

DIVISION I

The Charter

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Section 1 Town incorporated; corporate powers.

The Town of Hudson, in the County of Caldwell, State of North Carolina, be and the same is hereby incorporated and made a municipal corporation by the name and style of Hudson, with all the powers, rights and privileges conferred upon towns and cities by chapter 160A of The Code of North Carolina, not inconsistent with the special provisions of this act. (Pr. Laws 1905, C. 239, Sec. 1)

Section 2 Corporate limits.

The corporate limits of the Town of Hudson in Caldwell County are hereby defined and located as follows:

Beginning at a stake in the center of the C. & N. W. Railway tracks at a point about 3/4 of a mile North of the depot, and runs North 58 degrees East to the West margin of the right of way of Highway No. 321A, thence northwardly with the margin of the said highway 630 feet; thence crossing the highway and running North 58 degrees East with Fifth Avenue northeast 1000 feet; thence South 31 degrees East 1080 feet to the old line; thence with said old line South 87 degrees 30 minutes East 1520 feet; thence South 27 degrees 30 minutes East 2240 feet to a new street; thence with said street northwardly 320 feet to Fourth Avenue northeast; thence northward with Fourth Avenue northeast 200 feet; thence North 58 degrees 30 minutes East 160 feet; thence South 36 degrees East 400 feet; thence South 12 degrees East 300 feet; thence South 83 degrees East 175 feet; thence South 80 degrees East 260 feet; thence South 41 degrees East 125 feet; thence North 69 degrees East 475 feet to the center of Gunpowder Creek; thence up said creek in a northerly direction 2534 feet to the bridge on Mount Herman Road; thence with the center of the old Mount Herman Road North 49 degrees 15 minutes East 222 feet; thence North 42 degrees 56 minutes East 527.28 feet; thence North 42 degrees 56 minutes East 71.04 feet to a point in the paved portion of

Highway No. 321; thence with the center of said highway South 39 degrees East 3765 feet to a point in the Hudson School property; thence with said line North 87 degrees 30 minutes East 650 feet to the South corner of the said school lot; thence still with the line of the school lot South 2 degrees 30 minutes West 720 feet to center of Highway No. 321A; thence with the center of said highway about 39 degrees East 1700 feet; thence leaving the highway runs North 59 degrees West 600 feet; thence North 80 degrees West 450 feet; thence North 1 degree East 150 feet; thence South 87 degrees 15 minutes West 320 feet; thence North 2 degrees 30 minutes East 1200 feet to Cedar Valley Avenue; thence with said avenue westwardly 1650 feet to Eighth Avenue southeast; thence with Eighth Avenue southeast southward 700 feet to a small road; thence with said road southeasterly 200 feet; thence southwardly and parallel with and 200 feet distant from Eighth Avenue southeast 880 feet; thence South 86 degrees 2 minutes East 703 feet; thence South 1 degree West 904 feet; thence South 2 degrees 25 minutes West 475 feet to the center of the creek; thence up the creek, passing Highway No. 321A and the C. & N. W. Railway trestle 3000 feet to the old highway bridge, now abandoned; thence North 77 degrees 29 minutes 175 feet; thence North 55 degrees 55 minutes West 87 feet; thence North 41 degrees 40 minutes West 667 feet; thence North 22 degrees 56 minutes West 578 feet; thence North 87 degrees 30 minutes West 760 feet; thence South 4 degrees West 600 feet; thence South 87 degrees 30 minutes West 240 feet; thence North 4 degrees East 600 feet; thence North 87 degrees 30 minutes West 1480 feet to the Caja Mountain Road; thence North 28 degrees 30 minutes West 3640 feet; thence North 85 degrees West 780 feet; thence North 4 degrees East 640 feet to First Avenue, northwest; thence southwest with said avenue 1000 feet to Eighth Street northwest; thence with the meanders of said street northward 1680 feet to Caldwell Avenue; thence North 27 degrees 30 minutes West 1680 feet; thence South 87 degrees 30 minutes East 2640 feet to the beginning. (H.B. 1057, 6/14/65, Sec. 1)

Section 3 Corporate limits extended.

(a) From and after the 20th day of June, 1967, the effective date of this annexation, the following territory shall be annexed to and become a part of the Town of Hudson, and the corporate limits of the Town of Hudson, shall on said date be extended to include said territory more particularly described by metes and bounds as follows:

BEGINNING at the center of the bridge over Gunpowder Creek on U.S. Highway 321-A at a distance of 1465 feet from the intersection of State Road 1162 with U.S. 321-A, and runs with the center of Gunpowder Creek approximately 7938 feet to the center of the bridge on State Road 1160; thence with said road North 49 degrees 15 minutes East 222 feet; thence North 42 degrees 56 minutes East 527.28 feet; thence same course 71.04 feet to the center of U.S. Highway 321, at a point 96 feet North of the center of State Road 1160; thence with the center of U. S. Highway 321; South 39 degrees 33 minutes East 3765 feet to the center of the bridge over Gunpowder Creek; thence same course 270 feet to the Northeast boundary line of the School property; thence with that line North 87 degrees 30 minutes East 650 feet. South 2 degrees 30 minutes West 720 feet to the center of U. S. Highway 321; thence with the center of said highway about South 34 degrees 00 minutes East 1700 feet more or less to a point in said highway; thence South 65 degrees 45 minutes West 750 feet more or less; thence South 66 degrees 15 minutes West 1900 feet more or less; thence South 0 degrees 15 minutes East 900 feet more or less; thence South 4 degrees 00 minutes West 460 feet more or less to the center of Little Gunpowder Creek; thence up said creek with its various meanders 3000 feet more or less to the bridge on an old road; thence with the old road (now abandoned) North 77 degrees 29 minutes West 175 feet. North 55 degrees 55 minutes West 87 feet. North 41 degrees 40 minutes West 667 feet. North 22 degrees 56 minutes West 578 feet to the old Town Boundary line; thence with that line North 87 degrees 30 minutes West 760 feet; thence South 4 degrees 00 minutes West 600 feet; thence North 87 degrees 30 minutes West 240 feet; thence North 4 degrees 00 minutes East 600 feet to a point in the old boundary line; thence with that line North 87 degrees 30 minutes West 1480 feet; thence North 28 degrees 30 minutes West 3640 feet; thence North 85 degrees 00 minutes West 780 feet; thence North 4 degrees 00 minutes East 640 feet to State Road 1156; thence with State Road 1156 in a southwestwardly direction, 1850 feet more or less; thence North 5 degrees 00 minutes East 970 feet more or less; thence North 87 degrees 00 minutes East 462 feet more or less; thence South 5 degrees 00 minutes West 650 feet; thence North 87 degrees 00 minutes East 350 feet more or less to State Road 1158; thence with State Road 1158 1680 feet more or less to State Road 1159; thence North 27 degrees 30 minutes West 1680 feet to the old Town corner; thence in the old line South 87

degrees 30 minutes East 2720 feet more or less to the center of U. S. Highway 321-A; thence with the center of said highway 2480 feet more or less to the beginning.

(b) The Board of Commissioners does hereby specifically find and declare that the above described territory meets the requirements of G.S. 160-453.4, in that:

(1) Provide for extending, at the time of annexation, police protection, garbage collection, street maintenance service to the area to be annexed on substantially the same basis and in the same manner as such services are provided within the rest of the municipality prior to the annexation.

(2) The Town of Hudson will within the time provided by law provide for extension of water mains into the area to be annexed so that property owners in the area to be annexed will be able to secure public water according to the policies in effect in the Town of Hudson and extending water to individual lots and subdivisions.

(3) Funds for which will be provided for from surplus from revenue already on hand, and from revenue anticipated from taxation and other sources already provided.

(c) It is the purpose and intent of the Town of Hudson to provide services to the area being annexed under this ordinance, as set forth in the report of plans for services approved by the Board of Commissioners on the 20th day of June, 1967, and filed in the office of the Clerk for Public Inspection.

From and after the date of annexation the Town of Hudson will extend police protection, garbage collection, and other necessary services in the same manner as such services are provided within the rest of the town prior to annexation, and will within the time prescribed by law provide for extension of water mains, not already extending into the area to be annexed so that property owners therein will be able to secure public water according to the policies in effect in the Town of Hudson.

(d) The Board of Commissioners does hereby specifically find and declare that, on the effective date of annexation prescribed in Section (a) hereof, the Town of Hudson will have sufficient funds appropriated in the amount of \$25,000.00, to finance the estimated cost of construction of water facilities found necessary in the report of plans for services to extend the basic water system of the Town of Hudson into the area to be annexed under this ordinance.

(e) From and after the effective date of this annexation, the territory annexed and its citizens

and property owners shall be subject to all debts, laws, ordinances and regulations in force in the Town of Hudson, and shall be entitled to the same privileges and benefits as other parts of the Town.

(f) The newly annexed territory described hereinabove shall be subject to Town taxes levied for the fiscal year beginning July 1, 1967, and annually hereafter.

(g) The Mayor of the Town of Hudson shall cause an accurate map of the annexed territory described in Section (a) hereof, together with a duly certified copy of this ordinance, to be recorded in the office of the Register of Deeds of Caldwell County, and in the office of the Secretary of State at Raleigh.

(h) Notice of the date of adoption of this ordinance shall be published once in a newspaper having general circulation in the Town of Hudson. (Ord. of 6/20/67)

Section 4 Number of Commissioners.

The number of members upon the Hudson Board of Commissioners will consist of six (6) Commissioners and a Mayor. The Hudson municipal elections may be administered by the Caldwell County Board of Elections, as authorized by N. C. General Statute, Chapter 163, Article 23, and the Hudson General Municipal elections shall be conducted at the time provided by N. C. General Statute 163-279. Beginning with the general elections conducted in 1975 those three (3) candidates for Commissioners receiving the highest number of votes will be elected to serve four (4) year terms, and those (3) candidates for Commissioners receiving the next highest number of votes will be elected to serve (2) year terms. The Mayor's term of office shall be for two (2) years and shall be elected at the time of the general elections as provided for in GS 163-279. In all following municipal elections Commissioners will be elected to serve four (4) terms, and the Mayor's term of office will continue at a two-year (2) term. (GS Chapter 163, Article 23 [Resolution adopted 1-11-72]; GS 163-279; GS 160A-101, 102 [Ordinance adopted 5-6-75])

Section 5 Nomination and election.

Any person seeking the office of Mayor or Commissioner of the Town of Hudson must meet the qualifications and requirements set forth in, and must file for said offices in accordance with the NC General Statutes Chapter 163, Article 24. (GS 163-294.2)

Section 6 Officers.

The officers of said town shall consist of a mayor and six commissioners, a chief of police and such other policemen as in the judgment of the mayor and commissioners may be necessary for the preservation of the peace and good order of said Town. The said commissioners are hereby authorized to appoint a mayor pro tem, and a clerk and treasurer, each of whom may also be one of the commissioners. (Pr. Laws 1905,C.239,Sec.3)

Section 7 Elections.

All elections held in the Town of Hudson, Caldwell County, after the ratification of this Act, shall be held under the provisions of Chapter 163 of the General Statutes of North Carolina. (H.B.421,C.647,4/9/51, Sec. 1)

Section 8 Taxes

Pursuant to the Machinery Act (NC General Statutes Chapter 105) and NC General Statute Chapter 160A, Article 9 the governing body of the Town of Hudson is empowered by the State of North Carolina to levy, within the limitations set out in said statutes, taxes on property having a situs within the Town. The governing body shall also be empowered to levy any and all other taxes and assessments permitted by the North Carolina General Statutes. (N. C. General Statute Chapter 105; NC General Statute Chapter 160A, Article 9 & 10)

Section 9 Powers of Commissioners.

The commissioners shall have the power to make any and all by-laws, regulations or ordinances that they may deem necessary for the peace, health, convenience, good order and general upbuilding of the Town. (Pr.Laws 1905,C.239, Sec. 7)

Section 10 Vacancies.

Any vacancies occurring in any elective office of the Town shall be filled by appointment of the Board of Commissioners for the remainder of the unexpired term in accordance with G. S. 160A-63. Volume 3D, 1974 Cumulative Supplement.

Section 11 Alcoholic Control.

The manufacture or sale of spirituous, vinous or malt liquor is allowed as regulated by the North Carolina Alcoholic beverage control commission. (Amended 7/18/2017)