

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 680

Short Title: Granite Quarry Charter Revision. (Local)

Sponsors: Representative McCombs.

Referred to: Local Government I.

March 26, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF
3 GRANITE QUARRY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** The Charter of the Town of Granite Quarry is revised and
6 consolidated to read:

7 "CHARTER OF THE TOWN OF GRANITE QUARRY.

8 "CHAPTER I.

9 "INCORPORATION AND CORPORATE POWERS.

10 "Section 1-1. **Incorporation and Corporate Powers.** The inhabitants of the Town
11 of Granite Quarry are a body corporate and politic under the name "Town of Granite
12 Quarry". Under that name they have all the powers, duties, rights, privileges, and
13 immunities conferred and imposed on cities by the general law of North Carolina.

14 "CHAPTER II.

15 "CORPORATE BOUNDARIES.

16 "Section 2-1. **Town Boundaries.** Until modified in accordance with law, the
17 boundaries of the Town of Granite Quarry are as shown upon the official map showing
18 the current town boundaries retained in the office of the Town Clerk.

19 "CHAPTER III.

20 "GOVERNING BODY.

21 "Section 3-1. **Structure of Governing Body; Number of Members.** The governing
22 body of the Town of Granite Quarry is the Board of Aldermen, which has five
23 members.

24 "Section 3-2. **Manner of Electing Board.** The qualified voters of the entire Town
25 elect the members of the Board.

26 "Section 3-3. **Terms of Office of Board Members.** Members of the Board are
27 elected to four-year terms. In 2003, and each four years thereafter, three members of the
28 Board shall be elected. In 2005, and each four years thereafter, two members of the
29 Board shall be elected.

1 "Section 3-4. **Election of Mayor; Term of Office.** At the organizational meeting of
2 the Board following each election, the Board shall elect one of its members to serve as
3 Mayor and one to serve as Mayor Pro Tempore. The Mayor and Mayor Pro Tempore
4 shall serve at the pleasure of the Board.

5 "Section 3-5. **Mayor to Vote in Case of Tie Vote Only.** The Mayor shall not vote
6 on any matter before the Board, except when there exists a tie vote among the other
7 members of the Board.

8 "CHAPTER IV.

9 "ELECTIONS.

10 "Section 4-1. **Conduct of Town Elections.** Town officers shall be elected on a
11 nonpartisan basis and the results determined by a plurality as provided in G.S. 163-292.

12 "CHAPTER V.

13 "ADMINISTRATION.

14 "Section 5-1. **Town to Operate Under Mayor-Council Plan.** The Town of Granite
15 Quarry operates under the mayor-council plan as provided in Part 3 of Article 7 of
16 Chapter 160A of the General Statutes."

17 **SECTION 2.** The purpose of this act is to revise the Charter of the Town of
18 Granite Quarry and to consolidate herein certain acts concerning the property, affairs,
19 and government of the Town.

20 **SECTION 3.** The following acts or portions of acts, having served the
21 purposes for which they were enacted, or having been consolidated into this act, are
22 hereby repealed:

23 Chapter 259, Private Laws of 1901

24 Chapter 43, Private Laws of 1905

25 Chapter 667, Session Laws of 1949

26 Chapter 14, Session Laws of 1957

27 Chapter 76, Session Laws of 1959.

28 **SECTION 4.** No provision of this act is intended, nor shall be construed, to
29 affect in any way any rights or interests (whether public or private):

30 (1) Now vested or accrued, in whole or in part, the validity of which might
31 be sustained or preserved by reference to any provisions of law
32 repealed by this act.

33 (2) Derived from, or which might be sustained or preserved in reliance
34 upon, action heretofore taken pursuant to or within the scope of any
35 provisions of law repealed by this act.

36 **SECTION 5.** No law heretofore repealed expressly or by implication, and no
37 law granting authority which has been exhausted, shall be revived by:

38 (1) The repeal herein of any act repealing such law, or

39 (2) Any provision of this act that disclaims an intention to repeal or affect
40 enumerated or designated laws.

41 **SECTION 6.** All existing ordinances and resolutions of the Town of Granite
42 Quarry and all existing rules or regulations of departments or agencies of the Town of
43 Granite Quarry not inconsistent with the provisions of this act shall continue in full
44 force and effect until repealed, modified, or amended.

1 **SECTION 7.** No action or proceeding of any nature (whether civil or
2 criminal, judicial or administrative, or otherwise) pending at the effective date of this
3 act by or against the Town of Granite Quarry or any of its departments or agencies shall
4 be abated or otherwise affected by the adoption of this act.

5 **SECTION 8.** If any part of this act or the application thereof to any person
6 or circumstance is held to be invalid, such invalidity shall not affect other provisions or
7 applications of this act which can be given effect without the invalid provision or
8 application, and to this end the provisions of this act are declared to be severable.

9 **SECTION 9.** Whenever a reference is made in this act to a particular
10 provision of the General Statutes and such provision is later amended, repealed, or
11 superceded, the reference shall be deemed amended to refer to the amended General
12 Statute or to the General Statute which most nearly corresponds to the statutory
13 provision which is repealed or superceded.

14 **SECTION 10.** This act is effective when it becomes law.