

**THE CHARTER OF
THE TOWN OF MOUNT PLEASANT, NORTH CAROLINA**
(as amended February 11, 2019, subject to NCGS 160A-101)

Editorial Notes:

The Town boundaries have been amended several times. The boundary described herein includes amendments through 1965. All other boundary amendments have been completed pursuant to NCGS Chapter 160A, Article 4A and filed with the North Carolina Secretary of State.

This charter codification contains the basic charter laws, as amended. Modifications to the charter may be made from time-to-time pursuant to NCGS Chapter 160A, Article 5, Part 4, including the name of the corporation, the style of corporation, the style of governing board, the terms of office members of the elected body, the number of members of the elected body, the mode of election, election types, selection of mayor, and the form of government.

CHAPTER 1: INCORPORATED; NAME; CORPORATE RIGHTS

The Town of Mount Pleasant, in Cabarrus County, be and the same is hereby incorporated by the name and style of the Town of Mount Pleasant, and under such name is hereby invested with all the privileges, immunities, franchises, property and all other rights heretofore belonging or in any wise appertaining to the Town of Mount Pleasant, and in the name may sue and be sued, plead and be impleaded, acquire and hold property, real or personal, for the use of the Town as its Board of Commissioners may deem necessary or expedient.

(Amended February 11, 2019)

CHAPTER 2: CORPORATE LIMITS

The boundaries of said town shall be as follows and shall include any and all metes and bounds amendments recorded at the Cabarrus County Register of Deeds office, pursuant to the requirement of North Carolina General Statutes Chapter 160A, Article 4A, to wit:

1. Beginning at a point in the center line of East Franklin Street (North Carolina No. 73) said point being the prolongation of East side of Crowell Street; thence with the corporate lines, South 49 degrees 10 minutes West 1564 feet to a concrete monument in a field; thence two new lines, 1st, South 8 degrees 38 minutes West 785 feet to a concrete monument; 2nd, North 80 degrees 55 minutes West 666.8 feet to a concrete monument, an old corner of the corporate limits; thence with the old corporate liens, North 89 degrees 25 minutes West 1368 feet to the center line of South Main Street, said point being .01 miles South of Bostian Street; thence South 87 degrees 45 minutes West 1560 feet to a concrete marker in the woods; thence two new lines, 1st North 20 degrees 20 minutes West 2945.5 feet to a concrete marker on the South side of South Halifax Street; 2nd crossing and running with the North edge of said street North 35 degrees 56 minutes East 634 feet to an iron pipe in the old line; thence with the old line North 11 degrees 15 minutes West 625.5 feet crossing Eagle Street to a point in the center line of West Franklin Street (North Carolina Highway No. 73); thence North 4 degrees 50 minutes West 910 feet to a concrete marker; thence North 42 degrees 10 minutes East 1140 feet to a point in the old corporate line; thence a new line North 13 degrees 26 minutes East 1511.2 feet

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crossing North Carolina Highway No. 49 at 1060 feet to an iron property corner of Mount Pleasant School; thence with the School line North 11degrees 11 minutes West 267.8 feet (passing an iron at 246.6 feet) to a point in the center line of old Concord-Albemarle Road; thence with the center of said road North 70 degrees 46 minutes East 1456.8 feet crossing North Main Street Extension at 1070 feet to an iron in the center of the old road; thence with the center of said road North 71 degrees 22 minutes East 615.3 feet to an iron; thence with said old road North 65 degrees 03 minutes East 1079.7 feet to a marker in said old road; thence five new lines; 1st South 0 degrees 47 minutes West 714.8 feet; 2nd South 2 degrees 59 minutes East crossing a new street 281.8 feet to a marker on the South side of said street; 3rd, with the South side of said street South 83 degrees 42 minutes West 25 feet to a marker; 4th, South 14 degrees 21 minutes East 1916 feet to a marker; 5th, South 75 degrees 38 minutes West 235 feet to a marker, an old corner of corporate limits; thence with the old line South 62 degrees 44 minutes West 228 feet to a marker; thence South 6 degrees 50 minutes West 540 feet crossing North Carolina Highway No. 49 at 331 feet to a point in the old line, (said line is just West of the northwest corner of a tenant house of Joe Foil); thence with the old line South 17 degrees 00 minutes East 4140 feet to a concrete marker; thence South 65 degrees 30 minutes East 1035 feet to a concrete marker, said marker being on the East side of Crowell Street; thence with the East side of Crowell Street 10 degrees 25 minutes West 568 feet to the beginning.

2. Beginning at a concrete monument, an old corner of Town limits about 200 feet northeast of Wood Street and runs thence with five old lines as follows, 1st South 38 degrees 36 minutes West (crossing Wood Street) 643 feet; 2nd, South 16 degrees 28 minutes East 966.3 feet to a point in the North edge of Page Drive; 3rd, with North edge of Page Drive South 38 degrees 55 minutes West 75 feet to a point in the center of N.C. Highway No. 73; 4th, with center of said Highway South 44 degrees East 85.3 feet; 5th, South 37 degrees 30 minutes West crossing Eagle Street 393.6 feet to a concrete monument; thence six new lines, 1st North 44 degrees 30 minutes West (crossing 3 unnamed streets) 1156.8 feet; 2nd, North 20 degrees 47 minutes East (crossing N.C. Highway No. 73 and running with the diving line between lots Nos. 8 and 9, block "C" of Eagle Heights. Map Book No. 8 at page 13) 428.1 feet; 3rd, North 37 degrees 16 minutes East (running with the back line of lots Nos. 15 thru 62) 1200 feet; 4th South 52 degrees 44 minutes East with the dividing line between lots Nos. 62 and 63, 220 feet to a point in the center of a street; thence 5th, with center of said street South 35 degrees 55 minutes West 77.3 feet; 6th, South 52 degrees 31 minutes East 203.3 feet to the beginning.

(Pr. Laws 1883, c. 77, Sec. 1; Sess. Laws 1963, c. 257, Sec. 1; Sess. Laws 1965, c. 77, Sec. 1, Amended February 11, 2019)

CHAPTER 3: GOVERNING BODY

Section C-3.1 Structure of Governing Body; Number of Members

The governing body of said Town shall consist of a Mayor and five (5) Commissioners, who shall be named the Board of Commissioners.

Section C-3.2. Manner of Election; Term of Office

The qualified voters of the entire Town shall elect the Mayor and members of the Town Board of Commissioners that shall serve staggered four (4) year terms. Nonpartisan plurality elections shall take place every two years, in odd-numbered years, with three commissioners being elected during one election cycle, and two commissioners and the Mayor during the next election cycle, and so on. Absentee ballots are permitted pursuant to Board of Elections requirements. The present Mayor, Commissioners and other officers of Mount Pleasant shall hold said offices with all the powers, privileges, rights and responsibilities which this charter and the former charter conferred until their successors are elected or appointed and qualified.

(Pr. Laws 1883, c. 77, Sec. 13, Amended February 11, 2019)

CHAPTER 4: FORM OF GOVERNMENT AND ADMINISTRATION

Section C-4.1 Council-Manager Form of Government

The Town shall operate under the council-manager form of government in accordance with North Carolina General Statute, Part 2, Article 7 and any charter provisions not in conflict therewith.

Section C-4.2 Administration; Town Manager

The Town Board of Commissioners shall appoint a Town Manager to serve at the pleasure of the Board. Said manager may hire employees and assign duties within administrative structure and budget established by the Board of Commissioners.

Section C-4.3 Town Clerk

The Town Manager may appoint to a qualified Town employee to perform the duties of Town Clerk. The Town Clerk shall act as the clerk of the Board of Commissioners. He or she shall preserve the books, papers, and all articles committed to his or her charge.

Section C-4.4 Finance Officer

The Town Manager may appoint a qualified Town employee to perform the duties of Finance Officer. The Finance Officer shall keep a strict account of all moneys coming into his hand from any and all sources whatever belonging to said Town, pay the same out upon the order of the Board of Commissioners and signed by the Mayor.

Section C-4.5 Fidelity Bonds

Fidelity bonds shall be fixed for each officer, employee, or agent of the Town, as applicable, in accordance with North Carolina General Statute 159-29.

(Pr. Laws 1883, c. 77, Sec. 9, Amended February 11, 2019)

CHAPTER 5: ORDINANCES

The Board of Commissioners of the Town may pass all ordinances they deem necessary for the good government, quiet, peace, health and safety of the Town, not inconsistent with the constitution and the laws of the State.

(Pr. Laws 1883, c. 77, Sec. 4)

CHAPTER 6: SPECIAL PROVISIONS

Section C-6.1 Condemnation Proceeding

The Commissioners shall have the power, from time to time, to open any new streets within the limits of said town by paying the owners, through whose land the said streets may run, any damages, which may be incurred. In the event that Commissioners and the land/property cannot agree upon a set price, a committee consisting of three (3), disinterested persons shall be established. The procedure in which the members may be chosen is as follows: First, the Commissioners shall select one (1) individual. Secondly, the land/property owner shall select one (1) person. Then, the two selected individuals shall select a third and final individual. Once the committee is formed, the three individuals shall assess the damages to the land. If either party, the Commissioners or the land/property owner, are still dissatisfied with the decision of the committee, an appeal to the superior court may be made.

(Pr. Laws 1911, c. 33, Sec. 1)

Section C-6.2 Paving of sidewalks; assessment; lien; collection; records

The Commissioners of the Town of Mount Pleasant shall have full power and authority from time to time to grade, curb and pave the sidewalks of said Town with brick, stone, cement or other material that may be decided on by said Commissioners, and to require every owner of real estate abutting on the said sidewalk to pay one-half (1/2) of the cost of paving said sidewalk along with the front of said property: Such costs and charges shall be a lien on all such abutting real estate from the commencement of the work, and when said work is completed in front of the abutting property, the owners shall be notified of the cost, thereof, and his party of said costs, as above specified, shall at once become due and payable to said Town, and if not paid on demand, may be assessed upon said property and entered on the tax list of said Town against said property for the current year and may be collected in the same manner that other taxes are collected, or may be collected by an action instituted in the corporate name of said Town against said owner or owners in the superior court of Cabarrus County to enforce said lien, in which action judgment may be taken for the sale of said property to satisfy the amount due said Town, together with all costs of said action. Said action may be brought any time within three (3) years from the date of the completion of said work for the purpose of enforcing said lien. It shall be the duty of said Commissioners to cause the cost of said paving in each case to be entered by the clerk on a book kept by him for that purpose, and it shall be his duty to collect the same and account therefore in the same manner as the taxes of said Town.

(Pr. Laws 1911, c. 33, Sec. 1)

Section C-6.3 Battle's Revisal

In addition to the rights, franchises and immunities conferred by the foregoing sections, the Town of Mount Pleasant shall have and be subject to all the provisions contained in Battle's Revisal, chapter one hundred and eleven, not inconsistent with this act.

(Pr. Laws 1883, c. 77, Sec. 14)