

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 265  
PROPOSED COMMITTEE SUBSTITUTE S265-PCS35164-BK-14

Short Title: Increase Municipal Election Participation Act.

(Local)

Sponsors:

Referred to:

March 13, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS FOR  
3 MUNICIPALITIES IN HENDERSON, POLK, AND RUTHERFORD COUNTIES ARE  
4 HELD IN EVEN-NUMBERED YEARS AND TO EXTEND THE TERMS OF THE  
5 MAYOR IN THE TOWN OF TRYON AND ALL ELECTED OFFICERS IN THE TOWN  
6 OF RUTH FROM TWO TO FOUR YEARS.

7 The General Assembly of North Carolina enacts:

8  
9 **PART I. MUNICIPALITIES IN HENDERSON COUNTY**

10 **SECTION 1.1.(a)** Chapter III of the Charter of the Village of Flat Rock, being  
11 Chapter 48 of the 1995 Session Laws, reads as rewritten:

12 "CHAPTER III.  
13 "GOVERNING BODY.

14 ...

15 "**Sec. 3.3. Term of Office of Council Members.** ~~In the 1995 municipal election, two~~ Two  
16 members shall be elected from each electoral district. In each electoral district in 1995, the person  
17 receiving the highest number of votes is elected to a four-year term, and the person receiving the  
18 next highest number of votes is elected to a two-year term. In 1997 and biennially thereafter, one  
19 person is elected from each electoral district for a staggered four-year term. terms.

20 "**Sec. 3.4. Election of Mayor; Term of Office.** The qualified voters of the entire Village  
21 elect the ~~Mayor. A Mayor shall be elected in 1995 and quadrennially thereafter~~ for a four-year  
22 term."

23 **SECTION 1.1.(b)** Section 4.1 of the Charter of the Village of Flat Rock, being  
24 Chapter 48 of the 1995 Session Laws, reads as rewritten:

25 "**Sec. 4.1. Conduct of Village Elections.** Regular municipal elections shall be held at the  
26 time of the general election in each even-numbered year. Village officers shall be elected on a  
27 nonpartisan basis and results determined by the primary method as provided in G.S. 163-294.  
28 Except as otherwise provided by this act, the election shall be conducted in accordance with the  
29 uniform municipal election laws in Chapter 163 of the General Statutes."

30 **SECTION 1.1.(c)** No municipal elections shall be conducted in the Village of Flat  
31 Rock in 2023. The terms of the Mayor and the three Council members serving on the effective  
32 date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of  
33 the three Council members serving on the effective date of this act whose terms are set to expire  
34 in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the  
35 Village of Flat Rock in even-numbered years beginning in 2024.



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1 be elected on a nonpartisan basis and results determined by the primary method as provided in  
2 G.S. 163-294.

3 "~~Sec. 4.3. Voting. In the elections to be held during the calendar year 1997, each voter shall~~  
4 ~~be entitled to vote for four (4) candidates for City Council and one (1) candidate for the office of~~  
5 ~~mayor. In the election to be held in 1997, two (2) of the council members shall be elected each~~  
6 ~~for a term of two (2) years and two (2) of the council members shall be elected for a term of four~~  
7 ~~(4) years; provided, that the two candidates for council seats receiving the greatest and second~~  
8 ~~greatest number of votes shall be declared elected to the terms of four (4) years, and that the two~~  
9 ~~(2) candidates receiving the third and fourth greatest number of votes shall be declared elected~~  
10 ~~to the terms of two (2) years. In the case of a tie involving the second and third greatest number~~  
11 ~~of votes, declaration for the two (2) year and four (4) year terms shall be decided by lot.~~  
12 ~~Beginning in 1999, elections shall be held every two (2) years and all vacated council seats shall~~  
13 ~~be filled for a term of four (4) years. The Council Members shall be elected for staggered terms~~  
14 ~~of four years. The mayor shall be elected every four (4) years for a term of four (4) years.~~

15 "~~Sec. 4.4. Regulation of Elections. All municipal elections shall be conducted in accordance~~  
16 ~~with the general laws of North Carolina relating to municipal elections, uniform municipal~~  
17 ~~election laws in Chapter 163 of the General Statutes, except as otherwise herein~~  
18 ~~provided.~~provided by this act."

19 **SECTION 1.3.(b)** No municipal elections shall be conducted in the City of  
20 Hendersonville in 2023. The terms of the two Council members serving on the effective date of  
21 this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the  
22 Mayor and the two Council members serving on the effective date of this act whose terms are set  
23 to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted  
24 in the City of Hendersonville in even-numbered years beginning in 2024.

25 **SECTION 1.3.(c)** In 2024 and quadrennially thereafter, two Council members shall  
26 be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two  
27 Council members shall be elected to serve four-year terms.

28 **SECTION 1.4.(a)** Section 3.1 of the Charter of the Town of Laurel Park, being S.L.  
29 2000-8, reads as rewritten:

30 "Section 3.1. **Regular Municipal Elections.** Regular municipal elections shall be held at  
31 the time of the general election in each ~~odd-numbered year~~ even-numbered year. Except as  
32 otherwise provided by this act, the election shall be conducted in accordance with the uniform  
33 municipal election laws of North Carolina. Elections shall be conducted on a nonpartisan basis  
34 and the results determined using the nonpartisan plurality method as provided in G.S. 163-292."

35 **SECTION 1.4.(b)** Sections 3.2 and 3.3 of the Charter of the Town of Laurel Park,  
36 being S.L. 2000-8, are repealed.

37 **SECTION 1.4.(c)** No municipal elections shall be conducted in the Town of Laurel  
38 Park in 2023. The terms of the Mayor and the two Commissioners serving on the effective date  
39 of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the  
40 two Commissioners serving on the effective date of this act whose terms are set to expire in 2025  
41 shall be extended by one year. Regular municipal elections shall be conducted in the Town of  
42 Laurel Park in even-numbered years beginning in 2024.

43 **SECTION 1.4.(d)** In 2024 and quadrennially thereafter, a mayor and two  
44 Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter,  
45 two Commissioners shall be elected to serve four-year terms.

46 **SECTION 1.5.(a)** Section 3.3 of the Charter of the Town of Mills River, being S.L.  
47 2003-242, reads as rewritten:

48 "Section 3.3. **Manner of Electing Town Council; Terms of Office.** Two of the Council  
49 members shall be elected at large from the residents of the Town and three shall be elected from  
50 each of Districts 1, 2, and 3 respectively, as provided in Article IV of this Charter. The qualified  
51 voters of the entire Town shall elect all the members of the Town Council, ~~and, except as~~

1 ~~provided in this section, and they shall serve staggered four-year terms. In 2003, two Council~~  
2 ~~members shall be elected at large and they shall serve for four year terms, and one Council~~  
3 ~~member shall be elected from each of Districts 1, 2, and 3, respectively and they shall serve for~~  
4 ~~two year terms. In 2005, and quadrennially thereafter, one Council member shall be elected from~~  
5 ~~each of Districts 1, 2, and 3 respectively and they shall serve for four year terms. In 2007, and~~  
6 ~~quadrennially thereafter, two members shall be elected at large and they shall serve for four year~~  
7 ~~terms."~~

8         **SECTION 1.5.(b)** Section 4.1 of the Charter of the Town of Mills River, being S.L.  
9 2003-242, reads as rewritten:

10         "Section 4.1. **Conduct of Town Elections.** Town elections shall be conducted on a  
11 nonpartisan basis and the results determined by plurality, as provided in G.S. 163-292. Elections  
12 shall be conducted by the Henderson County Board of Elections in accordance with general law,  
13 ~~except as may be modified by this Charter.~~ Elections."

14         **SECTION 1.5.(c)** Section 4.2 of the Charter of the Town of Mills River, being S.L.  
15 2003-242, reads as rewritten:

16         "Section 4.2. **Regular Municipal Elections; District Boundaries.** Regular municipal  
17 elections shall be held at the time of the general election in each odd-numbered year  
18 even-numbered year. Except as otherwise provided by this act, the election shall be conducted in  
19 accordance with the uniform municipal election laws of North Carolina. For purpose of the  
20 election of Town Council members, the Town is divided into three geographical subdivisions,  
21 known as districts, and all qualified voters of the Town may cast a vote for each seat. A written  
22 description or map showing the current boundaries of the three election districts shall be  
23 maintained in the office of the Town Clerk and shall be available for public inspection. The  
24 district boundaries may be amended periodically pursuant to the provisions of general law.  
25 Whenever areas are hereafter annexed and made part of the Town, the Town Council shall, by  
26 ordinance, redefine and rearrange the three election districts so as to include the annexed areas.  
27 The ordinance shall be adopted at least seven days prior to the opening of candidate filing for the  
28 municipal election next succeeding the date of any annexation and shall provide for three election  
29 districts of approximately equal population. In redefining and rearranging the election district  
30 lines, the Town Council shall follow as nearly as practical existing district lines."

31         **SECTION 1.5.(d)** No municipal elections shall be conducted in the Town of Mills  
32 River in 2023. The terms of the two Council members serving on the effective date of this act  
33 whose terms are set to expire in 2023 shall be extended by one year. The terms of the three  
34 Council members serving on the effective date of this act whose terms are set to expire in 2025  
35 shall be extended by one year. Regular municipal elections shall be conducted in the Town of  
36 Mills River in even-numbered years beginning in 2024.

37         **SECTION 1.5.(e)** In 2024 and quadrennially thereafter, two Council members shall  
38 be elected at-large to serve four-year terms. In 2026 and quadrennially thereafter, one Council  
39 member shall be elected from each of Districts 1, 2, and 3, respectively, to serve four-year terms.  
40

## 41 **PART II. MUNICIPALITIES IN POLK COUNTY**

42         **SECTION 2.1.(a)** Article III of the Charter of the Town of Columbus, being Chapter  
43 46 of the 1985 Session Laws, as amended by Town Ordinance No. 68 adopted on February 18,  
44 2003, reads as rewritten:

### 45 "ARTICLE III. ELECTIONS

46         "Section 3.1. Regular Municipal Elections. Regular municipal elections shall be held at the  
47 time of the general election in each odd-numbered year even-numbered year. Except as otherwise  
48 provided by this act, the election shall be conducted in accordance with the uniform municipal  
49 election laws of North Carolina. The Mayor and Council members shall be elected by the voters  
50 of the Town on an at-large basis, by the nonpartisan plurality method of ~~election.~~ election, as  
51 provided in G.S. 163-292.

1 "Section 3.2. Election of the Council Members. The Council members ~~serv~~ing on the date of  
2 ~~ratification of this Charter may continue to~~ shall serve until expiration of their terms, or until  
3 their successors are elected and qualified. Council members shall continue to be elected and to  
4 serve on a staggered term system. At each ~~such~~ municipal election the candidate receiving the  
5 highest number of votes shall serve for a term of four years, and the two candidates receiving the  
6 next highest number of votes shall serve for a period of two years.

7 "Section 3.3. Election of the Mayor. The Mayor ~~serv~~ing on the date of ~~ratification of this~~  
8 ~~Charter may continue to serve until the expiration of his or her term, or~~ shall serve until a  
9 successor is elected and qualified. ~~At the regular municipal election in 1985 and every two years~~  
10 ~~thereafter, there~~ The Mayor shall be elected a ~~Mayor~~ to serve as provided in Article II of this  
11 Charter.

12 ...."

13 **SECTION 2.1.(b)** No municipal elections shall be conducted in the Town of  
14 Columbus in 2023. The terms of the Mayor and the two Council members serving on the effective  
15 date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of  
16 the two Council members serving on the effective date of this act whose terms are set to expire  
17 in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the  
18 Town of Columbus in even-numbered years beginning in 2024.

19 **SECTION 2.1.(c)** In 2024 and biennially thereafter, a mayor shall be elected to serve  
20 a two-year term and three Council members shall be elected for staggered terms.

21 **SECTION 2.2.(a)** Notwithstanding the Charter of the City of Saluda, being Chapter  
22 5 of the Private Laws of 1881, as amended by Chapter 93 of the Private Laws of 1903, Chapter  
23 20 of the Private Laws of 1907, and Chapter 191 of the Private Laws of 1913, regular municipal  
24 elections in the City of Saluda for the election of the Mayor and Commissioners shall be held at  
25 the time of the general election in even-numbered years. Election of the Mayor and  
26 Commissioners shall be on a nonpartisan plurality basis and the results determined in accordance  
27 with G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in  
28 accordance with the uniform municipal election laws in Chapter 163 of the General Statutes.

29 **SECTION 2.2.(b)** No municipal elections shall be conducted in the City of Saluda  
30 in 2023. The terms of the two Commissioners serving on the effective date of this act whose  
31 terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the  
32 two Commissioners serving on the effective date of this act whose terms are set to expire in 2025  
33 shall be extended by one year. Regular municipal elections shall be conducted in the City of  
34 Saluda in even-numbered years beginning in 2024.

35 **SECTION 2.2.(c)** In 2024 and quadrennially thereafter, two Commissioners shall be  
36 elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two  
37 Commissioners shall be elected to serve four-year terms.

38 **SECTION 2.3.(a)** Section 3.3 of the Charter of the Town of Tryon, being Chapter  
39 441 of the 1971 Session Laws, as amended by S.L. 2013-261, reads as rewritten:

40 "Sec. 3.3. Terms; Qualifications; Vacancies. (a) Except as provided in Section 4.1, the  
41 members of the Board of Commissioners shall serve for staggered terms of four years, and the  
42 Mayor shall serve for a term of ~~two~~ four years, beginning the day and hour of the organizational  
43 meeting following their election, as established by ordinance in accordance with this Charter;  
44 provided, they shall serve until their successors are elected and qualify.

45 ...."

46 **SECTION 2.3.(b)** Section 4.1 of the Charter of the Town of Tryon, being Chapter  
47 441 of the 1971 Session Laws, as amended by Town Ordinance No. 2003-7 adopted on August  
48 19, 2003, reads as rewritten:

49 "Sec. 4.1. Regular Elections.

50 (a) Regular municipal elections shall be held ~~biennially on the Tuesday after the first~~  
51 ~~Monday in November in May in odd numbered years.~~ at the time of the general election in each

1 even-numbered year. In each biennial election, there shall be elected two commissioners.  
2 Election of the mayor and commissioners shall be on a nonpartisan plurality basis and the results  
3 determined in accordance with G.S. 163-292. Except as otherwise provided by this act, the  
4 election shall be conducted in accordance with the uniform municipal election laws in Chapter  
5 163 of the General Statutes.

6 ~~(b) Notwithstanding the provisions of subsection (a) above, in 2003 only, there shall be~~  
7 ~~elected three commissioners. The candidates for commissioner who receive the largest and~~  
8 ~~second largest number of votes shall each be elected for a term of four (4) years, and the candidate~~  
9 ~~for commissioner who receives the third largest number of votes shall be elected for a term of~~  
10 ~~two (2) years."~~

11 **SECTION 2.3.(c)** No municipal elections shall be conducted in the Town of Tryon  
12 in 2023. The terms of the Mayor and the two Commissioners serving on the effective date of this  
13 act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two  
14 Commissioners serving on the effective date of this act whose terms are set to expire in 2025  
15 shall be extended by one year. Regular municipal elections shall be conducted in the Town of  
16 Tryon in even-numbered years beginning in 2024.

17 **SECTION 2.3.(d)** In 2024 and quadrennially thereafter, a mayor and two  
18 Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter,  
19 two Commissioners shall be elected to serve four-year terms.

### 20 **PART III. MUNICIPALITIES IN RUTHERFORD COUNTY**

21 **SECTION 3.1.(a)** Section 4 of the Charter of the Town of Bostic, being Chapter 263  
22 of the Private Laws of 1913, as amended by Town Resolution adopted on March 2, 2009, reads  
23 as rewritten:  
24

25 ~~"Sec. 4. It shall be the duty of the Town Commissioners to provide for an election to be held~~  
26 ~~on the first Tuesday in November, 2009, according to the laws of the State and the Regular~~  
27 ~~municipal elections shall be held at the time of the general election in each even-numbered year.~~  
28 ~~The officers elected shall hold their offices until their successors are elected and qualified. The~~  
29 ~~Town Commissioners shall be composed of 5-five members, each of whom shall be elected for~~  
30 ~~a term staggered terms of four years, provided they shall serve until their successors are elected~~  
31 ~~and qualified. Notwithstanding the foregoing, the terms of the two commissioners receiving the~~  
32 ~~most votes in the 2009 election shall be four years and the terms of the remaining three~~  
33 ~~commissioners in that election shall be two years. Thereafter, the terms of all Town~~  
34 ~~Commissioners shall be four years as referenced above. Notwithstanding the foregoing, the term~~  
35 ~~of the Mayor elected in the 2009 Election shall be four years and thereafter the years. The~~  
36 ~~term of the Mayor shall be four years, as referenced above years. The Commissioners and Mayor shall~~  
37 ~~be elected according to the nonpartisan plurality election method in accordance with~~  
38 ~~G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in~~  
39 ~~accordance with the uniform municipal election laws of North Carolina."~~

40 **SECTION 3.1.(b)** No municipal elections shall be conducted in the Town of Bostic  
41 in 2023. The terms of the three Commissioners serving on the effective date of this act whose  
42 terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the  
43 two Commissioners serving on the effective date of this act whose terms are set to expire in 2025  
44 shall be extended by one year. Regular municipal elections shall be conducted in the Town of  
45 Bostic in even-numbered years beginning in 2024.

46 **SECTION 3.1.(c)** In 2024 and quadrennially thereafter, three Commissioners shall  
47 be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two  
48 Commissioners shall be elected to serve four-year terms.

49 **SECTION 3.2.(a)** Section 3-3 of the Charter of Chimney Rock Village, being  
50 Chapter 444 of the 1991 Session Laws, reads as rewritten:

1 "Sec. 3-3. **Term of Office of Council Members.** Members of the Council are elected to  
2 ~~staggered~~ four-year terms. ~~At the initial election in 1991, the three highest vote getters shall be~~  
3 ~~elected to four-year terms and the next two highest vote getters shall be elected to two-year terms.~~  
4 ~~In 1993 and quadrennially thereafter, two members of the Council shall be elected for four-year~~  
5 ~~terms. In 1995 and quadrennially thereafter, three members of the Council shall be elected for~~  
6 ~~four-year terms."~~

7 **SECTION 3.2.(b)** Section 4-1 of the Charter of Chimney Rock Village, being  
8 Chapter 444 of the 1991 Session Laws, reads as rewritten:

9 "Sec. 4-1. **Conduct of Village Elections.** Regular municipal elections shall be held at the  
10 time of the general election in each even-numbered year. Village officers shall be elected on a  
11 nonpartisan basis and results determined by a plurality as provided in G.S. 163-292. Except as  
12 otherwise provided by this act, the election shall be conducted in accordance with the uniform  
13 municipal election laws in Chapter 163 of the General Statutes."

14 **SECTION 3.2.(c)** No municipal elections shall be conducted in Chimney Rock  
15 Village in 2023. The terms of the three Council members serving on the effective date of this act  
16 whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Council  
17 members serving on the effective date of this act whose terms are set to expire in 2025 shall be  
18 extended by one year. Regular municipal elections shall be conducted in Chimney Rock Village  
19 in even-numbered years beginning in 2024.

20 **SECTION 3.2.(d)** In 2024 and quadrennially thereafter, three Council members shall  
21 be elected to serve four-year terms. In 2026 and quadrennially thereafter, two Council members  
22 shall be elected to serve four-year terms.

23 **SECTION 3.3.(a)** Article III of the Charter of the Town of Ellenboro, being Chapter  
24 425 of the 1983 Session Laws, as amended by S.L. 2007-310, reads as rewritten:

25 "ARTICLE III.

26 "ELECTIONS.

27 "Sec. 3.1. Regular Municipal Elections; Conduct and Method of Election. Regular municipal  
28 elections shall be held in the Town ~~every two years in odd-numbered years and at the time of the~~  
29 general election in each even-numbered year. Except as otherwise provided by this act, the  
30 election shall be conducted in accordance with the uniform municipal election laws of North  
31 Carolina. The Mayor and members of the Council shall be elected according to the nonpartisan  
32 plurality method of election. election in accordance with G.S. 163-292.

33 "Sec. 3.2. Election of Council Members. Council members shall be elected to serve staggered  
34 four-year terms. All council members shall be nominated and voted upon by the voters of the  
35 Town voting at large. ~~At the regular municipal election in 2007, the persons receiving the two~~  
36 ~~highest numbers of votes are elected to four-year terms, and the three persons receiving the next~~  
37 ~~highest numbers of votes are elected to two-year terms. In 2009 and quadrennially thereafter,~~  
38 ~~three members are elected for four-year terms. In 2011 and quadrennially thereafter, two~~  
39 ~~members are elected for four-year terms.~~

40 "Sec. 3.3. Election of the Mayor. ~~At the regular municipal election in 2007, and quadrennially~~  
41 ~~thereafter, there~~ The Mayor shall be elected a Mayor to serve a term of four years. The Mayor  
42 shall be elected by the voters of the Town voting at large."

43 **SECTION 3.3.(b)** No municipal elections shall be conducted in the Town of  
44 Ellenboro in 2023. The terms of the Mayor and the two Council members serving on the effective  
45 date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of  
46 the three Council members serving on the effective date of this act whose terms are set to expire  
47 in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the  
48 Town of Ellenboro in even-numbered years beginning in 2024.

49 **SECTION 3.3.(c)** In 2024 and quadrennially thereafter, a mayor and two Council  
50 members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, three  
51 Council members shall be elected to serve four-year terms.





1           **SECTION 3.5.(d)** In 2024 and biennially thereafter, a mayor shall be elected to serve  
2 a two-year term. In 2024 and quadrennially thereafter, two Board members shall be elected to  
3 serve four-year terms. In 2026 and quadrennially thereafter, two Board members shall be elected  
4 to serve four-year terms.

5           **SECTION 3.6.(a)** Notwithstanding the Charter of the Town of Ruth, being Chapter  
6 55 of the Private Laws of 1893, as amended by Chapter 53 of the Public Laws of 1939, regular  
7 municipal elections in the Town of Ruth for the election of Mayor and Commissioners shall be  
8 held at the time of the general election in an even-numbered year. The Mayor and Commissioners  
9 shall be elected to serve four-year terms. Election of the Mayor and Commissioners shall be on  
10 a nonpartisan plurality basis and the results determined in accordance with G.S. 163-292. Except  
11 as otherwise provided by this act, the election shall be conducted in accordance with the uniform  
12 municipal election laws in Chapter 163 of the General Statutes.

13           **SECTION 3.6.(b)** No municipal elections shall be conducted in the Town of Ruth  
14 in 2023. The terms of the Mayor and all commissioners serving on the effective date of this act  
15 whose terms are set to expire in 2023 shall be extended by one year. Regular municipal elections  
16 shall be conducted in the Town of Ruth in even-numbered years beginning in 2024.

17           **SECTION 3.7.(a)** Article II of the Charter of the Town of Rutherfordton, as  
18 amended, being Chapter 350 of the 1979 Session Laws, reads as rewritten:

19                                 "ARTICLE II. MAYOR AND COUNCIL.

20                                 ...

21           "Section 2.2. Council; Composition; Terms of Office. The Town Council shall be composed  
22 of four members, each of whom shall be elected by and from the qualified voters of the Town  
23 for staggered terms of ~~two-four~~ years each in the manner provided by Article III of this Charter,  
24 provided they shall serve until their successors are elected and qualified.

25           "Section 2.3. Mayor; Term of Office; Duties. The Mayor shall be elected by and from the  
26 qualified voters of the Town in the manner provided by Article III of this Charter to serve for a  
27 term of ~~two-four~~ years, or until ~~his-a~~ successor is elected and qualified. The Mayor shall be the  
28 official head of the Town government and shall preside at all meetings of the Council. ~~He-The~~  
29 Mayor shall have the right to vote only when there are an equal number of votes in the affirmative  
30 and the negative on any motion before the Council. The Mayor shall exercise such powers and  
31 perform such duties as presently are or hereafter may be conferred upon ~~him-the Mayor~~ by the  
32 General Statutes of North Carolina, by this Charter, and by the ordinances of the Town.

33                                 ...."

34           **SECTION 3.7.(b)** Article III of the Charter of the Town of Rutherfordton, being  
35 Chapter 350 of the 1979 Session Laws, as amended, reads as rewritten:

36                                 "ARTICLE III. ELECTIONS.

37           "Section 3.1. Regular Municipal Elections; Conduct and Method of Election. Regular  
38 municipal elections shall be held in the Town ~~every two years in odd-numbered years and at the~~  
39 time of the general election in each even-numbered year. Except as otherwise provided by this  
40 act, the election shall be conducted in accordance with the uniform municipal election laws of  
41 North Carolina. The Mayor and members of the Council shall be elected according to the  
42 nonpartisan plurality method-method in accordance with G.S. 163-292.

43           "Section 3.2. Election of the Mayor. ~~At the regular municipal election in 1979, and biennially~~  
44 ~~thereafter, there shall be elected a Mayor to serve a term of two years.~~ The Mayor shall be elected  
45 by all the voters of the Town voting at large."

46           **SECTION 3.7.(c)** No municipal elections shall be conducted in the Town of  
47 Rutherfordton in 2023. The terms of the two Council members serving on the effective date of  
48 this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the  
49 Mayor and the two Council members serving on the effective date of this act whose terms are set  
50 to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted  
51 in the Town of Rutherfordton in even-numbered years beginning in 2024.

