GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

H 1 **HOUSE BILL 705** Short Title: Alamance Initiative. (Local) Sponsors: Representative Allred. Referred to: Local & Regional Government I. March 30, 1995 A BILL TO BE ENTITLED AN ACT TO ALLOW THE PEOPLE OF ALAMANCE COUNTY TO PROPOSE BY PETITION AND ADOPT AT AN ELECTION PROPOSED INITIATIVE ORDINANCES AND RESOLUTIONS. The General Assembly of North Carolina enacts: Section 1. Article 2 of Chapter 153A of the General Statutes is amended by adding a new section to read: "§ 153A-12.1. Initiatives by the people. Any proposed ordinance or resolution, which the board of commissioners of a county may lawfully adopt, may be submitted to the board by petition signed by not less than twenty-five percent (25%) of the qualified voters of the county. If the petition accompanying the proposed ordinance or resolution contains a request that such ordinance or resolution be submitted to a vote of the people if not passed by the board of commissioners, the board of commissioners shall either: Adopt the ordinance or resolution without alteration within 30 days after (1) the county board of elections certifies the sufficiency of the accompanying petition; or Within 30 days after the county board of elections certifies the (2)

sufficiency of the accompanying petition, call a special election on the

ordinance or resolution. The special election shall be held at the date of

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the next general election for county officers held more than 60 days after the election is called. At such special or general election the ordinance or resolution shall be submitted without alteration to the voters of the county.

(b) The ballots used when voting upon such ordinance or resolution shall contain these words:

'[] FOR [] AGAINST THE ORDINANCE OR RESOLUTION' (STATING THE NATURE OF THE PROPOSED ORDINANCE OR RESOLUTION)

 (c) If a majority of the qualified voters voting on the proposed ordinance or resolution shall vote in favor thereof, such ordinance or resolution shall thereupon become a valid and binding ordinance or resolution of the county. The proposed ordinance or resolution becomes effective on the date the results are certified unless it contains another effective date, or unless State law on the subject involved requires a different date. Any ordinance or resolution proposed by petition or which shall be adopted by the vote of the people may be repealed or amended by the board of commissioners earlier than two years after the referendum only with the approval of the qualified voters of the county in a referendum called for that purpose.

(d) Any number of proposed ordinances or resolutions may be voted upon at the same election in accordance with the provisions of this section. If there is a conflict between more than one ordinance or resolution adopted at the election, the one receiving the highest number of affirmative votes prevails.

(e) Whenever any ordinance or resolution is required by this section to be submitted to voters of the county at any election, the county board of elections shall cause such ordinance or resolution to be published in accordance with G.S. 163-33, except the full text of the ordinance need be published only once.

(f) To be valid, each petition shall contain, in addition to the names of the petitioners, the street and house number at which each petitioner resides. It shall also be accompanied by the affidavit of one or more qualified voters of the county, stating that the signers thereof were, at the time of the signing, legal voters of the county, and stating the number of signers at the time the affidavit was made.

(g) This section applies to Alamance County only." Sec. 2. This act is effective upon ratification.