

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1999**

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HOUSE BILL 841

Committee Substitute Favorable 4/28/99

Senate State and Local Government Committee Substitute Adopted 6/9/99

Fourth Edition Engrossed 6/10/99

Short Title: Carrboro/Chapel Hill Local Act.

(Local)

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Sponsors:

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Referred to:

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April 1, 1999

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE  
2 GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE  
3 AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE  
4 CARRBORO BOARD OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF  
5 CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION  
6 PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW  
7 THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN  
8 OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND  
9 TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY  
10 CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND  
11 TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-  
12 DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY.

14 The General Assembly of North Carolina enacts:

15 Section 1. Section 9-2 of the Carrboro Town Charter, being Chapter 476 of the  
16 1987 Session Laws, reads as rewritten:

1        \*\*Section 9-2. Unified Development Ordinance. The board of aldermen may  
2 combine into a single ordinance or unified land use code any of the ordinances that it is  
3 permitted to adopt pursuant to the authority granted in Article 19 of Chapter 160A of the  
4 General Statutes or any local act applicable to the Town of Carrboro that deals with the  
5 subject matters contained in Article 19 of Chapter 160A of the General Statutes. In a  
6 unified development ordinance the board may provide that subdivision preliminary plat  
7 approval be granted in the same manner as any other conditional use permit is issued,  
8 including the attachment of reasonable conditions to such approval. The Town may  
9 provide by ordinance for appropriate incentives to encourage that residential  
10 developments contain housing units that are affordable to low- or moderate-income  
11 persons."

12           Section 2. Section 2-1(a) of Article 2 of the Charter of the Town of Carrboro,  
13 being Chapter 476 of the 1987 Session Laws, as amended, reads as rewritten:

14        "(a) The governing body of the Town of Carrboro shall consist of a mayor and six  
15 ~~aldermen, aldermen, commissioners, councillors, or council members, as determined by~~  
16 resolution of the Town of Carrboro, elected as provided in Section 2-2. The governing  
17 body shall be known as the Board of Aldermen, Board of Commissioners, Board of  
18 Councillors, or Town Council, as determined by resolution of  
19 the Town of Carrboro. Whenever this Charter or any ordinance, resolution, or other  
20 document refers to the Carrboro Board of Aldermen, such reference shall be deemed to  
21 refer to the Carrboro Board of Aldermen, Board of Commissioners, Board of Councillors,  
22 or Town Council, as determined by resolution of the Town of Carrboro."

23           Section 3. G.S. 113A-60(a) reads as rewritten:

24        "(a) Any local government may submit to the Commission for its approval an  
25 erosion and sediment control program for its jurisdiction, and to this end local  
26 governments are authorized to adopt ordinances and regulations necessary to establish  
27 and enforce erosion and sediment control programs. Local governments are authorized to  
28 create or designate agencies or subdivisions of local government to administer and  
29 enforce the programs. An ordinance adopted by a local government shall at least meet  
30 and may exceed the minimum requirements of this Article and the rules adopted pursuant  
31 to this ~~Article~~. Article and may require enhanced and increased sedimentation protection  
32 by reason of the concurrent construction of two or more projects in the same watershed.  
33 Two or more units of local government are authorized to establish a joint program and to  
34 enter into any agreements that are necessary for the proper administration and  
35 enforcement of the program. The resolutions establishing any joint program must be duly  
36 recorded in the minutes of the governing body of each unit of local government  
37 participating in the program, and a certified copy of each resolution must be filed with the  
38 Commission."

39           Section 4. Chapter II of the Charter of the Town of Chapel Hill, being  
40 Chapter 473 of the 1975 Session Laws, as amended, is amended by adding the following  
41 new sections to read:

42        "Sec. 2.6. Disclosure of contributors.

1 (a) The Town Council may by ordinance require the disclosure by candidates (and  
2 their political committees) for elective town office of the names of all contributors to  
3 their campaigns. The ordinance may exempt from disclosure contributions below a  
4 monetary amount set in the ordinance.

5 (b) The ordinance shall apply regardless of the total amount of contributions,  
6 loans, or expenditures by the campaigns.

7 (c) G.S. 163-278.10A does not apply to municipal elections in the Town of Chapel  
8 Hill.

9 "Sec. 2.7. Limitation on contributions.

10 Except as provided by G.S. 163-278.13(c), the Town Council may by ordinance limit  
11 the amount of contributions which any individual, person, or political committee may  
12 contribute to any candidate for town office or to any political committee of that  
13 candidate. The ordinance may not set a limitation which has a dollar amount greater than  
14 the dollar amount set in the general law which would apply to elective office in the town.

15 "Sec. 2.8. Definitions. The definitions in Article 22A of Chapter 163 of the General  
16 Statutes apply to Sections 2.6 and 2.7 of this Charter."

17 Section 5. Chapter V of the Charter of the Town of Chapel Hill, being Chapter  
18 473 of the 1975 Session Laws, as amended, is amended by adding the following new  
19 Article to read:

20 **"ARTICLE 9. REGULATION OF OPEN BURNING.**

21 "Sec. 5.50. After conducting a public hearing, the Town may adopt ordinances to  
22 regulate and prohibit the open burning of trees, limbs, stumps, and construction debris  
23 within the Town or the Town's extraterritorial jurisdiction.

24 The Town may, as a condition of approval for any permit for a subdivision, clearing  
25 and development of land, or construction of buildings within the Town or the Town's  
26 extraterritorial jurisdiction, regulate and prohibit the open burning of trees, limbs, stumps,  
27 and construction debris associated with the permitted activity."

28 Section 6.(a) G.S. 163-47(a) reads as rewritten:

29 "(a) The chief judges and judges of election shall conduct the primaries and  
30 elections within their respective precincts fairly and impartially, and they shall enforce  
31 peace and good order in and about the place of registration and voting. On the day of  
32 each primary and general and special election, the precinct chief judge and judges shall  
33 remain at the voting place from the time fixed by law for the commencement of their  
34 duties there until they have completed all those duties, and they shall not separate nor  
35 shall any one of them leave the voting place except for unavoidable necessity.  
36 Notwithstanding the requirement in the previous sentence, the county boards of elections  
37 may allow judges of election to serve for half-day shifts."

38 Section 6.(b) This section applies to Orange County only.

39 Section 7. Section 3 of this act applies only to the Town of Chapel Hill.

40 Section 8. This act is effective when it becomes law.