

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 1589\***

Short Title: Princeton Charter Consolidation.

(Local)

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Sponsors: Representative Daughtry.

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Referred to: Finance.

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June 10, 2002

A BILL TO BE ENTITLED  
AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF  
PRINCETON.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Charter of the Town of Princeton is revised and consolidated to read as follows:

"THE CHARTER OF THE TOWN OF PRINCETON.

"ARTICLE I. INCORPORATION, CORPORATE POWERS, AND BOUNDARIES.

"Section 1.1. **Incorporation.** The Town of Princeton in the County of Johnston, and the inhabitants thereof, shall continue to be a municipal body politic and corporate, under the name and style of the 'Town of Princeton,' hereinafter at times referred to as the 'Town'.

"Section 1.2. **Powers.** The Town of Princeton shall have and may exercise all of the powers, duties, rights, privileges, and immunities, which are now, or hereafter may be conferred, either expressly or by implication, upon the Town of Princeton, specifically, or upon municipal corporations, generally, by this Charter, by the North Carolina Constitution, or by general or local law.

"Section 1.3. **Corporate Limits.** The corporate limits of the Town of Princeton shall be those existing at the time of ratification of this Charter, as the same are set forth on the official map of the Town, and as the same may be altered from time to time in accordance with law. An official map or description showing the current Town boundaries shall be maintained permanently in the office of the Town Clerk, and shall be available for public inspection. Immediately upon alteration of the corporate limits made pursuant to law, the appropriate changes to the official map or description of the Town shall be made.

"ARTICLE II. MAYOR AND BOARD OF COMMISSIONERS.

"Section 2.1. **Governing Body.** The Mayor and Board of Commissioners, elected and constituted as herein set forth, shall be the governing body of the Town. On behalf of the Town, and in conformity with applicable laws, the Mayor and Board may provide

1 for the exercise of all municipal powers, and shall be charged with the general  
2 government of the Town.

3 "Section 2.2. **Board of Commissioners; Composition; Terms of Office.** The  
4 Board of Commissioners shall be composed of four members, each of whom shall be  
5 elected for terms of four years in the manner provided by Article III of this Charter,  
6 provided, they shall serve until their successors are elected and qualified.

7 "Section 2.3. **Election of the Mayor; Term of Office; Duties.** The Mayor shall be  
8 elected by voters of the Town in the manner provided by Article III of this Charter for a  
9 term of two years; provided, the Mayor shall serve until his successor is elected and  
10 qualified. The Mayor shall be the official head of the Town government and shall  
11 preside at all meetings of the Board of Commissioners. He shall have the right to vote  
12 only if there are equal numbers of votes in the affirmative and the negative on any  
13 matter before the Board. The Mayor shall exercise such powers and perform such duties  
14 as presently are or hereafter may be conferred upon him by the General Statutes, by this  
15 Charter, and by the ordinances of the Town.

16 "Section 2.4 **Mayor Pro Tempore.** In accordance with applicable State laws, the  
17 Board of Commissioners shall appoint one of its members to act as Mayor Pro Tempore  
18 to perform the duties of the Mayor in the Mayor's absence or disability. In the event of a  
19 vacancy in the office of Mayor, the Mayor Pro Tempore shall perform the duties of the  
20 Mayor until the vacancy is filled. The Mayor Pro Tempore as such shall have no fixed  
21 term of office, but shall serve in such capacity at the pleasure of the remaining members  
22 of the Board.

### 23 "ARTICLE III. ELECTIONS.

24 "Section 3. 1. **Regular Municipal Elections; Conduct and Method of Election.**  
25 Regular municipal elections shall be held in the Town every two years in odd-numbered  
26 years, and shall be conducted in accordance with the uniform municipal election laws of  
27 North Carolina. The Mayor and members of the Board of Commissioners shall be  
28 elected according to the nonpartisan plurality method of election, as provided by G.S.  
29 164-292.

30 "Section 3.2. **Election of the Board of Commissioners; Election of Mayor.** At the  
31 regular municipal election in 2003 and every two years thereafter, there shall be elected  
32 two Commissioners and a Mayor to fill the seats of the Commissioners and Mayor  
33 whose terms are then expiring.

### 34 "ARTICLE IV. ORGANIZATION AND ADMINISTRATION.

35 "Section 4.1. **Form of Government.** The Town shall operate under the  
36 Mayor-Board of Commissioners form of government, in accordance with Part 3 of  
37 Article 7 of Chapter 160A of the General Statutes.

38 "Section 4.2. **Town Attorney.** The Board of Commissioners shall appoint a Town  
39 Attorney who shall be licensed to engage in the practice of law in the State of North  
40 Carolina. It shall be the duty of the Town Attorney to prosecute and defend suits against  
41 the Town and to advise the Mayor, Board of Commissioners and other Town officials  
42 with respect to the affairs of the Town.

43 "Section 4.3. **Town Clerk.** The Board of Commissioners shall appoint a Town  
44 Clerk to keep a journal of the proceedings of the Board, to maintain in a safe place all

1 records and documents pertaining to the affairs of the Town, and to perform such other  
2 duties as may be required by law or as the Board of Commissioners may direct.

3 "Section 4.4. **Town Tax Collector.** The Board of Commissioners shall appoint a  
4 Town Tax Collector to collect all taxes, licenses, fees, and other moneys belonging to  
5 the Town, subject to the General Statutes, the provisions of this Charter and the  
6 ordinances of the Town. The Town Tax Collector shall diligently comply with and  
7 enforce all the laws of North Carolina relating to the collection of taxes by  
8 municipalities.

9 "Section 4.5. **Town Finance Officer.** The Board of Commissioners shall appoint a  
10 Town Treasurer or Finance Officer to perform the duties of the finance officer as  
11 required by the Local Government Budget and Fiscal Control Act, and to perform such  
12 other duties as may be required by the Board.

13 "Section 4.6. **Consolidation of Functions.** The Board of Commissioners may  
14 consolidate any two or more positions of Town Clerk, Town Tax Collector, and Town  
15 Finance Officer, or may assign the functions of any one or more of these positions to the  
16 holder or holders of any other of these positions, subject to the Local Government  
17 Budget and Fiscal Control Act.

18 "Section 4.7. **Other Administrative Officers and Employees.** Consistent with  
19 applicable State laws, the Board of Commissioners may establish other positions,  
20 provide for the appointment of other administrative officers and employees, and  
21 generally organize the Town government in order to promote the orderly and efficient  
22 administration of the affairs of the Town."

23 **SECTION 2.** The purpose of this act is to revise the Charter of the Town of  
24 Princeton and to consolidate herein certain acts concerning the property, affairs, and  
25 government of the Town.

26 **SECTION 3.** The following acts or portions of acts, having served the  
27 purposes for which they were enacted, or having been consolidated into this act, are  
28 hereby repealed:

29 Chapter 161, Private Laws of 1860-61

30 Chapter 19, Private Laws of 1872-73

31 Chapter 113, Private Laws of 1873-74

32 Chapter 234, Private Laws of 1923

33 Chapter 486, Session Laws of 1951

34 Chapter 150, Session Laws of 1955

35 Chapter 1289, Session Laws of 1957

36 Chapter 1025, Session Laws of 1961

37 Chapter 356, Session Laws of 1967.

38 **SECTION 4.** No provision of this act is intended, nor shall be construed, to  
39 affect in any way, any rights or interests (whether public or private):

- 40 (1) Now vested or accrued, in whole or in part, the validity of which might  
41 be sustained or preserved by reference to any provisions of law  
42 repealed by this act;

1 (2) Derived from, or which might be sustained or preserved in reliance  
2 upon, action heretofore taken pursuant to or within the scope of any  
3 provisions of law repealed by this act.

4 **SECTION 5.** No law heretofore repealed expressly or by implication, and no  
5 law granting authority which has been exhausted, shall be revived by:

6 (1) The repeal herein of any act repealing such law, or

7 (2) Any provision of this act that disclaims an intention to repeal or affect  
8 enumerated or designated laws.

9 **SECTION 6.** All existing ordinances and resolutions of the Town of  
10 Princeton and all existing rules or regulations of departments or agencies of the Town of  
11 Princeton, not inconsistent with the provisions of this act, shall continue in full force  
12 and effect until repealed, modified, or amended.

13 **SECTION 7.** No action or proceeding of any nature (whether civil or  
14 criminal, judicial or administrative, or otherwise) pending at the effective date of this  
15 act by or against the Town of Princeton or any of its departments or agencies, shall be  
16 abated or otherwise affected by the adoption of this act.

17 **SECTION 8.** If any of this act or the application thereof to any person or  
18 circumstance is held invalid, such invalidity shall not affect other provisions or  
19 applications of this act which can be given effect without the invalid provision or  
20 application, and to this end the provisions of this act are declared to be severable.

21 **SECTION 9.** Whenever a reference is made in this act to a particular  
22 provision of the General Statutes, and such provision is later amended, repealed or  
23 superseded, the reference shall be deemed amended to refer to the amended General  
24 Statute, or to the General Statute which most nearly corresponds to the statutory  
25 provision, which is repealed or superseded.

26 **SECTION 10.** This act is effective when it becomes law.