

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 656

Short Title: Kipling Incorporated. (Local)

Sponsors: Senator Harris.

Referred to: Finance.

March 22, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE THE TOWN OF KIPLING.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** A Charter for the Town of Kipling is enacted to read:

5 "CHARTER OF THE TOWN OF KIPLING.

6 "ARTICLE I. INCORPORATION AND CORPORATE POWERS.

7 "Section 1.1. **Incorporation and Corporate Powers.** The inhabitants of the Town
8 of Kipling are a body corporate and politic under the name 'Town of Kipling'. The
9 Town of Kipling has all the powers, duties, rights, privileges, and immunities conferred
10 and imposed on cities by the general laws of North Carolina.

11 "ARTICLE II. CORPORATE BOUNDARIES.

12 "Section 2.1. **Town Boundaries.** Until modified in accordance with law, the
13 boundaries of the Town of Kipling are as follows:

14 "ARTICLE III. GOVERNING BODY.

15 "Section 3.1. **Structure of Governing Body; Number of Members.** The governing
16 body of the Town of Kipling is the Mayor and Town Council, which shall have five
17 members.

18 "Section 3.2. **Temporary Officers.** Until the organizational meeting after the initial
19 election in 2001 provided for by Section 4.1 of this Charter, Jennifer Knight, Kathy
20 Bradley, Dan LaReaux, Michael Novak, Earl Herring, and Rob Elsen are appointed
21 Councilmen of the Town of Kipling, and they shall possess and exercise the powers
22 granted to the governing body until their successors are elected or appointed and
23 qualified pursuant to this Charter. If any person named in this section is unable to serve,
24 the remaining temporary officers shall, by majority vote, appoint a person to serve until
25 the initial municipal election is held in 2001.

26 "Section 3.3. **Manner of Electing Town Council; Term of Office.** The qualified
27 voters of the entire Town shall elect the members of the Town Council and, except as
28 provided in this section, they shall serve four-year terms. In 2001, the two candidates

1 receiving the highest numbers of votes shall be elected to four-year terms and the three
2 candidates receiving the next highest numbers of votes shall be elected to two-year
3 terms. In 2003, and quadrennially thereafter, three members shall be elected to four-year
4 terms. In 2005, and quadrennially thereafter, two members shall be elected to four-year
5 terms.

6 "Section 3.4. **Manner of Electing Mayor; Term of Office.** The qualified voters of
7 the entire Town shall elect the Mayor. In 2001, and quadrennially thereafter, the Mayor
8 shall be elected for a term of four years.

9 "ARTICLE IV. ELECTIONS.

10 "Section 4.1. **Conduct of Town Elections.** Elections shall be conducted on a
11 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292.

12 "ARTICLE V. ADMINISTRATION.

13 "Section 5.1. **Town to Operate Under Mayor-Council Plan.** The Town shall
14 operate under the Mayor-Council form of government as provided in Part 3 of Article 7
15 of Chapter 160A of the General Statutes."

16 **SECTION 2.** From and after the effective date of this act, the citizens and
17 property in the Town of Kipling shall be subject to municipal taxes levied for the year
18 beginning July 1, 2001. For that purpose the Town shall obtain from Harnett County a
19 record of property in the area herein incorporated which was listed for property taxes as
20 of January 1, 2001. The Town may adopt a budget ordinance for fiscal year 2001-2002
21 without following the timetable in the Local Government Budget and Fiscal Control Act
22 but shall follow the sequence of actions in the spirit of the act insofar as is practical.
23 For fiscal year 2001-2002, ad valorem taxes may be paid at par or face amount within
24 90 days of adoption of the budget ordinance and thereafter in accordance with the
25 schedule in G.S. 105-360. If the effective date of the incorporation is prior to July 1,
26 2001, the Town may adopt a budget ordinance for fiscal year 2000-2001 without
27 following the timetable in the Local Government Budget and Fiscal Control Act but
28 shall follow the sequence of actions in the spirit of the act insofar as practical. No ad
29 valorem taxes may be levied for the 2000-2001 fiscal year.

30 **SECTION 3.** This act is effective when it becomes law.