

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE BILL 399

Short Title: Unified Government.

(Public)

Sponsors: Representative Owens.

Referred to: Local Government I, if favorable, Finance.

March 1, 2005

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW COUNTIES WITH NO INCORPORATED MUNICIPALITIES  
3 TO EXERCISE MOST MUNICIPAL FUNCTIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Chapter 153A of the General Statutes is amended by adding a  
6 new Article to read:

7 "Article 24.

8 "Unified Government.

9 "**§ 153A-471. Unified government.**

10 (a) Any county which has no incorporated municipality is also vested with all the  
11 powers, duties, rights, and obligations of a city, except:

12 (1) It may not exercise any such power outside the limits of the county.

13 (2) Article 5 of Chapter 160A of the General Statutes (Form of  
14 Government) does not apply.

15 (3) Article 7 of Chapter 160A of the General Statutes (Administrative  
16 Offices) does not apply.

17 (4) The provisions of Chapter 163 of the General Statutes relating to  
18 municipal elections do not apply except to the extent they applied to  
19 the county absent this Article.

20 (b) The board of commissioners may by ordinance provide that this Article does  
21 not confer the powers of a city upon the county as to a specific function or functions,  
22 and as to such specified function or functions it shall not be considered as a city.

23 "**§ 153A-472. Definitions.**

24 For the purposes of this Article, any statutory reference to:

25 (1) A city shall be construed as a reference to a county.

26 (2) A city council or governing board shall be construed as a reference to  
27 the board of commissioners.

28 (3) The mayor shall be construed as a reference to the chair of the board of  
29 commissioners.

1           (4) Any other city official shall be construed as a reference to the  
2           equivalent county official.

3 **"§ 153A-473. Applicability.**

4           This Article only applies to a county if approved by the qualified voters of the  
5           county in a referendum called by the board of commissioners. The referendum shall be  
6           conducted by the county board of elections in accordance with the provisions of law  
7           generally applicable to special elections. The ballot question shall be determined by the  
8           board of commissioners after consultation with the county attorney as to form."

9           **SECTION 2.** This act is effective when it becomes law.