

**CHARTER AND LOCAL ACTS
OF THE TOWN OF BOONE, NORTH CAROLINA**

Editor's note: Pending town's reply to editorial report, this page is reserved for the text of the town charter.

LOCAL ACTS

Section

1. An act to repeal the present charter of Boone, North Carolina, and to re-charter the town
2. An act to amend Chapter 107 of the private laws of 1907, relating to the boundary line of the Town of Boone, Watauga County
3. An act to extend the corporate limits of the Town of Boone in Watauga County, and to provide for the distribution of the funds of said town for improvement according to population
4. An act to amend the charter of the Town of Boone, Watauga County, North Carolina
5. An act to amend the charter of the Town of Boone, Watauga County, North Carolina, and all amendments thereto
6. An act to amend the charter of the Town of Boone, Watauga County, North Carolina, and all amendments thereto and to repeal chapter two hundred twenty of the private laws of one thousand nine hundred twenty-five and chapter two hundred twenty-three private laws one thousand nine hundred twenty-seven
7. An act to amend chapter one hundred and eight-seven of the private laws of one thousand nine hundred and thirty-one, relating to the salary of the mayor of the Town of Boone, Watauga County
8. An act to fix the date of election of the mayor and board of commissioners of the Town of Boone
9. An act to amend chapter 107 of the private laws of 1907 and chapter 187 of the private laws of 1931 relating to the Town of Boone
10. An act to delete a certain area from the corporate limits of the Town of Boone, and to provide staggered terms for members of the board of aldermen, and to authorize the sale of certain property

**§ 1 AN ACT TO REPEAL THE PRESENT CHARTER OF BOONE, NORTH CAROLINA,
AND TO RE-CHARTER THE TOWN.**

SECTION 1. That the town of Boone, in the county of Watauga, is hereby incorporated in the following boundaries, viz.: Beginning at the center of the front steps of the courthouse and running west one hundred and sixteen poles to a poplar sprout in W.L. Bryan's field; then south fifty-six degrees east, crossing the road, sixty-eight poles to an apple tree on top of the ridge in W.L. Bryan's field; then south forty-six degrees east two hundred and twelve poles to a bunch of locust south of D.D. Dougherty's house; then south sixty-eight degrees east forty-four poles to a small white pine south of Joe Calloway's corner; then north seventy degrees east sixty poles to a large maple on the south side of the turnpike road; then north thirty-five degrees west with the road eight poles; then north thirty degrees east with said road twenty poles; then north eighteen degrees east with said road sixty poles to a maple in the forks of the road at the old road; then west, with the old road fifty-one poles to corner of Cook Brothers and B.J. Council's lot; then north thirty-eight degrees west, crossing the road, sixty-eight poles to B.J. and A.M. Council's line; then north eight degrees east with said line forty poles to a sassafras; then north twenty-two degrees west with said line seventy-four poles to B.J. and A.M. Council's corner; then north seventy-two degrees west one hundred and seventy poles to a locust on top of the ridge in B.T. Brannock's field; thence to the terminus of the first call.

SEC. 2. That the officers of said town shall consist of a mayor and three commissioners and a constable, or marshal, and such policemen as in the judgment of the mayor may be necessary, and that upon the taking effect of this act the following named persons shall fill the said offices of mayor and commissioners, to-wit: Mayor, J.C. Fletcher; commissioners, M.B. Blackburn, C.J. Cottrell and E.S. Coffey, who shall hold and exercise their respective offices until their successors shall be elected and qualify.

SEC. 3. That an election shall be held on Tuesday after the first Monday in May, one thousand nine hundred and seven, and biennially thereafter, for the said offices of mayor and commissioners, as provided by the general law governing towns and cities.

SEC. 4. That said town shall have the benefit of and be subject to all the provisions of chapter seventy-three of the Revisal of one thousand nine hundred and five, except it shall not be subject to the provisions of sections two thousand nine hundred and eighty-one and two thousand nine hundred and eighty-two of said Revisal.

SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 6. That this act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this the 20th day of February, A.D. 1907. (Private Laws of 1907, Chapter 107)

§ 2 AN ACT TO AMEND CHAPTER 107 OF THE PRIVATE LAWS OF 1907, RELATING TO THE BOUNDARY LINE OF THE TOWN OF BOONE, WATAUGA COUNTY.

SECTION 1. That chapter one hundred and seven of the Private Laws of one thousand nine hundred and seven be and the same is hereby amended as follows: by striking out all of section one, after the word "road" and semicolon, in line twelve of said section, down to and including the words "old road," before the semicolon in line fifteen of said section, and inserting in lieu thereof the

following: "then in a northwestern direction one hundred feet across the Turnpike Road to a stone on west side of the old road leading from said maple towards J.F. Hardin's; thence with the west bank of said old road to the northeast corner of Dr. R.K. Bingham's lot, making the west boundary, of said road the corporate limits of the town of Boone."

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 1st day of March, A.D. 1918. (Private Laws of 1913, Ch. 172)

§ 3 AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF BOONE IN WATAUGA COUNTY AND TO PROVIDE FOR THE DISTRIBUTION OF THE FUNDS OF SAID TOWN FOR IMPROVEMENT ACCORDING TO POPULATION.

SECTION 1. That the corporate limits of the town of Boone, Watauga County, North Carolina, be and the same are hereby extended so as to include the following territory: Beginning on the top of Lovill Pinnacle and runs thence at a southern direction to the Lovill Spring on the south side of the highway; thence in a southern direction to the top of the first ridge; thence in a southeastern direction to the top of a ridge above Walter Earp's house; thence east down and with the main top of the ridge to Ed. Farthing's southwestern corner; thence down on the same ridge in an eastern direction to the Linville River Road; thence in a northern direction with said road to the W.S. Whiting dummy line or logging road; thence in a northern direction with said dummy line or logging road to Will Coffey's house so as to include said house; thence in a northern direction to the first trestle on the dummy line near the large trestle; thence in a western direction to a spring above John Hardin's house near an old building; thence in a western direction to a sharp curve in Junaluska Road near Gus Horton's; thence in a western direction to the beginning.

SEC. 2. That the aldermen of the town of Boone, Watauga County, and their successors in office, are hereby authorized, empowered and directed to ascertain and determine the north and south center line across said town according to population, and to expend for improvements the same amount of money on each side of said line.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 21st day of February, A.D. 1923. (Private Laws of 1923, Ch. 75)

§ 4 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOONE, WATAUGA COUNTY, NORTH CAROLINA.

SECTION 1. That the mayor shall be entitled for his said services as said mayor a sum not to exceed one hundred and fifty dollars (\$150) per year; and that the aldermen of the said town shall be entitled to receive a sum not exceeding twenty-five dollars (\$25) each per annum for his said services

as alderman for the said town of Boone. The aldermen and mayor shall fix their salaries annually not to exceed the aforesaid amounts.

SEC. 2. That all costs that shall accrue in the mayor's court and collected by the officers of said town of Boone shall be turned into the treasury of the said town to be used for any purposes that the aldermen and mayor shall see fit to direct it to be used for.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force from and after the first day of May, nineteen hundred twenty-five.

Ratified this the 4th day of March, A.D. 1925. (Private Laws of 1925, Ch. 220)

§ 5 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOONE, WATAUGA COUNTY, NORTH CAROLINA, AND ALL AMENDMENTS THERETO.

SECTION 1. That the mayor of the town of Boone shall be entitled for his services as mayor the sum not exceeding fifteen dollars per month and that the aldermen of the said town shall be entitled to receive the sum not exceeding fifty dollars per annum for their said services, except the member who is elected clerk, who shall be entitled to receive not more than one hundred dollars per annum.

SEC. 2. That the aldermen of said town are authorized and fully empowered to employ a city manager with a salary not exceeding the sum of two hundred dollars per month, and the said aldermen shall prescribe the duties of the said city manager.

SEC. 3. That chapter two hundred and twenty of Private Laws of one thousand nine hundred and twenty-five, are hereby amended by inserting in line one of section two of said chapter after the word "costs" the words "fine and forfeitures."

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 5. That this act shall be in force and effect from and after its ratification.

Ratified this the 8th day of March, A.D. 1927. (Private Laws of 1927, Ch. 223)

§ 6 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOONE, WATAUGA COUNTY, NORTH CAROLINA, AND ALL AMENDMENTS THERETO AND TO REPEAL CHAPTER TWO HUNDRED TWENTY OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED TWENTY-FIVE, AND CHAPTER TWO HUNDRED TWENTY-THREE PRIVATE LAWS ONE THOUSAND NINE HUNDRED TWENTY-SEVEN.

SECTION 1. That Chapter two hundred and twenty (220) of the Private Laws of one thousand nine hundred twenty-five, and Chapter two hundred and twenty-three (223) of the Private Laws of one thousand nine hundred twenty-seven are hereby repealed.

SEC. 2. That the Mayor of the Town of Boone shall be entitled for his services as may be fixed by the Board of Aldermen, the sum not exceeding twenty-five dollars (\$25.00) per month and that the aldermen of the said town shall be entitled to receive the sum not exceeding one hundred (\$100.00) dollars each per annum for their said services, to be fixed by said board.

SEC. 3. That all costs that shall accrue in the mayor's Court and collected by the officers of said Town of Boone shall be turned into the treasury of the said Town to be used for any purposes that the aldermen and mayor shall see fit to direct it to be used for.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. That this act shall be in force and effect from and after its ratification.

Ratified this the 27th day of May, A.D., 1931. (Private Laws of 1931, Ch. 187)

§ 7 AN ACT TO AMEND CHAPTER ONE HUNDRED AND EIGHTY-SEVEN OF THE PRIVATE LAWS OF ONE THOUSAND NINE HUNDRED AND THIRTY-ONE, RELATING TO THE SALARY OF THE MAYOR OF THE TOWN OF BOONE, WATAUGA COUNTY.

SECTION 1. That section two of chapter one hundred and eighty-seven of the Private Laws of one thousand nine hundred and thirty-one be and the same is hereby amended to read as follows:

“Section 2. That the mayor of the town of Boone, North Carolina, shall receive for his service such sum as may be fixed by the Board of Aldermen, in their discretion, to be not less than three hundred nor more than one thousand dollars per annum, and the aldermen of said town shall be entitled to receive the sum of not exceeding one hundred dollars each per annum for their services: *Provided, however,* that the clerk of said board may be paid, in addition to his regular salary for his services as clerk, a sum not to exceed one hundred dollars per annum, to be fixed by said board.”

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of May, A.D. 1933. (Private Laws of 1933, Ch. 239)

§ 8 AN ACT TO FIX THE DATE OF ELECTION OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF BOONE.

SECTION 1. That the term of office of the Mayor and the Board of Town Commissioners of the Town of Boone shall be two years.

SEC. 2. That the term of office of the present Mayor and Board of Town Commissioners of the Town of Boone is hereby extended until the first Monday in July, 1947.

SEC. 3. That the election of the Mayor and Board of Town Commissioners of the Town of Boone shall be held on the first Tuesday after the third Monday in June, 1947, and biennially thereafter; and the mayor and board of Commissioners so elected shall take office on the first Monday in July, 1947, and biennially thereafter.

SEC. 4. That in all respects, except as to the time of election and the time of taking office as fixed in Section 3 above, all elections of the Mayor and Board of Commissioners of the Town of Boone shall be governed by the general laws of the State as set forth in Article 3 of Chapter 160 of the General Statutes.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

SEC. 6. That this Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of March, 1947.
(Private Laws of 1947, Ch. 454)

§ 9 AN ACT TO AMEND CHAPTER 107 OF THE PRIVATE LAWS OF 1907 AND CHAPTER 187 OF THE PRIVATE LAWS OF 1931 RELATING TO THE TOWN OF BOONE.

SECTION 1. The corporate limits of the Town of Boone, as established by Section 1 of Chapter 107 of the Private Laws of 1907, Chapter 172 of the Private Laws of 1913, and Chapter 75 of the Private Laws of 1923, are hereby confirmed, and the descriptions thereof are hereby amended by adding thereto the description of that territory already annexed by the Town pursuant to general laws effective on July 15, 1965, such annexed area being more particularly described as follows:

BEGINNING at a stake where the present Boone corporate limits crosses N.C. Road 1520 (State Farm Road) and running thence North 09 degrees 54 minutes 24 seconds East 1683.48 feet; thence North 50 degrees 38 minutes 02 seconds West 2588.38 feet; thence North 24 degrees 03 minutes 59 seconds East 1071.86 feet; thence North 79 degrees 10 minutes 16 seconds East 4204.88 feet; thence South 64 degrees 13 minutes 02 seconds East 1310.46 feet; thence South 76 degrees 27 minutes 07 seconds East 853.76 feet; thence South 9 degrees 38 minutes 40 seconds West 1551.94 feet; thence South 45 degrees 45 minutes 50 seconds East 530.38 feet; thence South 66 degrees 28 minutes 04 seconds East 676.24 feet; thence South 18 degrees 59 minutes 15 seconds East 983.51 feet; thence South 84 degrees 29 minutes 52 seconds West 1095.05 feet; thence South 52 degrees 50 minutes 51 seconds West 1217.02 feet; thence North 43 degrees 59 minutes 42 seconds West 604.67 feet; thence North 88 degrees 43 minutes 37 seconds West 675.17 feet; thence South 79 degrees 25 minutes 06 seconds West 1388.61 feet; thence South 28 degrees 07 minutes 14 seconds East 1400.30 feet; thence South 06 degrees 56 minutes 28 seconds West 1158.49 feet; thence South 48 degrees 14 minutes 50 seconds East 1997.25 feet; thence South 52 degrees 52 minutes 09 seconds East 878.01 to a point located 100 feet from the State Farm Road; thence South 55 degrees 58 minutes 50 seconds East 241.30 feet to a stake; thence South 41 degrees 11 minutes 09 seconds East 212.60 feet to a stake; thence South 32 degrees 03 minutes 01 seconds East 678.40 feet to a point 100 feet from the intersection of N.C. Road 1521 and N.C. Road 1522; thence North 51 degrees 46 minutes 30 seconds

East 705.31 feet to the center of creek; thence South 13 degrees 14 minutes 26 seconds East 135.00 feet to the creek and bridge; thence South 13 degrees 40 minutes 17 seconds West 190.39 feet; thence South 30 degrees 57 minutes 50 seconds East 116.62 feet; thence South 69 degrees 08 minutes 44 seconds East 224.72 feet; thence South 43 degrees 18 minutes 55 seconds East 240.55 feet; thence South 16 degrees 41 minutes 57 seconds East 261.01 feet; thence South 02 degrees 54 minutes 14 seconds West 690.89 feet; thence South 28 degrees 09 minutes 02 seconds West 646.47 feet; thence South 36 degrees 43 minutes 27 seconds West 393.00 feet; thence South 47 degrees 23 minutes 11 seconds West 56.62 feet; thence South 42 degrees 30 minutes 50 seconds East 225.01 feet; thence South 72 degrees 12 minutes 10 seconds West 416.98 feet; thence South 47 degrees 23 minutes 09 seconds West 204.60 feet; thence North 80 degrees 48 minutes 00 seconds West 4910.97 feet; thence North 28 degrees 33 minutes 16 seconds West 1223.87 feet; thence South 88 degrees 03 minutes 01 seconds West 1175.68 feet; thence North 68 degrees 11 minutes 07 seconds West 8046.18 feet; thence North 87 degrees 54 minutes 04 seconds West 485.64 feet; thence North 00 degrees 24 minutes 53 seconds West 776.28 feet; thence North 75 degrees 02 minutes 39 seconds East 120.00 feet; thence South 68 degrees 11 minutes 55 seconds East 2019.44 feet; thence North 68 degrees 44 minutes 58 seconds East 2510.72 feet; thence South 89 degrees 06 minutes 01 seconds East 1003.63 feet; thence South 45 degrees 52 minutes 49 seconds East 65.25 feet; thence North 84 degrees 36 minutes 13 seconds East 294.86 feet; thence North 85 degrees 51 minutes 55 seconds East 416.08 feet; thence North 63 degrees 21 minutes 46 seconds West 397.00 feet; thence South 74 degrees 13 minutes 26 seconds East 335.33 feet; thence South 45 degrees 16 minutes 56 seconds East 1162.75 feet; thence South 54 degrees 59 minutes 37 seconds East 1130.78 feet; thence North 05 degrees 49 minutes 35 seconds West 246.27 feet; thence North 20 degrees 51 minutes 16 seconds West 337.08 feet; thence North 09 degrees 34 minutes 21 seconds West 159.71 feet; thence North 39 degrees 48 minutes 48 seconds East 989.68 feet; thence North 18 degrees 31 minutes 09 seconds East 594.01 feet; thence North 13 degrees 16 minutes 28 seconds West 990.17 feet; thence North 22 degrees 40 minutes 08 seconds East 326.77 feet to the BEGINNING.

SEC. 2. Section 2 of Chapter 107 of the Private Laws of 1907 is hereby amended by adding at the end thereof a new sentence to read as follows: "The Board of Aldermen may adopt a resolution to increase the number of Aldermen from three to five, effective at the regular election next following such action; provided, however, that notice of such increase shall be included in the notice of the regular election at which the increase is to take effect."

SEC. 3. Section 2 of Chapter 187 of the Private Laws of 1931, as rewritten by Chapter 239 of the Private Laws of 1933, is hereby further rewritten to read as follows:

"Sec. 2. The Mayor of the Town of Boone shall receive for his services such salary as the Board of Aldermen may determine not in excess of two thousand four hundred dollars (\$2,400.00) per annum. The Board of Aldermen may establish a salary for its members not in excess of three hundred dollars (\$300.00) per annum; provided, that the Board may also pay not in excess of one hundred dollars (\$100.00) per annum additional compensation to the Alderman who serves as Clerk."

SEC. 4. All laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 5. This Act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1967.
(Session Laws of 1967, Ch. 988)

§ 10 AN ACT TO DELETE A CERTAIN AREA FROM THE CORPORATE LIMITS OF THE TOWN OF BOONE, AND TO PROVIDE STAGGERED TERMS FOR MEMBERS OF THE BOARD OF ALDERMEN, AND TO AUTHORIZE THE SALE OF CERTAIN PROPERTY.

SECTION 1. Chapter 988, Session Laws of 1967, is hereby amended by adding a new section, to be designated Section 1.1, and to read as follows:

“Sec. 1.1. The corporate limits of the Town of Boone is hereby amended by deleting from the area described in Section 1 that area herein described as follows:

BEGINNING on an iron stake in the West margin of Poplar Hill Drive, said iron stake being located North 19 degrees 04N 31O East 200N from the center of N.C. Highway #105, and runs thence South 19 degrees 04N 31O West 500 feet to an iron stake in the present town limit line; thence North 68 degrees 11N 07O West 4200 feet to a stake; thence North 87 degrees 54N 04O West 485.64 feet to a stake; thence North 00 degrees 24N 53O West, crossing N.C. Highway #105, 776.26 feet to a stake; thence North 75 degrees 02N 39O East 120 feet to a stake; thence South 68 degrees 11N 55O East 2019.44 feet to a stake; thence North 68 degrees 44N 58O East 2240.72 feet to a stake; thence South 06 degrees 15N West 1500 feet to a stake; thence South 52 degrees 45N East 800 feet to the BEGINNING.”

The Board of Aldermen is hereby authorized to refund to each taxpayer, who was or is the owner of property in the area described above, one-half of the real and personal property tax actually collected from such taxpayer for any taxable year after 1965.

SEC. 2. Section 2 of Chapter 988, Session Laws of 1967, is amended by adding at the end thereof the following:

“The Board of Aldermen of the Town of Boone shall have five members, elected for staggered terms. In the regular municipal election to be held in the Town of Boone in 1969, there shall be elected five members to the Board of Aldermen. The two (2) candidates receiving the highest number of votes shall be elected for a term of four (4) years, and the three (3) candidates receiving the next highest number of votes shall be elected for a term of two (2) years. At the regular municipal election held in 1971, and biennially thereafter, three members of the Board of Aldermen shall be elected, and the two (2) candidates receiving the highest number of votes shall be elected for a term of four (4) years, and the candidate receiving the next highest number of votes shall be elected for a term of two (2) years.

SEC. 3. The Board of Aldermen is hereby authorized to execute an option to sell and to sell at private sale the lands hereinafter described or any part thereof. Provided, that the minimum sale price shall not be less than seventy-five thousand dollars (\$75,000) and the sale shall be subject to any easements, reservations, or restrictions affecting said property:

“BEGINNING at a concrete monument in the southern right of way of Faculty Street, said monument being located 30 feet from the center line of Faculty Street as presently located, and running thence South 18 degrees West 225.40 feet to an old iron stake; thence South 63 degrees 56N East 245.44 feet to a stake, corner to Appalachian State University; thence with the Appalachian State University line North 16 degrees 22N East 228.60 feet to a stake in the southern right of way of Faculty Street; thence with the southern right of way of Faculty Street North 64 degrees 26N 06O West 238.57 feet to the BEGINNING, containing 1.2467 acres.“

SEC. 4. All laws and clauses of laws in conflict with this Act are hereby repealed, except Chapter 629, Session Laws of 1969.

SEC. 5. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 17th day of June, 1969.
(Session Laws of 1969, Ch. 905)