

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

3

HOUSE BILL 923
Committee Substitute Favorable 4/27/89
Third Edition Engrossed 5/10/89

Short Title: Currituck Outer Banks Beauti. Dist.

(Public)

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 The General Assembly of North Carolina enacts:

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

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

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

20 "[] FOR creation of the Currituck Outer Banks Beautification District and
21 the levy of an ad valorem tax, not to exceed ten cents (10¢) for each
22

1 one hundred dollars (\$100.00) taxable valuation, to beautify the district
2 and protect the citizens of the district by providing for the underground
3 installation of utility lines.

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

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

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

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

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

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