

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1827

Senate Local Government and Regional Affairs Committee Substitute Adopted 6/29/94

Short Title: Washington Housing Commissioners.

(Local)

Sponsors:

Referred to:

May 30, 1994

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT THE EXEMPTION OF BEAUFORT COUNTY
2 FROM CERTAIN PROVISIONS OF LAW RELATING TO THE APPOINTMENT
3 OF COMMISSIONERS OF A PUBLIC HOUSING AUTHORITY SHALL NOT
4 BE APPLICABLE TO THE CITY OF WASHINGTON AND THE
5 WASHINGTON HOUSING AUTHORITY.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 157-5 reads as rewritten:

9 "**§ 157-5. Appointment, qualifications and tenure of commissioners.**

10 An authority shall consist of not less than five nor more than nine commissioners
11 appointed by the mayor and he shall designate the first chairman. Notwithstanding G.S.
12 157-7, 14-234, or any other provision of law, no person shall be barred from serving as
13 a commissioner of any housing authority created under this Chapter because such
14 person is a tenant of the authority or a recipient of housing assistance through any
15 program operated by the authority; provided, that no such commissioner shall be
16 qualified to vote on matters affecting his official conduct or matters affecting his own
17 individual tenancy, as distinguished from matters affecting tenants in general; and
18 further provided, that no more than one third of the members of any housing authority
19 commission shall be tenants of the authority or recipients of housing assistance through
20 any program operated by the authority. Avery, Beaufort, Bertie, Burke, Caldwell,
21 Camden, Cherokee, Chowan, Clay, Cleveland, Currituck, Dare, Duplin, Edgecombe,
22 Franklin, Gates, Graham, Halifax, Haywood, Henderson, Hertford, Hoke, Hyde,
23 Jackson, Jones, Lenoir, Macon, Martin, Nash, Northampton, Onslow, Pasquotank,

1 Perquimans, Pitt, Polk, Robeson, Rowan, Swain, Transylvania, Tyrrell, Vance, Warren,
2 Washington, Watauga, Wilkes, Wilson and Yadkin Counties are exempted from any
3 provision of law allowing a person who is a tenant of the authority to serve as a
4 commissioner of a housing ~~authority~~-authority, except that the exemption for Beaufort
5 County shall not apply to the City of Washington and the Washington Housing
6 Authority. The council may at any time by resolution or ordinance increase or decrease
7 the membership of an authority, within the limitations herein prescribed.

8 The mayor shall designate overlapping terms of not less than one nor more than five
9 years for the commissioners first appointed. Thereafter, the term of office shall be five
10 years. A commissioner shall hold office until his successor has been appointed and has
11 qualified. Vacancies shall be filled for the unexpired term. A majority of the
12 commissioners shall constitute a quorum. The mayor shall file with the city clerk a
13 certificate of the appointment or reappointment of any commissioner and such
14 certificate shall be conclusive evidence of the due and proper appointment of such
15 commissioner. A commissioner shall receive no compensation for his services but he
16 shall be entitled to the necessary expenses including traveling expenses incurred in the
17 discharge of his duties.

18 When the office of the first chairman of the authority becomes vacant, the authority
19 shall select a chairman from among its members. An authority shall select from among
20 its members a vice-chairman, and it may employ a secretary (who shall be executive
21 director), technical experts and such other officers, agents and employees, permanent
22 and temporary, as it may require, and shall determine their qualifications, duties and
23 compensation. An authority may call upon the corporation counsel or chief law officer
24 of the city for such legal services as it may require or it may employ its own counsel and
25 legal staff. An authority may delegate to one or more of its agents or employees such
26 powers or duties as it may deem proper."

27 Sec. 2. This act applies to the City of Washington and the Washington
28 Housing Authority only.

29 Sec. 3. This act is effective upon ratification.