

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 488
HOUSE BILL 570

AN ACT TO AMEND THE CHARTER OF THE TOWN OF GIBSONVILLE.

The General Assembly of North Carolina do enact:

Section 1. Section 4 of Chapter 675 of the Session Laws of 1957 is hereby amended by striking the same in its entirety and substituting in lieu thereof the following:

"Sec. 4. Creation, Composition and Salary of Mayor and Board of Aldermen. Except as otherwise provided in this Charter, all powers of the town shall be vested in a board of aldermen of five members and a mayor nominated and elected from the town at large in the manner hereinafter provided, who shall be charged with the general management and control of the Town of Gibsonville under the powers vested in them by this Charter and in accordance with the general laws of the State of North Carolina wherein no provision has been made in this Charter with respect thereto. The terms of office for all elective officials shall be for four years, except in the case of mayor, whose term shall be for two years, and until their successors are elected and qualified, and shall begin on the first Monday in June next following their election. The regular election for the office of mayor and members of the board of aldermen as hereinafter provided in Section 8, shall be held on Tuesday after the first Monday in May, in odd-numbered years, and biennially thereafter. At the regular election held in May 1963, and biennially thereafter, a mayor and five members of the board of aldermen shall be elected at large by the qualified voters of the Town of Gibsonville. The mayor shall serve for a term of two years or until his successor is duly elected and qualified. The members of the board of aldermen shall serve for a term of four years, provided, however, that at the municipal election to be held on Tuesday after the first Monday in May, 1963, the three members of the board of aldermen receiving the largest number of votes shall serve for terms of four years each, and the other two members of the board of aldermen elected shall serve for terms of two years each. Thereafter all members of the board of aldermen shall be elected for terms of four years each and shall serve until their successors are duly elected and qualified. The mayor and members of the board of aldermen elected at the regular election held on Tuesday after the first Monday in May, 1961, shall serve for terms of two years each, and until their successors are elected and qualified in accordance with the provisions of this Section. If a vacancy occurs in the office of mayor or alderman, it shall be filled for the remainder of the unexpired term by a majority vote of the remaining members of the board of aldermen. If any person elected mayor shall refuse to be qualified, or if there is a vacancy in the office, after election

and qualification, of if the mayor be unable to discharge the duties of his office for any reason the board of aldermen shall choose some qualified person for the unexpired term, or during his disability as the case may be, to act as mayor, and he shall be clothed with all the authority and powers given under this Charter to the regularly and duly elected mayor. The board of aldermen shall choose other aldermen to supply the place of such as shall refuse to act, and fill all vacancies which may occur, and such persons only shall be chosen as hereinafter declared to be eligible; provided, in the event of the mayor's absence or sickness, or inability to act, the board of aldermen may appoint one of their number pro tempore to exercise his duties. The mayor shall receive an annual salary of two hundred dollars (\$200.00) to be paid semiannually from the general fund of the town. Each member of the board of aldermen shall receive an annual salary of one hundred dollars (\$100.00) to be paid semiannually from the general fund of the town. In case of death or resignation of the mayor or any member of the board of aldermen, he or his estate shall be paid on a pro rata basis for each month that he shall have served. Any person appointed to serve an unexpired term as either mayor or member of the board of aldermen shall be paid on a pro rata basis for each month of his service. Failure to attend board meetings shall be considered sufficient cause within the sole determination of the board of aldermen, to justify the withholding of compensation. Members of the board of aldermen and mayor shall be qualified electors of the town. A member of the board of aldermen or mayor ceasing to possess any of the qualifications specified in this Section or convicted of any crime, involving moral turpitude, while in office, shall immediately forfeit his office."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall become effective July 1, 1961.

In the General Assembly read three times and ratified, this the 23rd day of May, 1961.