

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

**SESSION LAW 2018-104
HOUSE BILL 1028**

AN ACT AMENDING THE CHARTER OF THE TOWN OF OAK ISLAND RELATED TO THE CALLING OF SPECIAL COUNCIL MEETINGS AND THE AUTHORITY OF THE TOWN MANAGER.

The General Assembly of North Carolina enacts:

SECTION 1. Section 4.6(a) of the Charter of the Town of Oak Island, being S.L. 1999-66, reads as rewritten:

"Sec. 4.6. **Meetings of Town Council.** (a) The Town Council shall fix suitable times for its regular meeting, which shall be as often as once monthly. Special meetings may be held on the call of the ~~Mayor~~ Mayor, Mayor Pro Tempore, or a majority of the Town Council members, and those not joining in the call shall be notified in writing. Any business may be transacted at a special meeting that might be transacted at a regular ~~meeting~~ meeting, unless otherwise prohibited by the rules of procedures adopted by the Town Council pursuant to G.S. 160A-71(c)."

SECTION 2. Section 6.1 of the Charter of the Town of Oak Island, being S.L. 1999-66, reads as rewritten:

"Sec. 6.1. **Appointment; Compensation.** The Town Council shall appoint an officer whose title shall be Town Manager and who shall be the chief executive officer of the Town and the head of the administrative branch of the Town government. The Town Manager shall be chosen by the Town Council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or knowledge of, accepted practice in respect to the duties of his office as hereinafter prescribed. ~~At the time of his appointment he~~ The Town Manager need not be a resident of the ~~Town, but shall reside therein~~ Town during his tenure of office. No person elected as a member of the Town Council shall be eligible for appointment as Town Manager until one year shall have elapsed following the expiration of the term for which he was elected. The Town Manager shall serve at the pleasure of the Town Council and shall receive such salary as the Town Council shall fix. In case of the absence or disability of the Manager, the Town Council may designate a qualified administrative officer of the Town to perform the duties of the Manager during such absence or disability."

SECTION 3. Article VIII of the Charter of the Town of Oak Island, being S.L. 1999-66, reads as rewritten:

"ARTICLE VIII. ADMINISTRATIVE OFFICERS AND EMPLOYEES.

"Sec. 8.1. **Town Clerk.** The Town Manager ~~may~~ shall appoint a Town Clerk to keep a journal of the proceedings of the Town Council and to maintain in a safe place all records and documents pertaining to the affairs of the Town, and to perform such other duties as may be required by law or as the Town Manager or Town Council may direct.

"Sec. 8.2. **Town Tax Collector.** The Town Manager ~~may~~ shall appoint a Tax Collector ~~to collect all taxes, licenses, fees, and other moneys belonging to the Town, subject to the provisions of this Charter and the ordinances of the Town, and he shall diligently comply with and enforce all the general laws of North Carolina relating to the collection, sale, and foreclosure of taxes by municipalities as provided in G.S. 105-349 to collect all taxes owed to the Town and to perform the duties specified in G.S. 105-350 and any other duties prescribed by general or local law.~~



"Sec. 8.3. ~~Consolidation of Functions.~~ The Town Manager may, in his discretion, consolidate the offices of Town Clerk and Town Tax Collector, or may assign the functions of any one of these offices to the holder or holders of any other of these offices. The Town Manager may also, in his discretion, himself perform all or any part of the functions of any of the named offices, in lieu of appointing another person to perform the same. **Town Finance Director.** The Town Manager shall appoint a Finance Director to perform the duties of the finance officer as prescribed by the Local Government Budget and Fiscal Control Act."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 26th day of June, 2018.

s/ Bill Rabon
Presiding Officer of the Senate

s/ Tim Moore
Speaker of the House of Representatives