

GENERAL ASSEMBLY OF NORTH CAROLINA
SECOND EXTRA SESSION 1996

CHAPTER 12
HOUSE BILL 20

AN ACT TO REACTIVATE THE CHARTER OF THE TOWN OF WILSON'S MILLS IN JOHNSTON COUNTY, AND TO ALLOW DEANNEXATION OF AN AREA BY THE TOWN OF FOUR OAKS.

The General Assembly of North Carolina enacts:

Section 1. A Charter for the Town of Wilson's Mills is enacted to read:

"CHARTER OF THE TOWN OF WILSON'S MILLS.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town of Wilson's Mills are a body corporate and politic under the name 'Town of Wilson's Mills'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed upon cities by the general law of North Carolina.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2.1. **Town Boundaries.** Until modified in accordance with law, the boundaries of the Town of Wilson's Mills are as follows:

"Beginning at a point where the east R/W line of SR 1914 intersects the southern R/W of Hwy 70 bypass. Thence along the southern R/W of 70 bypass in a westerly direction to where it intersects with Kenneth R. Jones (Twin Creek S/D) thence in a southerly direction to the southeastern corner of Tax Parcel 17507015. Thence following along the southern line of Tax Parcel 17507015 to where it intersects the eastern right of way of Swift Creek Rd. thence along the eastern of Swift Creek Road in a southerly direction to where it intersects with the western line of Glenview Acres thence along the lines of Glenview Acres encompassing above said subdivision to the western R/W line of Swift Creek Rd. thence along said right of way in a northerly direction to where it intersects the southern R/W of Hwy 70 bypass, thence along the southern R/W of Hwy 70 bypass to where it meets the southwestern property corner of Tax Parcel 17507009A at a perpendicular angle thence along the western property line of Tax Parcel 17507009A to where it intersects Wilson Mills Rd's northern R/W. Thence along said R/W in a westerly direction to the western boundary of Tax Parcel 17J0602A thence along the western boundaries of Tax Parcels 17J06023A, 17K07005L, 17J06022A and 17J0621 to the northwest corner of 17J0621 thence along the northern and western lines of Tax Parcel 1750621 to where it intersects the southwesterly corner of Tax Parcel 17K07195I thence along the southern property line of Tax Parcel 17K071951 to where it joins Tax Parcel 17K0700SE. Thence along the western and

northern line of Tax Parcel 17K0700SE to the eastern R/W of Powhattan Road thence along the eastern R/W of Powhattan Road to where it intersects the northern boundary of Tax Parcel 17K07004A thence with the northern and western line of Tax Parcel 17K07004A to the southeastern corner of Tax Parcel 17K07004A. Thence leaving said point traveling in a northeasterly direction to the northeastern point of Tax Parcel 17K07005A. Thence along a meandering line encompassing Tax Parcels 17K07005B, 17K07195 and 17K08015M to the western R/W of Fire Dept Road thence along the western R/W line of Fire Dept Road to where it intersects the northern boundary of Tax Parcel 17K07013M. Thence along the northern boundary of said parcel to the southeastern corner of Tax Parcel 17K07013M thence along a meandering line encompassing Tax Parcels 17K0714, 17099030F, 17K07016A, 17K07016C, 17K07016F, 17K07016G, 17J06016, 17K07015F, 17K07017A, 17K08024 to the southern R/W of Jones Road thence along the southern right of way of said road to the northeastern corner of Tax Parcel 17K08026A thence along a meandering line encompassing Tax Parcels 17K08026A thence along a meandering line encompassing Tax Parcels 17K08026A, 17K08026L, 17K08027C, and 17K08026N to the northern right of way of North Carolina Railroad thence along said right of way in an easterly direction to where it intersects the eastern right of way of NCSR 1914 thence along said R/W in a southerly direction to the point and place of beginning.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3.1. **Structure of Governing Body; Number of Members.** The governing body of the Town of Wilson's Mills is the Town Council and the Mayor. The Town Council has five members.

"Sec. 3.2. **Manner of Electing Board.** The qualified voters of the entire Town elect the members of the Council.

"Sec. 3.3. **Term of Office of Council Members.** In 1997, five members of the Council shall be elected. The three persons receiving the highest numbers of votes are elected for four-year terms, and the two persons receiving the next highest numbers of votes shall be elected for two-year terms. In 1999 and quadrennially thereafter, two members of the Council shall be elected for four-year terms. In 2001 and quadrennially thereafter, three members of the Council shall be elected for four-year terms.

"Sec. 3.4. **Selection of Mayor; Term of Office.** The qualified voters of the entire Town elect the Mayor. A Mayor shall be elected in 1997 and quadrennially thereafter for a four-year term.

"CHAPTER IV.

"ELECTIONS.

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

"CHAPTER V.

"ADMINISTRATION.

"Sec. 5.1. **Mayor-Council Plan.** The Town of Wilson's Mills operates under the Mayor-Council plan as provided by Part 3 of Article 7 of Chapter 160A of the General Statutes."

Sec. 2. Until members of the Town Council are elected in 1997 in accordance with the Town Charter and the laws of North Carolina, Donald Eugene Byrd, George Clifford Uzzle III, Peter Holt Wilson, and Pattie Wilson Caddell shall serve as members of the Town Council and Kenneth Ray Jones shall serve as Mayor. Vacancies in the interim Council shall be filled by appointment made by the remaining members. A vacancy in the office of interim Mayor is filled by appointment made by the interim governing board.

Sec. 3. From and after January 1, 1996, the citizens and property in the Town of Wilson's Mills shall be subject to municipal taxes levied for the year beginning January 1, 1996, and for that purpose the Town shall obtain from Johnston County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1996, and the businesses in the Town shall be liable for privilege license tax from the effective date of the privilege license tax ordinance. For fiscal year 1996-97, ad valorem taxes may be paid at par or face amount within 90 days of adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1, 1996.

The Town may adopt a budget ordinance for fiscal year 1996-97 without following the timetable in the Local Government Budget and Fiscal Control Act.

Sec. 4. The Town of Four Oaks may by ordinance repeal any annexation ordinance adopted under Article 4A of Chapter 160A of the General Statutes between the date of ratification of this act and June 30, 1997. Such ordinance shall recite that the Town was unable to receive funding to support extension of municipal services. Such ordinance shall be recorded in the same manner as the ordinance it repealed.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 2nd day of August, 1996.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives