

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 272\*

Short Title: Ayden Charter/Terms of Office Extended. (Local)

Sponsors: Senators D. Davis and Pate (Primary Sponsors).

Referred to: State and Local Government.

March 13, 2013

A BILL TO BE ENTITLED

AN ACT EXTENDING THE TERMS OF OFFICE OF THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF AYDEN FROM TWO TO FOUR YEARS AND PROVIDING THAT THE NOTICE OF CANDIDACY FOR OFFICE SHALL BE FILED WITH THE COUNTY BOARD OF ELECTIONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Charter of the Town of Ayden, being Chapter 79 of the 1965 Session Laws, as amended by Chapter 590 of the 1967 Session Laws, Chapter 287 of the 1969 Session Laws, Chapter 579 of the 1969 Session Laws, and Chapter 98 of the 1971 Session Laws, reads as rewritten:

"THE CHARTER OF THE TOWN OF AYDEN

...

"ARTICLE III. MAYOR AND BOARD OF COMMISSIONERS

...

"Sec. 3.3. Terms; Qualifications; Vacancies. (a) The mayor and members of the board of commissioners shall serve for terms of ~~two~~ four years, beginning the day and hour of the organizational meeting following their election, as established by ordinance in accordance with this charter; provided, they shall serve until their successors are elected and qualify.

...

"ARTICLE IV. ELECTION PROCEDURE

"Sec. 4.1. Regular Municipal Elections. ~~The regular municipal elections shall be held on the first Tuesday after the Monday in May of each year. In each even-numbered year, there shall be elected by the qualified voters of the town voting at large a mayor and a commissioner from each even-numbered ward established in accordance with Section 4.6 of this Article, but in no case less than two. In each odd-numbered year, there shall be elected by the qualified voters of the town voting at large a commissioner from each odd-numbered ward established in accordance with Section 4.6 of this Article, but in no case less than three. Except as provided in this section, regular municipal elections shall be held in the Town every four years and shall be conducted in accordance with the uniform municipal elections laws of North Carolina. Beginning in 2013, there shall be elected by the qualified voters of the Town voting at-large a mayor and a commissioner from Ward No. 1 and Ward No. 2, who shall each serve for a term of two years, and a commissioner from Ward No. 3, Ward No. 4, and Ward No. 5, who shall each serve for a term of four years. In 2015, and quadrennially thereafter, a mayor and a commissioner from Ward No. 1 and Ward No. 2 shall be elected to four-year terms. In 2017, and quadrennially thereafter, a commissioner from Ward No. 3, Ward No. 4, and Ward No. 5 shall be elected to four-year terms. In addition, all offices to which appointments have been~~



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1 made due to vacancies shall be filled by election for the unexpired terms in the regular  
2 municipal elections. All municipal elections shall be nonpartisan elections.

3 ...  
4 "Sec. 4.4. Filing of Candidates. Each qualified person who would offer himself as a  
5 candidate for the office of mayor or commissioner shall file a notice of candidacy with the Pitt  
6 County Board of Elections as provided in G.S. 163-294.2.~~town manager a written statement~~  
7 ~~giving notice of his candidacy. Such notice shall be filed not earlier than sixty days nor later~~  
8 ~~than ten days prior to the election at which he offers his candidacy, shall be accompanied by~~  
9 ~~payment of a filing fee of Five Dollars (\$5.00), and shall be substantially in the following form:~~  
10 ~~"I, \_\_\_\_\_, do hereby give notice that I am a candidate for election to the~~  
11 ~~office of (Mayor) (Commissioner, Ward \_\_\_\_\_) to be voted on at the election to be held on~~  
12 ~~\_\_\_\_\_, and I hereby request that my name be placed on the official ballot for~~  
13 ~~such office. I also certify that I am a resident and qualified voter of the Town of Ayden, Ward~~  
14 ~~\_\_\_\_\_, residing at \_\_\_\_\_.~~

15 Signature: \_\_\_\_\_

16 Date: \_\_\_\_\_

17  
18 Witness: \_\_\_\_\_."

19 ...."

20 **SECTION 2.** The Town Attorney of the Town of Ayden shall submit this act to the  
21 Attorney General of the United States for preclearance under section 5 of the Voting Rights Act  
22 of 1965 within 30 days of this act becoming law, as provided by G.S. 120-30.9F. If this act is  
23 not so submitted, the Attorney General of North Carolina shall submit it under G.S. 120-30.9I.

24 **SECTION 3.** This act is effective when it becomes law.