NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 115
SENATE BILL 132

AN ACT TO PROVIDE FOR AN ELECTION TO DETERMINE WHETHER SECTION 1 OF CHAPTER 34 OF THE 1953 SESSION LAWS AND SECTION 160-344 OF THE GENERAL STATUTES OF NORTH CAROLINA SHALL BE AMENDED TO PROVIDE FOR STAGGERED TERMS OF OFFICE FOR MEMBERS OF THE CITY COUNCIL OF THE CITY OF GASTONIA AND THE MANNER OF FULFILLING VACANCIES THEREON.

The General Assembly of North Carolina do enact:

Section 1. Section 1 of Chapter 34 of the 1953 Session Laws of North Carolina is hereby repealed and declared void, and in lieu thereof the following is enacted and said Section 1 of Chapter 34 of the 1953 Session Laws of North Carolina is hereby amended to read as follows:

"Section 1. Section 160-340 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section 160-340 the following proviso.

'Provided, that in the City of Gastonia, the City Council shall consist of six members, one from each Ward of the City. Each Councilman shall be a resident of the Ward he represents, but he shall be elected by all the qualified voters of the entire City at large.'

"At the regular Municipal Election of officers in 1965 all the members of the City Council shall be elected for terms of two (2) years and until their successors are elected and qualified; provided, however, that at the regular Municipal Election of officers in 1967, the three Council members from Ward One, Three and Five shall then be elected for a term of four (4) years, and the three Council members from Wards Two, Four and Six shall then be elected for a term of two (2) years. Thereafter, all Council members shall be elected for a regular term of four (4) years or until their successors are duly elected and qualified, three of whom shall be elected at each regular biennial municipal election.

"For the purposes of this Section, the City of Gastonia is hereby divided into six Wards as described in House Bill 21 of the 1965 General Assembly of North Carolina entitled 'An Act Repealing Chapter 68 of the 1961 Session Laws and Amending a Portion of Section 1 of Chapter 34 of the 1953 Session Laws of North Carolina to Revise and Establish Ward Boundary Lines of the City of Gastonia' and as ratified on the 23rd day of February, 1965, by the 1965 General Assembly of North Carolina, which Act is hereby ratified and shall remain in full force and effect."

Sec. 2. Section 160-344 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the City of Gastonia, after its regular Municipal Election of officers in 1967, vacancies in the City Council shall thereafter be filled by majority vote of the remaining Council, such appointee to serve until the next regular Municipal Election, at which election the voters shall elect the successor for the remainder of the unexpired term of such office, if any."

Sec. 3. This Act shall apply only to the City of Gastonia in Gaston County, and Sections 1 and 2 hereof shall not take effect until they have been approved by a majority of the qualified voters of the City of Gastonia participating in an election for said purpose to be held contemporaneously with the regular Municipal Election of officers for the City of Gastonia on May 4, 1965

In the event a majority of the votes cast by the qualified voters in said election on said proposition shall be for the approval of Sections 1 and 2 of this Act, then the three Council members elected from Wards One, Three and Five in the regular Municipal Election of officers to be held in May, 1967, shall be deemed elected for a term of four (4) years, and the three Council members then elected from Wards Two, Four and Six shall be deemed elected for a term of two (2) years, and thereafter all Council members shall be elected for regular four-year terms, three of whom shall be elected at each regular biennial Municipal Election, and thereafter vacancies in the City Council shall be filled as provided in Section 2 of this Act.

In the event a majority of the votes cast by the qualified voters in said election on said proposition shall be against the approval of Sections 1 and 2 of this Act, then all the provisions of this Act shall thereupon be null and void, and the terms of City Councilmen and the manner of fulfilling vacancies on the City Council of the City of Gastonia shall be and remain as at present provided by law, and the Council members elected from Wards One, Two, Three, Four, Five and Six at the regular Municipal Election of officers also held in May, 1967, shall be deemed elected for two-year terms as now provided by law, and vacancies in the City Council shall be filled as now provided by law.

Sec. 4. The qualified voters of the City of Gastonia participating in the election herein provided for as to the approval or disapproval of Sections 1 and 2 of this Act, shall vote for or against the approval of said Sections on a ballot on which shall be printed:

[ ] FOR providing, effective at the regular Municipal Election of officers in 1967, staggered four-year terms for the six members of the City Council, three of whom to be elected every two (2) years, and changing the manner of fulfilling vacancies on the City Council.

[ ] AGAINST providing for said staggered four-year terms and changing, effective at the regular Municipal Election of officers in 1967, the present non-staggered two-year terms of the six members of the City Council and the manner of fulfilling vacancies on the City Council.

Sec. 5. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 6. This Act shall be in full force and effect upon its ratification. In the General Assembly read three times and ratified, this the 26th day of March, 1965.