

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 492
HOUSE BILL 1367

AN ACT TO PROVIDE FOR A SPECIAL ELECTION IN THE CITY OF
FAYETTEVILLE TO CONDUCT MUNICIPAL ELECTIONS.

Whereas, the City of Fayetteville received written notice on April 29, 1985, that the United States Attorney General objected to certain annexations of the City of Fayetteville and that until compliance with the Voting Rights Act of 1965, as amended, 42 USC § 1973c, municipal elections cannot be conducted in those annexed areas affected by the decision of the United States Attorney General on April 29, 1985; and Whereas, the City Council of the City of Fayetteville is making diligent efforts to seek approval of elections in those annexed areas affected by the decision of the United States Attorney General on April 29, 1985, but that it does not appear feasible that said approval can be accomplished in order to comply with 42 USC § 1973c or N.C.G.S. 160A-109 prior to the municipal elections for the year 1985; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter IV, "Elections", of the Charter of the City of Fayetteville is amended by adding the following sections:

"Sec. 4.1.1. Municipal Elections for the Year 1985. The next municipal election in the City of Fayetteville after the effective date of this act, shall be conducted on Tuesday next after the first Monday in May of 1986.

Sec. 4.1.2. Dates for Primaries, Filing Periods, and Method of Conducting Election. The dates for filing periods of candidates, primaries if any, and the method of conducting the election shall be as follows:

- a. Primary Date. A primary, if needed, shall be conducted on the fourth Tuesday before the election;
- b. Filing Periods. Filing periods for candidates shall be in accordance with N.C.G.S. 163-294.2; and
- c. Method of Conducting Election. All of the provisions of Chapter 163 of the North Carolina General Statutes, applicable to municipal elections and not inconsistent herewith, shall apply to the municipal election established pursuant to Section 4.1.1.

Sec. 4.1.3. Swearing in; Terms of Office. The members of the City Council and the Mayor of the City of Fayetteville, elected in the municipal election established pursuant to Sections 4.1.1 and 4.1.2 herein, shall be sworn in at the first regular meeting of the Fayetteville City Council after the results of said election have been certified pursuant to Subchapter IX of Chapter 163 of the General Statutes; and shall serve in office until

the first regular meeting in December of 1987 after the results of the municipal elections for 1987 have been certified pursuant to Subchapter IX of Chapter 163 of the General Statutes.

Sec. 4.1.4. The County Board of Elections shall have authority to promulgate such rules and regulations as it deems necessary in order to conduct the special election authorized herein."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of June, 1985.