

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 871

Short Title: Badin Incorporated.

(Local)

Sponsors: Representatives Barbee; Privette, Loflin, and Tallent.

Referred to: Government.

March 27, 1989

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

4 The General Assembly of North Carolina enacts:

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

6 "CHARTER OF THE TOWN OF BADIN.

7 "CHAPTER I.

8 "INCORPORATION AND CORPORATE POWERS.

9 "Section 1.1. Incorporation and corporate powers. The inhabitants of the Town of
10 Badin are a body corporate and politic under the name 'Town of Badin'. Under that
11 name they have all the powers, duties, rights, privileges, and immunities conferred and
12 imposed upon 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 law, the boundaries
16 of the Town of Badin are as follows:

17 BEGINNING at a point #1 on contour at elevation 541 feet Yadkin, Inc., datum,
18 which is the maximum normal water surface elevation of the Narrows Reservoir, and
19 South 78-05 East 845 feet from the centerline of Tower No. 7 on the line from the
20 Narrows Powerhouse to Alcoa's plant at Badin;

21 Thence South 18-55 East 1510 feet, point of centerline of Pine Street, Corner No. 2;

22 Thence meanders centerline of Hog Pen Road in a southwesterly direction a distance
23 of 3430 feet, more or less, to a point at the intersection of Hog Pen and Falls Road,
24 Corner No. 3;

1 Thence meanders centerline of Falls Road in a northwesterly direction a distance of
2 1230 feet, more or less, to a point in the centerline of Falls Road, Corner No. 4;
3 Thence South 29-09 West 305 feet, Corner No. 5;
4 Thence South 73-30 West 698.5 feet, Corner No. 6;
5 Thence South 06-23 East 562.8 feet, Corner No. 7;
6 Thence South 27-55 West 905.4 feet, Corner No. 8;
7 Thence North 64-52 West 615.0 feet, Corner No. 9;
8 Thence South 03-49 East 150 feet, Corner No. 10;
9 Thence North 84-00 West 5 feet, Corner No. 11;
10 Thence South 03-49 East 80 feet, Corner No. 12;
11 Thence South 86-11 West 143 feet, Corner No. 13;
12 Thence South 03-49 East 370 feet, Corner No. 14;
13 Thence South 03-28 East 446 feet, Corner No. 15;
14 Thence South 05-15 East 630 feet, Corner No. 16;
15 Thence due West 2362 feet, more or less, to a point in the centerline of Little Mt.
16 Creek, Corner No. 17;
17 Thence meanders the centerline of Little Mt. Creek in a northwesterly direction a
18 distance of 4190 feet, more or less, Corner No. 18;
19 Thence North 35-11 West 319 feet, Corner No. 19;
20 Thence North 89-21 West 446 feet, Corner No. 20;
21 Thence North 58-19 West 1121 feet, Corner No. 21;
22 Thence North 32-24 East 1193 feet, Corner No. 22;
23 Thence North 03-01 East 1385 feet, Corner No. 23;
24 Thence North 39-20 East 2295 feet, Corner No. 24;
25 Thence South 50-40 East 820 feet, Corner No. 25;
26 Thence North 39-30 East 1270 feet, more or less, to a point on the southwest right of
27 way of Highway No. 740, Corner No. 26;
28 Thence meanders the southwest right of way of Highway No. 740 in a southeasterly
29 direction a distance of 1695 feet, more or less, to a point, said point being on the right of
30 way of Highway No. 740 and Alcoa's railroad, Corner No. 27;
31 Thence meanders the eastern right of way of Alcoa's railroad in a northeasterly
32 direction a distance of 3995 feet, more or less, Corner No. 28;
33 Thence North 70-00 East 65 feet, more or less, to a point on the Narrows Reservoir
34 at elevation 541 feet, Yadkin, Inc., datum, which is the maximum normal water surface
35 elevation of said reservoir, Corner No. 29;
36 Thence meanders the 541 contour southwesterly, northeasterly and southeasterly
37 direction a distance of 10,680 feet, more or less, to a point on said contour, point of
38 beginning.

"CHAPTER III.

"GOVERNING BODY.

41 "Sec. 3.1. Structure of governing body; number of members. The governing body of
42 the Town of Badin is the Town Council, which has five members.
43 "Sec. 3.2. Manner of electing board. The qualified voters of the entire Town elect
44 the members of the Council.

1 "Sec. 3.3. Term of office of Council members. Members of the Town Council are
2 elected to four-year terms, except at the initial election in 1989, the three highest vote
3 getters shall be elected to four-year terms, and the next two highest vote-getters shall be
4 elected to two-year terms.

5 "Sec. 3.4. Selection of Mayor; term of office. The members of the Town Council
6 shall, from among their members, elect the Mayor at their organizational meeting to
7 serve a two-year term.

8 **"CHAPTER IV.**

9 **"ELECTIONS.**

10 "Sec. 4.1. Conduct of Town elections. The Town Council shall be elected on a
11 nonpartisan basis and the results determined by the plurality method as provided by
12 G.S. 163-292.

13 **"CHAPTER V.**

14 **"ADMINISTRATION.**

15 "Sec. 5.1. Mayor-Council plan. The Town of Badin operates under the Mayor-
16 Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General
17 Statutes."

18 Sec. 2. Until members of the Town Council are elected in 1989 in
19 accordance with the Town Charter and the law of North Carolina, Harold Morgan, Dale
20 Ward, Nellie Bruton, Wilson Coleman, and Jerry Hudson shall serve as members of the
21 Town Council. They shall elect a Mayor from among their membership to serve until
22 the organizational meeting after the 1989 Town election.

23 Sec. 3. From and after July 1, 1989, the citizens and property in the Town of
24 Badin shall be subject to municipal taxes levied for the year beginning July 1, 1989, and
25 for that purpose the Town shall obtain from Stanly County a record of property in the
26 area herein incorporated which was listed for taxes as of January 1, 1989, and the
27 businesses in the town shall be liable for privilege license tax from the effective date of
28 the privilege license tax ordinance. The Town may adopt a budget ordinance for fiscal
29 year 1989-90 without following the timetable in the Local Government Budget and
30 Fiscal Control Act.

31 Sec. 4. (a) The Stanly County Board of Elections shall conduct an election on
32 a date set by it, to be not less than 60 nor more than 120 days after the date of
33 ratification of this act, for the purpose of submission to the qualified voters of the area
34 described in Section 2.1 of the Charter of Badin, the question of whether or not such
35 area shall be incorporated as Badin. Registration for the election shall be conducted in
36 accordance with G.S. 163-288.2.

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

38 "[] FOR Incorporation of Badin

39 [] AGAINST Incorporation of Badin".

40 Sec. 5. In such election, if a majority of the votes cast are not cast "FOR
41 Incorporation of Badin", then Sections 1 through 3 of this act shall have no force and
42 effect.

1 Sec. 6. In such election, if a majority of the votes cast shall be cast "FOR
2 Incorporation of Badin" then Sections 1 through 3 of this act shall become effective on
3 the date that the Stanly County Board of Elections determines the result of the election.

4 Sec. 7. This act is effective upon ratification.