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30 4204-21-9305-0000, 4204-31-3648-0000, 4204-42-0146-0000, 4204-42-6632-0000, and
31 4204-42-8736-0000.

32 All roads within or abutted on two or more sides by the boundaries are included in the
33 town boundaries. As used in this section, census descriptions are from the 2000
34 decennial federal census, and tax parcels are from the Pender County tax records as of
35 July 1, 2007.

36 "Section 2.2. **Annexation.** (a) An annexation ordinance under G.S. 160A-37 or
37 G.S. 160A-49 shall become effective only if approved by the voters of the area to be
38 annexed in a referendum conducted as provided in subsection (b) of this section.

39 (b) The Town Council shall order the Pender County Board of Elections to call an
40 election to determine whether or not the proposed territory shall be annexed to the
41 Town. Within 100 days after receiving the order from the Town, the board of elections
42 shall proceed to hold an election on the question.

43 The election shall be called by a resolution or resolutions of the board of elections
44 which shall:

1 for two-year terms. In 2011, and quadrennially thereafter, one Council member shall be
2 elected from each of Districts 2 and 3 respectively, and they shall serve for four-year
3 terms. In 2013, and quadrennially thereafter, two members shall be elected at large, and
4 one member shall be elected from District 1, and they shall serve for four-year terms.
5 Vacancies on the Town Council shall be filled in accordance with G.S. 160A-63.

6 "Section 3.4. **Manner of Electing Mayor; Term of Office; Duties.** The Mayor
7 shall be elected from among the members of the Town Council at the organizational
8 meeting after the initial election in November 2009 and shall serve for a term of one
9 year. Any member of the Town Council is eligible to serve successive one-year terms as
10 Mayor, and the member shall be elected in the same manner in which the member was
11 initially elected. The Mayor shall attend and preside over meetings of the Town
12 Council, shall advise the Town Council from time to time as to matters involving the
13 Town of Hampstead, and shall have the right to vote as a member of the Town Council
14 on all matters before the Council. In the case of a vacancy in the office of Mayor, the
15 remaining members of the Town Council shall choose from their own number a
16 successor for the unexpired term.

17 "Section 3.5. **Manner of Electing Mayor Pro Tempore; Term of Office; Duties.**
18 The Mayor Pro Tempore shall be elected from among the members of the Town
19 Council at the organizational meeting after the initial election in November 2009 and
20 shall serve for a term of one year. Any member of the Town Council is eligible to serve
21 successive one-year terms as Mayor Pro Tempore, and the member shall be elected in
22 the same manner in which the member was initially elected. The Mayor Pro Tempore
23 shall act in the absence or disability of the Mayor. If the Mayor and Mayor Pro Tempore
24 are both absent from a meeting of the Town Council, the members of the Town Council
25 present may elect a temporary chairman to preside in the absence. The Mayor Pro
26 Tempore shall have the right to vote on all matters before the Town Council and shall
27 be considered a member of the Town Council for all purposes.

28 "ARTICLE IV. ELECTIONS.

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

31 "Section 4.2. **Date of Election.** Elections shall be conducted in accordance with
32 Chapter 163 of the General Statutes, with the first regular municipal election to be held
33 in 2009.

34 "Section 4.3. **Special Elections and Referenda.** Special elections and referenda
35 may be held only as provided by general law or applicable local acts of the General
36 Assembly.

37 "Section 4.4. **Regular Municipal Elections; District Boundaries.** Regular
38 municipal elections shall be held in each odd-numbered year in accordance with the
39 uniform municipal election laws of North Carolina. For purpose of the election of Town
40 Council members, the Town is divided into three geographical subdivisions, known as
41 districts, and all qualified voters of the Town may cast a vote for each seat. A written
42 description or map showing the current boundaries of the three election districts shall be
43 maintained in the office of the Town Clerk and shall be available for public inspection.
44 The district boundaries may be amended periodically pursuant to the provisions of

1 general law. Whenever areas are hereafter annexed and made part of the Town, the
2 Town Council shall, by ordinance, redefine and rearrange the three election districts so
3 as to include the annexed areas. The ordinance shall be adopted at least seven days prior
4 to the opening of candidate filing for the municipal election next succeeding the date of
5 any annexation and shall provide for three election districts of approximately equal
6 population. In redefining and rearranging the election district lines, the Town Council
7 shall follow as nearly as practical existing district lines.

8 "Section 4.5. **Residency Required.** Candidates for election to district seats on the
9 Town Council shall reside in and represent their respective districts, but all candidates
10 for Town Council shall be nominated and elected by all voters of the Town. Candidates
11 for election to at-large seats on the Town Council shall reside within the corporate limits
12 of the Town in order to qualify to take, hold, and continue in the office.

13 "ARTICLE V. ORGANIZATION AND ADMINISTRATION.

14 "Section 5.1. **Form of Government.** The Town shall operate under the
15 Mayor-Council plan as provided in Part 3 of Article 7 of Chapter 160A of the General
16 Statutes.

17 "Section 5.2. **Town Attorney.** The Town Council shall appoint a Town Attorney
18 licensed to practice law in North Carolina. It shall be the duty of the Town Attorney to
19 represent the Town, advise Town officials, and perform other duties required by law or
20 as the Town Council may direct.

21 "Section 5.3. **Town Clerk.** The Town Council shall appoint a Town Clerk to keep
22 a journal of the proceedings of the Town Council, to maintain official records and
23 documents, to give notice of meetings, and to perform such other duties required by law
24 or as the Town Council may direct.

25 "Section 5.4. **Other Administrative Officers and Employees.** The Town Council
26 may authorize other offices and positions and appoint persons to fill the offices and
27 positions. The Town Council may organize the Town government as deemed
28 appropriate, subject to the requirements of general law.

29 "Section 5.5. **Consolidation of Functions.** Where positions are not incompatible,
30 the Town Council may combine in one person the powers and duties of two or more
31 officers created or authorized by this Charter.

32 "Section 5.6. **Compensation of Mayor and Town Council; Temporary Officers.**
33 The Mayor and members of the Town Council shall be reimbursed for ordinary and
34 necessary expenses and may receive salary and honoraria only upon a majority vote of
35 the qualified voters of the Town who vote on the question in a special referendum. The
36 Temporary Officers, as described in Section 3.2 of this Charter, shall not receive a
37 salary.

38 "ARTICLE VI. TAXES AND BUDGET ORDINANCE.

39 "Section 6.1. **Powers of the Town Council.** The Town Council may levy those
40 taxes and fees authorized by general law. An affirmative vote equal to a majority of all
41 the members of the Town Council shall be required to change the ad valorem tax rate
42 from the rate established during the prior fiscal year.

43 "Section 6.2. **Budget.** From and after July 1, 2007, the citizens and property in the
44 Town of Hampstead shall be subject to municipal taxes levied for the fiscal year

1 beginning July 1, 2007, and, for that purpose, the Town shall obtain from Pender
2 County a record of property in the area herein incorporated that was listed for taxes as
3 of January 1, 2007. The Town may adopt a budget ordinance for fiscal year 2007-2008
4 without following the timetable in the Local Government Budget and Fiscal Control Act
5 but shall follow the sequence of actions in the spirit of the Act insofar as is practical.
6 For fiscal year 2007-2008, ad valorem taxes may be paid at par or face amount within
7 90 days of adoption of the budget ordinance and thereafter in accordance with the
8 schedule in G.S. 105-360 as if the taxes had been due and payable on September 1,
9 2007.

10 "Section 6.3. **Ad Valorem Taxes.** The ad valorem tax rate for the Town shall be
11 \$0.11/\$100.00 valuation and shall not be increased by the Temporary Officers, which
12 are described in Section 3.2 of this Charter. The Town Council shall not increase the ad
13 valorem tax rate more than ten percent (10%) above the ad valorem tax rate initially
14 established after incorporation of the Town of Hampstead without the vote or consent of
15 a majority of the qualified voters of the Town of Hampstead. The procedures of
16 G.S. 160A-209 shall be followed for any such election.

17 "ARTICLE VII. ORDINANCES.

18 "Section 7.1. **Ordinances.** Except as otherwise provided in this Charter, the Town of
19 Hampstead is authorized to adopt such ordinances as the Town Council deems
20 necessary for the governance of the Town.

21 "ARTICLE VIII. SPECIAL PROVISIONS.

22 "Section 8.1. **Fire Protection.** The Town of Hampstead may contract with the Sloop
23 Point Volunteer Fire Department and the Hampstead Volunteer Fire Department to
24 provide fire protection for the Town. The contract terms and the amount paid by the
25 Town of Hampstead to the Sloop Point Volunteer Fire Department and the Hampstead
26 Volunteer Fire Department shall be mutually agreed upon and annually renewed by the
27 Board of Directors for the Sloop Point Volunteer Fire Department and the Town
28 Council and the Board of Directors for the Hampstead Volunteer Fire Department and
29 the Town Council.

30 "Section 8.2. **Fire Protection District; Town Removed.** Effective June 30, 2008,
31 the Town of Hampstead is removed from the Hampstead Fire Protection District and the
32 Sloop Point Fire Protection District."

33 **SECTION 2.** The Pender County Board of Elections shall conduct an
34 election on November 6, 2007, for the purpose of submission to the qualified voters for
35 the area described in Section 2.1 of the Charter of the Town of Hampstead the question
36 of whether or not the area shall be incorporated as the Town of Hampstead.
37 Registration for the election shall be conducted in accordance with G.S. 163-288.2.

38 **SECTION 3.** In the election, the question on the ballot shall be:

39 " [] FOR [] AGAINST

40 Incorporation of the Town of Hampstead."

41 **SECTION 4.** In the election, if a majority of the votes are cast "For the
42 Incorporation of the Town of Hampstead," Section 1 of this act shall become effective
43 on the date that the Pender County Board of Elections certifies the results of the
44 election. Otherwise, Section 1 of this act shall have no force and effect.

1

SECTION 5. This act is effective when it becomes law.