

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 569

Short Title: Greenville Referendum.

(Local)

Sponsors: Senators Taft; and Martin of Pitt.

Referred to: Election Laws.

March 21, 1989

A BILL TO BE ENTITLED

AN ACT TO AMEND REFERENDUM PROCEDURES FOR CHARTER
AMENDMENTS FOR THE CITY OF GREENVILLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-102 reads as rewritten:

"§ 160A-102. Amendment by ordinance.

By following the procedure set out in this section, the council may amend the city charter by ordinance to implement any of the optional forms set out in G.S. 160A-101. The council shall first adopt a resolution of intent to consider an ordinance amending the charter. The resolution of intent shall describe the proposed charter amendments briefly but completely and with reference to the pertinent provisions of G.S. 160A-101, but it need not contain the precise text of the charter amendments necessary to implement the proposed changes. At the same time that a resolution of intent is adopted, the council shall also call a public hearing on the proposed charter amendments, the date of the hearing to be not more than 45 days after adoption of the resolution. A notice of the hearing shall be published at least once not less than 10 days prior to the date fixed for the public hearing, and shall contain a summary of the proposed amendments. Following the public hearing, but not earlier than the next regular meeting of the council and not later than 60 days from the date of the hearing, the council may adopt an ordinance amending the charter to implement the amendments proposed in the resolution of intent.

The council may, but shall not be required to unless a referendum petition is received pursuant to G.S. 160A-103, make any ordinance adopted pursuant to this section effective only if approved by a vote of the people, and may by resolution

1 adopted at the same time call a special election for the purpose of submitting the
2 ordinance to a vote. The date fixed for the special election shall be not more than 90
3 days after adoption of the ordinance.

4 Within 10 days after an ordinance is adopted under this section, the council shall
5 publish a notice stating that an ordinance amending the charter has been adopted and
6 summarizing its contents and effect. If the ordinance is made effective subject to a vote
7 of the people, the council shall publish a notice of the election in accordance with G.S.
8 163-287, and need not publish a separate notice of adoption of the ordinance.

9 The council may not commence proceedings under this section between the time of
10 the filing of a valid initiative petition pursuant to G.S. 160A-104 and the date of any
11 election called pursuant to such petition.

12 If a city adopts an ordinance pursuant to this section to be effective only if approved
13 by a vote of the people, and the date fixed for the referendum is the date of the next
14 regular municipal election, the ordinance may be adopted at any time, irrespective of
15 time frames which would otherwise be required by this section, provided the ordinance
16 is adopted at least 45 days prior to the election."

17 Sec. 2. This act applies only to the City of Greenville.

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