

Local Government Law Essentials for Judges
Introduction to Local Government
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Quiz

1. A city may allocate city tax revenue to supplement local funding for public schools that serve city taxpayers.

True_____ False_____
2. A city council may, by majority vote, adopt an ordinance reducing the size of the council from seven to five.

True_____ False_____
3. The General Assembly may, by local act, deannex property that was lawfully annexed by the city.

True_____ False_____
4. The difference between cities, towns, and villages in North Carolina is:
 - a. Their size.
 - b. The amount of authority they have been delegated by the legislature.
 - c. Both a. and b.
 - d. The way the words are spelled.
5. The powers and structures of cities and counties in North Carolina are roughly equivalent.

True_____ False_____
6. North Carolina is a “home rule” state.

True_____ False_____

7. North Carolina is a “Dillon’s rule” state.

True_____

False_____

8. The structure and authority of a local government may be found in
- General Statutes in Chapter 160A (for cities) and Chapter 153A (for counties)
 - Various other General Statutes sprinkled throughout the General Statutes.
 - Various local acts of the General Assembly, which apply to one or more specific local governments.
 - Charters (for cities) which are local acts of the General Assembly.
 - Local ordinances modifying the structure of the local government, and which may or may not be consistent with the charter or the general law, and which are not codified or annotated in the General Statutes.
 - All of the above.

9. Scope of Authority Score Card:

- Authority to impose a fee to cover the cost of development permits. [win]
Homebuilders Ass'n of Charlotte, Inc. v. City of Charlotte, 336 N.C. 37 (1994)(Broad Construction)
- Authority to charge a fee for stormwater programs. [loss]
Smith Chapel Baptist Church v. City of Durham, 350 N.C. 805 (1999) (Plain Language)
- Authority to regulate swine operations. [loss]
Craig v. County of Chatham, 356 N.C. 40 (2002). (Preemption)
- Authority to use city-owned utility lines for fiber-optic services. [win]
BellSouth Telecomms., Inc. v. City of Laurinburg, 168 N.C. App. 75 (2005). (Broad Construction)
- Authority for adequate public facility ordinance (APFO) or impact fees imposed on proposed development based on impact on school facilities. [loss]
Amward Homes v. Town of Cary, 698 S.E.2d 404 (N.C. App. 2010);
Union Land Owners Ass'n. v. County of Union, 689 S.E.2d 504 (N.C.App. Dec. 2009); *Durham Land Owners Ass'n v. County of Durham*, 177 N.C.App. 629 (2006). (*Ultra vires*, Statutory construction)

10. North Carolina local governments have authority to regulate baggy pants.

True_____

False_____