

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 299*

Short Title: Incorporate Lewisville.

(Local)

Sponsors: Senators Kaplan, Ward, and Shaw.

Referred to: Local Government and Regional Affairs.

March 27, 1991

A BILL TO BE ENTITLED

AN ACT TO INCORPORATE THE TOWN OF LEWISVILLE IN FORSYTH
COUNTY.

The General Assembly of North Carolina enacts:

Section 1. A charter for the Town of Lewisville is enacted to read:

"CHARTER OF THE TOWN OF LEWISVILLE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Lewisville are a body corporate and politic under the name 'Town of Lewisville.' Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on municipal corporations, currently or hereinafter enacted, by the North Carolina Constitution, the general law of North Carolina and this Charter.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2-1. **Town Boundaries.** Until modified in accordance with the law, the boundaries of the Town of Lewisville are as follows:

Beginning at a point, said point being the northeast corner of Tax Lot 35C Tax Block 4425; thence along the east line of Tax Lot 35C to the northern terminus of Ketner Road (SR 1316); thence along the northern terminus of said Ketner Road to the southeast corner of Tax Lot 35C Tax Block 4425; thence along a line parallel to the centerline of Ketner Road (SR 1316) and thirty feet (30') west measured normal to the centerline to a point in the north right of way of Shallowford Road (SR 1001), said point being the southeast corner of Tax Lot 52A Tax Block 4425; thence south to a point in the south

1 right of way of said Shallowford Road (SR 1001) and in the north line of Tax Lot 44
2 Tax Block 4429; thence along the south right of way line of Shallowford Road (SR
3 1001) to the northwest corner of Tax Lot 4B Tax Block 4429; thence south along the
4 west line of Tax Lot 4B Tax Block 4429 to the northeast corner of Tax Block 4426 and
5 the northeast corner of Tax Lot 1D Tax Block 4426; thence southward along the
6 common boundary line of Tax Blocks 4426 and 4429 to a point in the north line of Tax
7 Block 4431, said point being the southeast corner of Tax Lot 1K Tax Block 4426;
8 thence along the south boundary of Tax Block 4429 to the northeast corner of Tax Lot
9 15 Tax Block 4431; thence south along the easterly line of Tax Lot 15 Tax Block 4431
10 to the westerly right of way of Styers Ferry Road (SR 1103); thence along the westerly
11 right of way line of Styers Ferry Road (SR 1103), said line thirty feet (30') normal to
12 and parallel with the centerline of Styers Ferry Rd. (SR 1103), to the southeast corner of
13 Tax Lot 2 Tax Block 4431; thence crossing US Highway 421 on a line thirty feet (30')
14 west of the centerline of said Styers Ferry Road, said line measured normally to and
15 parallel with the centerline of Styers Ferry Road (SR 1103), and continuing to the
16 southerly right of way line of US Highway 421; thence westerly along the southern right
17 of way line of US Highway 421 to the northwest corner of Tax Lot 41J Tax Block 4433;
18 thence crossing Reynolds Road (SR 1160) to a point thirty feet (30') west of the
19 centerline of said road and on a line normal to the west line of Tax Lot 41J Tax Block
20 4433; thence along the west right of way line of Reynolds Road (SR 1160), said right of
21 way line being thirty feet (30') normal to and parallel with the centerline of said road, to
22 the southeast corner of Tax Lot 3 Tax Block 4433B; thence along the northwesterly
23 right of way line of Styers Ferry Road (SR 1100), said right of way line being thirty feet
24 normal to and parallel with the centerline of said road, crossing the termini of Westland
25 Lane, Lasley Road (SR 1161) and Dull Road (1170) to the southeast corner of Tax Lot
26 37G Tax Block 4405; thence, along the southerly boundaries of Tax Lot 37G Tax Block
27 4405 to the southeast corner of Tax Lot 618 Tax Block 445; thence along the south
28 boundary of Tax Lot 618 Tax Block 4405 to the southwest corner of Tax Lot 618 Tax
29 Block 4405; thence south along the boundary line of Tax Lots 82K and 26A Tax Block
30 4405 to the southerly corner of Tax Lot 26A Tax Block 4405; thence along the
31 southwesterly and northwesterly boundary line of Tax Lot 26A Tax Block 4405; thence
32 southwesterly and south along the boundary line of Tax Lots 26B and 17U to the
33 common corner of Tax Lots 17U and 26B tax Block 4405; thence west along the
34 boundary of Tax Lots 28 and 17U Tax Block 4405; thence southwest along the common
35 boundary line of Tax Lots 28 and 17U Tax Block 4405 to the common corner of Tax
36 Lots 28, 10, and 17U Tax Block 4405; thence along the south and southwest boundary
37 of Tax Lot 17U Tax Block 4405 then falling in with the south and northern boundary of
38 Tax Block 4405C to the run of Ellison Creek; then along the current run of Ellison
39 Creek as it meanders generally southwesterly through Tax lot 1011 Tax Block 4407
40 beginning at the east boundary of Tax Block 4407A thence along the southerly and
41 westerly boundary of Tax Block 4407, 4407B and 4408 to the northwest corner of Tax
42 Lot 101 Tax Block 4407A said point being the southerly terminus of Crashore Drive (Sr
43 1168); thence westerly to the southeasterly corner of Tax Lot 110 Tax Block 4408;
44 thence along the southerly lines of Tax Lots 110 and 108B Tax Block 4408 to the

1 southwesterly corner of Tax Lot 108B tax Block 4408; thence northerly along the
2 westerly boundary lines of Tax Lots 108B, 10 and 9A Tax Block 4408 to the common
3 corner of Tax Lots 9A and 9B tax block 4408; said corner being in the southerly margin
4 of Styers Ferry Road (SR 1166), said right of way line being taken as thirty feet (30')
5 normal to and parallel with the centerline of said road to a point in the southerly right of
6 way of Styers Ferry Road (SR 1166), said point being opposite the common corner of
7 Tax Lots 30 and 29 Tax Block 4408 and falling in with the southerly and west lines of
8 Tax Lot 30 Tax Block 4408 to a corner of Tax Lot 10 Tax Block 4470; thence along the
9 west and northerly line respectively of Tax Block 4470 to the northeast corner of Tax
10 Lot 8 Tax Block 4470, said corner being in the west line of Tax Lot 1N Tax Block
11 4407; thence north along the west line of Tax Lot 1N Tax Block 4407 falling in with the
12 east line of Tax Block 4408 and crossing Concord Church Road (SR1171) to the
13 common corner of Tax Blocks 4407 and 4450 in the easterly line of Tax Block 4408;
14 thence continuing northwardly along the common boundary of Tax Blocks 408 and
15 4450 to a point the southwesterly terminus of Weinstock Street and a common corner of
16 Tax Lot 203 Tax Block 4438 and Tax Lot 10 Tax Block 4450; thence counter clockwise
17 around the southerly and easterly boundary of Tax Lot 203 Tax Block 4438 to the
18 northeast corner of Tax Lot 203 Tax Block 4438 and being in the southerly line of Tax
19 Lot 102D Tax Block 4438; thence along the southerly line of Tax Lot 102D Tax Block
20 4438 and falling in with the north boundary line of Tax Block 4449 to the northeast
21 corner of Tax Block 4449 and in the west line of Tax Lot 101C Tax Block 44348;
22 thence north along the west line of Tax Lots 101C and 101D Tax Block 4438 and
23 crossing Doubs Road (SR 1172) to the northwest corner of Tax Lot 101D Tax Block
24 4438 and in the south line of Tax Lot 504 Tax Block 4438A falling in with the south
25 line of Tax Lot 14N Tax Block 4438 to the southwest corner of Tax Lot 14N Tax Block
26 4438; thence along the westerly boundary of Tax Lot 14N Tax Block 44348 to the
27 northwest corner of Tax Lot 14N Tax Block 4438 and a corner with Tax Lot 23 Tax
28 Block 4438A, the southern terminus of Lewisville Trails Road (SR3713); thence along
29 the boundary of Tax Block 4438A crossing the southern terminus of Lewisville Trails
30 Road (SR3713) and continuing clockwise along said boundary to the northeasterly
31 corner of Tax Lot 15 Tax Block 4438 in the southerly right of way of William Road (SR
32 1173); thence crossing said road to the northerly right of way line; thence along the
33 northerly right of way line of Williams Road (SR 1173), said line being thirty feet (30')
34 normal to and parallel with the centerline of said Williams Road (SR 1173), to the
35 common corner of Tax Lots 303 and 33C Tax Block 4437; thence north along the
36 common boundary of Tax Lots 303 and 33C Tax Block 4437 to the common corner of
37 Tax Lots 303 and 33C Tax Block 4437 in the southerly right of way of US Highway
38 421; thence crossing the US Highway 421 to the common corner of Tax Lots 36B and
39 33B Tax Block 4437 in the northerly right of way of US Highway 421; thence along the
40 northerly right of way of US Highway 421 to the run of an un-named stream at its
41 juncture with the northerly right of way line of US Highway 421; thence with the run of
42 said un-named stream northeasterly crossing Tax Lot 31C Tax Block 4437 to a common
43 corner of Tax Lots 18D and 18J Tax block 4437; thence along the common boundaries
44 of Tax Lot 18D and Tax Lots 18J, 18G and 18J respectively Tax Block 4437 to the

1 common corner of Tax Lots 18D and 18J Tax Block 4437 in the south right of way of
2 Shallowford Road (SR 1001); thence crossing Shallowford Road (SR1001) to the
3 southeast corner of Tax Lot 6 Tax Block 4436 and continuing along the east boundary
4 of said tax lot north to the northwest corner of Tax Lot 105 Tax Block 4436 in the south
5 line of Tax Lot 107 Tax Block 4436; thence northeasterly along the south line of Tax
6 Lot 107 Tax Block 4436 to a common corner of Tax Lots 107 and 1 Tax Block 4436 in
7 the boundary line of Tax Blocks 4436 and 4612; thence along said boundary line
8 northwardly to the northeast corner of Tax Lot 108 Tax Block 4436; thence along the
9 north lines of Tax Lot 108 Tax Block 4436 to the easterly margin of Conrad Road
10 (SR1305), the northwest corner of Tax Lot 108 Tax Block 4436; thence southwardly
11 along the east right of way line of Conrad Road (SR 1305), said line being thirty feet
12 (30') normal to and parallel with the center line of Conrad Road (SR1305), to a point in
13 the north line of Tax Lot 17 Tax Block 4609 and being in the north line of Tax Block
14 4609; thence along the common boundary line of Tax Blocks 4609 and 4436 clockwise
15 to a point in the east margin of Conrad Road (SR1305) at or near the southeast corner of
16 Tax Lot 17 Tax Block 4609; thence crossing Conrad Road (SR1305) with the south line
17 of Tax Lot 17 Tax Block 4609 to the southwest corner of Tax Lot 17 Tax Block 4609;
18 thence north along the west line of Tax Lot 17 Tax Block 4609 and falling in with the
19 common boundary line between Tax Blocks 4436 and 4609 to the northwest corner of
20 Tax Lot 13 Tax Block 4436 in the east line of Tax Lot 402 Tax Block 4609, also being
21 the southwesterly corner of Tax Lot 8C Tax block 4609; thence northerly with the
22 westerly line of Tax Lot 8C Tax Block 4609 to the southeast corner of Tax Lot 16C Tax
23 Block 4608; thence northwardly along the east line of Tax Lot 16C Tax Block 4608 and
24 falling in with the easterly line of Tax Lot 16D Tax Block 4608 to the northeast corner
25 of said Tax Lot; thence west along the north boundary of Tax Lot 16D Tax Block 4608
26 to the common corner of Tax Lots 5 and 6 Tax Block 4608 in the north line of Tax Lot
27 16D Tax Block 1608; thence along the boundary of Tax Lots 5 and 6 Tax Block 4608 to
28 a common corner of said Tax Lots in the west margin of Conrad Road (SR 1305);
29 thence crossing Conrad Road (SR 1305) to a common corner of Tax Lots 5 and 12A
30 Tax Block 4608; thence north along the east right of way line of Conrad Road (SR
31 1305), said right of way line being thirty feet (30') normal and parallel to the centerline
32 of said road, to the northwesterly corner of Tax Lot 12A Tax Block 4608, said corner
33 taken as thirty feet (30') south of the centerline of Grapevine Road (SR 1312); thence
34 with the southerly right of way line of Grapevine Road (SR 1312), said line being thirty
35 feet (30') normal to and parallel with the centerline of Grapevine Road (SR 1312), to a
36 point in the southerly right of way of Grapevine Road (SR 1312) and in the north
37 boundary of Tax Lot 504 Tax Block 4612; thence on a line normal to the centerline of
38 Grapevine Road (SR 1312) and falling in with the westerly line of Tax Lot 14 Tax
39 Block 4608; thence east to the northeast corner of Tax Lot 14 Tax Block 4608 and a
40 corner with Tax Block 4608 in the west line of Tax Lot 13 Tax Block 4608; thence
41 along the west line of Tax Lot 13 Tax Block 4608 to the northwest corner of Tax Lot 13
42 Tax Block 4608, said corner lying in the southerly line of Tax Block 4607; thence along
43 the southern boundary line of Tax Block 4607 east to a Tax Block corner north of Tax
44 Lot 21 Tax Block 4608A; thence continuing along the boundary of Tax Block 4608A

1 clockwise to the common corner of Tax Blocks 4608A, 4615 and 4613; thence
2 eastwardly along the boundary line of Tax Blocks 4615 and 4613 to the southeast corner
3 of Tax Lot 6 Tax Block 4615 in the north line of Tax Lot 51C Tax Block 4613; thence
4 continuing along the north boundary line of Tax Lots 51C and 52 Tax Block 4613 to the
5 northeast corner of Tax Lot 52 Tax Block 4613 and the northwest corner of Tax Block
6 4662; thence along the north line of Tax Block 4662 to the northeast corner of Tax Lot
7 21 Tax Block 4662 and northwest corner of Tax Lot 7D Tax Block 4613; thence along
8 the northerly line of Tax Lot 7D Tax Block 4613 to the northeast corner of said lot in
9 the west margin of Lewisville-Vienna Road (SR 1308); thence crossing Lewisville-
10 Vienna Road (SR 1308) and falling in with the south line of Tax Block 4661 to a point,
11 the northeast corner of Tax Lot 1F Tax Block 4613 and also being a corner of Tax
12 Block 4613; thence south along the east boundary line of Tax Block 4613 to a common
13 corner of Tax Blocks 4613 and 4615 in the north boundary line of Tax Block 4614;
14 thence south along the east boundary of Tax Lot 104 Tax Block 4614; thence south
15 along the east boundary of Tax Lot 5N Tax Block 4614 to the southeast corner of said
16 Tax Lot and continuing southward to the centerline of Marshall Road (SR 1311); thence
17 east with the centerline of said road to the west line of Tax Lot 108 Tax Block 4614;
18 thence south along the west boundary of Tax Lot 108 Tax Block 4614 to the northwest
19 corner of Tax Lot 4C tax Block 4614; thence clockwise around Tax Lot 4C Tax Block
20 4614 to the northeast corner of Tax Lot 15 Tax Block 4681; thence east along the north
21 boundary line of Tax Block 4681 to the common corner of Tax Blocks 4681, 4614 and
22 4619; thence south along the boundary line of Tax Blocks 4681 and 4619 falling in with
23 the boundary line of Tax Blocks 4616 and 4619 to the common corner of Tax Blocks
24 4616 and 4619 in the north line of Tax Block 4425A; thence clockwise with the
25 boundary of Tax Blocks 4425A and 4619 to the common corner of Tax Lots 117V and
26 44 Tax Block 4425A; thence east along the boundary line of Tax Blocks 4425A and
27 4619 falling in with the boundary line of Tax Blocks 4425 and 4619 to the northeast
28 corner of Tax Lot 91J Tax Block 4425; thence clockwise along the common boundary
29 line of Tax Blocks 4425 and 4619 to the point and place of beginning.

30 All references to lots and blocks contained herein are references to tax lots and tax
31 blocks as they are depicted on the Forsyth County Tax Maps as of February 27, 1991.

32 To the extent these boundaries reference tax lots and blocks, the reference refers to
33 corners and boundaries of the properties as more particularly described on the recorded
34 instruments from which the tax lots or blocks were created, and these recorded
35 instruments are incorporated herein by reference for purposes of this boundary
36 description.

37 An accurate description or map of the boundaries of the Town of Lewisville shall be
38 maintained as provided in G.S. 160A-22.

39 "Sec. 2-2. **Limitation on Boundary Extension.** The Town of Lewisville shall not
40 extend its boundaries by annexation pursuant to Article 4A of Chapter 160A of the
41 General Statutes to the east of its eastern boundary as described in Section 2-1 of the
42 Charter unless such extension is affirmatively permitted by an annexation agreement
43 entered into by the Town of Lewisville and the City of Winston-Salem in accordance
44 with Article 4, Part 6 of Chapter 160A of the General Statutes.

1 "Sec. 5-1. **Town to Operate Under Council-Manager Plan.** The Town of
2 Lewisville operates under the council-manager plan as provided in Part 2, Article 7 of
3 Chapter 160A of the General Statutes.

4 "Sec. 5-2. **Interim Budget.** From and after the effective date of this act, the
5 citizens and property in the Town of Lewisville shall be subject to municipal taxes
6 levied for the year beginning July 1, 1991, and for that purpose the Town shall obtain
7 from Forsyth County a record of property in the area herein incorporated which was
8 listed for taxes as of January 1, 1991. The Town may adopt a budget ordinance for
9 fiscal year 1991-92 without following the timetable in the Local Government Budget
10 and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act
11 insofar as is practical. If ad valorem taxes for fiscal year 1991-92 are adopted after
12 August 1, 1991, they shall become due and payable at par 90 days after the adoption of
13 the ordinance levying them and thereafter as if they had been due on September 1, 1991,
14 in accordance with the schedule in G.S. 105-360.

15 "CHAPTER VI.

16 "REMOVAL.

17 "Sec. 6-1. **Removal by the Governing Body.** The governing body, after a removal
18 hearing and an affirmative vote of five of its members, may remove from office a
19 member of the Town Council or the Mayor for any of the reasons set forth in Article VI,
20 Section 8 of the North Carolina Constitution. A member of the Town Council or the
21 Mayor may initiate removal by making, at a meeting of the governing body, a motion
22 calling for the removal of an officer. The motion shall specify the grounds on which
23 removal is sought. The Town Clerk shall cause written notice of the motion and copy
24 of the charges to be given to the officer against whom removal is sought at least 10 days
25 before the removal hearing. At the removal hearing, the officer shall have the right to
26 be heard in person and through counsel in the officer's defense. If a member of the
27 Town Council or the Mayor is removed, the vacancy shall be filled in accordance with
28 the provisions of G.S. 160A-63, provided that any officer so appointed must meet the
29 qualification requirements of Section 3-7 of this Charter.

30 "Sec. 6-2. **Recall.** The mayor and members of the Town Council are subject to
31 removal pursuant to this section. An officer is removed upon the filing of a sufficient
32 recall petition and the affirmative vote of a majority of those voting on the question of
33 removal at a recall election.

34 A recall petition shall be filed with the Town Clerk, who shall immediately forward
35 the petition to the board of elections that conducts elections for the Town of Lewisville.
36 A petition to recall the Mayor or a member of the Town Council shall bear the
37 signatures equal in number to at least twenty-five percent (25%) of the registered voters
38 of the Town of Lewisville.

39 The board of elections shall verify the petition signatures. If a sufficient recall
40 petition is submitted, the board of elections shall certify its sufficiency to the governing
41 body, and the governing body shall adopt a resolution calling for a recall election to be
42 held not less than 60 days nor more than 100 days after the petition has been certified to
43 the governing body. The election may be held by itself or at the same time as any other
44 general or special election within the period established in this section, and shall be held

1 governing body fails to repeal an ordinance which it has been required to reconsider, the
2 voters shall have the power to approve or reject the referred ordinance at the polls.

3 These powers comprise the referendum power.

4 "Sec. 7-2. **Commencement of Proceedings.** Five or more registered voters of the
5 Town of Lewisville may commence an initiative or referendum petition by filing with
6 the Town of Lewisville clerk an affidavit stating that they will constitute the petitioners'
7 committee and will be responsible for circulating the petition and filing it in proper
8 form.

9 "Sec. 7-3. Petitions.

10 (a) Signatures. An initiative or referendum petition shall bear the signatures
11 equal in number to at least fifteen percent (15%) of the registered voters of the Town of
12 Lewisville.

13 (b) Form and content. Within 90 days of incorporation, the governing body shall
14 by ordinance specify the form and content of a petition and procedures for initiative and
15 referendum elections, consistent with the provisions of this Charter and consistent with
16 generally recognized form and content requirements and procedures for initiative and
17 referendum petitions and elections.

18 (c) Time for filing. An initiative petition may be filed at any time. A
19 referendum petition must be filed within 30 days after adoption by the governing body
20 of the ordinance sought to be reconsidered.

21 "Sec. 7-4. **Certification.** The petition shall be filed with the Town Clerk and
22 signatures shall be verified by the board of elections conducting elections for the Town.
23 The governing body shall by ordinance adopt reasonable, generally recognized
24 procedures for certifying the sufficiency of a petition. The governing body shall
25 provide in the ordinance reasonable time limits for completing the certification of
26 sufficiency of the petition.

27 "Sec. 7-5. **Suspension of Effectiveness of Referred Ordinance.** When, within the
28 time allowed, a referendum petition is filed with the Town Clerk, the effectiveness of
29 the ordinance sought to be reconsidered is suspended. The suspension of the
30 effectiveness of the ordinance shall terminate when:

- 31 (1) There is a final determination that the petition is insufficient;
- 32 (2) The petitioners' committee withdraws the petition as set forth in
33 Section 7-7 of this Charter; or
- 34 (3) The Board of Elections certifies that the repeal of the ordinance has
35 been rejected in an election.

36 "Sec. 7-6. Consideration by Town Council and Submission to Vote.

37 (a) When an initiative or referendum petition has been finally determined to be
38 sufficient, the governing body shall promptly consider it.

39 (b) With respect to ordinances, except ordinances proposing a change to a form
40 of government not set forth in G.S. 160A-101, if the governing body fails to adopt
41 without substantive change an ordinance proposed by initiative petition or fails to repeal
42 a referred ordinance within 60 days after the date on which the petition was certified as
43 sufficient, the Town Council shall cause the proposed ordinance or the referred
44 ordinance to be submitted to the voters of the Town of Lewisville. The vote on the

1 proposed ordinance or the referred ordinance shall be held within 150 days of the date
2 on which the petition was certified as sufficient.

3 (c) With respect to a change to a form of government not set forth in G.S. 160A-
4 101, if the governing body fails within 90 days to propose to the appropriate legislative
5 delegation adoption of the form of government set forth in the initiative petition, the
6 governing body shall cause the proposed new form of government to be submitted to the
7 voters of the Town of Lewisville. The vote on the proposed new form of government
8 shall be held within 180 days of the date on which the petition was certified as
9 sufficient.

10 "Sec. 7-7. **Withdrawal of Petition.** The petitioners' committee, being those
11 registered voters named in the affidavit commencing the initiative or referendum, may
12 withdraw the initiative or referendum petition at any time prior to the 15th day
13 immediately preceding the day scheduled for a vote on the proposed or referred
14 ordinance. The written request for withdrawal shall be signed by at least eighty percent
15 (80%) of the members of the petitioners' committee and must be filed with the Town
16 Clerk. The filing of the request withdraws the petition. A withdrawn petition has no
17 further effect and all proceedings are terminated.

18 "Sec. 7-8. Results of Elections.

19 (a) Initiative.

20 (1) With respect to ordinances, except ordinances proposing a change to a
21 form of government not set forth in G.S. 160A-101, if a majority of
22 those voting in an initiative election approve the proposed ordinance, it
23 shall become an ordinance of the Town of Lewisville on the date the
24 results of the election are certified or a later effective date specified in
25 the proposed ordinance, provided that the governing body may make
26 nonsubstantive changes to the ordinance that it deems necessary or
27 desirable.

28 (2) With respect to a change to a form of government not set forth in G.S.
29 160A-101, if a majority of those voting in an initiative election with
30 respect to a new form of government approve the proposed form of
31 government, then the governing body shall propose to the appropriate
32 legislative delegation adoption of the approved form of government as
33 the government of the Town of Lewisville.

34 (b) Referendum. If a majority of those voting in a referendum election approve
35 the repeal of the referred ordinance, it is repealed on the date the results of the election
36 are certified. If less than a majority of those voting in the election approve the repeal of
37 the ordinance, the ordinance is an ordinance of the Town of Lewisville and shall
38 become effective on the date the results of the election are certified or a later effective
39 date specified in the referred ordinance.

40 "CHAPTER VIII.

41 "MISCELLANEOUS.

42 "Sec. 8-1. **Effective Date.** If all the terms of the local act authorizing the
43 incorporation of the Town of Lewisville have been met, this Charter becomes effective
44 and the Town of Lewisville shall be incorporated effective June 28, 1991, or such later

1 date as the conditions are met. Notwithstanding whether the Town of Lewisville is
2 incorporated on or before June 30, 1991, the Town of Lewisville is eligible to receive
3 distributions of funds payable by the State of North Carolina for fiscal year 1991-92, as
4 if the Town of Lewisville had been incorporated with an effective date of June 30, 1991,
5 or earlier.

6 "Sec. 8-2. **Savings Clause.** If any part of this Charter is declared invalid by a court
7 of competent jurisdiction, such judgment shall not invalidate the remainder of this
8 Charter. All laws and ordinances not consistent with this Charter, insofar as they affect
9 the Town of Lewisville, are superseded by this Charter.

10 "Sec. 8-3. **Expenses.** The entities sponsoring incorporation shall be entitled to
11 recover from the Town expenses of sponsoring incorporation, provided that the entities
12 seeking recovery shall submit written requests for reimbursement and shall be subject to
13 annual audit."

14 Sec. 2. (a) The Forsyth County Board of Elections shall conduct an election
15 on a date set by it, to be not less than 60 nor more than 120 days after the date of
16 ratification of this act, for the purpose of submission to the qualified voters of the area
17 described in Section 2-1 of the Charter of the Town of Lewisville, the question of
18 whether or not such area shall be incorporated as the Town of Lewisville. Registration
19 for the election shall be conducted in accordance with G.S. 163-288.2.

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

21 FOR Incorporation of Lewisville

22 AGAINST Incorporation of Lewisville."

23 Sec. 3. In the election, if a majority of the votes cast are cast "FOR
24 Incorporation of Lewisville" then Section 1 of this act becomes effective on the date that
25 the Forsyth County Board of Elections determines the result of the election. Otherwise,
26 Section 1 shall not become effective.

27 Sec. 4. Until members of the Town Council and the Mayor of the Town of
28 Lewisville are elected in 1991 in accordance with the Town Charter and the laws of
29 North Carolina, Daniel R. Jennings, Henry M. Chilton, Thomas C. Voss, Lynn S.
30 Thrower, Marcia G. Enns, Kenneth M. Sadler, and Anthony J. San Filippo, shall serve
31 as members of the governing body. Henry M. Chilton is authorized to call the first
32 meeting of the interim governing body. Until a mayor is elected in 1991 in accordance
33 with the Town Charter and the laws of North Carolina, the interim governing body
34 shall, at its first meeting, elect from among its members a chairman who shall have the
35 powers of a mayor provided by general law but may vote on all matters before the
36 governing body.

37 Sec. 5. This act is effective upon ratification.