

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 923
Committee Substitute Favorable 4/27/89

Short Title: Currituck Outer Banks Beauti. Dist.

(Local)

Sponsors:

Referred to:

March 27, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR AN ELECTION IN A PART OF CURRITUCK
2 COUNTY ON THE QUESTION OF ESTABLISHING A CURRITUCK OUTER
3 BANKS BEAUTIFICATION DISTRICT AND TO PROVIDE FOR THE LEVY
4 AND COLLECTION OF PROPERTY TAXES IN THIS DISTRICT.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. Election Authorized. The Board of County Commissioners of
8 Currituck County may call an election in the Currituck Outer Banks District, described
9 in Section 2 of this act, to submit to the voters in the district the single issue of
10 establishing the Currituck Outer Banks Beautification District and authorizing the
11 annual levy and collection of a special ad valorem tax on all taxable property in the
12 district to beautify the district and protect the citizens of the district by providing for the
13 installation of underground utility lines. The Currituck County Board of Elections shall
14 conduct this election, in accordance with Chapter 163 of the General Statutes, and shall
15 certify the results of the election to the Currituck County Board of Commissioners.

16 Sec. 2. Description of District. The Currituck Outer Banks District consists
17 of that part of Currituck County on the Outer Banks from Dare County to the Virginia
18 State Line.

19 Sec. 3. Ballot. The Currituck County Board of Elections shall prepare ballots
20 in the following form for an election called under Section 1 of this act:

21 "[] FOR creation of the Currituck Outer Banks Beautification District and
22 the levy of an ad valorem tax, not to exceed ten cents (10¢) for each
23 one hundred dollars (\$100.00) taxable valuation, to beautify the district

1 and protect the citizens of the district by providing for the underground
2 installation of utility lines.

3 [] AGAINST creation of the Currituck Outer Banks Beautification
4 District and the levy of an ad valorem tax, not to exceed ten cents
5 (10¢) for each one hundred dollars (\$100.00) taxable valuation, to
6 beautify the district and protect the citizens of the district by providing
7 for the underground installation of utility lines."

8 Sec. 4. District Established; Tax Levy. If a majority of the qualified voters
9 voting in an election called under Section 1 of this act vote in favor of creating the
10 Currituck Outer Banks Beautification District and authorizing the levy and collection of
11 an ad valorem tax in the district, the Currituck County Board of Commissioners shall,
12 upon receipt of a certified copy of the election results, adopt a resolution creating the
13 Currituck Outer Banks Beautification District and shall file a copy of the resolution with
14 the Clerk of Superior Court of Currituck County. Upon establishing the Currituck Outer
15 Banks Beautification District, the Currituck County Board of Commissioners may
16 annually levy an ad valorem tax on all taxable property in the district in an amount the
17 board considers necessary to provide for the installation of underground utility lines, not
18 to exceed ten cents (10¢) for each one hundred dollars (\$100.00) taxable valuation of
19 property. The proceeds of this tax shall be used only to provide for the underground
20 installation of utility lines in the district.

21 Sec. 5. Nature of District; Governing Body. If created, the Currituck Outer
22 Banks Beautification District shall be a body politic and corporate and shall have the
23 power to provide for the installation of underground utility lines and do all acts
24 reasonably necessary to fulfill this purpose. The Currituck County Board of
25 Commissioners shall serve, ex officio, as the governing body of the district, and the
26 officers of the Board of County Commissioners shall likewise serve as the officers of
27 the governing body of the district. A simple majority of the governing body constitutes
28 a quorum, and approval by a majority of those present is sufficient to determine any
29 matter before the governing body, if a quorum is present.

30 Sec. 6. G.S. 18B-600(g) reads as rewritten:

31 "(g) Beautification District Election. – In a county where ABC stores have been
32 approved by an election and a beautification district has been created after May, 1984,
33 and prior to June 30, ~~1986~~1990, an election authorized by subsection (a) of this section
34 may be called in the beautification district. The election shall be called in accordance
35 with G.S. 18B-601(b), conducted, and the results determined in the same manner as
36 county elections held under this Article. For purposes of this Article, beautification
37 districts holding any election shall be treated on the same basis as counties, and
38 municipalities located within those beautifications districts shall be treated on the same
39 basis as cities."

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