

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 329

Short Title: Public Hearing/County Home Rule.

(Public)

Sponsors: Representative Creech.

Referred to: Judiciary I.

March 26, 1991

A BILL TO BE ENTITLED

AN ACT TO REQUIRE A COUNTY TO HOLD A PUBLIC HEARING BEFORE CHANGING THE STRUCTURE OF THE BOARD OF COMMISSIONERS, AS A CITY IS ALREADY REQUIRED TO DO BEFORE CHANGING THE STRUCTURE OF ITS GOVERNING BOARD.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-60 reads as rewritten:

"§ 153A-60. Initiation of alterations by resolution.

In order to alter the structure of the board under this Part, the board of commissioners shall first adopt a resolution of intent to consider an ordinance altering the structure of the board. The resolution of intent shall describe the proposed alterations briefly but completely and with reference to the pertinent provisions of G.S. 153A-58, but it need not contain the precise text of the ordinance necessary to implement the proposed changes. At the same time that a resolution of intent is adopted, the board of commissioners shall also call a public hearing on the proposed alterations, the date of the hearing to be not more than 45 days after adoption of the resolution. A notice of the hearing shall be published at least once not less than 10 days prior to the date fixed for the public hearing, and shall contain a summary of the proposed alterations. Following the public hearing, but not earlier than the next regular meeting of the board of commissioners and not later than 60 days from the date of the hearing, the board of commissioners may adopt an ordinance to implement the alterations proposed in the resolution of intent.

~~The board of commissioners shall initiate any alteration in the structure of the board by adopting a resolution.—The resolution ordinance shall:~~

- 1 (1) Briefly but completely describe the proposed alterations;
- 2 (2) Prescribe the manner of transition from the existing structure to the
- 3 altered structure;
- 4 (3) Define the electoral districts, if any, and apportion the members among
- 5 the districts;
- 6 (4) Call a special referendum on the question of adoption of the
- 7 alterations. The referendum shall be held and conducted by the county
- 8 board of elections. The referendum may be held at the same time as
- 9 any other state, county or municipal primary, election, special election
- 10 or referendum, or on any date set by the board of county
- 11 commissioners, provided, that such referendum shall not be held
- 12 within the period of time beginning 60 days before and ending 60 days
- 13 after any other primary, election, special election or referendum held
- 14 in the county.

15 Upon its adoption, the ~~resolution~~ ordinance shall be published in full."

16 Sec. 2. G.S. 153A-63 is repealed.

17 Sec. 3. This act becomes effective with respect to any ordinance adopted on
18 or after September 1, 1991.