

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 444
HOUSE BILL 642

AN ACT TO INCORPORATE CHIMNEY ROCK VILLAGE IN RUTHERFORD
COUNTY.

The General Assembly of North Carolina enacts:

Section 1. A charter for the Village of Chimney Rock is enacted to read:

"CHARTER OF CHIMNEY ROCK VILLAGE.

"CHAPTER I.

"INCORPORATION AND CORPORATE POWERS.

"Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of Chimney Rock Village are a body corporate and politic under the name 'Chimney Rock Village.' 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.

"CHAPTER II.

"CORPORATE BOUNDARIES.

"Sec. 2-1. **Town Boundaries.** Until modified in accordance with the law, the boundaries of Chimney Rock Village are as follows:

BEGINNING at a point in the Broad River (Rocky Broad River) at the Chimney Rock Park entrance, the village boundary follows the Rocky Broad River westward to the Henderson County boundary, then proceeds northward along the county border between Rutherford County and Henderson County to the point where the Chimney Rock Fire District begins; then follows the Chimney Rock Fire District boundary to Cedar Knob and follow the Fire District line as it continues northward along the Rutherford County and Buncombe County boundaries; at Shumont Mountain, the Village boundary turns eastward, following the Chimney Rock Fire District and proceeds to the Town of Lake Lure town limits line; then follows the Town of Lake Lure Town limits across the Rocky Broad River, turning westward following the Chimney Rock Park boundary and Lake Lure Town limits to the point of beginning in the Rocky Broad River at the Chimney Rock Park entrance.

"CHAPTER III.

"GOVERNING BODY.

"Sec. 3-1. **Structure of Governing Body; Number of Members.** The governing body of Chimney Rock Village is the Village Council, which has five members.

"Sec. 3-2. **Manner of Electing Council.** The qualified voters of the entire Village elect the members of the Council.

"Sec. 3-3. **Term of Office of Council Members.** Members of the Council are elected to four-year terms. At the initial election in 1991, the three highest vote getters

shall be elected to four-year terms and the next two highest vote getters shall be elected to two-year terms. In 1993 and quadrennially thereafter, two members of the Council shall be elected for four-year terms. In 1995 and quadrennially thereafter, three members of the Council shall be elected for four-year terms.

"Sec. 3-4. **Election of Mayor; Term of Office.** At the organizational meeting of the Council following each election, the Council shall elect one of its members to serve as Mayor. The Mayor serves as such at the pleasure of the Council.

"CHAPTER IV.

"ELECTIONS.

"Sec. 4-1. **Conduct of Village Elections.** Village officers shall be elected on a nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

"CHAPTER V.

"ADMINISTRATION.

"Sec. 5-1. **Village to Operate Under Mayor-Council Plan.** The Village of Chimney Rock operates under the Mayor-Council plan as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes."

Sec. 2. Until the organizational meeting of the Village Council of Chimney Rock following the 1991 municipal election, Barbara Meliski, Mike Keys, Steve Gale, Randy Griffin, and Mark Piper shall serve as members of the Village Council. Mark Piper is authorized to call the first meeting of the interim governing body. The interim governing body shall, at its first meeting, elect from among its members a chairman who shall have the powers of a mayor provided by general law.

Sec. 3. From and after the effective date of this act, the citizens and property in Chimney Rock Village shall be subject to municipal taxes levied for the year beginning July 1, 1991, and for that purpose the Village shall obtain from Rutherford County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1991. The Village may adopt a budget ordinance for fiscal year 1991-92 without following the timetable in the Local Government Budget and Fiscal Control Act, but shall follow the sequence of actions in the spirit of the act insofar as is practical. For fiscal year 1991-92, ad valorem taxes may be paid at par or face amount within 90 days of adoption of the budget ordinance, and thereafter in accordance with the schedule in G.S. 105-360 as if the taxes had been due and payable on September 1, 1991.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 28th day of June, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives