

CHARTER OF THE TOWN OF HAW RIVER

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HAW RIVER, NORTH CAROLINA

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THE CHARTER OF THE TOWN OF HAW RIVER
(Session Laws of 1973, Chapter 234)

SEC. 1 INCORPORATION.

The inhabitants in the area hereinafter described are hereby constituted a body politic and corporate under the name of the "Town of Haw River", and are hereby vested with all the powers, rights, privileges, immunities, and authority granted by the Constitution and general laws of this State.

SEC. 2 CORPORATE BOUNDARIES.

The corporate boundaries of the Town of Haw River shall be:

Beginning at a monument located 200 feet east of the center of Secondary Road No. 1928 and 400 feet north of the center of U.S. Route No. 70, and running thence in an easterly direction along a line parallel with and 400 feet north of the center of U.S. Route No. 70 approximately 3,590 feet to a monument in the center of Back Creek; thence down the center of Back Creek, as it meanders in a southerly direction, approximately 2,360 feet to the center of the Southern Railway Company bridge crossing said Creek; thence westerly along the center of the main track of the Southern Railway Company 8,640 feet to a monument; thence South 2° 35' West 1,000 feet to a monument; thence westerly, along a line parallel with and 1,000 feet south of the center of the Southern Railway Company main track, a distance of approximately 4,030 feet to a monument 300 feet southeast of the center of N. C. Route No. 49; thence parallel with and 300 feet southeast of the center of N. C. Route No. 49 South 47° 20' West 620 feet to a monument; thence South 0° 40' East approximately 400 feet to a monument 230 feet south of the center of Secondary Road No. 1942; thence parallel with and 230 feet south of Secondary Road No. 1942 South 89° 20' West approximately 520 feet to a monument 300 feet southeast of the center of N. C. Route No. 49; thence North 23° 40' West 2,154.5 feet to a monument; thence South 84° 30' West 58.4 feet to a monument in Hanover Road; thence South 85° 00' West 149 feet to a monument in Hanover Road; thence South 42° 45' West 108.5 feet to a monument in Hanover Road; thence South 52° 15' West 208 feet to a monument in Hanover Road; thence North 12° 45' West 359.5 feet to a monument; thence North 1° 45' East 385.0 feet to a monument; thence North 84° 00' West 31 feet to a monument; thence North 4° 45' East 617.0 feet to a monument in U.S. Route No. 70; thence North 23° 40' West 12.0 feet to a monument in the center of U.S. Route No. 70; thence North 72° 00' West 442.4 feet to a monument in the center of U.S. Route No. 70; thence North 0° 16' East 588.25 feet to a monument; thence North 73° 22' East 301.6 feet to a monument; thence North 85° 47' East 305.7 feet to a monument; thence South 6° 47' West 177.2 feet to a monument; thence South 7° 18' East 111.8 feet to a monument; thence South 28° 25' East 75.7 feet to a monument; thence North 23° 50' East 293.6 feet to a monument near the western edge of Quarry Street; thence North 73° 50' East approximately 600 feet crossing said Quarry Street to the center of Cemetery Street; thence along the center of Cemetery Street, South 85° 08' East 1001.73 feet to a point in the center of Cemetery Street; thence North 4° 34' East 20 feet to an iron stake, a corner between P. C. Beatty's property and City of Burlington property; thence along a line between the said Beatty's property and City of Burlington property, North 4°34' East 289.51 feet to an iron stake, a corner with P. C. Beatty in the City of Burlington property line; thence along a line between the City of Burlington and P. C. Beatty, North 71° 23' East 544.5 feet to an iron stake; thence along a line between the City of Burlington and Mrs. K. B. Williamson's property, North 19°22' West 70 feet to a point in the Haw River Sanitary District; thence with the Haw River Sanitary District along a line parallel with and 700 feet North of the center of Boundary Street, North 73°50' East approximately 4617 feet to a monument in the center of Roma Road; thence with the center of Roma Road North 17°35' West 290.0 feet to a monument corner with the lands of Matthew O. Dawson; thence South 71°03' West 230.0 feet to a monument; thence along a line parallel with and 230 feet west of the center of Roma Road North 17° 35' West approximately 800 feet to a monument in the center of Hopedale Road; thence North 4° 35' West 230 feet to a monument; thence along a line parallel with and 230 feet north of the center of Hopedale Road North 35° 25' East approximately 1,180 feet to a monument; thence North 14° 12' 10" East

approximately 360 feet to a monument in the center of Sherri Drive; thence along the center of Sherri Drive South $77^{\circ} 47'$ East 250 feet to a monument 230 feet from the center of Keck Road; thence along a line 230 feet west of and parallel with the center of Keck Road the following courses and distances: North $2^{\circ} 40'$ East 687.0 feet to a monument; North $2^{\circ} 38'$ East 604 feet to a monument; North $4^{\circ} 29'$ East approximately 1,359 feet to a monument in the center of Center Street; thence North $3^{\circ} 25'$ West 550 feet to a monument; thence along a line parallel with and 550 feet north of Center Street North $86^{\circ} 35'$ East approximately 1,000 feet to a monument 230 feet east of the center of N. C. Route No. 49; thence along a line parallel with and 230 feet east of the center of N. C. Route No. 49 the following courses and distances: South $3^{\circ} 25'$ East 2,097 feet to a monument; South $3^{\circ} 22'$ East 1,663.25 feet to a monument; thence South $62^{\circ} 45'$ East approximately 370 feet to a monument in the center of Secondary Road No. 1927, the said monument is further identified as being 720 feet from the center of Secondary Road No. 1928 as measured along the center of the said Road No. 1927; thence South $2^{\circ} 00'$ East approximately 720 feet to a monument 170 feet northeast of the center of Secondary Road No. 1925; thence parallel with and 170 feet northeast of the center of Secondary Road No. 1925 South $31^{\circ} 00'$ East approximately 690 feet to a monument 170 feet north of the center of Secondary Road No. 1742; thence parallel with and 170 feet north of the center of Secondary Road No. 1742 South $84^{\circ} 30'$ East 610 feet to a monument; thence South $15^{\circ} 30'$ West approximately 1,420 feet to the point of the BEGINNING and containing 1,016.5 Acres more or less, the same being 1.59 square miles.

SEC. 3 COUNCIL-MANAGER FORM OF GOVERNMENT.

(A) Pursuant to G.S. §§ 160A-101 and 160A-102, the Charter of the Town of Haw River, as set forth in Chapter 234 of the 1973 Session Laws of North Carolina, as amended, is hereby further amended to provide that the town shall operate under the Council-Manager form of government in accordance with G.S. Ch. 160A, Art. 7, part 2 and any charter provisions not in conflict therewith. The Council shall consist of the Mayor and four members to be elected as hereinafter provided.

Beginning with the regular municipal election to be held in 1975, Councilmen shall be elected to serve staggered terms as herein provided. The two Councilmen receiving the highest number of votes shall be elected for terms of four years, and the two candidates receiving the next highest number of votes shall be elected for terms of two years. Thereafter, the terms of the members expire, their successors shall be elected for terms of four years.

The Mayor of the Town of Haw River shall be elected by popular vote in future municipal elections beginning with the municipal election to be held in November, 1983, and continuing with successive municipal elections every two years until November, 2011, at such time the term will be extended to four-year terms thereafter.

The Mayor shall vote on all matters before the Council.

(B) The Mayor shall appoint a Council Advocate to each department of the Town at the first regular meeting of the Council of every calendar year. This Council Advocate will assist the Manager and department head in presenting issues and information to the Council when necessary.

(C) The Town Clerk shall cause a notice to be duly published, stating that an ordinance amending the Charter to adopt the Council-Manager form of government has been adopted subject to any referendum petitioned for and conducted pursuant to G.S. § 160A-103, this section shall be in force and effect from and after April 5, 2010.

(Amended 2-27-74; amended 4-9-80; amended 11-2-82; amended 1-3-96; amended 4-5-10)

SEC. 4 CONDUCT AND METHOD OF ELECTION.

The elections for municipal officers in the Town of Haw River shall be nonpartisan and decided by a simple plurality. No primary election shall be held. The elections shall be held and conducted by the Alamance County board of elections, and except as otherwise provided herein, shall be held and conducted in accordance with Articles 23 and 24 of Chapter 163 of the General Statutes.

SEC. 5 ELECTION OF TOWN COUNCIL; VACANCIES.

A regular municipal election shall be held on Tuesday after the first Monday in November, 1973, and every two years thereafter for the election of the town councilmen. Vacancies occurring for any reason in the council shall be filled for the unexpired term by appointment by the remaining members of the council. A vacancy in the office of mayor shall be filled for the unexpired term by appointment by the council.

SEC. 6 INITIAL COUNCILMEMBERS.

The initial members of the town council shall be those persons presently serving as the board of commissioners of the Haw River sanitary district. They shall serve until their successors are elected and qualified pursuant to this act. They shall appoint one of their members as mayor, who shall serve until his successor is appointed under this act.

SEC. 7 TIME AT WHICH INCORPORATION EFFECTIVE.

On June 1, 1973, at 12:00 noon, the Haw River sanitary district shall cease to exist as a body politic and corporate, and the Town of Haw River shall simultaneously be incorporated, and at that time all of the district's assets and liabilities shall be transferred to the Town of Haw River as provided in G.S. 130-156.3.

Editor's Note:

This statute has since been repealed

SEC. 8 TRANSFER OF ASSETS, LIABILITIES TO TOWN.

The Haw River sanitary district shall take all actions necessary to effect this transfer of the assets and liabilities of the district to the Town of Haw River by April 1, 1973.

SEC. 9 TAXES.

From and after June 1, 1973, the citizens and property in the Town of Haw River shall be subject to municipal taxes levied for the fiscal year beginning July 1, 1973, and the Town shall obtain from the County a record of property in the area herein incorporated which was listed for taxes as of January 1, 1973, and the businesses in the Town shall be liable for privilege licensee tax from the date of the privilege license tax ordinance.

SEC. 10 SPECIAL ELECTION TO DETERMINE WHETHER AREA TO BE INCORPORATED.

The Alamance County board of elections shall call and conduct a special election on Tuesday after the third Monday in May, 1973, to submit to the qualified voters in the area described in Section 2 of this act, the question whether such area shall be incorporated as a municipal corporation known as the Town of Haw River.

If the board of elections deems it necessary, a new registration of voters within the area may be held. The registration books for this special election shall remain open through Friday preceding the election. The election shall be conducted in accordance with the applicable provisions of Articles 23 and 24 of Chapter 163 of the General Statutes and the provisions of this act.

The board of elections shall, at least 20 days before the registration period closes, cause public notice of the election to be posted at several public places in the area to be incorporated, and such notice shall state the date of the election, the polling places, the hours the polls will be open, the names of the registrars and judges of elections, the date, places and hours of registration, and the purpose of the election. The same notice shall be published once a week for two weeks, beginning 20 days before the registration closes, in a newspaper having general circulation in the Haw River sanitary district.

In the special election, the form of the ballot shall be that set out in G.S. 130-156.3 [Editor's Note: This statute has since been repealed]. If a majority of those voting favor incorporation of the Town of Haw River, then Sections 1 through 9 of this act shall be in full force and effect. If a majority of those voting vote against incorporation of the Town of Haw River, then this act shall have no force and effect.

