AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF OXFORD.

The General Assembly of North Carolina do enact:

Section 1. The Charter of the City of Oxford is hereby revised and consolidated to read as follows:

THE CHARTER OF THE CITY OF OXFORD

ARTICLE 1. INCORPORATION AND CORPORATE POWERS.

Section 1. Incorporation and General Powers. The inhabitants of the City of Oxford, North Carolina, within the boundaries and limits of said city as established in Section 2 of this Charter or as hereinafter established in the manner provided by law shall be and continue to be a body politic and corporate by the name "City of Oxford", and under that name shall have perpetual succession and is hereby invested with all the property and rights of property which now belong to said corporation under any corporate name or names heretofore used; may use a corporate seal; may sue and be sued; may contract and be contracted with; may plead and be impleaded; may acquire property within or without its boundaries for any municipal purposes, in fee simple or lesser interest or estate by purchase, gift, devise, lease, or condemnation and may sell, lease, hold, manage, and contract such property as its interests may require; and except as provided by the Constitution of North Carolina, or restricted by this Charter the City of Oxford shall have and may exercise all municipal powers, functions, rights, privileges, and immunities of every name and nature whatsoever.

Sec. 2. The corporate limits of said city shall be as follows:

Beginning at an iron stake 1 foot South of the southeast corner of South Side Sewage Treatment Plant fence; going thence North 65 degrees 30 minutes 4,580 feet to a point in the center of the Oxford to Durham Highway (U. S. Highway #15); going thence North 42 degrees 15 minutes West 820 feet to a point 40 feet from the western margin of the Southern Railroad right of way; going thence South 26 degrees 15 minutes West across Whitfield Drive 81 feet to a point on the southern side thereof; going thence South 35 degrees 45 minutes West 321.5 feet to a point 40 feet from the western margin of the Southern Railroad right of way; thence South 46 degrees 30 minutes West 391 feet to a point 40 feet from the western margin of the Southern Railroad right of way; thence South 50 degrees West across East Dale Avenue 225 feet more or less to an iron pin 40 feet from the western margin of the Southern Railroad right of way; going thence in a line parallel with the southern margin of East Dale Avenue and the southeaste
Avenue as follows: North 55 degrees 18 minutes West 190 feet to an iron pin; North 51 degrees 5 minutes West 410 feet past an iron pin to the western margin of Pine Tree Road; thence along the western margin of the said Pine Tree Road as follows: North 38 degrees 55 minutes East across East Dale Avenue 497.8 feet to a point; North 36 degrees 13 minutes West 322.2 feet to a point; North 31 degrees 30 minutes East 198.5 feet to a point; North 29 degrees East 135 feet to a point; going thence away from Pine Tree Road North 24 degrees 15 minutes West 290 feet to a point; North 86 degrees West 275 feet to a point; North 1 degree West 292 feet to a point; North 24 degrees 15 minutes West 370 feet to a point in the center of the Hillsboro Street Extension Road; going thence North 3 degrees 30 minutes East 6,891 feet North of the Hicks Mill Road; going thence North 69 degrees 30 minutes East 4,335 feet to a point in the western margin of Rayland Street; going thence South 46 degrees 15 minutes East across the Oxford to Clarksville Highway (U. S. Highway #15 North) past a large cedar on the East side thereof 7,686 feet to a point, said point being 300 feet from the center of the Oxford to Henderson Highway (U. S. Highway #158 East); going thence South 14 degrees 20 minutes 10 seconds West 351.25 feet to a point in the southern right of way line of the Oxford to Henderson Highway (U. S. Highway #158 East); going thence along said southern right of way line South 61 degrees 25 minutes East 424.55 feet to a point; thence leaving said southern right of way South 1 degree 46 minutes East 781.13 feet to a point; thence South 80 degrees 33 minutes 30 seconds West 477.14 feet to a point; thence South 82 degrees 20 minutes West 156.22 feet to a point; going thence South 14 degrees 45 minutes West 4,562.20 feet to a point 300 feet from the center of the Raleigh Road; going thence South 63 degrees 15 minutes West 2,780 feet to an iron stake 1 foot South of the southeast corner of the South Side Sewer Treatment Plant fence, said iron stake being the point and place of beginning.

ARTICLE II.

Section 1. Elections. The next city election after the adoption of this Charter shall be held in May, 1965, and biennially thereafter and said election shall be conducted as set forth in Chapter 160 of the North Carolina General Statutes and all future amendments thereto.

ARTICLE III.

Section 1. Mayor and City Commissioners. (1) The municipal officers of the City of Oxford shall consist of a Mayor and a Board of Commissioners.

Sec. 2. That the Mayor and the Board of Commissioners previously elected and in office prior to the enactment of this Charter shall serve in the office for which they were elected until their successors have been elected and qualified as herein set forth and shall have all powers and duties as herein given to their successors.

Sec. 3. Mayor. At the election to be held in the City of Oxford, as herein specified in May, 1965, and each two (2) years thereafter, there shall be elected a Mayor, who shall serve for a term of two (2) years and until his successor is elected and qualified. Said term of office shall begin upon his taking oath of office and qualifying, which shall be done at the regular May meeting of the Board of Commissioners of the City of Oxford.
Sec. 4. Mayor Duties. The Mayor shall be the Chief Executive Officer of the City of Oxford and shall preside at all meetings of the Board of Commissioners. He is hereby empowered to execute such documents and perform such other acts, relating to the City of Oxford which are necessary and incidental to the proper maintenance of good government, upon proper authority of the Board of Commissioners. He shall not have a vote upon any matters coming before the Board of Commissioners except in case of a tie. In the absence or disability of the Mayor, the Mayor pro tem shall perform his duties.

Sec. 5. Compensation. The Mayor shall receive for his services, a salary not to exceed one thousand five hundred dollars ($1,500.00) per year.

Sec. 6. Commissioners. The Board of Commissioners of the City of Oxford shall consist of seven members who shall be elected at the time and in the manner as herein set forth. At the election to be held in the City of Oxford as herein specified in May, 1965, and each four (4) years thereafter, there shall be elected four Commissioners who shall serve for a term of four (4) years and until their successors are elected and qualified. Said term of office shall begin upon their taking oath of office and qualifying which shall be done at the next regular meeting of the Board of Commissioners of the City of Oxford or within thirty (30) days thereafter. At the election to be held in the City of Oxford as herein specified in May, 1967, and each four (4) years thereafter, there shall be elected three Commissioners to serve for a term of four (4) years and until their successors are elected and qualified. Said term of office shall begin upon their taking oath of office and qualifying which shall be done at the next regular meeting of the Board of Commissioners of the City of Oxford or within thirty (30) days thereafter.

The four Commissioners to be elected in the May election in the year 1965 shall fill the office of the four Commissioners who were elected in the municipal elections for the City of Oxford, in the year 1961 and the three Commissioners to be elected in the year 1967 shall fill the office of the three Commissioners who were elected in the year 1963.

Sec. 7. Duties. That the Board of Commissioners of the City of Oxford shall be the governing body of said city and shall have the power to make ordinances, rules, and regulations for the better government of the city as authorized herein and under Chapter 160 of the North Carolina General Statutes and amendments thereto, and may enforce such rules, regulations and ordinances, by imposing penalties on such as violate them; and may compel the performance of the duties imposed upon others, by suitable penalties, and shall also make and provide for the execution of such ordinances, rules, and regulations for the better government of the City of Oxford as they may deem necessary; provided, however, that such ordinances, rules, and regulations shall not be inconsistent with this Charter and the law of the land.

Sec. 8. Compensation. The Board of Commissioners of the City of Oxford shall each receive for his services, a salary not to exceed three hundred dollars ($300.00) per year.

Sec. 9. Meetings of the Board of Commissioners. The Board of Commissioners shall meet for the transaction of business on the second Tuesday of each month in the City Hall. Special meetings may be called by the Mayor, and in the
absence or disability of the Mayor, by the Mayor pro tem, but upon written request to
the Mayor by a majority of the Board of Commissioners, said Mayor shall call a special
meeting and said meeting shall be in the City Hall. Notice and time required to call
special meetings of the Board of Commissioners shall be determined by ordinance. The
City Clerk or his deputy shall attend all meetings of the Board of Commissioners and
make accurate record of all actions taken to be recorded in the permanent minute book
of such meetings.

Sec. 10. Mayor Pro Tem. The Board of Commissioners shall elect a Mayor
pro tempore from the Board of Commissioners every two (2) years, who shall exercise
the duties of the said office, during the absence of the Mayor, or when the Mayor cannot
perform the duties of said office,

Sec. 11. Oath of Office. Upon taking office and prior to the performance of
the duties thereof the Mayor and the Board of Commissioners of the City of Oxford
shall take the oath required and directed for said municipal officials under North
Carolina General Statute 160-7, and amendments thereto.

Sec. 12. That except as herein set forth the Mayor and Board of
Commissioners of the City of Oxford are hereby made subject to and empowered with
all duties and powers set forth in Chapter 160 of the North Carolina General Statutes
and amendments thereto, and any other North Carolina General Statute and amendments
thereto, granting or limiting duties and powers of Mayor and City Commissioners
generally.

ARTICLE IV. ADMINISTRATIVE OFFICIALS AND EMPLOYEES.

Section 1. City Manager. The Board of Commissioners of the City of Oxford
shall appoint a City Manager who shall be the administrative head of the city
government and shall be responsible for the administration of all departments. He shall
be appointed with regard to merit only and he need not be a resident of the City when
appointed. He shall hold office during the pleasure of the Board of Commissioners and
shall receive such compensation as said Board shall fix by ordinance. The City Manager
so appointed shall have all the powers or duties as are now or may hereafter be
prescribed for city managers under the Plan D form of city government as set out in the
General Statutes of North Carolina, and amendments thereto.

Sec. 2. The Board of Commissioners shall elect a City Clerk, a Treasurer, a
Tax Collector, a Chief of Police, and such other policemen as it may deem needful for
the efficient administration of the ordinances of the City. Such officers shall at all times
be subject to removal by the Board. The Board of Commissioners, may, if it shall deem
it expedient, combine the offices of Clerk, Treasurer, and Tax Collector, and these
offices may be held by the same individual. The Board may also, if it appears expedient,
require the Chief of Police to act as Tax Collector.

Sec. 3. Administrative Departments, Officials and Employees. That in
exercising the powers of the City of Oxford, the Board of Commissioners shall have all
powers under Article 19 of the Municipal Corporation Act of 1917, and amendments
thereto, and in addition thereto shall have the power and authority by ordinance or
resolution, to establish such departments, and heads of departments and assistants,
thereto, and employees thereof, as they deem advisable and in their discretion are
necessary for the proper administration of municipal affairs and the execution and enforcement of ordinances, rules, regulations, and resolutions, passed by the Board of Commissioners.

ARTICLE V. TAXES.

Section 1. That in order to raise funds for the expenses incidental to the government of the City of Oxford for the payment of principal and interest on all bonds, notes and any other obligations, owing by said City of Oxford, and for all necessary purposes of said city government, the Board of Commissioners of the City of Oxford, may annually levy and collect taxes in the manner and as specified in Chapter 160 and Chapter 105 of the North Carolina General Statutes and amendments thereto, and any other North Carolina General Statute and amendments thereto relating to the levy and collection of taxes.

ARTICLE VI. ISSUANCE OF BONDS.

Section 1. The Board of Commissioners of the City of Oxford may issue bonds and notes for the purposes and in the manner prescribed by the General Laws of North Carolina and amendments thereto, for the issuance of bonds and notes by municipalities.

ARTICLE VII. EMINENT DOMAIN.

Section 1. That among the powers hereby conferred upon the City of Oxford is the right to eminent domain, and when any land or right of way shall be required by said City for the purpose of widening or straightening streets, opening new streets, laying and constructing water, gas, or sewer pipe lines, erecting buildings, laying out additional or new cemeteries, or for any other purposes, allowed by its Charter or the North Carolina General Statutes and amendments thereto, applying to municipalities, and for want of agreement as to the value thereof, or any other cause, the same cannot be purchased from the owner or owners, and it shall become necessary to condemn the same, the necessity for such condemnation shall be conclusively evidenced by a resolution duly passed by the Board of Commissioners of said City at any regular or special meetings. The said Board of Commissioners shall file its petition before the Clerk of the Superior Court of Granville County, stating the purpose for which said land or right of way is desired, with description of the same, the names of the owner or owners, and of all persons having an interest in said lands, and praying the appointment of appraisers. The Clerk of said Court, after at least ten days' notice to the owner or owners and all persons having an interest in said lands, shall thereupon appoint three disinterested freeholders of the City of Oxford to value said land or right of way, and the said three freeholders, after being duly sworn, shall go upon the premises and value the same, taking into consideration the loss or damage to the owner in consequence of the land or right of way being surrendered, also any benefit or advantage such owner may receive from the opening of such street or other improvement, and shall state the amount of each, and the excess of loss or damage over and above the advantages, shall form the measure of valuation of said land or right of way; and said freeholders or a majority of them shall file their report in the office of the Clerk of said Court within ten (10) days from the date of their appointment; provided, that in case service of notice of process cannot be had upon any person or persons interested in said lands, then service
upon such persons may be had by publication in the same way as is now provided by law for service of process by publication in special proceedings or other actions. If, however, the owner of said land or right of way, or the said Board of Commissioners, be dissatisfied with the valuation thus made, then either party may have an appeal to the next term of Granville County Superior Court; but if the valuation so made be paid to the owner, or lodged in the hands of the Clerk of Superior Court, the land so valued shall vest in the City so long as it may be used for the purposes of the same, and the appeal shall not hinder or delay said Board of Commissioners in opening such street or erecting such improvement; provided, that in case of the discontinuance of the use of the land and its reversion to the owner, the City shall have the right to remove any improvement under its authority erected.

ARTICLE VIII. MISCELLANEOUS.

Section 1. Improvements, Assessments, and Liens. The Board of Commissioners of the City of Oxford is hereby authorized and empowered to make such improvements, assessments and declare liens therefor in the manner and as is authorized in North Carolina General Statutes and amendments thereto relating to municipalities.

Sec. 2. General Duties. Where the duties and powers of the City officials, officers, and employees, are not herein specifically set forth, the Board of Commissioners of the City of Oxford shall have the power to specify, delegate and regulate same by ordinance and if same are not specified, delegated, or regulated, by ordinance, said City officials, officers, and employees, shall have those duties and powers granted by the North Carolina General Statutes, and amendments thereto.

Sec. 3. Existing Ordinances. All existing ordinances, rules, and regulations of the Board of Commissioners of the City of Oxford and officials appointed thereunder and all existing ordinances, rules and regulations of departments, or agencies of the Board of Commissioners of the City of Oxford, not inconsistent with the provisions of this Act, shall continue in full force and effect until repealed, modified, or amended, by the Board of Commissioners of the City of Oxford, North Carolina.

Sec. 4. Enumerated Powers Not Exclusive. The enumeration of particular powers as herein enumerated shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein or implied thereby or appropriate to the exercise of such powers, it is intended that the Board of Commissioners of the City of Oxford shall have and may exercise all powers granted to municipalities generally under the North Carolina General Statutes and amendments thereto, and the Constitution of North Carolina as if same were herein specifically enumerated. All powers of the Board of Commissioners of the City of Oxford whether expressed or implied shall be exercised in the manner herein prescribed or if not specifically herein prescribed, then in the manner set forth in North Carolina General Statutes and amendments thereto, and if not therein set forth, then in the manner provided by ordinances, rules, or resolutions of the Board of Commissioners of the City of Oxford.

Sec. 5. Extra Police Jurisdiction. When any crime is committed in the City of Oxford, Granville County, and the person or persons charged therewith flees or flee the City, any police officer of the municipality, either with or without process, is hereby
given full authority to pursue the person or persons so charged, whether in sight or not, beyond the corporate limits of the City to any point within Granville County and to apprehend and arrest such person or persons anywhere within said county, provided the offense is committed in the presence of the pursuing officer or officers.

Sec. 6. Warrants. The Chief of Police, the Assistant Chief of Police, and such other police officers of the City of Oxford as may be designated by the Board of Commissioners of the City of Oxford as desk officers are hereby authorized and empowered to issue search warrants and other warrants for the apprehension of persons charged with having committed any criminal offense within the jurisdictional limits of the City of Oxford as fully and to the same extent as the Mayor of the City of Oxford is now authorized and empowered to issue such warrants. Such warrants may be directed to and executed by any police officer or other lawful officer within the City of Oxford or its jurisdictional limits; provided, however, such warrants, when issued shall be served by some peace officer or policeman other than the officer who issued the warrant.

ARTICLE IX.
Section 1. The following Acts having served the purposes for which enacted or having been consolidated into this Act are hereby repealed:

(1) N. C. Private Laws, 1913, Chapter 302 (Recodification)
(2) N. C. Private Laws, 1915, Chapter 306 (Mayor's Court)
(3) N. C. Private Laws, 1915, Chapter 342 (Bond Issue)
(4) N. C. Private Laws, 1919, Chapter 25 (Bond Issue)
(5) N. C. Private Laws, 1920, Extra Session, Chapter 69 (Official's Salary)
(6) N. C. Private Laws, 1927, Chapter 219 (Taxes)
(7) N. C. Private Laws, 1929, Chapter 8 (Taxes)
(8) N. C. Private Laws, 1929, Chapter 101 (Mayor's Court)
(9) N. C. Private Laws, 1933, Chapter 19 (Mayor's Court)
(10) N. C. Public-Local Laws, 1937, Chapter 74 (Mayor's Court)
(11) N. C. Public-Local Laws, 1937, Chapter 478 (Elections)
(12) N. C. Public-Local Laws, 1937, Chapter 638 (Corporate Limits)
(13) N. C. Public-Local Laws, 1939, Chapter 346 (Corporate Limits)
(14) N. C. Session Laws, 1943, Chapter 394 (Mayor's Court)
(15) N. C. Session Laws, 1947, Chapter 204 (Corporate Limits)
(16) N. C. Session Laws, 1947, Chapter 957 (Corporate Limits)
(17) N. C. Session Laws, 1949, Chapter 221 (Adopting Plan D)
(18) N. C. Session Laws, 1949, Chapter 449 (Terms of Office)
(19) N. C. Session Laws, 1949, Chapter 1150 (Taxes)
(20) N. C. Session Laws, 1951, Chapter 140 (Jurisdiction)
(21) N. C. Session Laws, 1951, Chapter 253 (Mayor's Court)
(22) N. C. Session Laws, 1953, Chapter 158 (Sale of Property)
(23) N. C. Session Laws, 1953, Chapter 159 (Mayor's Court)
(24) N. C. Session Laws, 1953, Chapter 323 (Jurisdiction)
(25) N. C. Session Laws, 1955, Chapter 274 (Election and terms of office of city officials)
Sec. 2. This Act shall not be deemed to repeal, modify, nor in any manner to effect any of the following Acts:

1. N. C. Private Laws, 1929, Chapter 187 (Bond Issue)
2. N. C. Session Laws, 1945, Chapter 451 (Joint Airport)
3. N. C. Session Laws, 1961, Chapter 539 (Subdivision of land)
4. N. C. Session Laws, 1961, Chapter 775 (Reorganization of Board of Education)
5. N. C. Session Laws, 1961, Chapter 1089 (Sale of municipal property).

ARTICLE X.

Section 1. Severability. If any provision of this Act or the application thereof to any person or circumstance is held invalid such invalidity shall not effect other purposes or applications of this Act which can be given effect without the invalid provision or application and to this end the provisions of this Act are declared to be severable.

ARTICLE XI. GENERAL REPEAL.

Section 1. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

ARTICLE XII.

Section 1. This Act shall be in full force and effect from and after the 1st day of July, 1963.

In the General Assembly read three times and ratified, this the 18th day of June, 1963.