

NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 736
HOUSE BILL 606

AN ACT TO AMEND CHAPTER 899, SESSION LAWS OF 1957, TO PROVIDE
FOR THE ELECTION OF OFFICIALS IN THE TOWN OF YAUPON BEACH,
NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Section 1. Section 6 of Chapter 899, Session Laws of 1957, is hereby rewritten to read as follows:

"Sec. 6. The government of the town and the general management and control of all its affairs shall be vested in a board of commissioners, which shall be elected as hereinafter set forth and shall exercise its powers in conformity to the provisions of this Act and the provisions of the General Statutes and laws of the State of North Carolina with reference to the powers, rights and privileges of municipalities wherein no provision has been made in this charter with respect thereto.

"The term of office of members of the board of commissioners shall be as hereinafter provided. If a vacancy occurs in the office of mayor or commissioner, it shall be filled by the board of commissioners for the unexpired term. Each member of the board of commissioners shall receive such salary as is prescribed by ordinance. The mayor shall receive such salary as is prescribed by ordinance. The mayor and members of the board of commissioners shall be qualified electors of the town. The mayor or 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. 2. Section 7, Chapter 899, Session Laws of 1957, is hereby amended by deleting the word "appointment" in line 2, and inserting in lieu thereof the word "election".

Sec. 3. Section 8, Chapter 899, Session Laws of 1957, is hereby amended by deleting all of the first sentence and inserting in lieu thereof the following:

"Sec. 8. Mayor and Mayor Pro Tempore. The board of commissioners shall meet on Friday following its election at 10:00 o'clock a.m. and shall thereupon be organized by the election of a mayor and a mayor pro tempore from its members. The mayor shall be elected for a term of two years, and the mayor pro tempore shall serve at the pleasure of the board of commissioners."

Sec. 4. Section 13 of Chapter 899, Session Laws of 1957, is hereby rewritten to read as follows:

"Sec. 13. The governing body of the Town of Yaupon Beach shall consist of six commissioners who shall be elected at large by the qualified voters of the town. The commissioners shall serve for a term as hereinafter provided, and until their successors are elected and qualified.

"The general municipal election shall be held on Tuesday after the first Monday in May, 1967, and biennially thereafter.

"At the municipal election in May, 1967, there shall be elected six commissioners. The three candidates receiving the highest number of votes shall be elected for a term of four years. The three candidates receiving the next highest number of votes shall be elected for a term of two years.

"At the municipal election in May, 1969, and biennially thereafter, three commissioners shall be elected for a term of four years.

"Any qualified voter of the Town of Yaupon Beach shall be eligible to hold office and to vote in all municipal elections. Any qualified voter desiring to become a candidate for the office of commissioner shall file a notice of his candidacy, together with a filing fee, with the town clerk not less than twenty days before the date of the municipal election. The board of commissioners shall, by ordinance, provide for the form of notice and the amount of the filing fee.

"Except as otherwise provided in this charter, all municipal elections in the Town of Yaupon Beach shall be held under the provisions of Article 3, Chapter 160, of the General Statutes of North Carolina."

Sec. 5. Section 14, Chapter 899, Session Laws of 1957, is hereby repealed.

Sec. 6. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 7. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 28th day of May, 1965.