

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1497

Short Title: Asheboro Charter Revision.

(Local)

Sponsors: Senator Walker.

Referred to: Local Government & Regional Affairs.

June 4, 1990

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF ASHEBORO.

The General Assembly of North Carolina enacts:

Section 1. Sec. 1.4 of the Charter of the City of Asheboro being Chapter 481, Session Laws of 1967, is amended by deleting the last sentence therein.

Sec. 2. Sec. 3.3(c) of the Charter of the City of Asheboro is amended by deleting the word "Councilman" each time it appears therein and substituting in lieu thereof the words "Council Member."

Sec. 3. Sec. 3.4 of the Charter of the City of Asheboro is amended by deleting the word "Councilmen" in the caption and substituting in lieu thereof the words "Council Members."

Sec. 4. Sec. 3.5 of the Charter of the City of Asheboro is amended by deleting the word "Councilman" as it appears therein and substituting in lieu thereof the words "Council Member," and by deleting the word "July" as it appears therein and substituting in lieu thereof the word "January."

Sec. 5. Sec. 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9 and 4.10 of the Charter of the City of Asheboro are repealed and the following new sections added:

"Sec. 4.11. Filing of Candidates. Each qualified person who would offer himself as a candidate for nomination for the office of Mayor or Council member shall file with the Randolph County Board of Elections a statement giving notice of his candidacy for such nomination. Such statement shall be filed not earlier than 12:00 noon on the first Friday in July and no later than 12:00 noon on the first Friday in August preceding the election, shall be accompanied by payment of a nonrefundable filing fee as determined by the City Council, which shall not be less than five dollars (\$5.00) nor more than one

1 percent (1%) of the annual salary of the office sought, and shall be in the form as
2 provided for under G.S. 163-294.2(a).

3 Sec. 4.12. Posting and Publication of List of Candidates; Notice of Primary.
4 The board of elections shall exercise its powers and duties as provided for under G.S.
5 163-33(8).

6 Sec. 4.13. When Primary Required. If more than two candidates file for
7 nomination for the office of Mayor, then a primary election shall be held to nominate
8 two candidates for the office of Mayor in the regular municipal election. If more than
9 14 candidates file for nomination for the office of Council Member, then a primary
10 election shall be held to nominate 14 of such candidates for the office of Council
11 Member in the regular municipal election. If a primary is held for any office, then the
12 names of the candidates nominated for such office in such primary, and the names of no
13 other candidates for such office, shall appear on the official ballots at the regular
14 municipal election.

15 Sec. 4.14. Time of Primary if Required. If a primary election shall be
16 required for any office, then the same shall be held on the fourth Tuesday before the
17 regular municipal election, under the same laws, rules and regulations applicable to the
18 regular municipal election.

19 Sec. 4.15. Primary Ballots. If a primary election is required, the board of
20 elections shall cause primary ballots to be printed and authenticated with the signature
21 of the chairman of the board of elections or a facsimile thereof. The ballots shall be
22 printed as provided for under G.S. 163-299.

23 Sec. 4.16. Results of Primary. The board of elections shall follow the
24 procedures as provided for under G.S. 163-294.

25 Sec. 4.17. Regular Municipal Election Ballots. The board of elections shall
26 follow the procedures as provided for under G.S. 163.299.

27 Sec. 4.18. Regular Municipal Elections. Regular municipal elections shall be
28 held on the Tuesday after the first Monday in November of each odd-numbered year. In
29 each election, there shall be elected by the qualified voters of the city a Mayor and
30 seven Council members.

31 Sec. 4.19. Regulation of Elections. All municipal elections shall be
32 conducted in accordance with Chapter 163 of the General Statutes of North Carolina
33 relating to municipal elections."

34 Sec. 6. Sec. 7.2 of the Charter of the City of Asheboro is amended by adding
35 after the word "Collector" in line two thereof the following words: ", or the City Council
36 may contract with an outside agent,".

37 Sec. 7. Sec. 7.3 of the Charter of the City of Asheboro is amended by
38 deleting the words "City Accountant" in the caption and substituting in lieu thereof the
39 words "Finance Officer" ' and deleting the words "City Accountant" as it appears on
40 lines one and two and substituting in lieu thereof the words "Finance Officer"; and
41 deleting the words "Municipal Fiscal Control Act" as it appears in line three and
42 substituting in lieu thereof the words "Local Government Budget and Fiscal Control
43 Act".

1 Sec. 8. Sec. 7.4 of the Charter of the City of Asheboro is amended by
2 deleting the words "City Accountant" in line three and substituting in lieu thereof the
3 words "Finance Officer".

4 Sec. 9. Sec. 8.1 of the Charter of the City of Asheboro is amended as
5 follows:

6 (1) By deleting the word "depository" in line three and substituting in line
7 three thereof the word "depositories."

8 (2) By deleting the word "institution" in line three and substituting in lieu
9 thereof the word "institutions."

10 (3) By deleting the words "Municipal Fiscal Control Act" in line nine and
11 substituting in lieu thereof the words "Local Government Budget and
12 Fiscal Control Act".

13 Sec. 10. Section 8.3 of the Charter of the City of Asheboro is repealed.

14 Sec. 11. Section 9.1 and Section 9.2 of the Charter of the City of Asheboro
15 are repealed and the following new section added:

16 "Sec. 9.3. Use and Disposal of Real or Personal Property. The City Council shall
17 have the power granted by Chapter 160A, Article 12, of the General Statutes to sell or
18 lease any real or personal property."

19 Sec. 12. Section 10.1 of the Charter of the City of Asheboro is amended by
20 deleting all of subsection (a) and subsection (b) and substituting the following
21 subsection (a) and subsection (b):

22 "(a) The City of Asheboro Police Force shall have all the powers invested in law
23 enforcement officers by statute or common law within the corporate limits of the City
24 and these powers shall be extended one mile outside of the corporate limits of the City.

25 (b) The jurisdiction of the City of Asheboro Police Force shall include all
26 property owned by or leased to the city, whether located within or outside the corporate
27 limits."

28 Sec. 13. Section 11.5 of Charter of the City of Asheboro is amended by
29 deleting the words "Article 9, Chapter 160" and substituting in lieu thereof the words
30 "Article 10, Chapter 160A."

31 Sec. 14. Section 11.6 of the Charter of the City of Asheboro is amended by
32 deleting the words "Article 9, Chapter 160" and substituting in lieu thereof the words
33 "Article 10, Chapter 160A."

34 Sec. 15. Section 12.1 of the Charter of the City of Asheboro is amended by
35 deleting the words "G.S. 160-241" in line three and substituting in lieu thereof the words
36 "G.S. 160A-216."

37 Sec. 16. Section 13.2 of the Charter of the City of Asheboro is amended as
38 follows:

39 (a) By deleting the words "one mile" in line three and substituting in lieu thereof
40 the words "the zoning jurisdiction."

41 (b) By deleting the words "Article 15 of Chapter 160" in line seven and
42 substituting in lieu thereof the words "Article 19 of Chapter 160A."

43 (c) By deleting the words "pursuant to G.S. 160-200(28)" in line eight.

1 Sec. 17. Sec. 1.5 of the Charter of the City of Asheboro, as added by Chapter
2 170, Session Laws of 1979, is repealed.

3 Sec. 18. Sec. 14.4(d) of the Charter of the City of Asheboro is amended by
4 deleting the words "of the Airport Authority in the airport fund as provided in Section
5 14.6" beginning in line eight and substituting in lieu thereof the words "appropriated to
6 the Airport Authority in each annual budget ordinance".

7 Sec. 19. Sec. 14.6 of the Charter of the City of Asheboro is repealed.

8 Sec. 20. Sec. 15.2 of the Charter of the City of Asheboro is amended by
9 deleting the words "one hundred dollars (\$100.00)" in line four and substituting in lieu
10 thereof the words "five hundred dollars (\$500.00)."

11 Sec. 21. This act is effective upon ratification.