

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

S

1

SENATE BILL 859

Short Title: Reidsville Elections.

(Local)

Sponsors: Senator Sands.

Referred to: Local Government and Regional Affairs.

April 14, 1993

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF REIDSVILLE TO ALTER THE SIZE AND METHOD OF ELECTING THE CITY COUNCIL.

The General Assembly of North Carolina enacts:

Section 1. Article II of the Charter of the City of Reidsville, being Chapter 957, Session Laws of 1989, reads as rewritten:

"ARTICLE II. GOVERNING BODY.

'Section 2.1. Mayor and City Council. The Mayor and the City Council, hereinafter referred to as the 'Council,' Council shall be the governing body of the City. The Mayor shall be a member of the City Council.

'Section 2.2. City Council; Composition; Terms of Office. The Council shall be composed of five members elected by all the qualified voters of the City for terms of two years or until their successors are elected and qualified. Following the 1993 City election, the City Council shall consist of seven members elected as follows: (i) two members elected from District A by the voters of that district only; (ii) two members elected from District B by the voters of that district only; (iii) two members elected at large by all the voters of the City; and (iv) the Mayor elected by all the voters of the City. In 1993 two members shall be elected from District A for two-year terms, two members shall be elected from District B for two-year terms, two members shall be elected at large for four-year terms, and the Mayor shall be elected at large for a four-year term. As the terms of the Council members and Mayor elected in 1993 expire, their successors shall all be elected for terms of four years.

'Section 2.3. Mayor; Term of Office; Duties. The Council shall elect one of its members to serve as Mayor for a term of two years. The Mayor shall be the official head of

1 the City Government and preside at meetings of the Council, ~~shall have the right to vote~~
2 ~~on all matters before the Council,~~ and shall exercise the powers and duties conferred by
3 law or as directed by the Council. The Mayor shall be a participating member of the
4 Council and is entitled to make motions, vote, and take other actions the same as any
5 other Council member.

6 'Section 2.4. **Mayor Pro Tempore.** The Council shall ~~elect one of its members~~
7 choose one of the two members elected at large as Mayor Pro Tempore to perform the
8 duties of the Mayor during his or her the Mayor's absence or disability, in accordance
9 with general law. The member chosen as Mayor Pro Tempore shall serve in such
10 capacity until the organizational meeting following the next regular municipal election, despite
11 the contrary provisions of G.S. 160A-70 that office for the period of that member's term as
12 a Council member.

13 '~~Section 2.5. Meetings.~~ In accordance with general law, ~~the Council shall establish~~
14 ~~a suitable time and place for its regular meetings. Special and emergency meetings may~~
15 ~~be held as provided by general law.~~

16 '~~Section 2.6. Voting requirements; Quorum.~~ Official actions of the Council and
17 ~~all votes shall be taken in accordance with the applicable provisions of general law,~~
18 ~~particularly G.S. 160A-75. A majority of the membership of the Council shall~~
19 ~~constitute a quorum.~~

20 '~~Section 2.7. Compensation; Qualifications for Office; Vacancies.~~ The
21 ~~compensation and qualifications of the Mayor and Council shall be in accordance with~~
22 ~~general law. Vacancies that occur in any elective office of the City shall be filled as~~
23 ~~provided in G.S. 160A-63.~~

24 '~~Section 2.5. Residency.~~ To be eligible to be a candidate for election from District
25 A or B, a person must be a resident of that district at the time of filing notice of
26 candidacy. If, at any time after taking office, a member elected or appointed to
27 represent District A or B ceases to reside in that district, the Council may declare a
28 vacancy in that office and shall appoint as a replacement a person who resides in the
29 district.

30 '~~Section 2.6. Vacancies.~~ If a Council member other than the Mayor dies, resigns,
31 ceases to reside in a district as required by Section 2.5, or otherwise vacates that office,
32 the remaining members of the Council shall appoint a person to fill the vacancy. The
33 person appointed by the Council shall serve the remainder of the unexpired term. A
34 vacancy in the office of Mayor shall be filled as provided by general law.

35 '~~Section 2.7. Districts.~~ Districts A and B used for the election of Council members
36 shall be as follows:

37 **District A** – The portion of the City north of the following line running east to west
38 from the point where the City limit crosses Lawsonville Avenue (Highway 158) on the
39 east side of the City: west on Lawsonville Avenue to Harrison Street, southwest on
40 Harrison to the Southern Railway track, south along the railroad track to Woodrow
41 Street, west on Woodrow to Maple Avenue, south on Maple to Crescent Drive,
42 southwest on Crescent to Summit Avenue, west on Summit to Courtland Avenue, south
43 on Courtland to North Woodleigh, southwest on Woodleigh to Linville Drive, north on
44 Linville to Vance Street, west on Vance to the City limit on the west side of the City.

1 **District B** – The remaining portion of the City being that part south of the line
2 described above. District lines may be altered as provided by general law."

3 Sec. 2. Article III of the Charter of the City of Reidsville, being Chapter 957,
4 Session Laws of 1989, reads as rewritten:

5 **"ARTICLE III. ELECTIONS.**

6 'Section 3.1. **Regular ~~Municipal-City~~ Elections.** Regular ~~municipal-City~~ elections
7 shall be held ~~in each odd-numbered year in accordance with the uniform municipal election~~
8 ~~laws of North Carolina. at the time set by general law.~~ Elections are conducted on a
9 nonpartisan basis and the results determined using the nonpartisan plurality method as
10 provided in G.S. 163-292. Elections shall be conducted in accordance with the
11 procedures of Chapter 163 of the General Statutes, except that the period for filing
12 notices of candidacy described in G.S. 163-294.2(c) is modified as to the City of
13 Reidsville to begin at 12:00 noon on the first Friday in August and end at 12:00 noon on
14 the last Friday in August preceding the election.

15 ~~'Section 3.2. **Election of Council.** Five Council members shall be elected in each~~
16 ~~regular municipal election.~~

17 'Section 3.3. **Special Elections and Referendums.** Special elections and
18 referendums may be held only as provided by general law or applicable local acts of the
19 General Assembly."

20 Sec. 3. This act is effective upon ratification and shall be implemented
21 beginning with the regular 1993 City election, provided it has been precleared by the
22 Attorney General of the United States or the United States District Court for the District
23 of Columbia pursuant to section 5 of the Voting Rights Act of 1965.