

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 64
SENATE BILL 187

AN ACT TO AMEND THE CHARTER OF THE CITY OF LEXINGTON TO
CHANGE THE ELECTION SYSTEM.

The General Assembly of North Carolina enacts:

Section 1. Section 1 of Chapter 906, Session Laws of 1981, as amended, containing the Charter of the City of Lexington, is further amended as follows:

(1) Section 1.2 of the Charter is amended by adding the following sentence at the end:

"The City Council may modify the form of government in accordance with the provisions of Chapter 160A of the General Statutes, Article 5, Part 4."

(2) A new Section 1.4 of the Charter is added, following Section 1.3, to read:

"Sec. 1.4. Electoral wards. Until modified in accordance with law, the City shall be divided into six electoral wards, numbered one through six in a clockwise direction. The boundaries of the electoral wards shall be established by ordinance, which may adopt by inclusion or by reference the map labeled 'City Voting Wards 1986' or a similar map. In the initial adoption of the ordinance, the Council need not follow the procedural requirements of Chapter 160A of the General Statutes, Article 5, Part 4, and no public hearing shall be required. The map shall be maintained and may be modified from time to time in accordance with the provisions of Articles 4 and 4A, Chapter 160A of the General Statutes."

(3) Section 2.3 of the Charter is rewritten to read:

"Sec. 2.3. City Council; terms of office. The City Council shall be composed of eight members. The qualified voters of each electoral ward shall elect one Council member, who must reside in that electoral ward, for a total of six. All the qualified voters of the City shall elect two Council members, who may reside anywhere in the City. Each Council member shall be elected for a term of four years, after implementation of staggered terms, as provided in Article III."

(4) Article III of the Charter is rewritten to read:

"ARTICLE III. ELECTIONS.

"Sec. 3.1. Regular municipal elections; conduct. Regular municipal elections shall be held in the City every two years in odd-numbered years, and shall be conducted in accordance with the uniform municipal election laws of North Carolina. The Mayor and members of the Council shall be elected according to the non-partisan plurality method, as provided by G.S. 163-292.

"Sec. 3.2. Election of the Mayor. In every regular municipal election there shall be elected a Mayor to serve a term of two years. The Mayor shall be elected by all the qualified voters of the City.

"Sec. 3.3. Election of Council members. In the regular municipal election in 1987 and every four years thereafter, there shall be elected one Council member by the qualified voters of Ward 5, one by the qualified voters of Ward 6, and two by all the qualified voters of the City, for terms of four years. In the regular municipal election in 1987, there shall be elected one Council member by the qualified voters of Ward 1, one by the qualified voters of Ward 2, one by the qualified voters of Ward 3, and one by the qualified voters of Ward 4, for terms of two years, in order to implement staggered terms. In the regular municipal election in 1989 and every four years thereafter, there shall be elected one Council member by the qualified voters of Ward 1, one by the qualified voters of Ward 2, one by the qualified voters of Ward 3, and one by the qualified voters of Ward 4, for terms of four years."

(5) Paragraph 1 of Sec. 7.2 of the Charter is rewritten to read:

"1. Creation; composition; terms.

A. A commission to be known as the Lexington Utilities Commission is established. The Commission shall be composed of eight members. Six members shall be residents of the respective electoral wards and two at-large members may reside anywhere in the city. Appointments for all eight seats on the Commission shall be made at the first regular meeting of the City Council in December 1987, or as soon thereafter as possible. Appointments for the two at-large seats and for Ward 1 shall be for terms of three years. Appointments for Wards 2, 3 and 4 shall be for terms of two years. Appointments for Wards 5 and 6 shall be for terms of one year. All appointments made thereafter as terms expire shall be for terms of three years. No person shall be eligible for reappointment who has previously served two consecutive three-year terms, until one year after the expiration of the last term served.

B. Terms shall expire at the first regular meeting of the City Council in December of each respective year. As the term of each of the members of the Commission expires, a successor shall be appointed by the City Council as provided in Part A of this section for a term of three years. The City Council shall fill vacancies on the Commission occurring otherwise than by expiration of term, by appointment for the remainder of the unexpired term. All appointments shall be by majority vote of the membership of the City Council.

C. If a member of the Utilities Commission establishes a residence outside of the City or outside of the electoral ward from and for which he was appointed, then this shall be grounds for removal as a member of the Utilities Commission by action of the City Council."

Sec. 2. The Mayor and each Council member serving on the date of ratification of this act may continue to serve until their successors are elected in the regular municipal election in 1987 and qualified. The members of the Lexington Utilities Commission serving on the date of ratification of this act may continue to serve until all of the new members are appointed by the Council, and all of the newly appointed members shall take office at the same time.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 10th day of April, 1987.