

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 492

Short Title: Eden Charter Amendments. (Local)

Sponsors: Senator Berger.

Referred to: State Government, Local Government, and Veterans' Affairs.

March 20, 2003

A BILL TO BE ENTITLED

AN ACT TO AMEND AND MODERNIZE THE CHARTER OF THE CITY OF EDEN.

The General Assembly of North Carolina enacts:

SECTION 1. Section 3.3(d) of the Charter of the City of Eden, being Chapter 967 of the Session Laws of 1967, as amended, reads as rewritten:

"(d) The mayor shall exercise such powers and perform such duties as are or may be conferred upon him by the General Laws of North Carolina, by his Charter, and by the ordinances of the ~~town.~~ city."

SECTION 2. Section 3.4 of the Charter of the City of Eden, being Chapter 967 of the Session Laws of 1967, reads as rewritten:

"Sec. 3.4. Compensation of Mayor and City Council. ~~The Mayor shall receive for his services such salary as the City Council shall determine, and no increase or reduction shall be made to take effect during the term in which it is voted. The City Council may establish a salary for its members and such salary may be increased or reduced but no increase shall be made to take effect during the term in which it is voted. The council may fix its own compensation and the compensation of the Mayor and any other elected officers of the city by adoption of the annual budget ordinance as provided by law.~~"

SECTION 3. Section 3.5(a) of the Charter of the City of Eden, being Chapter 967 of the Session Laws of 1967, as amended, reads as rewritten:

"(a) ~~The organizational meeting of the council shall be the first regular meeting after the regular city election. The council may fix the date and time of its organizational meeting, provided it shall not be later than the date and time of the first regular meeting of the council in December after the results of the municipal election have been certified. The organization of the council shall take place notwithstanding the absence, death, refusal to serve, failure to qualify, or nonelection of one or more members, but at least a quorum of members must be present.~~"

SECTION 4. Section 3.6.1 of the Charter of the City of Eden, being Chapter 967 of the Session Laws of 1967, as amended, reads as rewritten:

1 "Section 3.6.1 Notice of Meetings.

2 (a) Regular meetings. A schedule of the regular meetings shall be filed in the
3 office of the city clerk and shall be posted ~~on the principal bulletin board~~ at city hall.

4 (b) Special meetings. Notice of special meetings shall be delivered to the mayor
5 and each councilman or left at his usual dwelling place at least forty-eight hours before
6 the special meeting. In addition, notice of a special meeting shall:

7 (1) Be posted ~~on the principal bulletin board~~ at city hall; and

8 (2) Be mailed or delivered to each news medium which has requested such
9 special meeting notice. News media asking for special meeting notice
10 shall annually request such notice in writing, filing such request with
11 the city clerk and paying therewith an annual fee ~~of ten dollars~~ as
12 established by the council to cover the costs of providing such notice.

13 (c) Emergency meetings. Notice of emergency meetings shall be delivered to the
14 mayor and each councilman or left at his usual dwelling place at least six hours before
15 the emergency meeting. In addition, notice of an emergency meeting shall be given to
16 each local news medium which has filed a written request for notice with the city clerk.
17 Notice shall be given to each such local news medium by telephone or by delivering
18 such notice to the principal local office of such news medium at least six hours before
19 an emergency meeting.

20 (d) The city manager shall cause all notices to be posted, mailed, delivered or
21 telephoned as required by this section."

22 **SECTION 5.** Section 4.3 of the Charter of the City of Eden, being Chapter
23 967 of the Session Laws of 1967, is repealed.

24 **SECTION 6.** Section 5.2 of the Charter of the City of Eden, being Chapter
25 967 of the Session Laws of 1967, reads as rewritten:

26 "Sec. 5.2. Duties of City Attorney. It shall be the duty of the City Attorney to
27 prosecute and defend suits for and against the City; to advise the Mayor, the City
28 Council, and other City officials with respect to the affairs of the City; to draw all legal
29 documents relating to the affairs of the City; to draw proposed ordinances when
30 requested to do so; to inspect and pass upon all agreements, contracts, franchises and
31 other instruments with which the City may be concerned; to attend ~~all~~ meetings of the
32 Council; and to perform such other duties as may be required of him by virtue of his
33 position as City Attorney."

34 **SECTION 7.** Article VII of the Charter of the City of Eden, being Chapter
35 967 of the Session Laws of 1967, is repealed.

36 **SECTION 8.** This act is effective when it becomes law.