

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 382
SENATE BILL 276

AN ACT TO REVISE THE CHARTER OF THE TOWN OF GRANITE FALLS.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Granite Falls in Caldwell County is hereby rewritten to read as follows:

"THE CHARTER OF THE TOWN OF GRANITE FALLS.

"Sec. 1. Incorporation.—The Town of Granite Falls, heretofore incorporated by the General Assembly, shall continue to operate as a body politic and corporate under the name and style of the 'Town of Granite Falls.'

"Sec. 2. Corporate boundaries.—The corporate boundaries of the Town of Granite Falls shall be those boundaries established by Chapter 41 of the Private Laws of 1925 as amended by annexations conducted since the effective date of that act, and as the same may be altered as provided by law.

"Sec. 3. Corporate powers.—The Town of Granite Falls and its officers and employees shall operate and conduct the business of the town subject to the provisions set forth in Chapter 160A of the North Carolina General Statutes and other 'general law', except as otherwise provided in the town 'charter.' (as the terms in quotations are defined in G.S. 160A-1).

"Sec. 4. Mayor and Council.—(a) The Town of Granite Falls shall have a mayor and a council composed of six members. The mayor and council shall be elected by the voters of the entire town as herein provided. The mayor shall be elected for a term of four years, and the council members shall be elected for staggered terms of four years.

(b) The municipal elections in Granite Falls shall be nonpartisan and decided by a simple plurality. No primary elections shall be held. The municipal elections shall be held and conducted pursuant to the applicable provisions of Chapter 163 of the General Statutes, particularly Articles 23 and 24 thereof.

(c) In the municipal elections to be held on Tuesday after the first Monday in November, 1981, and every four years thereafter, the mayor shall be elected for a term of four years. In this election and the municipal elections held every two years thereafter, three council members shall be elected to continue the system of staggered four-year terms established for the Council of the Town of Granite Falls by Chapter 333 of the Session Laws of 1973.

"Sec. 5. Council/Manager form of government.—(a) The Town of Granite Falls shall operate under the council/manager form of government in accordance with Part 2 of Article 7 of Chapter 160A of the General Statutes and any charter provisions not in conflict therewith.

(b) The manager shall be appointed to serve at the pleasure of the Council.

"Sec. 6. Attorney, clerk, and tax collector.-(a) The Council shall appoint a town attorney to serve at its pleasure and to be its legal advisor.

(b) The town clerk shall be appointed by the manager.

(c) As provided in G.S. 105-349, the Council shall either appoint a tax collector or confer the duties of tax collector upon a qualified employee appointed by the manager.

"Sec. 7. Contracts and documents.-(a) Unless otherwise provided by law, no contract shall be binding upon the Town of Granite Falls unless it is either:

- (1) Made by or pursuant to an ordinance or resolution that authorizes the town to enter into a contract for an identified purpose;
- (2) Reduced to writing and approved by the Council; or
- (3) Authorized by ordinance or resolution referring generally to a class of contracts (which classification may be on the basis of amount, subject matter, or other basis) that may be executed by designated officials on behalf of the town.

(b) Unless otherwise provided by ordinance or resolution or by general law, no contract or deed shall be binding upon the town unless signed by the town manager and attested by the town clerk.

(c) Unless otherwise provided by ordinance or resolution or by general law, the manager or his designee shall have authority to sign on behalf of the town all licenses or permits issued by the town or other official documents except contracts and deeds."

Sec. 2. The following laws are repealed:

Chapter 323, Private Laws of 1899
Chapter 58, Private Laws of 1905
Chapter 29, Private Laws of 1909
Chapter 96, Private Laws of 1917
Chapter 169, Private Laws of 1933
Chapter 41, Private Laws of 1935
Chapter 127, Private Laws of 1935
Chapter 369, Session Laws of 1947
Chapter 455, Session Laws of 1955
Chapter 326, Session Laws of 1973
Chapter 333, Session Laws of 1973.

Sec. 3. Chapter 1267, Session Laws of 1955 is repealed insofar as it applies to the Town of Granite Falls.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 14th day of May, 1981.