

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

H

D

HOUSE DRH50113-LM-18 (02/26)

Short Title: Oak Island Charter Amendments. (Local)

Sponsors: Representative Stiller.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND.

The General Assembly of North Carolina enacts:

SECTION 1. Section 4.1 of the Charter of the Town of Oak Island, being S.L. 1999-66, reads as rewritten:

"Sec. 4.1. **Interim Mayor and Council and Succession of Interim Council Members and Mayors.** (a) Upon enactment of this act and on the effective date of consolidation, an interim Town Council shall serve until elections are held in accordance with provisions of this Charter. The following individuals are hereby named to serve as the Interim Council: Linda W. Franklin, Roy R. Johnson, Richard D. Marshall, William S. Smith, Martin John Wozniak, Kevin M. Bell (or the person appointed to succeed him on the Long Beach Town Council), Horace Collier, James H. Locke, H. Michael Oxford, Mary B. Snead, J.K. Somers; Joan P. Altman, Co-Mayor, and Dorothy Kelly, Co-Mayor. The succession of Mayor and Council Member positions shall occur in a rotation prescribed as follows:

Elected Officials July 1999 - November 1999

Town Area	Seat	Name	Term Expires
Long Beach	Co-Mayor	Altman(or successor)	2001
Yaupon Beach	Co-Mayor	Kelly(or successor)	2001
Yaupon Beach	Council Member	Smith(or successor)	2001
Yaupon Beach	Council Member	Wozniak(or successor)	2001
Long Beach	Council Member	Bell(or successor)	2001
Long Beach	Council Member	Somers(or successor)	2001
Long Beach	Council Member	Locke(or successor)	2001
Yaupon Beach	Council Member	Franklin(or successor)	1999

1	Yaupon Beach	Council Member	Marshall(or successor)	1999
2	Yaupon Beach	Council Member	Johnson(or successor)	1999
3	Long Beach	Council Member	Oxford(or successor)	1999
4	Long Beach	Council Member	Collier(or successor)	1999
5	Long Beach	Council Member	Snead(or successor)	1999

6

7 (b) November 1999 Election: Two Council Member seats will be elected, one
 8 from Yaupon Beach and one from Long Beach. This preserves equal representation.
 9 From November ~~1999-2003~~ on, there will be ~~eight~~six Council Members. Mayor Altman
 10 will serve until November 2001.

11

12

Elected Officials November 1999 - November 2001

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

Elected Officials November 2001 - November 2003

33

34

35

36

37

38

39

40

41

42

43

44

Town Area	Seat	Name	Term Expires
At Large	Mayor	Altman	2001
Yaupon Beach	Mayor Pro Tempore	Kelly	2001
Yaupon Beach	Council Member	Smith	2001
Yaupon Beach	Council Member	Wozniak	2001
Yaupon Beach	Council Member	Elected 1999	2003
Long Beach	Council Member	Bell(or successor)	2001
Long Beach	Council Member	Somers	2001
Long Beach	Council Member	Locke	2001
Long Beach	Council Member	Elected 1999	2003
Town Area	Seat	Name	Term Expires
At Large	Mayor	Elected 2001	2003
Yaupon Beach	Council Member	Elected 1999	2003
Yaupon Beach	Council Member	Elected 2001	2003
Yaupon Beach	Council Member	Elected 2001	2005
Yaupon Beach	Council Member	Elected 2001	2005
Long Beach	Council Member	Elected 1999	2003
Long Beach	Council Member	Elected 2001	2003
Long Beach	Council Member	Elected 2001	2005
Long Beach	Council Member	Elected 2001	2005

1 (d) November 2003 Election: ~~Four~~Three Council Members elected at large to
 2 four-year terms. Mayor elected at large to two-year term.

3
 4 **Elected Officials November 2003 - November 2005**

5	6 Town Area	7 Seat	8 Name	9 Term Expires
10	At Large	Mayor	Elected 2003	2005
11	Yaupon Beach	Council Member	Elected 2001	2005
12	Yaupon Beach	Council Member	Elected 2001	2005
13	Long Beach	Council Member	Elected 2001	2005
14	Long Beach	Council Member	Elected 2001	2005
15	At Large	Council Member	Elected 2003	2007
16	At Large	Council Member	Elected 2003	2007
17	At Large	Council Member	Elected 2003	2007
18	At Large	Council Member	Elected 2003	2007

19 (e) November 2005 Election: ~~Four~~Three Council Members elected at large to
 20 four-year terms. Mayor elected at large to two-year term. Beginning in November 2005,
 21 all seats will be elected at large."

22 **SECTION 2.** Section 4.2 of the Charter of the Town of Oak Island, being
 23 S.L. 1999-66, reads as rewritten:

24 "Sec. 4.2. **Composition of Town Council.** The Town Council shall consist of ~~eight~~
 25 six members to be elected by the qualified voters of the Town at large in the manner
 26 provided by Article IV."

27 **SECTION 3.** Section 4.3(b) of the Charter of the Town of Oak Island, being
 28 S.L. 1999-66, reads as rewritten:

29 "(b) No person shall be eligible to be a candidate or be elected as Mayor or a
 30 member of the Town Council, or to serve in such capacity, unless he is a resident and a
 31 qualified voter of the Town."

32 **SECTION 4.** Section 4.4 of the Charter of the Town of Oak Island, being
 33 S.L. 1999-66, reads as rewritten:

34 "Sec. 4.4. **Mayor and Mayor Pro Tempore.** Beginning with the regular municipal
 35 election following succession of the Interim Council as provided by this act, and every
 36 two years thereafter, there shall be elected a Mayor by the qualified voters of the Town
 37 voting at large. The Mayor shall serve for a term of two years. A permanent vacancy in
 38 the office of Mayor shall be filled for the unexpired term by a person appointed by the
 39 Town Council. The Mayor shall take the oath of office before entry upon the duties of
 40 his office. Candidates for Mayor shall file a notice of candidacy as is required by
 41 candidates for Town Council.

42 The Mayor shall be the official head of the Town government, shall preside at all
 43 meetings of the Town Council, but shall have the right to vote when there are equal
 44 numbers of votes in the affirmative and in the negative. The Mayor shall exercise such
 powers and perform such duties as are or may be conferred upon him by the general
 laws of North Carolina, by this Charter, and by the ordinances of the Town. The Town

1 Council shall choose one of its number to act as Mayor Pro Tempore, and he shall
2 perform the duties of the Mayor in the Mayor's absence or disability. The Mayor Pro
3 Tempore as such shall have no fixed term of office, but shall serve in such capacity at
4 the pleasure of the remaining members of the Town Council, shall serve for a term of
5 one year."

6 **SECTION 5.** Section 4.6(b) of the Charter of the Town of Oak Island, being
7 S.L. 1999-66, reads as rewritten:

8 "(b) All meetings of the Town Council shall be open to the ~~public~~ public, and
9 shall be governed by the open meeting laws as provided by general law and as amended
10 from time to time. The Town Council shall not by closed session or otherwise formally
11 consider or vote upon any question in private session."

12 **SECTION 6.** Section 5.1 of the Charter of the Town of Oak Island, being
13 S.L. 1999-66, reads as rewritten:

14 "Sec. 5.1. **Regular Municipal Elections.** At the regular municipal election to be
15 held following the succession of the Interim Council, and every two years thereafter,
16 ~~four~~ three members of the Town Council shall be elected to serve for four-year terms."

17 **SECTION 7.** This act is effective when it becomes law.