

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 433
HOUSE BILL 895

AN ACT TO AMEND CHAPTER 212, PRIVATE LAWS OF 1899, THE CHARTER
OF THE TOWN OF HILDEBRAN.

The General Assembly of North Carolina enacts:

Section 1. Chapter 212, Private Laws of 1899, is hereby amended by deleting from Section 1 the words "as the commissioners may think best" and inserting in lieu thereof the words "as authorized by the general laws of North Carolina."

Sec. 2. Section 2 of Chapter 212, Private Laws of 1899, is hereby rewritten to read as follows:

"Sec. 2. The corporate limits of the town shall be that territory embraced in a circle, the radius of which shall extend one-half mile in every direction from a point in the middle of the intersection of State Road 1627 and U.S. Highway 64-70 in the town."

Sec. 3. Section 3 of Chapter 212, Private Laws of 1899, is rewritten to read as follows:

"Sec. 3. The elective officers of the town shall be a mayor and three commissioners, who shall be elected by the qualified voters of the town for terms of two years. Beginning with the regular municipal election to be held in November 1973, the election shall be nonpartisan and decided by simple plurality. No primary election shall be held. The municipal elections shall be held and conducted by the County Board of Elections in accordance with Articles 23 and 24 of Chapter 163 of the General Statutes."

Sec. 4. Section 4 of Chapter 212, Private Laws of 1899, is rewritten to read as follows:

"Sec. 4. V.B. Cagle is hereby appointed Mayor of the Town, and Mrs. Guy Martin, Mrs. Sandra Cooke and Mr. Bob Carpenter, are hereby appointed as the Board of Commissioners, all of whom shall exercise and perform the duties of said offices until their successors are elected in November, 1973."

Sec. 5. Section 5 of Chapter 212, Private Laws of 1899, is rewritten as follows:

"Sec. 5. Any qualified voter who is a resident of the town shall be eligible to office and to vote in the town elections."

Sec. 6. Section 6 of Chapter 212, Private Laws of 1899 is repealed.

Sec. 7. Section 7 of Chapter 212, Private Laws of 1899, is rewritten to read:

"Sec. 7. Special elections may be held as authorized by law."

Sec. 8. Sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 of Chapter 212, Private Laws of 1899, are hereby repealed.

Sec. 9. All electives and appointive officers of the town shall take the oath of office required by the North Carolina Constitution.

Sec. 10. A vacancy occurring in the office of Mayor or on the Board of Commissioners, shall be filled by appointment by the Board of Commissioners and the person appointed shall serve for the unexpired term.

Sec. 11. Section 22 of Chapter 212, Private Laws of 1899 is hereby amended by deleting the word "marshall" and inserting in lieu thereof the words "town police".

Sec. 12. Section 25 of Chapter 212, Private Laws of 1899, is rewritten to read:

"Sec. 25. The Board of Commissioners shall appoint a tax collector as provided by general law."

Sec. 13. Sections 26, 27, 28, 29, 30, 32, and 35 of Chapter 212, Private Laws of 1899, are hereby repealed.

Sec. 14. Section 34 of Chapter 212, Private Laws of 1899, is hereby amended by deleting in lines 3 and 4 the words "the mayor, or".

Sec. 15. Section 36 of Chapter 212, Private Laws of 1899, is rewritten to read:

"Sec. 36. The Town of Hildebran shall have all the powers and authorities granted municipalities by the Constitution and general laws of this State."

Sec. 16. Chapter 290, Private Laws of 1913, is hereby repealed and all laws and clauses of laws in conflict with this act are repealed to the extent of such conflict.

Sec. 17. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 10th day of May, 1973.