

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 122
HOUSE BILL 264

AN ACT TO AUTHORIZE A REFERENDUM IN THE TOWN OF ABERDEEN ON
ALCOHOLIC BEVERAGE CONTROL STORES AND THE SALE OF BEER
AND WINE.

The General Assembly of North Carolina do enact:

Section 1. The governing body of the Town of Aberdeen shall, upon a petition to the governing body signed by at least fifteen percent (15%) of the number of registered and qualified voters that voted in the most recent election for the governing body of the Town of Aberdeen, or may upon its own motion, order an election to be held on the questions of whether or not the Moore County Alcoholic Beverage Control Board shall operate an Alcoholic Beverage Control Store in the town and whether or not beer and wine may be legally sold in the town. The governing body may call a special election on said question, the same to be held on such date as the governing body may determine. Said election may be called and held on a date to be fixed by the governing body as herein prescribed notwithstanding the nearness of date within which any other type of election may be held, and may be held on the same date as the regular biennial election of said town for the election of its officers. The costs of said election shall be paid from the general fund of said town.

Sec. 2. In calling for such special election, the said governing body shall give at least twenty days' public notice of the same prior to the opening of the registration books. A new registration of voters for such special election shall not be necessary and all qualified electors who are properly registered prior to registration for the special election, and those who register in said special election, shall be entitled to vote in said election. Except as otherwise herein provided, the special election herein authorized shall be conducted under the same statutes, rules and regulations applicable to municipal elections in the Town of Aberdeen.

Sec. 3. At such special election, ballots shall be provided which contain the words "For Both On-Premises and Off-Premises Sale of Beer and Wine" and "Against Both On-Premises and Off-Premises Sale of Beer and Wine" and the words "For Off-Premises Sale Only of Beer and Wine" and "Against Off-Premises Sale Only of Beer and Wine", and the words "For Town Alcoholic Beverage Control Stores" and "Against Town Alcoholic Beverage Control Stores", with appropriate squares so that each voter may designate by his cross (X) mark his preferences; provided, that the governing body may, in its discretion, provide separate ballots for each question.

Sec. 4. If a majority of the votes cast at such special election shall be cast "For Both On-Premises and Off-Premises Sale of Beer and Wine", then such sales shall

thereafter be lawful within the Town of Aberdeen and the governing body shall issue appropriate licenses for such sales to all qualified applicants.

Sec. 5. If a majority of the votes cast at such special election shall be cast "For Off-Premises Sale Only of Beer and Wine", then such sales shall thereafter be lawful within the Town of Aberdeen and the governing body shall issue appropriate licenses for such sales to all qualified applicants.

Sec. 6. If a majority of the votes cast at such special election shall be cast "For Town Alcoholic Beverage Control Stores", then the Moore County Alcoholic Beverage Control Board shall open and operate one or more Alcoholic Beverage Control Stores in the Town of Aberdeen, as provided for in Chapter 18 of the General Statutes.

Sec. 7. The County Alcoholic Beverage Control Board shall pay to the Town of Aberdeen ten percent (10%) of the net profits derived from the operation of Alcoholic Beverage Control Stores in the Town of Aberdeen.

Sec. 8. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 9. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 25th day of March, 1969.