

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 888  
Second Edition Engrossed 4/21/93  
Third Edition Engrossed 5/18/93

Short Title: Enfield Charter Revision.

(Local)

Sponsors: Representative D. Brown.

Referred to: Local and Regional Government I.

April 12, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF  
3 ENFIELD.

4 The General Assembly of North Carolina enacts:

5 Section 1. The Charter of the Town of Enfield is revised and consolidated to  
6 read:

7 "TOWN CHARTER.

8 "CHAPTER I.

9 "INTRODUCTION.

10 "Section 1-1. **Enfield to Remain Body Politic and Corporate.** The inhabitants of  
11 the Town of Enfield as the boundaries and limits of the said Town are herein  
12 established, shall be and constitute as heretofore they have been, a body politic,  
13 incorporated under and to be known by the name and style of the 'Town of Enfield',  
14 with such powers, rights, and duties as are herein provided or as are provided by general  
15 law.

16 "Sec. 1-2. **Corporate Limits.** The corporate limits of the Town of Enfield are as  
17 follows: Beginning at a point on the northerly side of East Franklin Street, said point  
18 being located exactly twenty-five hundred feet easterly down said street from the center  
19 of the southbound (original) track of the Atlantic Coast Line Railroad; thence  
20 south forty-two degrees thirteen minutes sixteen seconds west (calling as of July 1,  
21 1986) and in a line parallel with and twenty-five hundred feet easterly from said railroad

1 four thousand three hundred twenty three and forty one hundredths feet to an iron stake  
2 located on map 129 lot 31; thence north forty-seven degrees forty-six minutes forty-four  
3 seconds west (calling as of July 1, 1986) along the southerly edge of Randolph Street  
4 and beyond the end of said street for a total distance of forty-eight hundred feet to an  
5 iron stake; thence north forty-two degrees thirteen minutes sixteen seconds east (calling  
6 as of July 1, 1986) one thousand ninety-five and thirty-three one hundredths feet to an  
7 iron stake located approximately one hundred fifty feet westerly from the western edge  
8 of Holliday Drive; thence north seven degrees forty-five minutes fourteen seconds west  
9 (calling as of July 1, 1986) eight hundred fifty-six and twenty-eight one hundredths feet  
10 to an iron stake at the southerly edge of the right-of-way of N.C. Highway 481; thence  
11 north seventy-eight degrees forty-five minutes fifty-three seconds east along the  
12 southerly edge of N.C. Highway 481 (calling as of July 1, 1986) six hundred seventy-  
13 seven and ninety-six one hundredths feet to an iron stake; thence crossing said highway  
14 and running along the easterly edge of the Enfield-Ringwood Road (N.C. Secondary  
15 Road No. 1002) north sixty-four degrees eleven minutes fifty-four seconds west (calling  
16 as of July 1, 1986) four hundred forty-one and forty-eight one hundredths feet to a ditch;  
17 thence continuing along the easterly edge of the right-of-way of said Enfield-Ringwood  
18 Road (N.C. Secondary Road No. 1002) north sixty-four degrees twelve minutes fifteen  
19 seconds west (calling as of July 1, 1986) seven hundred thirty-six and seventy one  
20 hundredths feet to an iron stake just beyond the road leading to the Enfield Middle  
21 School athletic field; thence leaving said Enfield-Ringwood Road (N.C. Secondary  
22 Road No. 1002) and running north 00 degrees forty-eight minutes fifty-four seconds  
23 west (calling as of July 1, 1986) four hundred seventy-four and thirty one hundredths  
24 feet to an iron stake just beyond the point that said road makes an easterly turn; thence  
25 north eighty-three degrees forty-one minutes fourteen seconds east (calling as of July 1,  
26 1986) along the road leading to the back of the Enfield Middle School building one  
27 thousand four hundred eighty-five and seventy-seven one hundredths feet to an iron  
28 stake located just north of said school; thence north seventy-seven degrees twenty-six  
29 minutes fourteen seconds east (calling as of July 1, 1986) eleven hundred feet to a stake  
30 in Elmwood Cemetery; thence north eighty-seven degrees twenty-two minutes twenty  
31 seconds east (calling July 1, 1986) two hundred forty-seven and forty-four one  
32 hundredths feet to an iron stake at the westerly edge of Franklin Street (N.C. Secondary  
33 Road No. 1001); thence crossing said Franklin Street (N.C. Secondary Road No. 1001)  
34 and running north forty-two degrees thirteen minutes sixteen seconds east (calling as of  
35 July 1, 1986) one thousand seven hundred sixty-six and ten one hundredths feet to an  
36 iron stake; thence north seventy-one degrees thirty-eight minutes sixteen seconds east  
37 (calling as of July 1, 1986) one thousand thirty feet to an iron stake; thence south forty-  
38 seven degrees forty-six minutes forty-four seconds east (calling as of July 1, 1986)  
39 twenty-five hundred feet to an iron stake; thence south ten degrees thirteen minutes  
40 sixteen seconds west (calling as of July 1, 1986) three thousand two hundred twenty feet  
41 to the beginning.

42 **"CHAPTER II.**

43 **"GENERAL ADMINISTRATION.**

1 "Sec. 2-1. Powers of Town Vested in Mayor and Commissioners; Mayor to Vote in  
2 Case of Tie; Mayor Pro Tem; Vacancies.

3 (a) All powers conferred upon the Town of Enfield and the administration of the  
4 government thereof shall be exercised by and vested in a principal executive officer  
5 styled the Mayor, and five Commissioners, who shall serve in a legislative capacity and  
6 who are designated the Board of Town Commissioners. All elections shall be  
7 nonpartisan with winners determined by a plurality.

8 (b) For purposes of Town elections, the Town is divided into two districts.  
9 District A consists of the area east of the CSX railroad tracks Precinct No. 2 and District  
10 B consists of the area west of the railroad tracks.

11 (c) Elections for Commissioners shall be conducted as follows:

12 (1) Two Commissioners shall be elected to represent District A for four-  
13 year terms. One shall be elected in 1993 and every four years  
14 thereafter. The other shall be elected in 1995 and every four years  
15 thereafter. Only voters residing in District A shall be eligible to vote  
16 for these seats.

17 (2) Two Commissioners shall be elected to represent District B for four-  
18 year terms. Only voters residing in District B shall be eligible to vote  
19 for these seats. One shall be elected in 1993 and every four years  
20 thereafter. One shall be elected in 1995 and every four years  
21 thereafter.

22 (3) One Commissioner shall be elected at large by all the voters of the  
23 Town. That Commissioner shall be elected in 1995 and every four  
24 years thereafter.

25 (e) Commissioners presently on the Board are entitled to serve the remainder of  
26 their terms.

27 (f) Elections for Mayor shall be held in 1993 and every four years thereafter. All  
28 voters in the Town shall be eligible to vote for Mayor.

29 (g) The Mayor shall be the ex-officio Chairman of the Board of Town  
30 Commissioners and shall have a right to vote in all cases where there is a tie vote of the  
31 Board. The Board shall elect from its members a Mayor Pro Tem who shall perform the  
32 duties of the office of Mayor if for any reason the Mayor is absent or unable to perform  
33 those duties. If there is a vacancy in the office of Mayor, the Mayor Pro Tem shall hold  
34 the office of Mayor until the next regularly scheduled election for Town officers, at  
35 which time a new Mayor shall be elected to serve the remainder of the unexpired term.

36 (h) Whenever a vacancy occurs in the Board of Town Commissioners, the  
37 remaining members of the Board shall appoint a person to fill the vacancy for the  
38 remainder of the unexpired term. The person appointed to fill the vacancy must reside  
39 in the same District as the departing member.

40 (i) A majority of the Board shall constitute a quorum at any meeting.

41 "Sec. 2-2. **Mayor and Commissioners to Take Oath; Officers May Be Removed**  
42 **From Office by Board.** The Mayor and the Board of Town Commissioners of the  
43 Town of Enfield shall before they enter upon the duties of their offices, each take the  
44 oath prescribed for public officials of the State of North Carolina; and, in case any of

1 the officers shall be guilty of misconduct, inability, or willful neglect of the  
2 performance of the duties of said office, the officer may be removed from office by the  
3 Board of Town Commissioners of the Town of Enfield, after being given an opportunity  
4 to be heard in defense, in person or by counsel.

5 "Sec. 2-3. **Board May Appoint Officers.** The Board of Town Commissioners may  
6 employ or appoint any other official by whatever name designated as it may deem best  
7 for the better administration of the laws and ordinances of the Town and for the  
8 preservation and protection of the citizenry, the health, and the property of the Town.  
9 These officers may be required to execute a bond for the faithful performance of the  
10 duties of their respective offices in a sum fixed by the Board of Town Commissioners;  
11 the Board shall prescribe the terms of their offices and their duties and fix their salaries  
12 and compensation.

13 "Sec. 2-4. Town Administrator: Appointments, Compensation, Powers, Duties.

14 The Board of Town Commissioners shall appoint an officer whose title shall be  
15 Town Administrator and who shall be the head of the administrative branch of the Town  
16 government. The Town Administrator shall serve at the pleasure of the Board of Town  
17 Commissioners and shall receive such salary as the Board shall fix, but will be taken  
18 from the Pay Plan of the Town of Enfield. Additional compensation either in the form  
19 of travel allowances, deferred compensation, and professional affiliation dues shall be  
20 paid at the discretion of the Board of Town Commissioners of the Town of Enfield. As  
21 Chief Administrative Officer of the Town of Enfield, the Town Administrator has the  
22 following powers and duties:

- 23 (1) The Town Administrator reports to and is held directly accountable to  
24 the Enfield Board of Town Commissioners (as a unified political  
25 body).
- 26 (2) The Town Administrator's direct Supervisor will be the Mayor of  
27 Enfield, who, when questions and problems arise, will work directly  
28 with each other.
- 29 (3) The Town Administrator will receive a yearly personnel evaluation  
30 and job review by the full Board of Town Commissioners for the  
31 Town of Enfield within 30 days of his/her employment/anniversary  
32 date.
- 33 (4) The Town Administrator's salary may be adjusted accordingly as the  
34 Board of Commissioners deem necessary. Additional work or duties  
35 may be assigned as required with no consideration made for salary  
36 increases, should the Board so desire.
- 37 (5) All departments heads, including the Town Clerk, will report directly  
38 to the Town Administrator, and the Town Administrator shall be the  
39 individual charged with direct administrative responsibility to ensure  
40 that the operation of the Town is managed in a professional manner. It  
41 shall be the responsibility of the Town Administrator to discipline,  
42 train, and evaluate Town Staff. Hiring and termination of department  
43 heads for any reason shall require prior Board approval.

1 (6) The Town Administrator shall hold department heads responsible for  
2 ensuring that each department is managed to promptly and efficiently  
3 complete regular and designated duties.

4 (7) The Town Administrator shall evaluate each department head of the  
5 Town of Enfield based on the job performance of the department and  
6 how well the department head has managed resources and personnel.  
7 This evaluation will be on an annual basis.

8 The Town Administrator shall be designated the Town Budget Officer and assigned  
9 the primary responsibility of compiling and programming the Town's Annual Budget  
10 for all funds.

11 The Board of Town Commissioners may appoint the Town Administrator to boards  
12 and committees where the presence and appointment of the Town Administrator would  
13 be in the best interest of the Town of Enfield and its citizens. This includes, but is not  
14 limited to, Economic Development Council, Regional L Council of Governments, and  
15 Halifax County Mayors and Managers Association.

16 "Sec. 2-5. **Town Clerk: Appointments, Duties.** The Board of Town  
17 Commissioners may employ a Clerk and, upon the recommendation by the Town  
18 Administrator, prescribe the term of office, duties, and fix salary. The Clerk may  
19 delegate a part of his duties to the Deputy Town Clerk and may also delegate to the  
20 various department heads the right to make purchases for their departments up to, but  
21 not in excess of, one hundred dollars (\$100.00). The Clerk shall act as Secretary to the  
22 Board of Commissioners, and he shall also issue all licenses and permits granted by the  
23 Town, such as privilege, franchise, etc., and collect the same; list and compute all taxes;  
24 collect all water and light payments; act as purchasing agent for the Town of Enfield  
25 responsible for the procurement of all property, supplies, and material of whatever kind  
26 or nature, and when so purchased the bills therefor shall be processed in a manner to  
27 effect timely payments; and to perform such other duties as may be from time to time  
28 prescribed by the Town Administrator or the Board of Commissioners of the Town of  
29 Enfield.

30 "Sec. 2-6. **Town Attorney: Qualifications, Terms, Compensation, Duties.** The  
31 Board of Town Commissioners shall appoint a Town Attorney who shall be an attorney-  
32 at-law licensed to engage in the practice of law in North Carolina. It is not required that  
33 the designee be a resident of the Town of Enfield during his tenure. The Town Attorney  
34 shall serve at the pleasure of the Board and shall receive such compensation as the  
35 Board shall determine.

36 It shall be the duty of the Town Attorney to prosecute and defend suits for and  
37 against the Town; to advise the Mayor, Board of Town Commissioners, Town  
38 Administrator, and all other Town officials with respect to the affairs of the Town; to  
39 draft all legal documents relating to the affairs of the Town; to draft proposed  
40 ordinances and resolutions when requested to do so; to inspect and pass all agreements,  
41 contracts, franchises, and other instruments with which the Town may be concerned; to  
42 attend all meetings of the Board of Town Commissioners when required by the Board;  
43 and to perform such other duties as may be required of him by virtue of his position as  
44 Town Attorney.

1       "Sec. 2-7. **Sundry Powers of Town.** The Town of Enfield is made a body politic  
2 and corporation by this act, and shall have perpetual succession, and may use a common  
3 seal, may sue and be sued; may contract and be contracted with; may plead and be  
4 impleaded in all courts and places and in all manner whatsoever; and, under such name  
5 and style of 'Town of Enfield', is hereby invested with all the property and rights of  
6 property which now belong to the corporation under any other corporate name or names  
7 heretofore used, and by this name may acquire and hold for the purpose of its  
8 government, welfare, and improvements, all such estates as may be devised,  
9 bequeathed, or conveyed to it; and may from time to time sell, dispose of, and invest as  
10 shall be deemed advisable by the proper authorities of the corporation; and may take,  
11 hold, and purchase land as may be needed for the corporate purposes of the said Town,  
12 including the right to acquire property for utility easements and constructions; and may  
13 acquire by purchase or condemnation any real estate in connection therewith, and also  
14 rights-of-way which may be necessary for the erection of poles, wires, etc., and for the  
15 purpose of laying pipes, sewer lines, etc.; and shall have the power of eminent domain  
16 and the right to condemn private property for public use when necessary to carry into  
17 effect the provisions of this Charter; and shall have the power to open, change, widen,  
18 discontinue streets when promotive of the interest of the public; and shall have the  
19 power to lay out, establish, open, alter, widen, lower, extend, grade, narrow, cleanse,  
20 care for, sell, pave, supervise, maintain, improve, establish, and ornament the streets,  
21 alleys, highways, sidewalks, squares, parks, public grounds and places, and to vacate or  
22 close the same; to put drains and sewers herein; to provide for and regulate opening  
23 thereof, the digging therein, and the interference therewith in any manner whatsoever;  
24 and may place therein pipes, poles, wires, fixtures, and appliances of every kind,  
25 whether on, above, or beneath the surface thereof; to regulate and control the use thereof  
26 by any and all persons, animals, and vehicles, in whatsoever way and purposes; to  
27 prevent, abate, and remove encroachments, obstructions, pollution, or other litter  
28 therein; to open new streets and highways and sidewalks, and to make and enforce any  
29 and all regulations in respect thereof as the Board of Town Commissioners of the said  
30 Town may deem proper or expedient to promote and ensure the health, comfort, safety,  
31 and convenience of the inhabitants or property and public of the said Town.

32       "Sec. 2-8. **Board of Commissioners May Pass Ordinances.** The Board of Town  
33 Commissioners shall have full power and authority to make ordinances, bylaws, rules,  
34 and regulations for the better government of the Town of Enfield, not inconsistent with  
35 the laws of the State of North Carolina, as the Board may deem necessary and in the  
36 interest of the public welfare, and may enforce them by imposing fines and penalties on  
37 such as violate them; and may compel the performance of the duties imposed upon  
38 others by suitable penalties.

39       "Sec. 2-9. **Duties of the Mayor.** The Mayor shall be the principal executive officer  
40 of the Town with duties as follows:

- 41           (1)    Preside at meetings of the Board of Town Commissioners.
- 42           (2)    Vote at meetings of the Board of Town Commissioners when there is a  
43                    tie.

- 1 (3) Appoint committees when needed to assist in carrying out directives or  
2 in making investigations requested by the Board of Town  
3 Commissioners.  
4 (4) Suggest programs and projects to the Board of Town Commissioners  
5 and make recommendations concerning all phases of Town business.  
6 (5) See that all duties of various Town officers are faithfully performed.  
7 (6) In time of danger or emergencies, he may take command of the police  
8 and maintain order and enforce laws, and for this purpose, may  
9 deputize such assistant policemen as may be necessary.  
10 (7) Do any and all other acts customarily done and performed by the  
11 Mayor under a Mayor-Commissioner form of government of the type  
12 provided for by this act.

13 "Sec. 2-10. **Duties of the Mayor Pro Tem.** The Board of Town Commissioners  
14 shall elect from its members, a majority of the members present, a Mayor Pro Tem.  
15 During the absence or inability of the Mayor to act, the Mayor Pro Tem shall possess  
16 the powers and discharge the duties of the Mayor. While serving in the place of the  
17 Mayor, the Mayor Pro Tem may vote as a member of the Board of Town  
18 Commissioners.

19 "Sec. 2-11. **Matters Not Provided For in Charter Governed by State Law.** All  
20 matters pertaining to the administration of the government of the Town of Enfield, and  
21 not provided for in this act, shall be governed by the general laws of the State of North  
22 Carolina.

23 "CHAPTER III.

24 "FINANCIAL.

25 "ARTICLE I.

26 "BOARD OF COMMISSIONERS.

27 "Sec. 3-1. **Board of Commissioners to Maintain Accounting System for Town.**  
28 The Board of Town Commissioners shall devise and maintain an accounting system  
29 which shall exhibit the condition of the Town assets and liabilities, the value of its  
30 several properties and state of its several funds. Said accounting system maintained  
31 shall conform to those employed by progressive business concerns and approved by the  
32 best usage, and shall conform to the requirements set out in the Local Government  
33 Budget and Fiscal Control Act, as amended, in G.S. 159-7 **et seq.** and Chapter 160A of  
34 the General Statutes; the Board of Town Commissioners shall have the power to employ  
35 accountants to assist in devising and maintaining said accounting system.

36 "Sec. 3-2. **Board of Town Commissioners to Levy and Collect Taxes.** The Board  
37 of Town Commissioners shall annually levy and cause to be collected for municipal  
38 purposes an ad valorem tax not exceeding the limit expressed in G.S. 160A-209 on all  
39 real and personal property within the municipality and for said purpose shall annually  
40 set a tax rate. In addition thereto the Board of Town Commissioners may, in its  
41 discretion, levy annually on all taxable property within the municipality any special  
42 taxes authorized under Chapter 160A of the General Statutes. The Board of Town  
43 Commissioners may annually lay a tax on all trades, professions, and franchises carried  
44 on or enjoyed within the municipality, unless prohibited from doing so by State law.

1 All taxes levied by the municipality shall be uniform as to each class of property taxed,  
2 except property exempted by the constitution. The Board of Town Commissioners may  
3 in their discretion use copies of the tax scrolls taken and prepared by Halifax County for  
4 the purpose of levying ad valorem taxes on real estate and personal property within the  
5 municipality and also for the purpose of levying dog taxes. In the levying and  
6 collecting of taxes the municipality shall have all of the rights and privileges given to  
7 and provided for municipalities in North Carolina under Chapters 105 and 160A of the  
8 General Statutes and shall adhere to and carry out all of the duties and procedures  
9 required of municipalities in those Chapters of the General Statutes.

10 **"ARTICLE II.**

11 **"TREASURER/FINANCE OFFICER AND TAX COLLECTOR.**

12 "Sec. 3-4. **Town Treasurer/Finance Officer and Tax Collector.** The Board of  
13 Town Commissioners shall appoint a Town Treasurer/Finance Officer and a Town Tax  
14 Collector, but both positions may be held by one person. The person or persons so  
15 appointed shall be bonded in an amount to be set by the Board of Town Commissioners.

16 **"ARTICLE III.**

17 **"GRANTING OF FRANCHISES.**

18 "Sec. 3-5. **Town May Grant Franchises.** The Town of Enfield may grant  
19 franchises to companies who wish to provide services to the citizens when and if the  
20 type of franchise to be granted is authorized by State law. In granting the said  
21 franchises the Town must use the procedures set out in Chapter 160A of the General  
22 Statutes.

23 **"CHAPTER IV.**

24 **"PUBLIC SAFETY**

25 **"ARTICLE I.**

26 **"POLICE.**

27 "Sec. 4-1. **Board of Commissioners May Appoint a Chief of Police.** The Board  
28 of Town Commissioners may appoint a Chief of Police, prescribe the terms of office  
29 and duties, and fix the salary or compensations, which will be taken from the Pay Plan  
30 of the Town of Enfield. The Police Chief, who may be recommended by the Town  
31 Administrator, may be chosen from among the residents of the Town of Enfield or from  
32 any other place as the said Board may deem best; however, the Chief of Police may be  
33 required to establish Enfield residency. The officers assigned to the Chief of Police  
34 may execute all process and precepts issued to them, when properly directed, anywhere  
35 in the County of Halifax, and the officers may be required by the Board of Town  
36 Commissioners to execute a bond, in a sum fixed by said Board, for the faithful  
37 performance of the duties of their office.

38 **"ARTICLE II.**

39 **"FIRE PROTECTION AND PREVENTION.**

40 "Sec. 4-2. **The Town May Establish Fire Department or Contract for Fire**  
41 **Protection.** The Board of Town Commissioners may provide for the establishment,  
42 organization, equipment, and government of a fire company or companies, or, in their  
43 discretion, may contract with an existing volunteer fire department to provide the  
44 necessary fire protection within their municipality.



**"CHAPTER V.****"MUNICIPALLY OWNED UTILITIES.**

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2  
3       **"Sec. 5-1. Town May Own and Operate Electric, Gas, Water and Sewerage**  
4 **Systems and Make Regulations for Said Operation.** The Town of Enfield may buy,  
5 own, construct, establish, maintain and operate systems of electricity, gas, sewerage,  
6 and water; and may make, regulate, and establish public wells, cisterns, hydrants,  
7 reservoir, pumping and filtering plants, pipe lines, sewerage disposal plants, stations,  
8 and standpipes anywhere within the Town or beyond the limits hereof, for the use of the  
9 Town, and may make such rules and regulations as it may deem proper for the  
10 management of said water, gas, electric, and sewer systems. The Town may require the  
11 owners, tenants, or occupants of all property which may be located upon or near any  
12 street or alley along which may extend any municipal sewer or water system to connect  
13 with the sewer and water systems, all water closets, bathrooms, privies, tubs, sinks, or  
14 drains located upon their respective property or premises, and upon failure to do so the  
15 owner, tenant, or occupant of said property may be fined or imprisoned, as provided by  
16 ordinance of the Town. The board of Town Commissioners may appoint and employ a  
17 Director of Public Works and Utilities whose duty it shall be to supervise the operation  
18 of any and all of the above systems and to supervise the maintenance of the streets and  
19 other public works carried on by the Town.

**"CHAPTER VI.****"PUBLIC WORKS.**

20  
21  
22       **"Sec. 6-1. The Town May Improve Streets and Sidewalks.** The Town of Enfield  
23 may grant and improve its public streets and sidewalks and may employ such person or  
24 persons as it may deem necessary for the purpose of constructing and improving said  
25 streets and sidewalks and may pave and improve the same in such manner and with  
26 such material as the Board of Town Commissioners may in their discretion deem best;  
27 and it may construct such drainage and gutters along the streets and across the sidewalks  
28 and through the lands of the abutting owners as the officials of the Town may deem to  
29 be the best interest of the public. Persons interfering in any way with such  
30 improvements or drainage or with the officers or employees of the Town while it works  
31 upon the same, shall be fined for each offense not more than fifty dollars (\$50.00) or  
32 imprisoned not more than 30 days, as provided by ordinance of the Town.

33       **"Sec. 6-2. Town May Assess Abutting Property Owners One-half Cost of**  
34 **Streets and Sidewalks.** The Town of Enfield may charge the owners of abutting  
35 property one-half the cost of curbing and guttering and of paving and surfacing  
36 sidewalks and streets and the same shall be a specific lien upon said abutting property  
37 against all and every owner, mortgagee, trustee or lessee thereof, and if the said costs  
38 are not paid within 90 days after the completion of the said work or if satisfactory  
39 arrangements have not been made under the provisions hereinafter contained, the same  
40 may be enforced and collected by suit instituted by the Town of Enfield in a Magistrates  
41 Court, a District Court, or the Superior Court, where the owners and other interested  
42 parties shall have the right to present their defense; and the issue raised shall be tried  
43 and the case disposed of according to the law and the course of practice of the court.  
44 The lien herein created shall follow the land, and the Town, in bringing the aforesaid

1 suit to enforce same, may name subsequent owners, who are the owners of said property  
2 at the time the suit is brought, as defendants. The Town of Enfield may, if it so elects,  
3 use any other procedure to bring about the collection of aforesaid costs provided by the  
4 General Statutes of the State of North Carolina for the collection of municipal  
5 assessments.

6 "Sec. 6-3. **Eminent Domain and Condemnation of Land.** When, in the opinion  
7 of the governing body of the Town, lands are needed for public utilities, streets,  
8 sidewalks, parks, playgrounds, or municipal buildings, and the governing body is unable  
9 to acquire same by private purchase, condemnation of the same for public use may be  
10 made in the manner and under the procedure as is provided in Chapters 40A and 160A  
11 of the General Statutes.

## 12 "CHAPTER VII.

### 13 "PLANNING AND REGULATION OF DEVELOPMENT.

14 "Sec. 7-1. **Planning Committee, Zoning Ordinance, and Building Inspection.**  
15 The Town of Enfield may appoint a Planning Committee, Board, or Commission to plan  
16 for the organized growth and development of the Town. It shall be the duty of this  
17 committee to report its findings and recommendations to the Board of Town  
18 Commissioners. The Board of Town Commissioners may adopt, amend, or repeal a  
19 Town Zoning Ordinance and may authorize the Town Code Enforcement Officer to  
20 enforce its provisions and may appoint a Board of Adjustment to review any action  
21 taken by the said Code Enforcement Officer. The Board of Town Commissioners may  
22 adopt an ordinance requiring Building and Inspection Permits and authorizing the  
23 charging of a fee for same and the providing of a penalty for the construction of  
24 buildings without a permit. The Code Enforcement Officer shall inspect all new  
25 buildings and repairs for which permits are issued and shall have the authority to stop  
26 any construction when it is not being done according to law or when in his opinion it  
27 would be unsafe. He shall also have the authority to condemn any and all buildings that  
28 are in his opinion unsafe and a hazard to the public. In the event no Code Enforcement  
29 Officer is appointed by the Board of Town Commissioners or for any reason the Code  
30 Enforcement Officer's employment is terminated, the Code Enforcement Officer's duty  
31 will be performed by the Halifax County Building Inspector's Office until such time that  
32 a Code Enforcement Officer is appointed. In the absence of the Board of Town  
33 Commissioners adopting a Town Building and Electric Code, the State Building and  
34 Electric Codes shall serve as the Building and Electric Codes for the Town of Enfield.

#### 35 "Sec. 7-2. **Recreation.**

36 The Board of Town Commissioners may appropriate moneys for and operate a  
37 municipal recreation program including the establishment and maintenance of  
38 municipal parks. The municipal recreation program shall be operated as a department  
39 of the Town Staff. The program shall in all respects meet the requirements of and be  
40 operated in accordance with the provisions contained in Chapter 160A of the General  
41 Statutes entitled 'Cities and Towns'.

#### 42 "Sec. 7-3. **Industrial Location.**

43 The Board of Town Commissioners may appropriate money from nontax funds to be  
44 used to finance a program designed to improve the economy of the Town by acquiring

1 additional industries and may join with Halifax County and the other municipalities in  
2 said County in employing a person or persons to work with industrial prospects and  
3 attempt to persuade them to locate within the County. The Board of Town  
4 Commissioners may also appoint a committee, board, or commission of local citizens,  
5 who, under the guidance of the Board of Town Commissioners, will work toward  
6 locating industrial prospects and attempt to persuade them to locate in or near the Town  
7 of Enfield."

8           Sec. 2. The purpose of this act is to revise the Charter of the Town of Enfield  
9 and to consolidate certain acts concerning the property, affairs, and government of the  
10 Town. It is intended to continue without interruption those provisions of prior acts  
11 which are expressly consolidated into this act, so that all rights and liabilities which  
12 have accrued are preserved and may be enforced.

13           Sec. 3. This act does not repeal or affect any acts concerning the property,  
14 affairs, or government of public schools, or acts validating official actions, proceedings,  
15 contracts, or obligations of any kind.

16           Sec. 4. The following acts, having served the purposes for which they were  
17 enacted or having been consolidated into this act, are expressly repealed:

18           Chapter 165, Private Laws of 1860-61  
19           Chapter 82, Private Laws of 1885  
20           Chapter 146, Private Laws of 1897  
21           Chapter 103, Private Laws of 1907  
22           Chapter 89, Private Laws of 1909  
23           Chapter 145, Private Laws of 1911  
24           Chapters 46 and 73, Private Laws of 1919  
25           Chapter 193, Private Laws of 1923  
26           Chapter 56, Private Laws of 1933  
27           Chapters 432 and 446, Session Laws of 1947  
28           Chapter 714, Session Laws of 1949  
29           Chapter 1171, Session Laws of 1951  
30           Chapter 460, Session Laws of 1953  
31           Chapters 25 and 747, Session Laws of 1955  
32           Chapters 560 and 763, Session Laws of 1957  
33           Chapters 162 and 249, Session Laws of 1959  
34           Chapter 970, Session Laws of 1967  
35           Chapter 1253, Session Laws of 1969  
36           Chapter 310, Session Laws of 1981  
37           Section 6.4 of Chapter 549, Session Laws of 1987.

38           Sec. 5. This act does not repeal the following acts:

39           Chapter 14, Private Laws of 1933  
40           Chapter 357, Public-Local Laws of 1941  
41           Chapters 750 and 751, Session Laws of 1967.

42           Sec. 6. This act does not revive any act previously repealed.

1           Sec. 7. The Mayor and Commissioners serving on the date of ratification of  
2 this act shall serve until the expiration of their terms. Thereafter those offices shall be  
3 filled as provided in Chapter II of the Charter contained in Section 1 of this act.

4           Sec. 8. This act does not affect any rights or interests which arose under any  
5 provisions repealed by this act.

6           Sec. 9. All existing ordinances, resolutions, and other provisions of the Town  
7 of Enfield not inconsistent with the provisions of this act shall continue in effect until  
8 repealed or amended.

9           Sec. 10. No action or proceeding pending on the effective date of this act by  
10 or against the Town or any of its departments or agencies shall be abated or otherwise  
11 affected by this act.

12           Sec. 11. If any provision or application of this act is held invalid, such  
13 invalidity shall not affect other provisions or applications of this act which can be given  
14 effect without the invalid provision or application, and to this end the provisions of this  
15 act are declared to be severable.

16           Sec. 12. Whenever a reference is made in this act to a particular provision of  
17 the General Statutes, and such provision is later amended, superseded, or recodified, the  
18 reference shall be deemed amended to refer to the amended General Statute, or to the  
19 General Statute which most clearly corresponds to the statutory provision which is  
20 superseded or recodified.

21           Sec. 13. This act is effective upon ratification.