

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 1187
HOUSE BILL 2088

AN ACT TO AMEND CHAPTER 910 OF THE 1971 SESSION LAWS OF NORTH
CAROLINA BEING THE CHARTER OF THE CITY OF GASTONIA IN
GASTON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 910 of the 1971 Session Laws of North Carolina being the Charter of the City of Gastonia is hereby amended as follows:

A. Section 3.22(a) is rewritten to read:

"He shall appoint and suspend or remove all city employees, except the city attorney, the city tax collector and the city clerk in accordance with such general personnel rules, regulations, policies, or ordinances as the council may adopt."

B. Section 3.61 is rewritten to read:

"The council shall appoint a city clerk to serve at its pleasure. He shall give notice of meetings of the council, keep a journal of the proceedings of the council, be custodian of all city records entrusted to him, and shall perform any other duties that may be required by law, by the council or by the city manager. In addition, the council may appoint or provide for one or more deputy city clerks who shall have full authority to exercise and perform any of the powers and duties of the city clerk that it may specify."

C. Section 3.162(a) is rewritten to read:

"Private sale or sale by sealed bids may be used only with respect to personal property valued at less than five thousand dollars (\$5,000) for any one item or group of similar items. When the council proposes to dispose of property by either of these means, it shall at a regular council meeting adopt a resolution authorizing an appropriate city official to dispose of the property by private sale at a negotiated price or by sealed bids. The resolution shall identify the property to be sold and may, but need not, specify a minimum price. The resolution shall be published once after its adoption in a newspaper of general circulation in the city, and no sale shall be consummated thereunder until ten days after its publication."

D. Section 5.17 is rewritten to read:

"In case any charge for utility service or for the use of utility facilities is not paid within ten days after it becomes due, the same shall become a lien upon the real property served or in connection with which the service or facility is used and upon all personal property situated upon such real property. The charge may at any time thereafter be collected, either by suit in the name of the city or by the city tax collector, through the sale of the property upon which the lien attaches at the Gaston County courthouse door, after advertising the sale once a week for four successive weeks in

some newspaper published in the city which is qualified to carry legal notices. The sale shall be made under the same rules and regulations, and subject to the same costs and penalties and to the same rights of redemption as are provided by law for the foreclosure of the lien on personal property and on real estate for taxes."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of April, 1974.