

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 142
HOUSE BILL 335

AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO, THE
SAME BEING CHAPTER 37, PRIVATE LAWS OF 1923, AS AMENDED, AND
PARTICULARLY AS REVISED AND REORGANIZED BY CHAPTER 1137,
SESSION LAWS OF 1959, AS AMENDED.

The General Assembly of North Carolina do enact:

Section 1. Section 2.21(a) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is amended by rewriting that portion of the fourth sentence preceding the colon thereof to read as follows:

"Any person desiring to become a candidate for nomination for the office of councilman shall, no sooner than the second day of January and no later than 5:00 o'clock p.m. of the second Friday preceding the day of the primary election, file with the city clerk a statement of his candidacy in substantially the following form:".

Sec. 2. Section 3.03 of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby further amended by rewriting said section to read as follows:

"Sec. 3.03. Salary of Mayor and Councilmen.

The mayor shall receive for his services such salary as the City Council, by ordinance, shall determine, but not less than four thousand eight hundred dollars (\$4,800.00) a year. The City Council may establish, by ordinance such salary for the mayor pro tem and other members as it shall determine, but not less than two thousand four hundred dollars (\$2,400.00) a year. No increase or reduction in salary of the mayor or members of the City Council shall be made to take effect during the respective term of office in which it is voted. All salaries shall remain in effect for all succeeding terms of office unless changed in the time and manner as hereinabove provided."

Sec. 3. Section 3.81 of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is amended by adding at the end thereof a new paragraph to read as follows:

"Either the mayor or the mayor pro tem shall be a proper party to receive and accept service of all complaints, notices and other documents of a judicial nature on behalf of the city. The mayor pro tem, as well as the mayor, shall have the authority to execute contracts, deeds or other legal documents on behalf of the city, such documents having been first approved by the city attorney."

Sec. 4. Section 4.13 of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is amended by rewriting said section to read as follows:

"Sec. 4.13. City manager; absence or disability.

(a) In the event the manager shall be sick, absent from the city or otherwise unable to perform the duties of his office, the assistant city manager shall be ex officio city manager until the manager is able to resume his duties, and during said period the assistant city manager shall have all the power and authority of the city manager. If there is no assistant city manager or he is unable to assume the duties of city manager for any reason, then the mayor shall be ex officio city manager.

(b) Should the position of city manager be vacant or in the event of the prolonged absence, illness or other incapacity of the city manager, the council may designate one of its members, the mayor, the assistant city manager or any other person as temporary city manager, and the person so designated shall have all the powers and authority of the city manager while he shall serve in the capacity and he may receive such additional compensation as the council may determine."

Sec. 5. Section 4.91(b)(1) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended by Section 10 of Chapter 686, Session Laws of 1961, is amended by striking out the words and figures "twenty-five thousand dollars (\$25,000.00)" as the same appear therein and substituting in lieu thereof the words and figures "fifty thousand dollars (\$50,000.00)."

Sec. 6. Section 4.91(b) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended by Section 10 of Chapter 686, Session Laws of 1961, is further amended by rewriting subparagraphs (2), (3) and (6) thereof to read as follows:

"(2) Life insurance benefits payable upon the death of any dependent of an employee. The premium may be paid by City of Greensboro, by the employee, or by the city and employee jointly.

"(3) Life insurance benefits payable upon the death of an employee after his retirement under either the Local Governmental Employees Retirement System, the Federal Social Security system, the State Law Enforcement Officers Benefit and Retirement Fund, or any combination thereof; provided that the amount of such benefits or coverage shall be determined by the city council. The premium may be paid by City of Greensboro, by the employee, or by the city and employee jointly.

"(6) Benefits payable under hospitalization insurance arising out of the hospitalization of a dependent of an employee. The premium may be paid by City of Greensboro, by the employee, or by the city and employee jointly."

Sec. 7. Section 4.111 of the Charter of the City of Greensboro as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended by Section 6 of Chapter 74, Session Laws of 1967, is hereby further amended by rewriting the third sentence thereof to read as follows:

"A contract for the purchase of apparatus, supplies, materials or equipment or a contract for the performance of services may be approved, awarded and executed by the

city manager on behalf of the city provided that the City Council shall have approved a sufficient appropriation in the annual budget for the current fiscal year."

Sec. 8. Section 4.124 of the Charter of the City of Greensboro as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby amended by repealing the words "by means other than condemnation" appearing in the first and second lines thereof.

Sec. 9. Section 5.62(a) of the Charter of the City of Greensboro as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby amended by inserting two new subparagraphs at the end of subparagraph (7) thereof to read as follows:

"(8) The height, location, construction, size and other regulatory measures with respect to commercial or other signs and outdoor advertising.

"(9) Minimum standards for buildings, residences and other structures through housing codes and other similar regulations."

Sec. 10. Chapter 5 of the Charter of the City of Greensboro as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby further amended by adding a new section following Section 5.63 to read as follows:

"Sec. 5.64. Amendments to Official Zoning Map.

The City Council may, by ordinance, delegate or assign the authority for the rezoning of property to the zoning commission with certain rights of appeal and review before the City Council. Such authority shall be exercised by the Zoning Commission under such rules, regulations and guidelines as may be established by the City Council."

Sec. 11. Section 5.72(b) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is amended by rewriting the first sentence thereof to read as follows:

"The board shall consist of seven members to serve for three-year overlapping terms."

Sec. 12. Section 5.121 of the Charter of the City of Greensboro as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby amended by rewriting subsection (d) to read as follows:

"(d) Any person given a citation or ticket by a police officer or other designated official of the City of Greensboro for a violation as provided in subsection (a) may tender an amount not in excess of the sum provided for in subsection (c) as payment of the civil penalty."

Sec. 13. Chapter 6 of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby further amended by adding a new section following Section 6.31 to read as follows:

"Section 6.32. Liens for cost of removal of motor vehicles.

The Council may establish charges to be made for the cost of removing abandoned motor vehicles from private property. When the City causes the removal of any vehicle from private property pursuant to an ordinance permitting such removal and the owner or other person having control of said property fails to pay the cost of removal within thirty days after it becomes due, the amount of the cost of removal of such vehicle shall become a lien against the real property from which said vehicle was removed; said cost

shall be placed upon the municipality's tax books against the said property and may be collected and the said lien may be foreclosed in the same manner as taxes are collected and foreclosed, or by suit, as the municipality may determine."

Sec. 14. Section 6.111 of the Charter of the City of Greensboro as set forth in Section 1, Chapter 1137, Session Laws of 1959, as amended, is hereby amended by adding a new paragraph at the end thereof to read as follows:

"Upon adoption of a final resolution of condemnation by the City Council, a copy of said resolution shall be served by registered mail upon each of the parties named therein at their last known address; provided, that if the address of any of the parties is unknown, then said resolution may be served by publication one time in some newspaper published in the city which is qualified to carry legal notices."

Sec. 15. Section 6.163 of the Charter of the City of Greensboro as set forth in Section 22, Chapter 686, Session Laws of 1961, as amended, is hereby amended by rewriting said Section to read as follows:

"Sec. 6.163. Authority to acquire entire lot, block or tract.

Whenever it appears that a portion of a building or other structure must be demolished in order to complete any local improvements, or that the residual portion of a lot, block or tract of land, remaining unused upon the completion of any local improvements, will be substandard according to applicable subdivision, zoning or other requirements pertaining thereto, or, if in the opinion of the City Council, it will become impractical to use the remaining property because of other conditions, the City Council is authorized, but not required, to acquire the entire lot, block or tract by purchase or condemnation and to provide for the sale or exchange of said residual property as provided by Sections 4.122, 4.123 or 4.124 of this charter."

Sec. 16. All extensions and purported extensions of the corporate limits of the City of Greensboro are hereby declared to be valid.

Sec. 17. All proceedings of the City Council of the City of Greensboro and all work performed relative to local improvements, including street paving, sidewalk construction, water and sanitary sewer construction, including water and sanitary sewer mains, lines and laterals, and all work incidental to such local improvements and the assessments levied and assessed therefor, are hereby in all respects approved and validated.

Sec. 18. Section 143-129 of the General Statutes of North Carolina (Cumulative Supplement 1967), as the same applies to City of Greensboro, Guilford County, is hereby amended by striking out the words and figures, "two thousand dollars (\$2,000.00)", appearing in lines 5 and 6 and substituting in lieu thereof the words and figures, "five thousand dollars (\$5,000.00)".

Sec. 19. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 20. 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 31st day of March, 1969.