

NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 132
HOUSE BILL 311

AN ACT TO AMEND CHAPTER 47 OF THE SESSION LAWS OF 1963, BEING
THE CHARTER OF THE TOWN OF KERNERSVILLE.

The General Assembly of North Carolina do enact:

Section 1. Section 3 of Chapter 47 of the Session Laws of 1963 is hereby amended by striking out of the fifth and sixth lines of that portion of said Section appearing on page 36 of the Session Laws of 1963 published by authority of the General Assembly the words and figures "South 5 degrees 13 minutes West 372.14 feet" and inserting in lieu thereof the words and figures "South 3 degrees 31 minutes West 551.63 feet".

Sec. 2. Section 24 of Chapter 47 of the Session Laws of 1963 is hereby amended by rewriting the same to read as follows:

"Sec. 24. Custody of Town Money. All moneys received by the town for or in connection with the business of the town government shall be paid promptly into the town depository. Such institution shall be designated by the Board of Aldermen in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by law. All interest on moneys belonging to the town shall accrue to the benefit of the town government. All moneys belonging to the town government should be disbursed only on vouchers signed by the Mayor or other elected town officers designated by the Board of Aldermen and countersigned by such other officers or employees as may be designated by the Board of Aldermen."

Sec. 3. Section 31 of Chapter 47 of the Session Laws of 1963 is hereby amended by rewriting the same to read as follows:

"Sec. 31. Assessments for Street Improvements. In addition to the authority that may now or hereafter be granted by general law to the Town of Kernersville for making street improvements and providing for the assessment of the costs thereof against abutting property owners, the Board of Aldermen is authorized to make street improvements to streets and assess the cost thereof in accordance with the requirements of this Section.

"(a) Whenever a majority of the owners owning a majority of the lineal footage of property abutting a street which is not more than six blocks in length or a maximum total distance of 3,000 lineal feet, are unwilling or fail to petition for a needed street improvement, the Board of Aldermen may order such improvement without petition, and may assess the total cost, or any part thereof, less the cost at street intersections,

against the abutting property owners at an equal rate per front foot; provided, no street improvement without petition shall be ordered or undertaken and the cost thereof assessed to abutting property owners as authorized herein unless and until the Board of Aldermen finds as a fact:

"(1) That the street improvement project does not exceed six blocks in length or a maximum total distance of 3,000 linear feet; and

"(2) That such street or part thereof is unsafe for vehicular traffic and it is in the best public interest to make such improvement; or

"(3) That it is in the best public interest and for the welfare of the citizens of the town to connect two streets already paved;

"(b) Street improvements authorized by this Section shall include grading, regrading, surfacing or resurfacing, widening, and the construction or reconstruction of curbs, gutters and street drainage facilities.

"(c) In ordering street improvements and levying assessments for the cost thereof under the authority granted by this Section, the Board of Aldermen shall pass and publish a resolution in substantial compliance with G. S. 160-83, levy the assessments and prepare an assessment roll in compliance with G. S. 160-85 and 160-86 and advertise and conduct a public hearing in compliance with G. S. 160-87 and G. S. 160-88; provided, no improvement authorized herein or the procedure authorized hereby shall be applicable or permit assessments for sidewalk or utility improvements. In addition, the provisions of G. S. 160-89 through G. S. 160-105 shall be applicable when the authority authorized by this Section is exercised.

"(d) The authority granted to the Town of Kernersville by this Section shall not be exercised by the Board of Aldermen unless four of the five members of the Board of Aldermen who are present and voting at a regular or special meeting cast their vote in favor of the use of this method for improving a street or part of a street in accordance with the requirements of this Section."

Sec. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 5. This Act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 31st day of March, 1967.