

NORTH CAROLINA GENERAL ASSEMBLY
1975 SESSION

CHAPTER 212
HOUSE BILL 309

AN ACT TO PROVIDE A CONSOLIDATED AND REVISED CHARTER FOR THE
CITY OF MOUNT HOLLY IN GASTON COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 2 of Chapter 86 of the Session Laws of 1961 is hereby rewritten so that the revised and consolidated Charter of the City of Mount Holly shall read as follows:

"REVISED AND CONSOLIDATED CHARTER OF THE CITY OF MOUNT HOLLY

"Section 1. The inhabitants of the City of Mount Holly, in Gaston County, shall continue to be a body politic and corporate by the name of the 'City of Mount Holly'. Under that name the city continues to be vested with all the property and rights of property which now belong the corporation; shall have perpetual succession; may use a corporate seal; may acquire and hold such estates in lands and property as may be devised, bequeathed, sold to, or in any manner conveyed to it or acquired by it, and may from time to time, under the general law governing municipal corporations, invest, sell or dispose of any such lands or property, including lands and property held for municipal purposes; may contract and be contracted with; may sue and be sued; and shall have all the powers, rights and privileges now or hereafter conferred upon municipal corporations by the general law of the State, including powers, rights and privileges necessary or belonging to, or usually appertaining to, municipal corporations, or appropriate to the exercise of the powers now or hereafter conferred on municipal corporations by the general laws of the State.

"Sec. 2. The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive but, in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such powers, it is intended that the City of Mount Holly shall have, and may exercise, all powers which, under the Constitution of North Carolina, it would be competent for this Charter specifically to enumerate. All powers of the city, whether expressed or implied, shall be exercised in the manner prescribed by this Charter, or, if not prescribed therein, then in the manner provided by ordinance or resolution of the governing body of the City of Mount Holly.

"Sec. 3. The form of government of the City of Mount Holly shall be the council-manager form of government, as set out in Chapter 160A of the General Statutes of North Carolina.

"Sec. 4. (a) The boundaries of the city shall be those existing at the time of adoption of this Charter with such alterations as may be made from time to time in the manner provided by law. The current city boundaries, at all times, shall be shown on a map, a

written description or any combination thereof, to be retained permanently in the office of the city manager and to be designated, as the case may be, 'Map (or Description) of Mount Holly City Limits'. Alterations in these boundaries shall be indicated by appropriate entries upon or additions to such map or description. Such entries or additions shall be made by or under the direction of the city manager. Copies of such map or description certified by the city clerk shall be admitted in evidence in all courts and shall have the same force and effect as would the original map or description.

(b) The city council may provide for the redrawing of any such map, from time to time. A redrawn map shall supersede for all purposes the earlier map or maps which it is designated to replace.

"Sec. 5. The government of the city and the general management and control of all of its affairs shall be vested in a city council, which shall be elected as hereinafter set forth and shall exercise its powers in the manner herein provided, except that the city manager shall have the authority hereinafter specified.

"Sec. 6. The city council shall consist of six members, who shall be elected at large by and from the qualified voters of the city for a term of four years and until their successors are elected and qualified. At each biennial regular municipal election, three councilmen and a mayor shall be elected, the councilmen to serve for four years and the mayor to serve for two years.

"Sec. 7. The mayor shall be elected at large by and from the qualified voters of the city for a term of two years and until his successor is elected and qualified.

"Sec. 8. The city council shall be empowered to expend reasonable sums of money for the decoration and beautification of the City of Mount Holly during the Christmas season and on such other occasions as the city council may deem proper.

"Sec. 9. 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 City of Mount Holly is affected thereby.

"Sec. 10. All laws and clauses of laws relating to or affecting the City of Mount Holly in force when this act shall take effect are hereby repealed and superseded to the extent that the same are inconsistent with the provisions of this act.

Insofar as the provisions of this act are the same in terms or in substance and effect as provisions of law in force when this act shall take effect, relating to or affecting the City of Mount Holly, the provisions of this act are intended to be not a new enactment but a continuation of such provisions of law, and this act shall be so construed and applied."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 5th day of May, 1975.