

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 892

Short Title: Currituck Beautification District.

(Local)

---

Sponsors: Representatives James; and R. Thompson.

---

Referred to: Government.

---

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 COINJOCK CANALS  
3 AREA 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 Coinjock Canals Area District, described  
9 in Section 2 of this act, to submit to the voters in the district the single issue of  
10 establishing the Coinjock Canals Area Beautification District and authorizing the annual  
11 levy and collection of a special ad valorem tax on all taxable property in the district to  
12 beautify the district and protect the citizens of the district by providing for the  
13 installation of underground power 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 Coinjock Canals Area Beautification  
17 District consists of that part of Currituck County including the Moyock, Poplar Branch,  
18 Church's Island, Powell's Point, Knotts Island, and Whalehead voting precincts.

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 Coinjock Canals Area 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 power lines.

3 [ ] AGAINST creation of the Coinjock Canals Area 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 power 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 Coinjock Canals Area 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 Coinjock Canals Area Beautification District and shall file a copy of the resolution with  
14 the clerk of superior court of Currituck County. Upon establishing the Coinjock Canals  
15 Area 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 power lines,  
18 not to exceed ten cents (10¢) for each one hundred dollars (\$100.00) taxable valuation  
19 of property. The proceeds of this tax shall be used only to provide for the underground  
20 installation of power lines in the district.

21 Sec. 5. Nature of District; Governing Body. If created, the Coinjock Canals  
22 Area Beautification District shall be a body politic and corporate and shall have the  
23 power to provide for the installation of underground power 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 the  
27 governing body of the district. A simple majority of the governing body constitutes a  
28 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 Elections. – In a county where ~~ABC stores have been~~  
32 ~~approved by an election and~~ a beautification district has been created after May, 1984, and  
33 prior to June 30, ~~1986~~1990, an election authorized by subsection (a) of this section may  
34 be called in the beautification district. The election shall be called in accordance with  
35 G.S. 18B-601(b), conducted, and the results determined in the same manner as county  
36 elections held under this Article. For purposes of this Article, beautification districts  
37 holding any election shall be treated on the same basis as counties, and municipalities  
38 located within those beautification districts shall be treated on the same basis as cities."

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