

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1134
HOUSE BILL 1464

AN ACT TO AMEND THE CHARTER OF THE CITY OF LINCOLNTON TO
ESTABLISH THE COUNCIL-MANAGER FORM OF GOVERNMENT.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the City of Lincolnton, as enacted by Chapter 341, Session Laws of 1979, is amended by rewriting Article IV to read as follows:

"ARTICLE IV.

"Organization and Administration.

"Sec. 4.1. Form of Government. The City shall operate under the Council-Manager form of government, in accordance with Part 2 of Article 7, Chapter 160A of the General Statutes.

Sec. 4.2. City Manager. The Board of Aldermen shall appoint a City Manager to act as the chief administrator of City government, and who is to be responsible to the Board of Aldermen for the proper administration of the affairs of the City. The City Manager shall serve at the pleasure of the Board of Aldermen and shall perform the duties and responsibilities set forth in Part 2, Article 7, Chapter 160A of the General Statutes, not inconsistent with this Charter, and such other duties as may be assigned by the Board of Aldermen.

Sec. 4.3. City Attorney. The Board of Aldermen shall appoint a City Attorney who shall be licensed to engage in the practice of law in the State of North Carolina. It shall be the duty of the Attorney to prosecute and defend suits against the City; to advise the Mayor, Board of Aldermen and other City officials with respect to the affairs of the City; to draft all legal documents relating to the affairs of the City; to inspect and pass upon all agreements, contracts, franchises and other instruments with which the City may be concerned; and to perform other duties required by law or as the Board of Aldermen may direct. The Board of Aldermen may employ other legal counsel from time to time, in addition to the City Attorney, as may be necessary to handle adequately the legal affairs of the City.

Sec. 4.4. City Clerk. The City Manager shall appoint a City Clerk to keep a journal of the proceedings of the Board, to maintain in a safe place all records and documents pertaining to the affairs of the City, and to perform such other duties as may be required by law or as the Board of Aldermen may direct.

Sec. 4.5. City Tax Collector. The City Manager shall appoint a City Tax Collector to collect all taxes, licenses, fees and other moneys belonging to the City, subject to the General Statutes, the provisions of this Charter and the ordinances of the City. The City

Tax Collector shall diligently comply with and enforce all the laws of North Carolina relating to the collection of taxes by municipalities.

Sec. 4.6. City Treasurer. The City Manager shall appoint a City Treasurer, or Finance Officer, to perform the duties of the finance officer as required by the Local Government Budget and Fiscal Control Act, and to perform such other duties as may be required by the Board.

Sec. 4.7. Consolidation of Functions. The Board of Aldermen may consolidate any two or more positions of the City Manager, City Clerk, City Tax Collector and City Treasurer, or may assign the functions of any one or more of these positions to the holder or holders of any other of these positions, subject to the Local Government Budget and Fiscal Control Act and State law.

Sec. 4.8. Other Administrative Officers and Employees. Consistent with applicable State laws, the Board of Aldermen may establish other positions, provide for the appointment of other administrative officers and employees, and generally organize the City government in order to promote the orderly and efficient administration of the affairs of the City."

Sec. 2. This act shall become effective June 30, 1982.

In the General Assembly read three times and ratified, this the 11th day of June, 1982.