

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 139
PROPOSED COMMITTEE SUBSTITUTE S139-PCS35288-BK-17

Short Title: Even-Yr. Municipal Elections/Town of Montreat. (Local)

Sponsors:

Referred to:

February 27, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE TOWN OF
3 MONTREAT SHALL BE HELD IN EVEN-NUMBERED YEARS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** Article II of the Charter of the Town of Montreat, being Chapter
6 295 of the 1985 Session Laws, as amended by Chapter 38 of the 1998 Session Laws, Town
7 Ordinance adopted on July 15, 1985, and Town Ordinance 13-04-0001 adopted on April 11,
8 2013, reads as rewritten:

9 "ARTICLE II. MAYOR AND BOARD OF COMMISSIONERS.

10 ...

11 "Sec. 2.2. Board of Commissioners; Composition; Terms of Office. The Board shall be
12 composed of five members elected for four-year staggered terms and until their successors are
13 elected and qualified. In 2020, and quadrennially thereafter, two commissioners shall be elected
14 to serve four-year terms. In 2022, and quadrennially thereafter, three commissioners shall be
15 elected to serve four-year terms.

16 "Sec. 2.3. Mayor; Term of Office; Duties. The Mayor shall be elected by all the qualified
17 voters of the Town; shall be the official head of the Town government and preside at meetings
18 of the Board; shall have the right to vote on all matters before the Board, but shall have no right
19 to break a tie vote in which he participated; and shall exercise the powers and duties conferred
20 by law. In 2020, and quadrennially thereafter, the Mayor shall be elected to serve a four-year
21 term.

22"

23 **SECTION 1.(b)** Article III of the Charter of the Town of Montreat, being Chapter
24 295 of the 1985 Session Laws, reads as rewritten:

25 "ARTICLE III. ELECTIONS.

26 "Sec. 3.1. Regular Municipal Elections. ~~Regular~~ In 2020, regular municipal elections shall be
27 held in the Town on Tuesday after the first Monday in November in each even-numbered year
28 in accordance with the uniform municipal election laws of North Carolina. The Commissioners
29 shall be elected by the voters of the Town on an at large basis, by the nonpartisan plurality method
30 of ~~election~~ election as provided in G.S. 163A-1616. Notwithstanding G.S. 163A-1620, the
31 Buncombe County Board of Elections shall set the time period for candidates seeking municipal
32 office to file notices of candidacy and shall notify the Town of the time period to file such notices
33 of candidacy.

34 ~~"Sec. 3.2. Election of the Commissioners. The Commissioners serving on the date of~~
35 ~~ratification of this Charter may continue to serve until expiration of their terms, or until their~~
36 ~~successors are elected and qualified. In the regular municipal election in 1985, and every four~~



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1 ~~years thereafter, there shall be elected three Commissioners to serve as provided in Article II of~~
2 ~~this Charter.~~

3"

4 **SECTION 2.** No municipal elections shall be conducted in the Town of Montreat in
5 2019. The Mayor and two commissioners whose terms expire in 2019 are extended until 2020,
6 and the three commissioners whose terms expire in 2021 are extended until 2022. Regular
7 municipal elections shall be conducted in the Town of Montreat in 2020.

8 **SECTION 3.** This act is effective when it becomes law and applies to elections held
9 on or after that date.