of listed  
16 taxpayers or registered voters in the City, whichever is less.

17 The Board of Elections and the Tax Office shall verify the signatures on the petition  
18 and shall thereafter certify the sufficiency of the petition to the City Council. The City  
19 Council shall adopt a resolution calling for a referendum to be held by the Cumberland  
20 County Board of Elections at such time as is practicable so as not to unreasonably  
21 increase the cost of the referendum. The referendum shall be held at the next general  
22 election or special election if the election is more than 60 days after the petition has been  
23 certified by the Board of Elections and the Tax Office.

24 In the election, the question on the ballot shall be:

25  FOR  AGAINST  
26 The City of Fayetteville may spend or commit to spend a certain amount of public funds,  
27 namely \$ \_\_\_\_\_, for the purpose of downtown revitalization that shall consist of  
28 the following: \_\_\_\_\_.

29 In the election, if a majority of the votes are cast for the expenditure of public funds  
30 for the downtown revitalization project as designated on the ballot, Section 8.34 of this  
31 Charter shall become effective on the date that the Cumberland County Board of  
32 Elections certifies the results of the election. Otherwise, that section shall have no force  
33 and effect, and the City shall not spend public monies for the downtown revitalization  
34 designated."

35 Section 2. This act is effective when it becomes law.