

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 163
SENATE BILL 239

AN ACT TO PROVIDE PROCEDURES FOR ELECTION OF MAYOR AND
BOARD OF COMMISSIONERS OF THE TOWN OF FRANKLINVILLE.

The General Assembly of North Carolina do enact:

Section 1. A regular municipal election, for choice of Mayor and members of the Board of Commissioners of the Town of Franklinville, shall be held on the first Tuesday after the first Monday in May, 1969, and on the first Tuesday after the first Monday in May of each odd numbered year thereafter. Special elections shall be conducted in accordance with the general laws related thereto.

Sec. 2. All elections shall be conducted in accordance with the General Statutes of North Carolina relating to municipal elections, except as modified and provided by this Act.

Sec. 3. Any qualified elector desiring to become a candidate to the office of Mayor or Board of Commissioners of the Town of Franklinville shall, at least 15 days prior to said election, file with the Town Clerk a statement of such candidacy in substantially the following form:

"State of North Carolina
County of Randolph

I, _____, hereby give notice that I am a qualified elector of the Town of Franklinville, County of Randolph, State of North Carolina, that I am a candidate for election to the office of _____, to be voted on at the general municipal election to be held on the _____ day of May, 19____, and I hereby request that my name be printed upon the official ballot to be voted in said election.

_____(Signed)_____
Candidate

(Date)

At the time of filing such notice of candidacy, such candidate so filing shall pay the Town Clerk a filing fee of five dollars (\$5.00). Proceeds of said filing fees shall be used to defray costs of printing ballots and other election costs. Any candidate may withdraw his notice up to the last day for filing by doing so in writing, but the filing fee shall be forfeited.

Sec. 4. No name other than those of candidates who have properly filed notice as herein required shall be printed upon the ballots for any municipal election.

Sec. 5. All qualified electors in the Town of Franklinville shall be eligible to vote in the municipal election. Registration books shall be open for registration of voters during the fourth, third and second weeks immediately prior to the election, ending on the second Saturday immediately prior to the election. The last Saturday, immediately prior to the election shall be Challenge Day. The Registrar shall be at the polling place on the Saturdays of each week above specified from 6:30 a.m. until 6:30 p.m. The general election laws concerning age, residence and other qualifications shall apply.

Sec. 6. On April 1, 1969, and biennially thereafter (except on Monday following should April 1 fall on Sunday) the Mayor and Board of Commissioners shall cause notice of the election to be posted at the Town Hall in the corporate limits of the Town of Franklinville, and such notice shall state substantially:

- (a) The date and polling place.
- (b) The names of the registrar and judges.
- (c) The date and time for opening and closing of the registration books.
- (d) Requirements for registration.
- (e) Requirements as to filing notice of candidacy.

Sec. 7. All properly registered persons shall be entitled to vote for one candidate for Mayor and for as many candidates as there are members to be elected to the Board of Commissioners. All candidates up to the number to be elected who receive the largest number of votes shall be declared elected. The registrar and judges shall certify the results of each election and the same shall be entered in the official minute book of the Town of Franklinville by the Town Clerk.

Sec. 8. The Mayor and the Board of Commissioners shall organize on the first Monday in June following their election. Before entering upon their offices, the Mayor and each Commissioner shall take and subscribe, before the Town Clerk or other officer authorized to administer oaths, and have entered upon the minutes of the Town, the following oath of office: "I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of North Carolina not inconsistent therewith, and that I faithfully perform the duties of the office of _____ on which I am about to enter, according to my best skill and ability; so help me, God."

Sec. 9. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 10. 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.