

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 69
HOUSE BILL 110

AN ACT TO MODIFY THE METHOD OF FILLING VACANCIES IN THE BOARD
OF ALDERMEN OF THE TOWN OF BAKERSVILLE, MITCHELL COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 66 of the Private Laws of 1933 reads as rewritten:

"Sec. 3. ~~That the Clerk of the Superior Court of Mitchell County be and is hereby authorized and empowered to appoint successors to members of said Board who may resign.~~ A vacancy that occurs in an elective office of the Town shall be filled by appointment of the Board of Aldermen. If the term of the office expires immediately following the next regular Town election, or if the next regular Town election will be held within 90 days after the vacancy occurs, the person appointed to fill the vacancy shall serve the remainder of the unexpired term. Otherwise, a successor shall be elected at the next regularly scheduled Town election that is held more than 90 days after the vacancy occurs, and the person appointed to fill the vacancy shall serve only until the elected successor takes office. The elected successor shall then serve the remainder of the unexpired term. If the number of vacancies on the Board of Aldermen is such that a quorum of the Board of Aldermen cannot be obtained, the mayor shall appoint enough members to make up a quorum, and the Board of Aldermen shall then proceed to fill the remaining vacancies. If the number of vacancies on the Board is such that a quorum of the Board of Aldermen cannot be obtained and the office of mayor is vacant, the Governor may fill the vacancies upon the request of any remaining member of the Board of Aldermen, or upon the petition of any five registered voters of the Town."

Sec. 2. This act applies to the Town of Bakersville, Mitchell County only.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 25th day of April, 1989.