

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 859
PROPOSED COMMITTEE SUBSTITUTE S859-PCS95233-RW-77

Short Title: Pilot Mountain/Dobson Even-Year Elections.

(Local)

Sponsors:

Referred to:

May 23, 2012

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF
PILOT MOUNTAIN AND THE TOWN OF DOBSON ARE HELD IN
EVEN-NUMBERED YEARS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 3.3 of the Charter of the Town of Pilot Mountain, being Chapter 28 of the Session Laws of 1971, as amended by Town Ordinance 217, adopted April 22, 2002, reads as rewritten:

"Sec. 3.3. Terms; Qualifications; Vacancies.

(a) The Mayor shall and members of the Board of Commissioners shall serve for terms of four (4) years, beginning the day and hour of the organizational meeting following their election, as established by ordinance in accordance with this Charter; provided, they shall serve until their successors are elected and ~~qualify~~ qualify, provided further that (i) the Mayor elected in 2011 shall serve a term of three years, but the Mayor's successors shall serve terms of four years; and (ii) the members of the board of commissioners elected in 2009 and 2011 shall serve terms of three years, but the member's successors shall serve terms of four years."

SECTION 2. Section 4.1 of the Charter of the Town of Pilot Mountain, being Chapter 28 of the Session Laws of 1971, is rewritten to read:

"Sec. 4.1. Regular Elections. Elections shall be held biennially on the Tuesday after the first Monday in November, beginning in 2012. In the 2014 election and quadrennially thereafter, the candidate for Mayor who receives the largest number of votes cast for Mayor shall be declared elected for a term of four years. In the 2012 election and quadrennially thereafter, the two candidates for Commissioner who receive the largest numbers of votes cast for Commissioner shall be declared elected for terms of four years. In the 2014 election and quadrennially thereafter, the two candidates for Commissioner who receive the largest numbers of votes cast for Commissioner shall be declared elected for terms of four years. Regular municipal elections shall be held biennially in even-numbered years, but shall otherwise be conducted in accordance with the general law governing municipal elections, except that absentee ballots shall be available on the same schedule as for county and State officers at that election."

SECTION 3. Section 3.3 of the Charter of the Town of Dobson, being Chapter 232 of the Session Laws of 1975, as amended by Town Ordinance dated February 18, 2010, reads as rewritten:

"Sec. 3.3. Terms; qualifications; vacancies.



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1 (a) The members of the Board of Commissioners shall serve for terms of four years,
2 and the Mayor shall serve for a term of four years, beginning the day and hour of the
3 organizational meeting following their election, as established by ordinance in accordance with
4 this Charter; provided, they shall serve until their successors are elected and ~~qualify-qualify,~~
5 provided further that (i) the Mayor elected in 2009 shall serve a term of five years, but the
6 Mayor's successors shall serve terms of four years; and (ii) the members of the board of
7 commissioners elected in 2009 and 2011 shall serve terms of five years, but the member's
8 successors shall serve terms of four years.

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

12 (c) In the event a vacancy occurs in the office of Mayor or Commissioner, the Board
13 shall by majority vote appoint some qualified person to fill the same for the remainder of the
14 unexpired term."

15 **SECTION 4.** Section 4.1 of the Charter of the Town of Dobson, being Chapter
16 232 of the Session Laws of 1975, reads as rewritten:

17 "Sec. 4.1. Regular Elections. Elections shall be held biennially on the Tuesday after the first
18 Monday in November, beginning in ~~2012,2014~~. In the ~~2012-2014~~ election and ~~biennially~~
19 quadrennially thereafter, the candidate for Mayor who receives the largest number of votes cast
20 for Mayor shall be declared elected for a term of ~~two~~four years. In the ~~2012-2016~~ election and
21 quadrennially thereafter, the three candidates for Commissioner who receive the largest
22 numbers of votes cast for Commissioner shall be declared elected for terms of four years. In the
23 2014 election and quadrennially thereafter, the two candidates for Commissioner who receive
24 the largest numbers of votes cast for Commissioner shall be declared elected for terms of four
25 years. Regular municipal elections shall be held biennially in even-numbered years, but shall
26 otherwise be conducted in accordance with the general law governing municipal elections,
27 except that absentee ballots shall be available on the same schedule as for county and State
28 officers at that election."

29 **SECTION 5.** This act is effective when it becomes law.