

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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**HOUSE BILL 909
Committee Substitute Favorable 5/22/24
Senate State and Local Government Committee Substitute Adopted 6/19/24
Senate Finance Committee Substitute Adopted 6/19/24**

Short Title: Various Local Provisions I. (Local)

Sponsors:

Referred to:

April 25, 2024

A BILL TO BE ENTITLED
AN ACT TO DEANNEX CERTAIN DESCRIBED TERRITORIES; TO ANNEX CERTAIN
DESCRIBED TERRITORIES; AND TO MAKE OTHER CHANGES TO VARIOUS
LOCAL LAWS.

The General Assembly of North Carolina enacts:

TOWN OF FUQUAY-VARINA DEANNEXATION

SECTION 1.(a) The following described property, identified by Wake County Parcel Identification Numbers, is removed from the corporate limits of the Town of Fuquay-Varina:

0686176102, 0686174112, 0686173124, 0686172104, 0686170780, 0686078065, 0686076160, 0686076591, 0686074504.

SECTION 1.(b) This section has no effect upon the validity of any liens of the Town of Fuquay-Varina for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the Town of Fuquay-Varina.

SECTION 1.(c) This section becomes effective June 30, 2024. Property in the territory described in this section as of January 1, 2024, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

WAKE COUNTY BUREAU OF IDENTIFICATION

SECTION 2.(a) Chapter 535 of the Public-Local Laws of 1937, as amended by Chapter 860 of the 1961 Session Laws, by Chapter 505 of the 1975 Session Laws, by Chapter 350 of the 1977 Session Laws, and by Chapter 914 of the 1987 Session Laws, is rewritten to read:

"SECTION 1. That in order to provide for the performance of the duties hereinafter designated and defined for the better enforcement of the criminal laws in Wake County, there is hereby created and established a Bureau of Identification for Wake County. The Bureau may hereafter be referred to as a multidisciplinary forensic services agency and is authorized to adopt any department name in accordance with Wake County policy and subject to Wake County Manager approval pursuant to G.S. 153A-82.

"SECTION 2. That on the 1st day of July, 2024, the District Attorney of the Tenth Prosecutorial District and the County Manager of Wake, shall appoint a Director of the Bureau



for a term of four years and then every four years thereafter, who will be under the supervision of the District Attorney for the Tenth Prosecutorial District. Whenever a vacancy occurs in this position during the term, the District Attorney for the Tenth Prosecutorial District and the County Manager of Wake shall appoint a qualified person to serve as Director for the period of the unexpired term. The Director may be terminated from appointment only by unanimous decision of the District Attorney of the Tenth Prosecutorial District and the Wake County Manager. The compensation and expenses of the Director shall be included in the annual budget prepared by the Wake County Manager.

"SECTION 3. As requested, the Bureau shall fingerprint and photograph all persons arrested in Wake County in accordance with North Carolina General Statutes; provide crime scene examination and other forensic services for which the Bureau has capability to all law enforcement and prosecutorial agencies for those criminal investigations having original jurisdiction within the geographical County of Wake.

"SECTION 4. That Wake County shall provide for and incur the cost for suitable office space, equipment, and salaries for employees of the Bureau.

"SECTION 5. That nothing in this act shall be construed as increasing the number of deputy sheriffs for Wake County, but any employees of the Bureau who are sworn law enforcement officers shall be eligible for annual recertification as deputy sheriffs, provided they meet the minimum requirements for LEO certification established by the Sheriffs' Training & Standards Division.

"SECTION 6. To the extent this Act conflicts with any provision of law, this Act supersedes that provision."

SECTION 2.(b) Section 1 of Chapter 350 of the 1977 Session Laws is repealed.

CITY OF CONCORD DISTRIBUTION OF ABC NET PROFITS

SECTION 3. Section 5.14 of Chapter 861 of the 1985 Session Laws reads as rewritten:

"Sec. 5.14. Distribution of profits. Out of the net profits remaining after the payment of all costs and operating expenses, ~~and after retaining a sufficient and proper working capital, the~~ Board of Alcoholic Beverage Control shall distribute ~~the net profits as follows: the first fifteen~~ five percent (15%) (5%) for law enforcement; enforcement, shall retain a sufficient and proper working capital, and then, of the remaining balance, shall distribute twenty-five percent (25%) to Cabarrus County and ~~the seventy-five percent (75%) to the City of Concord.~~"

CITY OF HIGH POINT ANNEXATION

SECTION 4.(a) The following described property is added to the corporate limits of the City of High Point: Being all of that property shown as Samet Drive on that survey entitled, "J. W. Samet's Subdivision" dated July 20, 1963, and recorded in Plat Book 34, Page 37, in the office of the Guilford County Register of Deeds.

SECTION 4.(b) This section becomes effective June 30, 2024. Property in the territory described in this section as of January 1, 2024, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

CITY OF HIGH POINT REAL PROPERTY CONVEYANCES

SECTION 5. Article IX of the Charter of the City of High Point, being Chapter 501 of the 1979 Session Laws, as amended, is amended by adding a new section to read:

"ARTICLE IX.

"GENERAL PROVISIONS.

...

"Sec. 9.9. Conveyance of real property with restrictions.

...

"Sec. 9.9. Conveyance of real property with restrictions. The City Council may, in addition to other authorized means, approve the sale, exchange, or transfer of the fee or any lesser interest in real property, either by public sale or by negotiated private sale. The transfer shall be in furtherance of adopted City policies or plans for the area. The City may attach to the transfer and to the interest conveyed any covenants, conditions, or restrictions, or a combination of them, the City deems necessary to further the adopted policies or plans. The consideration received by the City for the conveyance may reflect the restricted use of the property resulting from the covenants, conditions, or restrictions. The City may invite bids or written proposals, including detailed development plans and site plans, for the purchase of any such property or property interest, whether by sale, exchange, or other transfer, pursuant to the specifications as may be approved by the City. A sale, exchange, or other transfer of real property, or interest therein, pursuant to this section may be made contingent upon any necessary rezoning of the property. Any conveyance under this section may be made only pursuant to a resolution of the City Council authorizing the conveyance. Notice by publication of the proposed transaction shall be given at least 10 days prior to adoption of the resolution, and the notice shall generally describe (i) the property involved, (ii) the nature of the interest to be conveyed, and (iii) all of the material terms of the proposed transaction, including any covenants, conditions, or restrictions which may be applicable. The notice shall give the time and place of the City Council meeting where the proposed transaction will be considered and shall announce the Council's intention to authorize the proposed transaction. The authority contained in this section is in addition to, and not in limitation of, any other authority granted by this Charter or any other general or local law."

CITY OF KANNAPOLIS DEANNEXATION

SECTION 6.(a) The following described property, identified by Cabarrus County Tax Parcel Identification Number, is removed from the corporate limits of the City of Kannapolis: 4692 86 0988 0000 and 4692 76 7813 0000.

SECTION 6.(b) This section has no effect upon the validity of any liens of the City of Kannapolis for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the City of Kannapolis.

SECTION 6.(c) This section becomes effective June 30, 2024. Property in the territory described in this section as of January 1, 2024, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

CITY OF KINGS MOUNTAIN ETJ

SECTION 7.(a) Notwithstanding G.S. 160D-202 and any other provision of law, the City of Kings Mountain shall not exercise any powers of extraterritorial jurisdiction as provided in Article 2 of Chapter 160D of the General Statutes or its predecessor, Article 19 of Chapter 160A of the General Statutes, in any area extending more than 1 mile beyond its contiguous corporate limits.

SECTION 7.(b) S.L. 1999-259 is repealed.

SECTION 7.(c) This section becomes effective October 1, 2024.

TOWN OF MOUNT GILEAD ANNEXATION

SECTION 8.(a) The following described property, referenced by Montgomery County Tax Office Parcel Identification Number, is added to the corporate limits of the Town of Mount Gilead: 6574 07 77 0679; 6574 06 58 0603; and 6574 10 45 7738.

SECTION 8.(b) This section becomes effective June 30, 2025. Property in the territory described in this section as of January 1, 2025, is subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2025.

TOWN OF STANLEY VACANCIES

SECTION 9.(a) Section 9 of Chapter 233 of the Private Laws of 1911, as amended by an ordinance adopted by the Town of Stanley on July 1, 1991, and a resolution adopted by the Town of Stanley on March 2, 1992, reads as rewritten:

"Sec. 9. That on the second Monday in May, one thousand nine hundred and eleven, and biennially thereafter, the Town Council, after having taken an oath before some justice of the peace of Gaston County to support the constitution of the United States and the constitution of the State of North Carolina, and to well, faithfully and truly perform the duties of the office of a Town Council of the town of Stanley, to the best of their ability, which oath shall be subscribed to and entered upon the minutes of the corporation, and attested to by the ~~justice of the peace individual~~ administering the oath, shall take their seats and remain in office for a period of four years and until ~~their successors are~~ a successor is elected and qualified, except such as may be removed for cause or otherwise. They shall organize by electing one ~~of their members chairman, member chair,~~ who shall act as a mayor *pro tempore*, in case of a vacancy, absence, or illness of the mayor. ~~They shall proceed to elect members to fill such vacancies as may arise by death, or failure to elect in the town, whether by virtue of a tie or on certificate of fraud, and shall fill any and all vacancies as may occur from time to time during their term of office, either elective or appointive offices.~~ Notwithstanding G.S. 160A-63, vacancies on the Town Council shall be filled by appointment of the remaining members of the Town Council for the remainder of the unexpired term. A majority of the Town Council shall constitute a quorum for the transaction of business. Said Town Council shall meet for the transaction of business at least once a month, and shall meet on the call of the mayor, or a majority of the Town Council, as often as may be necessary. ~~Said board of aldermen at its first meeting after having been qualified shall proceed to elect a chief of police for said town, and as many assistant policemen as may be deemed necessary from time to time. The chief of police shall also act as tax collector, and as chief of the fire department, until the board of aldermen shall deem it best to elect separate officers for these offices. The board of aldermen shall also elect at this meeting a town clerk, who shall also fill the office of town secretary and treasurer, until the board of aldermen shall deem it best to elect separate officers to fill these offices. They shall also elect a sanitary officer for said town and when deemed necessary a city attorney, and any and all other officers which may be deemed necessary to promote the general welfare of the people and for the good government of the town. Said officers so elected shall hold their respective offices for a period of two years, or until their successors have been elected and qualified, except such as may be removed for cause or otherwise."~~

SECTION 9.(b) This section is effective when it becomes law and applies to vacancies occurring on or after that date.

TOWN OF SUMMERFIELD DEANNEXATION

SECTION 10.(a) The following described property, identified by Guilford County Tax Parcel Property Identification Numbers, is removed from the corporate limits of the Town of Summerfield: 149612, 218953, 146198, 146128, 146205, 146160, 219823, 228628, 146200, 146052, 146207, 146127, 146119, 146149, 146126, 146327, 146325, 146324, 146321, 145496, 145413, 145583, 145568, 150103, 149659, 217566, 149658, 150130, 149642, 149643, 149688, 146919, 146880, 149645, 149651, 149653, 149662, 146952, 146311, 146129, and 146323.

SECTION 10.(b) This section has no effect upon the validity of any liens of the Town of Summerfield for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the Town of Summerfield.

1 **SECTION 10.(c)** Property described in this section shall not be subject to any
2 existing or future joint annexation agreement entered into between the Town of Summerfield and
3 the City of Greensboro and shall not be subject to the extraterritorial powers of any municipality.

4 **SECTION 10.(d)** This section becomes effective June 30, 2024. Property in the
5 territory described in this section as of January 1, 2024, is no longer subject to municipal taxes
6 for taxes imposed for taxable years beginning on or after July 1, 2024.

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8 **CITY OF WASHINGTON DEANNEXATION**

9 **SECTION 11.(a)** The following described property is removed from the corporate
10 limits of the City of Washington:

11 BEGINNING at NCGS-WASHPORT AZ MK NAD 83/86 State Plane Coordinates
12 N-66678.6735 and E-2581094.0922, thence North 88° 27' 20" West 2,169.43 feet to a point,
13 thence South 87° 47' 26" West 232.00 feet to a point, thence North 86° 45' 37" West 396.88 feet
14 to a point, thence South 06° 25' 39" West 146.05 feet to a point, thence South 20° 38' 12" West
15 206.54 feet to a point, thence South 80° 34' 29" West 414.02 feet to a point, thence North 83° 01'
16 13" West 550.40 feet to a point, thence North 15° 09' 39" East 99.87 feet to a point, thence North
17 65° 06' 40" West 95.19 feet to a point, thence North 01° 18' 57" East 636.11 feet to a point, thence
18 South 88° 47' 08" East 373.58 feet to a point, thence North 35° 56' 18" East 1,228.56 feet to a
19 point, thence North 87° 42' 16" East 120.87 feet to a point, thence North 08° 54' 16" East 229.80
20 feet to a point, thence North 35° 56' 04" East 796.77 feet to a point, thence North 07° 11' 33"
21 East, 1,282.66 feet to a point, said point being indicated by N-670565.5558 and E-2579184.4733,
22 thence North 26° 25' 38" West 695.17 feet to a point, thence North 63° 16' 57" East 371.37 feet
23 to a point, thence South 81° 05' 02" East 387.89 feet to a point, thence South 87° 45' 37" East
24 1,114.31 feet to a point, thence North 04° 45' 37" East 1,114.31 feet to a point, thence North 04°
25 03' 51" East 34.86 feet to a point, thence South 82° 03' 22" East 64.20 feet to a point, thence
26 South 77° 19' 54" East 49.81 feet to a point, thence South 73° 50' 35" East 126.92 feet to a point,
27 thence South 67° 15' 29" East 110.35 feet to a point, thence South 57° 05' 04" East 163.06 feet
28 to a point, thence South 48° 01' 54" East 131.17 feet to a point, thence South 33° 48' 37" West
29 197.95 feet to a point, thence South 03° 39' 47" West 344.73 feet to a point, thence South 35° 37'
30 45" West 809.28 feet to a point, thence South 33° 46' 12" East 95.41 feet to a point, thence South
31 05° 03' 42" East 76.93 feet to a point, thence South 27° 25' 05" East 101.72 feet to a point, thence
32 South 85° 04' 40" East 115.15 feet to a point, thence South 29° 08' 49" East 213.80 feet to a point,
33 thence South 66° 30' 50" East 54.72 feet to a point, thence South 29° 03' 37" East 215.06 feet to
34 a point, thence South 49° 45' 04" East 163.01 feet to a point, thence South 41° 57' 43" East 226.76
35 feet to a point, thence South 35° 37' 48" East 109.45 feet to a point, thence South 14° 32' 12" East
36 116.32 feet to a point, said point being indicated by N-668717.6694 and E-2581521.7757, thence
37 South 53° 13' 30" West 64.94 feet to a point, thence North 85° 32' 49" West 24.03 feet to a point,
38 thence South 48° 12' 55" West 163.24 feet to a point, thence South 27° 55' 18" East 131.07 feet
39 to a point, thence South 26° 35' 04" East 220.74 feet to a point, thence North 63° 37' 38" East
40 116.64 feet to a point, thence South 47° 57' 16" East 295.08 feet to a point, thence South 49° 51'
41 07" West 2.25 feet to a point, thence North 35° 17' 53" West 3.86 feet to a point, thence South
42 67° 05' 44" West 131.14 feet to a point, thence South 27° 03' 31" East 1,036.94 feet to a point,
43 then South 87° 30' 41" East 288.92 feet to a point, thence South 55° 10' 39" East 44.75 feet to a
44 point, thence South 19° 42' 31" East 48.15 feet to a point, thence South 00° 55' 13" West 414.62
45 feet to a point, thence South 19° 21' 41" West 223.92 feet to a point, thence North 63° 47' 08"
46 West 56.33 feet to a point, thence South 84° 10' 28" West 59.63 feet to a point, thence South 35°
47 46' 30" West 128.65 feet to a point, thence South 66° 12' 53" West 943.32 feet to a point, thence
48 North 20° 56' 38" West 764.33 feet to a point, said point indicated by N-666678.6735 and
49 E-2581094.0922, the point and place of beginning and being the same property shown on that
50 certain survey by Burgess Land Surveying, P.A. dated July 22, 2009.

SECTION 11.(b) This section has no effect upon the validity of any liens of the City of Washington for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the City of Washington.

SECTION 11.(c) This section becomes effective June 30, 2024. Property in the territory described in this section as of January 1, 2024, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

EFFECTIVE DATE

SECTION 12. Except as otherwise provided, this act is effective when it becomes law.