

**NORTH CAROLINA GENERAL ASSEMBLY  
1963 SESSION**

**CHAPTER 812  
HOUSE BILL 605**

**AN ACT TO REVISE AND AMEND THE CHARTER OF THE TOWN OF GROVER, CLEVELAND COUNTY, NORTH CAROLINA, AS CONTAINED IN CHAPTER 12, PRIVATE LAWS OF 1885.**

The General Assembly of North Carolina do enact:

**CORPORATE POWERS**

Section 1. Incorporation and Corporate Powers. The inhabitants of the Town of Grover, in Cleveland County, North Carolina, within the boundaries as established in Section 2 of this Charter or as hereafter established in the manner provided by law, shall continue to be a body politic and corporate by the name of the Town of Grover and under that name shall have perpetual succession; may use a corporate seal; may sue and be sued; may acquire property within or without its boundaries for any municipal purpose, in fee simple or lesser interest or estate, by purchase, gift, devise, lease or condemnation and may sell, lease, hold, manage and control such property as its interests may require; and, except as prohibited by the Constitution of North Carolina or restricted by this Charter, the Town of Grover shall have and may exercise all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

Sec. 2. Corporate Limits. The corporate limits of the Town of Grover shall be as follows:

All that territory in Cleveland County lying within a radius of one-half (1/2) mile from a central point in the center of the South bound track of the Southern Railroad at the point of intersection of said railroad track with the center of Laurel Avenue (formerly Stonewall Street) and in addition thereto the following described areas and territories:

First: Beginning at an iron stake, the southwest corner of Minette Mills property in the North Carolina-South Carolina State line, and runs thence North 13 degrees and 11 minutes East with the West line of Minette Mills property 1600 feet to an iron stake; thence with the northwest line of said property North 72 degrees and 36 minutes East 2428.2 feet to an iron stake in the center of North Carolina paved secondary road No. 2231; thence with the center of said road North 59 degrees and 55 minutes East 139 feet; thence again with the center of the road North 37 degrees and 41 minutes East 1022 feet to the center line of N. C. Highway No. 226; thence same course (North 37 degrees and 41 minutes East) 60 feet crossing N. C. Highway No. 226 to a spike in the center of North Carolina paved secondary road No. 2235; thence with the

center of said road, North 21 degrees and 28 minutes East 700 feet to a spike in the road; thence again with the center of the road North 14 degrees and 07 minutes East 174 feet to a spike in the center of the road; thence leaving the road South 67 degrees and 18 minutes East 2,392 feet to a stake in the East line of the J. B. Ellis property; thence South 35 degrees and 21 minutes East 319 feet to a stake in the West line of the property of Kings Mountain city schools; thence with the said line South 1 degree and 35 minutes West 243 feet to an iron stake in the present town limits; thence with the present town limits in a southwesterly direction along a circular curve having a radius of one-half ( $\frac{1}{2}$ ) mile to an iron stake where the present town limits intersects the North Carolina-South Carolina State line; thence with the State line North 85 degrees and 39 minutes West 2834 feet, more or less, to the Beginning.

Second: Beginning at an iron stake in the North Carolina-South Carolina State line, the southeast corner of the property of C. F. Harry, Jr., and runs thence with the State line North 85 degrees and 39 minutes West 597 feet to an iron stake where the present town limits of Grover, N. C. intersects the North Carolina-South Carolina State line; thence with the present town limits in a northwesterly direction along a circular curve having a radius of one-half ( $\frac{1}{2}$ ) mile to the center of Elm Road; thence with the center of Elm Road South 80 degrees and 39 minutes East 330 feet; South 87 degrees and 39 minutes East 300 feet; South 76 degrees and 09 minutes East 265 feet; thence leaving the road with the East lines of the property of C. F. Harry, Jr., South 41 degrees and 51 minutes West 708 feet to a stake; South 16 degrees and 21 minutes West 100 feet to a stake; South 63 degrees and 39 minutes East 200 feet to a stake; South 16 degrees and 21 minutes West 197 feet to a stake; South 20 degrees and 39 minutes East 330 feet to a stake; South 14 degrees and 39 minutes East 330 feet to the Beginning.

#### BOARD OF COMMISSIONERS

Sec. 3. Creation, Salary and Composition of Governing Body. Except as otherwise provided in this Charter, all powers of the town shall be vested in a board of commissioners of three members and a mayor nominated and elected from the town at large in the manner hereinafter provided. The term of office for the mayor and the members of the board of commissioners shall be for a term of two (2) years and until their successors are duly elected and qualified. The term of office of the mayor and members of the board of commissioners shall begin on the first Monday of June next following their election. If a vacancy occurs in the office of mayor or membership on the board of commissioners, it shall be filled for the remainder of the unexpired term by a majority vote of the remaining members of the board of commissioners. The mayor and each member of the board of commissioners shall receive a salary, the amount of which shall be prescribed by ordinance. Provided, however, that the present mayor and members of the board of commissioners shall continue to receive the same salary until the same is changed as herein outlined. No ordinance fixing or changing the salary of members of the board of commissioners shall become effective during the current term of office of the members of the board of commissioners enacting such ordinance. Members of the board of commissioners shall be qualified electors of the town. A member of the board of commissioners ceasing to possess any of the qualifications

specified in this Section, or convicted of crime while in office, shall immediately forfeit his office.

Sec. 4. Meetings of the Board of Commissioners. On the first Monday in June next following a regular municipal election the board of commissioners shall meet at the usual place for holding its meetings and the newly elected members shall assume the duties of office. Thereafter the board of commissioners shall meet at such times as may be prescribed by ordinance or resolution, but not less frequently than once each month. Special meetings shall be called by the mayor or by the clerk upon the written request of at least two members of the board of commissioners.

Sec. 5. Mayor and Mayor Pro Tem. At the first meeting in the month of June following a regular municipal election the new board of commissioners shall choose one of its members as vice-chairman, who shall act as mayor pro tem. The mayor shall preside at meetings of the board of commissioners and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by the General Laws of North Carolina, by this Charter and the ordinances of the town. In case of the absence or disability of the mayor, the mayor pro tem shall act as mayor during the continuance of the absence or disability.

Sec. 6. Board of Commissioners' Rules. The board of commissioners shall be the judge of the election and qualifications of its members and the mayor, and in such cases shall have power to subpoena witnesses and compel the production of all pertinent books, records and papers; but the decision of the board of commissioners in any such case shall be subject to review by the courts. The board of commissioners shall determine its own rules and order of business and keep a journal of its proceedings.

Sec. 7. Introduction and Passage of Ordinances and Resolutions. All ordinances, except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances, shall be confined to one subject, and the subject or subjects of all ordinances shall be clearly expressed in the title. Ordinances making appropriations shall be confined to the subject of appropriations. The yeas and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the board of commissioners. The enacting clause of all ordinances shall be: "Be it ordained by the Town of Grover." All ordinances and resolutions passed by the board of commissioners shall take effect at the time indicated therein.

Sec. 8. Authentication and Publication of Ordinances and Resolutions. Upon its final passage, each ordinance or resolution shall be authenticated by the signature of the mayor and the town clerk and shall be recorded in a book kept for that purpose. Within ten (10) days after final passage, a notice setting forth in brief the substance of each ordinance shall be published or posted at least once in such manner as the board of commissioners may prescribe.

#### NOMINATION AND ELECTIONS

Sec. 9. For the purpose of electing a mayor, the several commissioners and all other elective officers of the Town of Grover, there shall be held in said Town, on

Tuesday after the first Monday in May, 1965, and biennially thereafter, a municipal election.

Sec. 10. Any qualified voter of the Town of Grover, who desires to become a candidate for the office of Mayor or Town Commissioner, shall file a notice of his candidacy, together with a filing fee of two dollars (\$2.00) with the Town Clerk not less than fifteen (15) days before the general municipal election date. No person's name shall be placed upon the general municipal election ballot unless he has complied with the conditions herein set out. Each qualified elector, who desires to become a candidate for Mayor or Commissioner, shall file with the Town Clerk a statement of such candidacy, in substantially the following form, which shall be furnished by the Town Clerk:

State of North Carolina  
County of Cleveland

1, \_\_\_\_\_, hereby certify that I have been a resident of North Carolina for at least twelve (12) months preceding the date of the election set out below, and that I have been a resident of the Town of Grover for at least thirty (30) days preceding this date, and that I am qualified in all other respects as a candidate for municipal office.

I hereby give notice that I am a candidate for the office of Mayor, Commissioner, (strike out one) to be voted upon in the municipal election for the Town of Grover, to be held on Tuesday, the \_\_\_\_\_ day of May, 19\_\_\_\_.

I hereby request that my name be printed on the official ballot as a candidate for office of Mayor, Commissioner, (strike out one).

Signed  
\_\_\_\_\_  
Address  
\_\_\_\_\_

Any candidate may withdraw his statement of candidacy not later than the last day for filing such statements, as required by this Charter.

Sec. 11. Said election shall be conducted as far as practicable in all things and in all details in accordance with the general election laws of the State pertaining to municipal elections, unless otherwise provided by this Act, now in force or hereafter enacted.

Sec. 12. There shall be but one voting precinct for the election of town officials in the Town of Grover, but the board of commissioners, by unanimous vote, may increase the number of precincts. The place of the precinct for the election of town officials shall be designated by the board of commissioners.

Sec. 13. All candidates, up to the number to be elected, who receive the largest number of votes shall be declared elected, their terms of office to be in accordance with Section 3 of this Charter.

#### ADMINISTRATIVE SERVICE

Sec. 14. Appointment of Officers and Employees. The board of commissioners may appoint a town clerk, a treasurer, a tax collector, an accountant, a town attorney, a chief of police, a fire chief, and such other officers and employees as may be necessary, to carry on the lawful functions of the Town; Provided, that the board of commissioners may appoint one person to fill any two or more such positions.

Such employees or officers shall serve at the pleasure of the board of commissioners and shall perform such duties as may be prescribed by the board of commissioners. The board of commissioners shall fix all salaries, prescribe bonds and require such oaths as they may deem necessary.

Sec. 15. Town Clerk. The board of commissioners shall choose a town clerk. The town clerk shall keep the records of the board of commissioners and perform such other duties as may be required by law or the board of commissioners.

Sec. 16. Duties of Town Tax Collector. Tax collector shall collect all taxes, licenses, fees, and other moneys belonging to the town government, subject to the provisions of this Charter and ordinances enacted thereunder, and he shall diligently comply with and enforce the general laws of North Carolina relating to the collection, sale and foreclosure of taxes by municipalities. It shall be the duty of the tax collector to deposit daily in the town depository all money belonging to the town.

Sec. 17. Independent Audit. As soon as practicable after the close of each fiscal year, an independent audit shall be made of all accounts of the town government by qualified public accountants, selected by the board of commissioners, who have no personal interest directly or indirectly in the financial affairs of the town government or any of its officers. The results of this audit shall be published immediately upon completion.

#### MISCELLANEOUS PROVISIONS

Sec. 18. Oath of Office. Every officer of the town shall, before entering upon the duties of his office, take and subscribe to the following oath or affirmation, to be filed and kept in the office of the town clerk:

"I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of North Carolina, that I will, in all respects, observe the provisions of the Charter and ordinances of the Town of Grover and will faithfully discharge the duties of the office of \_\_\_\_\_."

Sec. 19. Continuance of Contracts. All contracts entered into and franchises granted by the town, or for its benefit, prior to the taking effect of this Charter, shall continue in full force and effect. Public improvements for which legislative steps have been taken under laws or Charter provisions existing at the time this Charter takes effect may be carried to completion in accordance with the provisions of such existing laws and Charter provisions.

Sec. 20. The mayor and the members of the board of commissioners holding office at the time of the effective date of this Act shall continue to hold office until their successors are elected and qualified.

Sec. 21. Saving Clause. If any part of this Charter shall be declared invalid by a court of competent jurisdiction, such judgment shall not invalidate the remainder of the Charter. The provisions of this Charter shall supersede all laws and ordinances not consistent herewith, insofar as the Town of Grover is affected thereby.

Sec. 22. Repealing Clause. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 23. This Act shall be in full force and effect on and after the 15th day of June, 1963.

In the General Assembly read three times and ratified, this the 11th day of June, 1963.