

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**HOUSE BILL 520
RATIFIED BILL**

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
Yaupon Beach	Council Member	Marshall(or successor)	1999
Yaupon Beach	Council Member	Johnson(or successor)	1999
Long Beach	Council Member	Oxford(or successor)	1999
Long Beach	Council Member	Collier(or successor)	1999
Long Beach	Council Member	Snead(or successor)	1999

(b) November 1999 Election: Two Council Member seats will be elected, one from Yaupon Beach and one from Long Beach. This preserves equal representation. From November ~~1999-2005~~ on, there will be ~~eight~~six Council Members. Mayor Altman will serve until November 2001.

Elected Officials November 1999 - November 2001

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

(c) November 2001 Election: Two Council Members from Long Beach will be elected to four-year terms. Two Council Members from Yaupon Beach will be elected to four-year terms. One Council Member from Long Beach will be elected to a two-year term. One Council Member from Yaupon Beach will be elected to a two-year term. The Mayor will be elected at large for a two-year term. The Mayor Pro Tempore will be elected by Council Members at December 2001 Town Council meeting.

Elected Officials November 2001 - November 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

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

Elected Officials November 2003 - November 2005

Town Area	Seat	Name	Term Expires
At Large	Mayor	Elected 2003	2005
Yaupon Beach	Council Member	Elected 2001	2005
Yaupon Beach	Council Member	Elected 2001	2005
Long Beach	Council Member	Elected 2001	2005
Long Beach	Council Member	Elected 2001	2005
At Large	Council Member	Elected 2003	2007
At Large	Council Member	Elected 2003	2007
At Large	Council Member	Elected 2003	2007
At Large	Council Member	Elected 2003	2007

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

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

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

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

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

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

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

The Mayor shall be the official head of the Town government, shall preside at all meetings of the Town Council, but shall have the right to vote when there are equal 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 Council shall choose one of its number to act as Mayor Pro Tempore, and he shall perform the duties of the Mayor in the Mayor's absence or disability. The Mayor Pro Tempore ~~as such shall have no fixed term of office, but shall serve in such capacity at the pleasure of the remaining members of the Town Council.~~ shall serve for a term of one year."

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

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

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

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

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

In the General Assembly read three times and ratified this the 27th day of May, 2003.

Marc Basnight
President Pro Tempore of the Senate

Richard T. Morgan
Speaker of the House of Representatives