

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 400
HOUSE BILL 923

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

Sec. 4. District Established; Tax Levy. If a majority of the qualified voters voting in an election called under Section 1 of this act vote in favor of creating the Currituck Outer Banks Beautification District and authorizing the levy and collection of an ad valorem tax in the district, the Currituck County Board of Commissioners shall, upon receipt of a certified copy of the election results, adopt a resolution creating the Currituck Outer Banks Beautification District and shall file a copy of the resolution with

the Clerk of Superior Court of Currituck County. Upon establishing the Currituck Outer Banks Beautification District, the Currituck County Board of Commissioners may annually levy an ad valorem tax on all taxable property in the district in an amount the board considers necessary to provide for the installation of underground utility lines, not to exceed ten cents (10¢) for each one hundred dollars (\$100.00) taxable valuation of property. The proceeds of this tax shall be used only to provide for the underground installation of utility lines in the district.

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

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

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

Sec. 7. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 21st day of June, 1989.