

NORTH CAROLINA GENERAL ASSEMBLY  
1973 SESSION

CHAPTER 1337  
HOUSE BILL 2115

AN ACT TO ESTABLISH A CHARTER FOR THE TOWN OF MAGGIE VALLEY.

The General Assembly of North Carolina enacts:

**Section 1.** The Charter of the Town of Maggie Valley is hereby established to read as follows:

"CHARTER  
Of The  
TOWN OF MAGGIE VALLEY  
CHAPTER I

Incorporation and Corporate Powers

**Sec. 1 -1.** Incorporation and Corporate Powers: The inhabitants of the Town of Maggie Valley are a body corporate and politic under the name of the 'Town of Maggie Valley'. Under that name they have all the powers, duties, rights, privileges, and immunities conferred and imposed on cities by the general law of North Carolina; provided, the Town shall have no authority to exercise beyond its corporate limits any of the powers granted by Article 19 of Chapter 160A of the General Statutes, nor any authority to exercise the powers granted by Part 2 of Article 4A of Chapter 160A of the General Statutes; provided further, that all the provisions of Part 1 of Article 4A of Chapter 160A of the General Statutes shall apply to the Town, but as to any area petitioned for annexation pursuant to G.S. 160A-31, the Town shall annex such area, but shall not be required to provide municipal services to such area until such time as the Town is financially able to do so.

CHAPTER II

Corporate Boundaries

Article 1. Town Boundaries

**Sec. 2 -1.** Town Boundaries. The boundaries of the Town of Maggie Valley are set out on a map entitled 'Maggie Valley, Ivy Hill Township, Haywood County, N.C.,' which map was surveyed by Edwards Engineering in March, 1974, and which shall be filed and maintained in the office of the town clerk, as required by G.S. 160A-23 immediately after incorporation and which shall be filed in the office of the Register of Deeds of Haywood County.

CHAPTER III

Governing Body

**Sec. 3 -1.** Structure of governing body; number of members. The governing body of the Town of Maggie Valley is the Board of Aldermen, which has five members and the Mayor.

**Sec. 3 -2.** Manner of election of Board. The qualified voters of the entire Town nominate and elect the members of the Board.

**Sec. 3 -3.** Term of Office of members of the Board. Members of the Board are elected to two-year terms.

**Sec. 3 -4.** Election of Mayor; term of office. The qualified voters of the entire Town elect the Mayor. He is elected to a two-year term of office.

#### CHAPTER IV

##### Elections

**Sec. 4 -1.** Conduct of town elections. Town officers shall be elected on a non-partisan basis and the results determined by plurality, as provided by G.S. 163-292.

#### CHAPTER V

##### Administration

**Sec. 5 -1.** Town to operate under mayor-council plan. The Town of Maggie Valley operates under the mayor-council plan as provided in G.S. Chapter 160A, Article 7, Part 3.

#### CHAPTER VI

##### Initial Election

**Sec. 6 -1.** Initial members of the Governing Body shall be elected at the general election on November 5, 1974, pursuant to the general election laws of North Carolina contained in Chapter 163 of the General Statutes of North Carolina. Regular elections for the Governing Body shall be held thereafter as provided in the general election laws of North Carolina contained in Chapter 163 of the General Statutes of North Carolina. The Haywood County Board of Elections shall conduct this election as well as all other town elections. Members of the Governing Body shall be sworn in as soon as practical after certification of election results."

**Sec. 2.** Repeal of Town Charter. The governing body of the Town, by resolution duly adopted, is authorized to call a special election in Town to determine whether the Charter of the Town shall be repealed. The election shall be held and conducted by the County Board of Elections in accordance with applicable general laws regulating elections in the Town. At least 20 days public notice of the special election shall be given prior to the closing of the registration books.

The question submitted on the ballot shall be For repeal of the Town Charter, and Against repeal of the Town Charter.

If a majority of those voting favor repeal of the Town Charter, then upon the certification of the results of the special election, the Charter shall be repealed and the Town of Maggie Valley shall be dissolved as a municipal corporation.

No election for the repeal of the Town Charter shall be held under this act if there are outstanding bonds or other obligations of the Town and there are not sufficient funds on hand to pay off the bonds and other debts and obligations of the Town.

Upon repeal of the Town Charter, the Local Government Commission shall take charge of the fiscal affairs, all property and funds belonging to the Town and pay all debts and obligations of the Town. The Local Government Commission is authorized to sell all real and personal property of the Town at public auction or by private negotiation and sale as it deems best, and to execute all papers and instruments

necessary to closing out the fiscal affairs of the Town. Any funds remaining on hand after all debts and obligations of the Town have been satisfied shall be paid into the General Fund of the County after the Local Government Commission has deducted the necessary cost for handling the fiscal affairs of the Town.

**Sec. 3.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 12th day of April, 1974.