

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 118
HOUSE BILL 678

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WAKE FOREST.

The General Assembly of North Carolina enacts:

Section 1. Section 4.1 of the Charter of the Town of Wake Forest, being Chapter 273, Session Laws of 1973, reads as rewritten:

"Sec. 4.1. **Regular Municipal Elections.** Regular municipal elections shall be held biennially in odd-numbered years on the day set by general law for municipal elections. In the ~~1975-1993~~ regular municipal election and quadrennially thereafter there shall be elected a Mayor for a term of four years. In the ~~1975-1995~~ regular municipal election and quadrennially thereafter, three commissioners shall be elected to serve terms of four years each. In the ~~1973-1993~~ regular municipal election and quadrennially thereafter, two commissioners shall be elected to serve terms of four years each."

Sec. 2. Article V of the Charter of the Town of Wake Forest, being Chapter 273, Session Laws of 1973, reads as rewritten:

"ARTICLE V. TOWN ~~ADMINISTRATOR-MANAGER~~

"Sec. 5.1. **Appointment; Compensation.** The Town Board of Commissioners shall appoint an officer whose title shall be Town ~~Administrator-Manager~~ and who shall be the head of the administrative branch of the Town government. The Town ~~Administrator-Manager~~ shall be chosen by the Board solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or knowledge of, accepted practice in respect to the duties of his office as hereinafter prescribed. At the time of his appointment he need not be a resident of the Town, but ~~shall reside therein during his tenure of office.~~ office is subject to residency requirements adopted by the Board of Commissioners. No person elected as Mayor or as a member of the Board of Commissioners shall be eligible for appointment as Town ~~Administrator-Manager~~ until one year shall have elapsed following the expiration of the term for which he was elected. The Town ~~Administrator-Manager~~ shall serve at the pleasure of the Board of Commissioners and shall receive such salary as the Board shall fix.

"Sec. 5.2. **Powers and Duties of Town ~~Administrator-Manager~~.** The Town ~~Administrator-Manager~~ shall be the chief administrator of the Town. He shall be responsible to the Board of Commissioners for administering all municipal affairs placed in his charge by them, and shall have the following powers and ~~duties.~~ duties:

- (1) He shall appoint and suspend or remove all Town employees, except the Town Attorney, in accordance with such general personnel rules, regulations, policies, or ordinances as the Board may adopt.

- (2) He shall direct and supervise the administration of all departments, offices, and agencies of the Town, subject to the general direction and control of the Board, except as otherwise provided by law.
- (3) He shall attend all meetings of the Board and recommend any measures that he deems expedient.
- (4) He shall see that all laws of the State, the Town Charter, and the ordinances, resolutions, and regulations of the Board are faithfully executed within the Town.
- (5) He shall prepare and submit the annual budget and capital program to the Board.
- (6) He shall annually submit to the Board and make available to the public a complete report on the finances and administrative activities of the Town as of the end of the fiscal year.
- (7) He shall make any other reports that the Board may require concerning the operations of the Town departments, offices, and agencies subject to his direction and control.
- (8) He shall perform any other duties that may be required or authorized by the Board."

Sec. 3. Section 6.2 of the Charter of the Town of Wake Forest, being Chapter 273, Session Laws of 1973, reads as rewritten:

"Sec. 6.2. **Duties of the Town Attorney.** It shall be the duty of the Town Attorney to prosecute and defend suits for and against the Town; to advise the Mayor, Board of Commissioners, Town ~~Administrator~~, Manager, and other Town officials with respect to the affairs of the Town; to draft all legal documents relating to the affairs of the Town; to draft proposed ordinances when requested to do so; to inspect and pass all agreements, contracts, franchises and other instruments with which the Town may be concerned; to attend all meetings of the Board of Commissioners when required by the Board; and to perform such other duties as may be required of him by virtue of his position as Town Attorney."

Sec. 4. This act does not affect the terms of office of the current Mayor and members of the Board of Commissioners.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 3rd day of June, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives