

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 789
Committee Substitute Favorable 5/10/91
Third Edition Engrossed 5/27/91

Short Title: Gastonia Charter Revised.

(Local)

Sponsors:

Referred to:

April 15, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF
3 GASTONIA.

4 The General Assembly of North Carolina enacts:

5 Section 1. The Charter of the City of Gastonia is revised and consolidated to
6 read:

7 "THE CHARTER OF THE CITY OF GASTONIA.
8 "ARTICLE I. INCORPORATION, CORPORATE POWERS, AND
9 BOUNDARIES.

10 "Section 1.1. **Incorporation.** The City of Gastonia, North Carolina in Gaston
11 County and its inhabitants shall continue to be a municipal body politic and corporate,
12 under the name of the 'City of Gastonia,' hereinafter also referred to as the 'City.'

13 "Sec. 1.2. **Powers.** The City has and may exercise all of the powers, duties, rights,
14 privileges, and immunities conferred upon the City of Gastonia specifically by this
15 Charter or upon municipal corporations by general law. The term 'general law' is
16 employed herein as defined in G.S. 160A-1.

17 "Sec. 1.3. **Corporate Limits.** The corporate limits are those existing at the time of
18 ratification of this Charter, as set forth on the official map of the City and as they may
19 be altered from time to time in accordance with law. An official map of the City,
20 showing the current boundaries, is maintained permanently in the office of the City
21 Clerk and is available for public inspection. Within a reasonable time upon alteration of
22 the corporate limits made pursuant to law, the appropriate changes to the official map

1 shall be made and copies of the changes shall be filed in the office of the Secretary of
2 State, the Gaston County Register of Deeds, and the appropriate board of elections.

3 **"ARTICLE II. GOVERNING BODY.**

4 "Sec. 2.1. **Mayor and City Council.** The Mayor and the City Council comprise the
5 governing body of the City. The City Council is referred to hereinafter as the 'Council.'

6 "Sec. 2.2. **City Council Composition; Terms of Office.** The Council is composed
7 of six members who reside in the respective wards as provided in Article III of this
8 Charter, but who are elected by all the qualified voters of the City for terms of four
9 years or until their successors are elected and qualified.

10 "Sec. 2.3. **Mayor; Term of Office; Duties.** The Mayor is elected by all the
11 qualified voters of the City for a term of two years or until a successor is elected and
12 qualified. The Mayor is the official head of the City government and presides at
13 meetings of the Council, has the right to vote on all matters before the Council, but is
14 not required to vote except when the Mayor's vote is necessary for determinative action.
15 The Mayor exercises powers and duties conferred by law or as directed by the Council.
16 Failure of the Mayor to vote when present, or when the Mayor has not been excused, on
17 any such matters when the Mayor's vote is required by this section, is deemed an
18 affirmative vote and shall be so recorded.

19 "Sec. 2.4. **Mayor Pro Tempore.** The Council shall elect one of its members as
20 Mayor Pro Tempore to perform the duties of the Mayor during the Mayor's absence or
21 disability, in accordance with general law. The Mayor Pro Tempore shall serve in such
22 capacity at the pleasure of the other members of the Council.

23 "Sec. 2.5. **Meetings.** In accordance with general law, the Council shall establish a
24 suitable time and place for its regular meetings. Special and emergency meetings may
25 be held as provided by general law.

26 "Sec. 2.6. **Voting Requirements; Quorum.** Unless otherwise stated herein,
27 official actions of the Council and all votes are taken in accordance with the applicable
28 provisions of general law, particularly G.S. 160A-75. Voting on zoning matters subject
29 to a protest petition is as provided in Section 9.4. A quorum is as provided in G.S.
30 160A-74.

31 "Sec. 2.7. **Compensation; Qualifications for Office; Vacancies.** The
32 compensation and qualifications of the Mayor and Council are in accordance with
33 general law. Vacancies that occur in any elective office of the City are filled as
34 provided in G.S. 160A-63.

35 **"ARTICLE III. ELECTIONS.**

36 "Sec. 3.1. **Regular Municipal Elections.** Regular municipal elections shall be held
37 in each odd-numbered year in accordance with the uniform municipal election laws of
38 North Carolina. Elections are conducted on a nonpartisan basis and the results
39 determined using the nonpartisan plurality method as provided in G.S. 163-292. For
40 purpose of election of Council members, the City is divided into six geographical
41 subdivisions known as wards, provided that all qualified voters of the City may cast a
42 vote for each seat. The wards are numbered from one to six, and are as shown on the
43 existing official map of the City or of the election wards, as they may be revised from
44 time to time.

1 "Sec. 3.2. **Election of Council.** With the exception of elections to fill vacancies
2 under G.S. 160A-63, all Council members elected shall serve for terms of four years.
3 Each Council member shall be a resident of the ward he or she represents.

4 "Sec. 3.3. **Election of Mayor.** A Mayor shall be elected in each regular municipal
5 election.

6 "Sec. 3.4. **Special Elections and Referendums.** Special elections and referendums
7 may be held only as provided by general law or applicable local acts of the General
8 Assembly.

9 **"ARTICLE IV. ORGANIZATION AND ADMINISTRATION, CITY**
10 **MANAGER.**

11 "Sec. 4.1. **Form of Government.** The City operates under the council-manager
12 form of government, in accordance with Part 2 of Article 7 of Chapter 160A of the
13 General Statutes.

14 "Sec. 4.2. **City Manager.** The Council appoints a City Manager who is responsible
15 for the administration of all departments of the City government. The City Manager has
16 all the powers and duties conferred by general law, except as expressly limited by the
17 provisions of this Charter, and the additional powers and duties conferred by the
18 Council, so far as authorized by general law.

19 "Sec. 4.3. **Approval and Execution of Contracts.** The Council may adopt an
20 ordinance that delegates to the City Manager the authority to award, approve, and
21 execute certain contracts on behalf of the City. This authority of the City Manager to
22 award, approve, and execute certain contracts shall be subject to the terms, conditions,
23 and limitations as set forth by the Council in the ordinance, and the ordinance shall
24 require that all contracts awarded, approved, and executed pursuant to that authority be
25 reported by the City Manager to the Council in a timely manner. The types of contracts
26 that may be approved by the City Manager under an ordinance adopted pursuant to this
27 section may include:

28 (1) Contracts for the purchase of apparatus, supplies, materials or
29 equipment, and construction or repair work, provided that the City
30 Council has approved a sufficient appropriation in the annual budget
31 for the current fiscal year for the purposes specified under the contract,
32 that the contract has been reviewed and approved by the City Attorney,
33 and provided that the contract amount does not exceed the monetary
34 amount at which formal bidding procedures are required under Chapter
35 143 of the General Statutes.

36 (2) Contracts for services or other matters that do not concern construction
37 or repair work or the purchase of apparatus, supplies, materials, or
38 equipment, provided that the City Council has approved a sufficient
39 appropriation in the annual budget for the current fiscal year for the
40 purposes specified under the contract, that the contract has been
41 reviewed and approved by the City Attorney, and provided that the
42 contract amount does not exceed the monetary amount set forth by the
43 Council in the ordinance.

1 (3) Contracts that do not involve the expenditure of funds, provided that
2 the purposes specified under the contract are necessary for or
3 incidental to carrying out the routine affairs or business of the City and
4 do not involve policy-making decisions that are solely within the realm
5 of the Council's authority, and that the contract has been reviewed and
6 approved by the City Attorney.

7 "Sec. 4.4. **Settlement of Claims.** The City Manager may, upon written
8 recommendation of the City Attorney, execute releases of persons, firms, and
9 corporations for damages to personal property belonging to the City, when the full
10 amount of damages to the property has been ascertained and that amount has been paid
11 in full to the City.

12 The Council may adopt an ordinance that delegates to the City Manager the
13 authority, upon written recommendation from the City Attorney, to approve settlements
14 on behalf of the City in all claims or lawsuits of any kind or nature involving the City,
15 including land condemnation lawsuits, and to execute any and all documents necessary
16 for the settlement of those claims or lawsuits, when the monetary amount involved does
17 not exceed an amount set forth by the Council in the ordinance. All such settlements
18 shall be reported to the City Council in a timely manner and shall be subject to the
19 applicable provisions of the Public Records law as set forth in Chapter 132 of the
20 General Statutes.

21 **"ARTICLE V. OTHER OFFICES AND POSITIONS.**

22 "Sec. 5.1. **City Attorney.** The Council shall appoint a City Attorney licensed to
23 practice law in North Carolina. It is the duty of the City Attorney to represent the City,
24 advise City officials and perform other duties required by law or as the Council may
25 direct. The Council may appoint or provide for one or more associate or assistant city
26 attorneys who shall receive such compensation as may be fixed by the Council and who
27 shall have full authority to exercise and perform any of the powers and duties of the
28 City Attorney that may be specified by the Council or the City Attorney.

29 "Sec. 5.2. **City Clerk.** The Council shall appoint a City Clerk to keep a journal of
30 the proceedings of the Council, to maintain official records and documents, to give
31 notice of meetings, and to perform such other duties required by law or as the City
32 Manager may direct.

33 "Sec. 5.3. **Tax Collector.** The Council shall appoint a Tax Collector pursuant to
34 G.S. 105-349 to collect all taxes owed to the City, subject to general law, this Charter
35 and City ordinances.

36 "Sec. 5.4. **Other Administrative Officers and Employees.** The Council may
37 authorize other positions to be filled by appointment by the City Manager, and may
38 organize the City government as deemed appropriate, subject to the requirements of
39 general law.

40 **"ARTICLE VI. PUBLIC IMPROVEMENTS.**

41 "Sec. 6.1. Authority to Waive Special Assessments.

42 (a) In addition to the authority granted by Article 10 of Chapter 160A of the
43 General Statutes, the Council may order that a special assessment be waived upon a
44 determination that the property subject to the assessment will not be benefited by a local

1 improvement. In the case of assessments for water and sewer improvements, examples
2 of nonbenefited property may include property that is nonbuildable due to topography
3 or applicable zoning or building requirements (lot size, setbacks, etc.), property that has
4 access to existing City water or sewer facilities on or abutting the property, and property
5 that is currently served by existing City water or sewer facilities.

6 In order to have property considered for a waiver under this section, the owner shall
7 submit to the City Clerk, not later than the time of the public hearing on the preliminary
8 resolution adopted under G.S. 160A-223, an application on a form supplied by the City.
9 The Council may provide for an appropriate application fee. The application shall
10 describe the property adequately and specify the reasons the property would not be
11 benefited by the local improvement. The Council shall schedule a public hearing, and
12 shall provide notice of the hearing and its purpose to the other owners of property
13 subject to special assessment for the project by first class mail not less than seven days
14 before the hearing. City staff members may investigate the application.

15 At the hearing, the owner of the property under consideration, the owners of other
16 properties subject to assessment for the project, and City staff, may submit evidence.
17 The Council shall consider the evidence and make findings of fact.

18 If the Council concludes, based on its finding of fact, that the property will be
19 benefited by the local improvement, it shall order that the request for waiver be denied.
20 If the Council concludes that the property will not be benefited by the local
21 improvement, it shall order the special assessment for the property to be waived. If a
22 waiver is granted the property shall thereafter be listed on the assessment roll but shall
23 be specified as exempt, and the assessment roll shall include a brief description of the
24 reason for the waiver.

25 If the owner of the property under consideration, or the owners of any other
26 properties subject to assessment for the project, are dissatisfied with the action of the
27 Council under this section, a notice of appeal may be filed to the appropriate division of
28 the General Court of Justice as provided by G.S. 160A-230.

29 (b) In addition to the authority granted by Article 10 of Chapter 160A of the
30 General Statutes, the Council may order that a special assessment be waived if the
31 property subject to the assessment is owned by (i) the State, or any board, agency,
32 commission, or institution thereof; (ii) a local government or any unit thereof; or (iii) a
33 school board. Such waivers shall be ordered in accordance with the procedure set forth
34 in paragraph (a) of this section.

35 (c) If a special assessment project requires a petition signed by a majority of the
36 affected property owners who must also represent a majority of the frontage abutting the
37 project, the Council may exclude, in determining the number of property owners or the
38 amount of frontage, any property that has been waived from special assessment under
39 this section.

40 (d) The authority granted to the Council by this section shall apply retroactively
41 to all special assessment projects for which the assessment roll has not been confirmed
42 on the effective date of the act establishing this authority, provided that the public
43 hearing on any request for waiver is held prior to confirmation of the assessment roll for
44 the project. Such waivers shall be ordered in accordance with the procedure set forth in

1 paragraph (a) of this section, except that the deadline for submitting the application shall
2 be no later than the day of the public hearing on the preliminary assessment roll adopted
3 under G.S. 160A-227.

4 "Sec. 6.2. Assessment Against Petitioned Properties.

5 (a) Upon receipt of a petition from one or more owners of abutting property
6 where fifty percent (50%) or more of the total street frontage is in single ownership, the
7 Council may order the making of any local improvement. The Council may assess the
8 cost thereof against the abutting property in the same manner and following the same
9 procedure established by general law for making special assessments against property
10 benefited by local improvements.

11 (b) The Council may order the making of any local improvement and assess the
12 cost thereof, except the City's portion, if any, against only a limited number of abutting
13 properties if the owners of those properties submit a petition asking that the
14 improvement be made and that the total amount to be assessed for the improvement be
15 assessed only against their properties.

16 "Sec. 6.3. Authority to Order Street and Sidewalk Assessments Without Petition.

17 If, in the Council's judgment, which shall be conclusive, the abutting property to be
18 assessed will be benefited in an amount at least equal to the assessment, the Council
19 may order the making of the local improvement without the necessity of a petition and
20 may assess the cost thereof against the abutting properties in the following cases:

21 (1) When any street or part of a street is unsafe; or the improvement of a
22 street or part of a street not more than three blocks in length (or 1500
23 linear feet, whichever is less) is necessary to connect streets already
24 paved; or the improvement of a street or part of a street is necessary to
25 connect a paved street, or portion thereof, with a paved highway; or
26 the improvement of a street or part of a street is necessary to provide a
27 paved approach to a railroad, street grade separation, or a bridge; or
28 the widening of any street or part of a street is necessary to
29 accommodate present and anticipated volumes of traffic.

30 (2) When any street or part of a street, or any property, is without storm
31 sewer or other surface drainage improvements, and storm sewer or
32 other surface drainage should be provided in the public interest.

33 (3) When any street or part of a street is without sidewalks and sidewalks
34 should be provided in the public interest.

35 "Sec. 6.4. Special Assessment Exemptions for Corner Lots.

36 (a) The Council may establish schedules of exemptions from assessments for
37 corner lots when a local improvement project is undertaken along either or both sides of
38 such lots. The schedules of exemptions shall be established in accordance with Article
39 10 of Chapter 160A of the General Statutes.

40 (b) Once an exemption from assessment has been applied to a corner lot under a
41 local improvement project, such lot shall not be subject to further assessment under a
42 separate local improvement project for the same type of improvement, unless the lot has
43 been subsequently divided, in which case the new lot(s) shall be subject to assessment.

44 "Sec. 6.5. Other Special Assessments.

1 (a) When a special assessment is made on the basis of the frontage abutting the
2 improvement, and the property subject to the assessment is currently used for single
3 family residential purposes, the Council may exempt such property from assessment for
4 the amount of frontage in excess of two hundred feet (200').

5 (b) When a special assessment is made on the basis of the frontage abutting the
6 improvement, and the property subject to the assessment is currently used for single
7 family residential purposes, the Council may assess such property for forty feet (40') of
8 frontage even if the actual frontage of the property is less than forty feet (40').

9 "Sec. 6.6. Sidewalk and Driveway Repair.

10 If the Council determines that the public interest requires repair of a sidewalk or
11 portion of a driveway within the street right-of-way, the Council may order the making
12 of a repair and assess the total cost against the property abutting the sidewalk or
13 driveway repaired. Before an assessment may be made for the repair, at least 30 days'
14 written notice shall be given to the abutting property owner personally or by registered
15 or certified mail to the owner's last known address or the owner's address as shown on
16 the tax records. The notice shall state that the owner is required to make the repair at
17 his own expense in conformity with City standards and specifications, and that if he
18 shall fail to make the repair within 30 days after notice is served, the City thereupon
19 may make the repair and assess the cost. If the Council finds that any sidewalk or
20 driveway is in need of immediate repair, the Council may adopt a resolution setting out
21 its finding and directing that the repair be made immediately and that the cost be
22 assessed against the abutting property without prior notice to the property owner
23 affected.

24 "Sec. 6.7. Planting Strip and Driveway Maintenance.

25 It is the responsibility of the abutting property owner to maintain any property or
26 driveway between the property line and the edge of the pavement or the curb of a paved
27 street.

28 **"ARTICLE VII. HOUSING MATTERS.**

29 "Sec. 7.1. **Gastonia Fair Housing Act.** The Gastonia Fair Housing Act shall
30 continue as authorized by Chapter 902, Session Laws of 1985, as amended by Chapter
31 931, Session Laws of 1987; and Chapter 510, Session Laws of 1989.

32 "Sec. 7.2. **Housing Code Lis Pendens.** The city is authorized to file housing code
33 complaints, notices, and orders in **lis pendens**, as authorized by Chapter 221, Session
34 Laws of 1987, as amended by Chapter 418, Session Laws of 1989.

35 **"ARTICLE VIII. RETIREMENT.**

36 "Sec. 8.1. **Gastonia Firemen's Supplemental Retirement Fund.** The Gastonia
37 Firemen's Supplemental Retirement Fund shall continue as authorized by Chapter 537,
38 Session Laws of 1949, as amended by Chapter 111, Session Laws of 1957; Chapter 51,
39 Session Laws of 1975; and Chapter 1016, Session Laws of 1983 (Reg. Sess. 1984).

40 "Sec. 8.2. **Gastonia Policemen's Supplemental Retirement Fund.** The Gastonia
41 Policemen's Supplemental Retirement Fund shall continue as authorized by Chapter
42 946, Session Laws of 1955, as amended by Chapter 112, Session Laws of 1957; Chapter
43 301, Session Laws of 1959; Chapter 979, Session Laws of 1965; and Chapter 809,
44 Session Laws of 1983.

"ARTICLE IX. ADDITIONAL PROVISIONS.

1
2 **"Sec. 9.1. Public Enterprise User Fees and Charges.** Notwithstanding the
3 provisions of G.S. 160A-314, or any other provision of law, in case any charges for
4 utility service or for the use of utility facilities, or solid waste collection or disposal due
5 and owing to the City are not paid within 10 days after they become due, then such
6 charges and any penalties assessed for nonpayment shall become a lien upon the
7 property served or in connection with which the service or facility is used and upon all
8 personal property situated upon such real property, as originally authorized by Chapter
9 910, Session Laws of 1971. The charge may at any time thereafter be collected, either
10 by suit in the name of the City or by the City Tax Collector, through the sale of the
11 property upon which the lien attaches at the Gaston County courthouse door, after
12 advertising the sale once a week for four successive weeks in a newspaper of general
13 circulation in the City which is qualified to carry legal notices. The sale shall be made
14 under the same rules and regulations, and subject to the same costs and penalties and to
15 the same rights of redemption as are provided by law for the foreclosure of the lien on
16 personal property and on real estate for taxes.

17 **"Sec. 9.2. Alcoholic Beverages.** The City of Gastonia Board of Alcoholic
18 Beverage Control shall consist of five members appointed for three-year overlapping
19 terms as originally authorized by Chapter 910, Session Laws of 1971, before the
20 effective date of Chapter 18B of the General Statutes. Otherwise, the City of Gastonia
21 Board of Alcoholic Beverage Control shall be subject to the provisions of Article 7 of
22 Chapter 18B of the General Statutes of North Carolina.

23 **"Sec. 9.3. Gastonia Airport Authority.** The Gastonia Airport Authority shall
24 continue as authorized by Chapter 648, Session Laws of 1981, as amended by Chapter
25 1158, Session Laws of 1981; and Chapter 945, Session Laws of 1983.

26 **"Sec. 9.4. Zoning Protest Petition Voting.** For purposes of the vote of the Council
27 that may be required for a zoning change under G.S. 160A-385, the requirement shall be
28 three-fourths of all the members of the Council not excused from voting, as originally
29 authorized by Chapter 910, Session Laws of 1971.

30 **"Sec. 9.5. Motor Vehicle Tax.** For purposes of the municipal motor vehicle tax
31 authorized by G.S. 20-97(a), the Council may levy not more than fifteen dollars
32 (\$15.00) per year upon any vehicle, as originally authorized by Chapter 1016, Session
33 Laws of 1989.

34 **"Sec. 9.6. Lease of City Property.** As originally authorized by Chapter 910,
35 Session Laws of 1971, notwithstanding the provisions of G.S. 160A-272, the Council
36 may lease property owned by the City for a period not to exceed 15 years without
37 following the procedures authorized for the sale of real property.

38 **"Sec. 9.7. Rewards for Conviction of Certain Offenses.** As originally authorized
39 by Chapter 910, Session Laws of 1971, the Council may offer and pay rewards for the
40 conviction of any person or persons alleged to have committed criminal offenses that, in
41 the judgment of the Council, involve serious danger to the public peace or public safety.
42 The Council shall fix the terms, conditions, and amounts of such rewards. Rewards
43 shall be paid only by order of the Council from nontax revenues in the general fund of
44 the City; and the Council shall, in its discretion, determine who shall be entitled to the

1 collection of any reward. In addition, the Council may allocate funds from nontax
2 revenues in the general fund for the payment of informant's fees concerning such
3 criminal offenses.

4 "Sec. 9.8. **Building Setback Lines.** In addition to the authority granted by G.S.
5 160A-306, the Council may exercise authority under that section within the
6 extraterritorial jurisdiction of the City.

7 "Sec. 9.9. **Organization, Operation, and Dissolution of Municipal Bodies.** The
8 Council shall have the authority to provide for the organization, operation, and
9 dissolution of all governmental bodies of the City, except as limited by law.

10 "Sec. 9.10. **Annexation Agreements.** In addition to the authority contained in
11 general law, the City may enter into annexation agreements with other municipalities as
12 authorized by Chapter 204, Session Laws of 1987. To that end, the two shall be
13 considered concurrent sources of authority."

14 Sec. 2. The purpose of this act is to revise the Charter of the City of Gastonia
15 and to consolidate certain acts concerning the property, affairs, and government of the
16 City. It is intended to continue without interruption those provisions of prior acts which
17 are expressly consolidated into this act, so that all rights and liabilities which have
18 accrued are preserved and may be enforced.

19 Sec. 3. This act does not repeal or affect any acts validating official actions,
20 proceedings, contracts, or obligations of any kind, including:

21	Chapter 874,	Session Laws of 1955
22	Chapter 164,	Session Laws of 1957
23	Chapter 172,	Session Laws of 1979
24	Chapter 610,	Session Laws of 1989.

25 Sec. 4. (a) All local acts concerning the City of Gastonia that were ratified
26 before July 19, 1971, are repealed, with the exception of acts affecting conveyance of
27 property, acts relating to policemen and firemen supplemental pension funds and other
28 acts listed in subsection (b). The following acts, having served the purposes for which
29 they were enacted or having been consolidated into this act, are expressly repealed:

30	Chapter 910,	Session Laws of 1971, except for Section 2
31		
32	Chapter 925,	Session Laws of 1973
33	Chapter 1101,	Session Laws of 1973
34	Chapter 1187,	Session Laws of 1973
35	Chapter 778,	Session Laws of 1975
36	Chapter 1149,	Session Laws of 1977
37	Chapter 176,	Session Laws of 1983
38	Chapter 1016,	Session Laws of 1989.

39 (b) The following acts are not repealed by this act and continue in effect:

40	Chapter 537,	Session Laws of 1949
41	Chapter 946,	Session Laws of 1955
42	Chapter 111,	Session Laws of 1957
43	Chapter 112,	Session Laws of 1957
44	Chapter 301,	Session Laws of 1959

1	Chapter 979,	Session Laws of 1965
2	Chapter 51,	Session Laws of 1975
3	Chapter 648,	Session Laws of 1981
4	Chapter 1158,	Session Laws of 1981
5	Chapter 809,	Session Laws of 1983
6	Chapter 945,	Session Laws of 1983
7	Chapter 1016,	Session Laws of 1983
8	Chapter 902,	Session Laws of 1985
9	Chapter 221,	Session Laws of 1987
10	Chapter 931,	Session Laws of 1987
11	Chapter 1038,	Session Laws of 1987
12	Chapter 510,	Session Laws of 1989
13	Chapter 418,	Session Laws of 1989.

14 Sec. 5. The Mayor and Council members serving on the date of ratification
15 of this act shall serve until the expiration of their terms. To stagger the terms of Council
16 members, the three Council members elected in the 1991 election from City Wards 1, 3,
17 and 5 shall serve two-year terms instead of the four-year terms established under
18 Articles II and III of the Charter in Section 1 of this act. The three Council members
19 elected in the 1991 election from City Wards 2, 4, and 6 shall serve four-year terms in
20 accordance with Articles II and III of the Charter in Section 1 of this act.

21 Sec. 6. This act does not affect any rights or interests that arose under any
22 provisions repealed by this act.

23 Sec. 7. All existing ordinances, resolutions, and other provisions of the City
24 of Gastonia not inconsistent with the provisions of this act shall continue in effect until
25 expressly repealed or amended.

26 Sec. 8. No action or proceeding pending on the effective date of this act by or
27 against the City or any of its departments or agencies is abated or otherwise affected by
28 this act.

29 Sec. 9. If any provision or application of this act is held invalid, such
30 invalidity shall not affect other provisions or applications of this act which can be given
31 effect without the invalid provision or application, and to this end the provisions of this
32 act are declared to be severable.

33 Sec. 10. Whenever a reference is made in this act to a particular provision of
34 the General Statutes, and such provision is later amended, superseded, or recodified, the
35 reference shall be deemed amended to refer to the amended General Statute, or to the
36 General Statute which most clearly corresponds to the statutory provision which is
37 superseded or recodified.

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