

CHARTER

CHARTER

Section

PART I

THE CHARTER AND OTHER RELATED LAWS

- Sec. 1. Introduction; corporate name and powers.
- Sec. 2. Same; corporate limits.
- Sec. 3. Legislative; State law applicable.
- Sec. 4. Same; ordinances governing street work.
- Sec. 5. Same; ordinances, rules and regulations in furtherance of police powers.
- Sec. 6. Same; powers of laws and ordinances.
- Sec. 7. Elections; general.
- Sec. 8. Same; Town officials.
- Sec. 9. Financial; taxes.
- Sec. 10. Police; duty of officers.
- Sec. 11. Business license taxes.
- Sec. 12. Public works; condemnation of land.
- Sec. 13. Same; regulation of streets.
- Sec. 14. Assessments as to streets and sidewalks.
- Sec. 15. Automobile tax.
- Sec. 16. Council-manager form of government.

Editor's note:

Printed in this part is the Charter, being Private Laws 1873-74, C. 20. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets

Sec. 1. Introduction; corporate name and powers.

The General Assembly of North Carolina do enact, that the Town of Bethel in the county of Pitt is hereby created and incorporated a town and a body politic under the style of the Council members of the Town of Bethel, to have perpetual succession with the usual powers of such corporations, to sue and be sued, plead and be impleaded, contract and be contracted with and to make all needful rules and regulations, by-laws and ordinances for the government of said town not inconsistent with the constitution and laws of this State or of the United States.

(Ord. 30, passed 2-1-2000)

Sec. 2. Same; corporate limits.

Beginning at a stake in the western right-of-way line of N.C. Highway #11, said stake being located 150 feet northwardly from the intersection of the northern right-of-way line of Harper Drive with the western right-of-way line of N.C. Highway #11; thence with the western line of N.C. Highway #11; S. 2 degrees 00 minutes W., 62 feet; thence crossing N.C. Highway #11 and with the northern right-of-way line of S.R. 1501 N. 72 degrees 30 minutes E., 237 feet; thence leaving the right-of-way of S.R. 1501 S. 19 degrees 43 minutes E., 3,430 feet to a point in the center line of the Seaboard Coast Line Railroad track; thence S. 6 degrees 37 minutes W., 500.2 feet to the northern right-of-way of South Railroad Street; thence with the northern right-of-way line of South Railroad Street S. 61 degrees 23 minutes E., 107.9 feet; thence leaving the right-of-way N. 6 degrees 37 minutes E., 108.8 feet; thence N. 81 degrees 36 minutes E., 217 feet; thence S. 00 degrees 23 minutes E., 205.5 feet to the southern right-of-way line of East Washington Street; thence with the southern right-of-way line of East Washington Street S. 81 degrees 12 minutes W., 347.2 feet; thence leaving said right-of-way of East Washington Street S. 6 degrees 37 minutes W., 1,828.1 feet; thence S. 83 degrees 23 minutes E., 273 feet; thence S. 6 degrees 37 minutes W., 671 feet to a point in the southern right-of-way line of the Flat Swamp Road; thence with the southern right-of-way line of the Flat Swamp Road N. 62 degrees 43 minutes W., 355 feet; thence N. 69 degrees W., 300 feet; thence N. 75 degrees 30 minutes W., 376 feet; thence leaving the southern right-of-way of Flat Swamp Road S. 8 degrees 30 minutes W., 558.6 feet to an iron stake; thence S. 6 degrees 30 minutes W., 176.5 feet to an iron stake; thence S. 8 degrees 30 minutes W., 461.27 feet to the center of the VEPCO primary power transmission line; thence with the center of the VEPCO power line S. 78 degrees 27 minutes W., 2,497.15 feet to a hedgerow dividing the Blount and Carson properties; thence with the Blount-Carson line N. 3 degrees 35 minutes E., 880.7 feet to the center of N.C. S.R. No. 1429; thence with said road N. 74 degrees 52 minutes W., 165 feet; thence leaving said road N. 29 degrees 12 minutes W., 1,718.45 feet; thence N. 40 degrees 12 minutes W., 1,190 feet; thence N. 4 degrees 30 minutes W., 200 feet to a point in the southern right-of-way line of West Washington Street; thence with the southern right-of-way line of West Washington Street S. 85 degrees 30 minutes W., 1,370 feet; thence S. 85 degrees 2 minutes W., 699.4 feet; thence leaving said right-of-way of West Washington Street N. 5 degrees 27 minutes W., 422 feet to a point in the center line of the Seaboard Coastline Railroad track; thence with the center line of the Seaboard Coastline Railroad track N. 84 degrees 52 minutes E., 2,744.9 feet; thence leaving said center line of the Seaboard Coastline Railroad and with the eastern side of a ditch N. 7 degrees 30 minutes W., 495 feet to an iron stake; thence N. 72 degrees E., 715 feet; thence parallel and 150 feet westerly from the western right-of-way line of Robinson Street N. 6 degrees 30 minutes E., 2,540 feet more or less to the southern right-of-way line of Hammond Avenue; thence with the southern line of Hammond Avenue, S. 84 degrees 00 minutes E., 470 feet more or less to the center line of a canal; thence with the center line of said canal N. 3 degrees 57 minutes E., 1,490 feet; thence N. 4 degrees 35 minutes E., 361 feet to the center line intersection of a ditch; thence with the center line of said ditch S. 72 degrees 00 minutes E., 659.5 feet; thence leaving center line of said ditch and with the eastern right-of-way of Greenbriar Road extension S. 3 degrees 45 minutes W., 1,514 feet; thence leaving said eastern right-of-way of Greenbriar Road extension S. 84 degrees 00 minutes E., 150 feet; thence N. 2 degrees 00 minutes E., 400 feet; thence S. 87 degrees 45 minutes E., 1,108 feet to the point of beginning. (SB 798, 1969)
(Sess. Laws 1981, C. 273, § 2) (Ord. 30, passed 2-1-2000)

Sec. 3. Legislative; State law applicable.

Said Town and Council members shall be subject to all the provisions contained in the one hundred and eleventh chapter of the revised code not inconsistent with the Constitution and laws of the State, and of the United States.

(Ord. 30, passed 2-1-2000)

Sec. 4. Same; ordinances governing street work.

That the Council members of said Town of Bethel shall have the power to pass such ordinances as they shall deem proper for working the streets of said Town.

(Pr. Laws 1911, C. 171, § 4) (Ord. 30, passed 2-1-2000)

Sec. 5. Same; ordinances, rules and regulations in furtherance of police powers.

That all ordinances, rules and regulations of the Town of Bethel, said county, now in force or that may be hereafter enacted by the governing body in the exercise of its police power given to it for the protection of the health and moral conditions of its citizens, and for the protection of the property of the said Town, unless otherwise provided by law, shall, in addition to applying to the territory within the said Town limits, apply with equal force to the territory outside the said limits and within one mile in all directions of the same.

(Pr. Laws 1927, C. 97, § 2) (Ord. 30, passed 2-1-2000)

Sec. 6. Same; powers of laws and ordinances.

The Council members shall have power to affix penalties and forfeitures for violation of their laws and ordinances, and to enforce collection of the same, which taxes, forfeitures when collected shall go to the exclusive use of the streets, sidewalks and public squares, or in such other mode as the said Council members may deem best to promote the health, comfort, prosperity and advancement of the same.

(Ord. 30, passed 2-1-2000)

Sec. 7. Elections; general.***Editor's note:***

Elections are governed by the Municipal Election Laws, G.S. ch. 163

(Ord. 30, passed 2-1-2000)

Sec. 8. Same; Town officials.

The officers of said town shall consist of a mayor and five Council members who shall hold office for terms of two years each and until their successors are elected and qualified. Biennially, there shall be held a general municipal election for the election of the mayor and Council members of said town.

(Sess. Laws 1953, C. 609, § 2) (Ord. 30, passed 2-1-2000)

Sec. 9. Financial; taxes.

The Town of Bethel, Pitt County, acting through its Council, shall have the power to levy and collect such taxes as are necessary for its municipal purposes not in excess of 50 cents on the \$100 worth of property.

(Pr. Laws 1911, C. 171, § 2) (Ord. 30, passed 2-1-2000)

Sec. 10. Police; duty of officers.

The police officers of the said Town are hereby granted full authority to make arrests and do other acts within the scope of their authority as police officers within the corporate limits of said Town as above set forth in addition within one mile of the said limits in any direction thereof beyond and outside said Town limits as fully as within said limits.

(Pr. Laws 1927, C. 97, § 2) (Ord. 30, passed 2-1-2000)

Sec. 11. Business license taxes.

Said Town shall have the power to levy and collect taxes for licenses and franchises granted by said Town authorities and collect taxes levied on all trades, professions, shows, exhibition, all property, animals, person, apothecaries, druggists and retailers of all kinds that now are and may be taxed by the State.

(Pr. Laws 1911, C. 171, § 2) (Ord. 30, passed 2-1-2000)

Sec. 12. Public works; condemnation of land.

The Council members of said Town shall have power to condemn land and lay off, mark out and open streets whenever it is, in their judgment, to the interest and progress of the Town to do so, and the said Town shall be liable for any and all damages which may be adjudged in favor of any person or persons over whose land said street or streets may run, said damages to be assessed by four freeholders, two of whom shall be appointed by the Council of said Town, and two to be selected by the person or persons over whose lands such streets may run; and in case they cannot agree they shall call in the fifth person, who shall also be a freeholder. Said persons shall be duly sworn before some justice of the peace before entering upon the discharge of their duty; they shall also make a report of their proceedings under their hands and seals to the Council of said Town.

(Pr. Laws 1881, C. 95, § 3) (Ord. 30, passed 2-1-2000)

Sec. 13. Same; regulation of streets.

The Council members of said Town of Bethel shall have the power to pass such ordinances as they shall deem proper for working the streets of said Town.

(Pr. Laws 1911, C. 171, § 4) (Ord. 30, passed 2-1-2000)

Sec. 14. Assessments as to streets and sidewalks.

(a) In addition to any authority which is now or may hereafter be granted by general law to the town for making street improvements, the Town Council is hereby authorized to make street improvements and to assess the costs thereof against abutting property owners in accordance with the provisions of this section.

(b) The Town Council may order street improvements and assess the costs thereof, exclusive of the costs incurred at street intersections, against the abutting property owners, according to one or more of the assessment bases set forth in Article 10 of Chapter 160A of the North Carolina General Statutes, without the necessity of a petition, upon findings of fact by the Council of the following.

(1) The street, or part thereof, is unsafe for vehicular traffic and it is in the public interest to make the improvement.

(2) It is in the public interest to connect two streets or portions of a street already improved.

(3) It is in the public interest to widen a street, or part thereof, that is already improved. However, assessments for widening any street, or portion of street, without petition shall be limited to the cost of widening and otherwise improving the street in accordance with the street classification and improvement standard established by the town's thoroughfare or major street plan for the particular street, or part thereof, to be widened and improved.

(4) The street, or part thereof, is in need of repair or pavement and it is in the public interest to make the improvements.

(c) For the purpose of this section, the term "street improvement" shall include grading, regarding, surfacing, resurfacing, widening, paving, repaving, the acquisition of right-of-way, and the construction or reconstruction of curbs, gutters, and street drainage systems.

(d) In addition to any authority which is now or may hereafter be granted by general law to the town for making sidewalk improvements, the Town Council members are hereby authorized, without the necessity of a petition, to make or to order to be made sidewalk improvements or repairs according to standards and specifications of the town, and to assess the total cost thereof against abutting property owners, according to one or more of the assessment bases set forth in Article 10 of Chapter 160A of the North Carolina General Statutes. However, regardless of the assessment basis or bases employed, the Council members may order the costs of sidewalk improvements made only on one side of a street to be assessed against property owners abutting both sides of the street.

(e) In ordering street and sidewalk improvements without a petition and assessing the costs thereof under authority of this section, the Town Council members shall comply with the procedure provided by Article 10, Chapter 160 A of the General Statutes, except those provisions relating to the petition of property owners and the sufficiency thereof.

(f) The effect of the act of levying assessments under authority of this section shall for all purposes be the same as if the assessments were levied under authority of Article 10 of Chapter 160A of the General Statutes.

(g) This section shall be in addition to and not in derogation of any other powers already held by general laws or in the town Charter.

(Sess. Laws 1981, C. 271) (Ord. 30, passed 2-1-2000)

Sec. 15. Automobile tax.

G.S. 20-97 is amended by adding immediately after the words "Town of Garner" the words, "Town of Bethel".

(Sess. Laws 1981, C. 311) (Ord. 30, passed 2-1-2000)

Editor's note:

Chapter 311, 1981 Session Laws of North Carolina authorizes the town to impose an annual automobile tax of \$3.00

Sec. 16. Council-manager form of government.

(a) Pursuant to G.S. 160A-101 and 160A-102, the Charter of the Town of Bethel, as set forth in Chapter 20, Section 1 of the 1873-1874 Private 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 Part 2 of Article 7 of G.S. Chapter 160A and any charter provisions not in conflict therewith.

(b) The town clerk shall cause a notice to be duly published, stating that an Ordinance amending the Charter to adopt council-manager form of government has been adopted. Subject to any referendum petitioned for and conducted pursuant to G.S. 160A-103, this ordinance shall be in full force and effect from and after March 4, 2000.

(Ord. 30, passed 2-1-2000) (Ord. 30, passed 2-1-2000)

**CHARTER COMPARATIVE TABLE
PRIVATE LAWS**

This table shows the location of the sections of the basic Charter and any amendments thereto made by the Private Laws of North Carolina.

Year	Chapter	Section	Section this Charter
1881	95	3	12
1911	171	2	9
			11
		4	4
			13
1927	97	2	5
			10

**CHARTER COMPARATIVE TABLE
SESSION LAWS**

This table shows the location of the sections of the basic Charter and any amendments thereto made by the Session Laws of North Carolina.

Year	Chapter	Section this Charter
1953	609	8
1981	271	14
	273	2
	311	15