

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 896
HOUSE BILL 1693

AN ACT CONCERNING THE FILLING OF VACANCIES ON THE WILMINGTON
CITY COUNCIL.

The General Assembly of North Carolina enacts:

Section 1. Section 3.2(c) of the Charter of the City of Wilmington, being Chapter 495, Session Laws of 1977, is amended to read:

"(c) If any elected council member shall refuse to be qualified, or if there is a vacancy of a council member after election and qualification or if any council member be unable to discharge the duties of his office, the remaining members of the council shall appoint some person to serve until an elected successor takes office or during his disability, as the case may be. Council members so appointed shall have the authority and powers granted by this charter to regularly elected councilmen."

Sec. 2. Section 3.2 of the Charter of the City of Wilmington, being Chapter 495, Session Laws of 1977, is amended by adding a new subsection (d) to read as follows:

"(d) When a person is appointed to fill a vacancy occurring in the office of council member, the appointee shall serve until the next regular or special municipal or county election that is held more than 90 days after the vacancy occurs, at which time an election shall be held to fill the unexpired term of office. Provided, that when the unexpired term of office in which the vacancy has occurred extends less than one year from the date of such regular or special election, the person appointed shall serve the remainder of the unexpired term."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 3rd day of July, 1986.