

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

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**SENATE BILL 424**

State Government, Local Government, and Personnel Committee Substitute Adopted  
3/27/97

House Committee Substitute Favorable 8/13/97

Short Title: Wake Annexations/Lee Elections.

(Local)

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Sponsors:

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Referred to:

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March 19, 1997

**A BILL TO BE ENTITLED**

**AN ACT CONCERNING ANNEXATION OF NONCONTIGUOUS AREAS BY THE TOWNS OF APEX, FUQUAY-VARINA, KNIGHTDALE, RALEIGH, AND WAKE FOREST, TO PROVIDE STAGGERED TERMS FOR THE TOWN OF BROADWAY, AND TO PROVIDE THAT THE BOARD OF COMMISSIONERS OF LEE COUNTY SHALL CONSIST OF SEVEN MEMBERS ELECTED AT LARGE FOR FOUR-YEAR STAGGERED TERMS ON A NONPARTISAN BASIS AT THE TIME OF THE GENERAL ELECTION.**

The General Assembly of North Carolina enacts:

Section 1. (a) G.S. 160A-58.1(b)(2) shall not apply to any property if:

- (1) The property is within the Town's perimunicipal planning area, as delineated on the Perimunicipal Planning Areas Map, which has been approved by Wake County.
- (2) The Town has entered into an annexation agreement pursuant to Part 6 of Article 4A of Chapter 160A of the General Statutes with the city to which a point on the proposed satellite corporate limits is closer, and that agreement states that the parties have agreed to waive the

1 provisions of G.S. 160A-58.1(b)(2) as to any property that is within the  
2 Town's Perimunicipal Planning Area and as more particularly described  
3 in the agreement.

4 (b) This section applies only to the Towns of Apex, Fuquay-Varina, Knightdale,  
5 Raleigh, and Wake Forest.

6 Section 2. Section 3 of the Charter of the Town of Broadway, being Chapter  
7 548 of the Session Laws of 1947 as amended by Chapter 789 of the Session Laws of  
8 1949, reads as rewritten:

9 "Sec. 3. At the time of the holding of the next general election following ratification  
10 of this Act, and ~~biennially~~ thereafter, there shall be elected in the Town of Broadway in  
11 accordance with the provisions of Article 3 of Chapter 160 of the General Statutes of  
12 North Carolina, as amended, the following officers: ~~A mayor, five town commissioners, and~~  
13 ~~a town constable.~~ A mayor and five town commissioners. The mayor shall be elected for  
14 a four-year term. In 1997, the three persons receiving the highest numbers of votes for  
15 town commissioner are elected to four-year terms, and the two persons receiving the next  
16 highest numbers of votes for town commissioner are elected to two-year terms. In 1999  
17 and quadrennially thereafter, two town commissioners are elected to four-year terms. In  
18 2001 and quadrennially thereafter, three town commissioners are elected to four-year  
19 terms. The mayor and the five town commissioners so elected shall constitute the  
20 governing body of the Town of Broadway, and such governing body may appoint such  
21 other officers and employ such assistants as the governing body of the town may deem  
22 necessary for the better governance of the town."

23 Section 3. (a) Effective with the 1998 election, the Board of Commissioners of  
24 Lee County consists of seven members elected at large for four-year terms. In 1998 and  
25 quadrennially thereafter, four commissioners shall be elected. In 2000 and quadrennially  
26 thereafter, three commissioners shall be elected.

27 (b) Notwithstanding the provisions of Chapter 163 of the General Statutes, the  
28 Board of Commissioners of Lee County shall be elected on a nonpartisan basis at the  
29 time set by G.S. 163-1 for the general election in each even-numbered year as terms  
30 expire. The election shall be conducted on a nonpartisan plurality basis, with the results  
31 determined in accordance with G.S. 163-292. Candidates shall file notices of candidacy  
32 not earlier than noon on the third Monday in June and not later than noon on the third  
33 Friday in July. The names of the candidates shall be printed on the ballot without  
34 reference to any party affiliations. Except as provided by this act, the election shall be  
35 conducted in accordance with the applicable provisions of Chapter 163 of the General  
36 Statutes.

37 (c) This section does not affect the terms of office of current members of the  
38 Board of Commissioners of Lee County.

39 Section 4. This act is effective when it becomes law.