

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 562

Short Title: Cramerton Charter Revisal. (Local)

Sponsors: Representative Bumgardner (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Government, if favorable, Finance.

April 4, 2013

A BILL TO BE ENTITLED

AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF
CRAMERTON.

The General Assembly of North Carolina enacts:

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

"THE CHARTER OF THE TOWN OF CRAMERTON.

"ARTICLE I. INCORPORATION AND CORPORATE POWERS.

"Section 1.1. **Incorporation.** The Town of Cramerton shall continue to be a body politic and corporate under the name of "Town of Cramerton." The term "general law" is employed herein as defined in G.S. 160A-1.

"ARTICLE II. CORPORATE BOUNDARIES.

"Section 2.1. **Corporate Powers.** The Town shall have and continue to have all of the powers, duties, rights, privileges, and immunities conferred and imposed on towns and cities by the general law of North Carolina.

"Section 2.2. **Corporate Boundaries.** The corporate limits of the Town of Cramerton shall be and continue to be those existing at the time of the ratification of this revised Charter, and as the same may be altered from time to time in accordance with general law.

"ARTICLE III. GOVERNING BODY.

"Section 3.1. **Structuring of Governing Body.** The Board of Commissioners, hereinafter referred to as the "Board," and the Mayor shall be the governing body of the town.

"Section 3.2. **Board; Composition; Terms of Office.** The qualified voters of the entire Town shall elect the Board. The Board shall be composed of five members to serve staggered terms of four years and until their successors are elected and qualified. Three members shall be elected in 2013 and quadrennially thereafter for four-year terms and two members shall be elected in 2015 and quadrennially thereafter for four-year terms.

"Section 3.3. **Mayor; Term of Office; Duties.** The Mayor shall be elected by the qualified voters of the Town in 2013 and quadrennially thereafter for a term of four years and shall serve until a successor is elected and qualified. The Mayor shall be the official head of the Town government and shall preside at meetings of the Board. The Mayor shall have the right to vote only when there is an equal division on any question or matter before the Board and shall exercise the powers and duties conferred by law and as directed by the Board.

"Section 3.4. **Mayor Pro Tempore.** In accordance with general law, the Board shall elect one of its members to act as Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or disability.



1 "Section 3.5. **Meetings.** In accordance with general law, the Board shall establish a suitable
2 time and place for its regular meetings. Special and emergency meetings may be held as
3 provided by general law. Robert's Rules of Order, Revised, shall govern the proceeding of the
4 Board.

5 "Section 3.6. **Quorum; Voting.** Official actions of the Board and all votes shall be taken in
6 accordance with the applicable provisions of general law, particularly G.S. 160A-75. The
7 quorum provisions of G.S. 160A-74 shall apply.

8 "Section 3.7. **Compensation; Qualifications for Office; Vacancies.** The compensation,
9 qualifications, and filing of vacancies of the Mayor and members of the Board shall be in
10 accordance with general law, except that vacancies are filled for the remainder of the unexpired
11 term.

12 "ARTICLE IV. ELECTIONS.

13 "Section 4.1. **Regular Municipal Elections.** Regular municipal elections shall be held in
14 each odd-numbered year in accordance with the uniform municipal election laws of North
15 Carolina. Elections shall be conducted on a nonpartisan basis and the results determined by a
16 plurality as provided in G.S. 163-292.

17 "Section 4.2. **Special Elections and Referenda.** Special elections and referenda may be
18 held only as provided by general law.

19 "ARTICLE V. ADMINISTRATION.

20 "Section 5.1. **Council-Manager Form.** The Town of Cramerton shall operate under a
21 council-manager form of government as provided in Part 2 of Article 7 of Chapter 160A of the
22 General Statutes.

23 "Section 5.2. **Town Attorney.** The Board shall appoint a Town Attorney licensed to
24 practice law in North Carolina. It shall be the duty of the Town Attorney to represent the Town,
25 advise Town officials, and perform other duties required by law or as the Board may direct.

26 "Section 5.3. **Town Clerk.** The Board shall appoint a Town Clerk to keep a journal of the
27 proceedings of the Board, to maintain official records and documents, to give notice of
28 meetings, and to perform such other duties required by law or as the Board may direct.

29 "Section 5.4. **Tax Collector.** The Town Manager shall appoint a Tax Collector to collect all
30 taxes owed to the Town and perform those duties specified in G.S. 105-350 and such other
31 duties as prescribed by law or assigned by the Board.

32 "Section 5.5. **Administrative Head Appointment.** The Town Manager may appoint other
33 administration and department heads as permitted by Part 2 of Article 7 of Chapter 160A of the
34 General Statutes.

35 "Section 5.7. **Other Appointments.** The Town may authorize other positions to be filled by
36 appointment and organize the Town governance as deemed appropriate subject to requirements
37 of general law.

38 "Section 5.8. **Residency.** Residency within the corporate limits of the Town is not required
39 for any office under this Article."

40 **SECTION 2.** This act does not affect the terms of office of the current Mayor and
41 Board of Commissioners of the Town of Cramerton.

42 **SECTION 3.** No action of proceeding by any nature (whether civil or criminal,
43 judicial or administrative, or otherwise) pending at the effective date of this act by or against
44 the Town of Cramerton or any of its departments or agencies shall be abated or otherwise
45 affected by enactment of this act.

46 **SECTION 4.** The purpose of this act is to revise the Charter of the Town of
47 Cramerton and to consolidate herein certain acts concerning the property, affairs, and
48 government of the Town.

49 **SECTION 5.** Chapter 1061 of the Session Laws of 1967, having been consolidated
50 into this act, is hereby repealed.

51 **SECTION 6.** This act does not affect the following:

- 1 (1) S.L. 2005-45 (weeded lot ordinance).
- 2 (2) G.S. 160A-58.1(b)(5) as it applies to the Town.
- 3 (3) G.S. 20-171.24 as it applies to the Town.
- 4 (4) S.L. 2009-429 (Occupancy Tax).
- 5 (5) S.L. 2003-124 as amended by S.L. 2011-171 (regulation of utility vehicles).

6 **SECTION 7.** All existing ordinances and resolutions of the Town of Cramerton
7 and all existing rules and regulations of departments or agencies of the Town of Cramerton not
8 inconsistent with the provisions of this act shall continue in full force and effect until repealed,
9 modified, or amended.

10 **SECTION 8.** If any provision of this act or the application thereof to any person or
11 circumstances is held invalid, such invalidity shall not affect other provisions or application of
12 this act which can be given effect without the invalid provision or application, and to this end
13 the provisions of this act are declared to be severable.

14 **SECTION 9.** This act is effective when it becomes law.