

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

HOUSE BILL 263
RATIFIED BILL

AN ACT TO MODIFY THE FORM OF GOVERNMENT IN THE CITY OF TRINITY AND TO CLARIFY THE FORM OF GOVERNMENT, METHOD OF ELECTION, AND DETERMINATION OF ELECTION RESULTS IN THE CITY OF GREENSBORO.

The General Assembly of North Carolina enacts:

CITY OF TRINITY ELECTIONS

SECTION 1.(a) Chapter III of the Charter of the City of Trinity, as enacted by S.L. 1997-44, reads as rewritten:

**"CHAPTER III.
"GOVERNING BODY.**

"Section 3-1. **Structure of the Governing Body; Number of Members.** The governing body of the City of Trinity is the City Council which has ~~eight~~five members.

"Section 3-2. **Manner of Electing Council.** The city is divided into four wards, each with ~~two members,~~one member, and the qualified voters of the entire city elect candidates who reside in that ward for the seats apportioned to that ward. Each ward shall have the same number of persons as nearly as practicable. Additionally, one member who resides in the city shall be elected at large by all the qualified voters of the entire city.

"Section 3-3. **Term of Office of Council Members.** Members of the Council are elected to ~~four-year~~two-year terms. ~~In 1997, two persons shall be elected for each ward. The candidate in each ward receiving the highest number of votes is elected to a four-year term, and the candidate receiving the next highest number of votes is elected to a two-year term. In 1999 and biennially thereafter, one member shall be elected from each ward for a four-year term.~~

"Section 3-4. **Mayor; Term of Office.** In ~~1997-2017~~ and ~~quadrennially~~biennially thereafter, the Mayor shall be selected by the qualified voters of the city for a ~~four-year~~two-year term.

"Section 3-5. **Vacancies.** ~~Notwithstanding G.S. 160A-63, any~~ Any person appointed to fill a vacancy in the City Council or as Mayor shall serve for the remainder of the unexpired term."

SECTION 1.(b) In the 2015 election, no member shall be elected from any ward. In the 2015 election, the member to be elected at-large by all the qualified voters of the City of Trinity, as established by Section 1(a) of this act, shall be elected.

SECTION 1.(c) This section applies only to the City of Trinity.

CITY OF GREENSBORO ELECTIONS

SECTION 2.(a) Notwithstanding any other provision of law, the City of Greensboro shall operate under the Council-Manager form of government in accordance with Part 2 of Article 7 of Chapter 160A of the General Statutes.

SECTION 2.(b) Notwithstanding Part 4 of Article 5 of Chapter 160A of the General Statutes and G.S. 160A-23, the City of Greensboro shall not alter or amend the form of government for the City. Upon the return of the 2020 federal decennial census, the North Carolina General Assembly shall revise the districts set out in this section, if needed. The City of Greensboro may submit proposed changes to the districts set out in this section to the North Carolina General Assembly.

SECTION 2.(c) Section 3.01 of the Charter of the City of Greensboro, as set forth in Section 1 of Chapter 1137 of the Session Laws of 1959, as amended by Chapter 213 of the Session Laws of 1973 and by Ordinances 82-113 and 83-7 adopted by the City Council, is amended by rewriting that section to read:



"Section 3.01. **Composition and Term of the Mayor and City Council.** The City Council shall consist of eight members, each residing in and elected from districts, who shall be elected for a term of four years beginning in 2015 in the manner provided by Chapter II. In addition, there shall be a mayor who shall be elected for a term of four years in the manner provided by Chapter II. The eight single-member districts are as follows:

District 1: Guilford County: VTD: FEN1: Block(s) 0810128041019, 0810128041027, 0810128041028, 0810128041029, 0810128041030, 0810128041032, 0810128041033, 0810128041034, 0810128041035, 0810128041036, 0810128051050, 0810128051065, 0810128051066, 0810168001015, 0810168001016, 0810168001017, 0810168001018, 0810168001019, 0810168001020, 0810168001021, 0810168001022, 0810168001023, 0810168001024, 0810168001025, 0810168002001, 0810168002002, 0810168002039, 0810168002040, 0810168002041, 0810168002042, 0810168002043, 0810168002044, 0810168002046, 0810168002071, 0810168002073, 0810168002074, 0810168002091, 0810171001010, 0810171001011, 0810171001012, 0810171001013, 0810171001014, 0810171001031, 0810171001033, 0810171001034, 0810171001035, 0810171001036, 0810171001037, 0810171001044, 0810171001046, 0810171001047, 0810171001048, 0810171001049, 0810171001050, 0810171001051, 0810171001059, 0810171001060, 0810171001061; VTD: G01, VTD: G02, VTD: G04, VTD: G07, VTD: G11, VTD: G67, VTD: G68, VTD: G71, VTD: G72, VTD: G74, VTD: G75: Block(s) 0810113002015, 0810113004013, 0810128032038, 0810128032039, 0810128032085, 0810128032086, 0810128032087, 0810128041000, 0810128041001, 0810128041002, 0810128041003, 0810128041004, 0810128041005, 0810128041018, 0810128051000, 0810128051001, 0810128051002, 0810128051003, 0810128051004, 0810128051005, 0810128051006, 0810128051007, 0810128051008, 0810128051009, 0810128051010, 0810128051011, 0810128051012, 0810128051013, 0810128051014, 0810128051015, 0810128051016, 0810128051017, 0810128051018, 0810128051019, 0810128051020, 0810128051021, 0810128051022, 0810128051023, 0810128051024, 0810128051025, 0810128051026, 0810128051027, 0810128051028, 0810128051029, 0810128051030, 0810128051031, 0810128051032, 0810128051033, 0810128051034, 0810128051035, 0810128051036, 0810128051037, 0810128051038, 0810128051039, 0810128051040, 0810128051044, 0810128051045, 0810128051048, 0810128051052, 0810128051053, 0810128051054, 0810128051055, 0810128051056, 0810128051060, 0810128051061, 0810128051062, 0810128051063, 0810128051064; VTD: JEF1: 0810128031062, 0810128031063, 0810128031064, 0810153002020, 0810153002022, 0810153002028, 0810153002031, 0810153002037, 0810153002038, 0810154021017, 0810154021022, 0810154021023, 0810154021023, 0810154021023, 0810154021023, 0810154021036; 0810154021029, 0810154021031, 0810154021032, 0810154021033, 0810154021036; VTD: JEF2: 0810111021019, 0810111021022, 0810111021023, 0810111021024, 0810111021025, 0810128031025, 0810128031032, 0810128031037, 0810128031040, 0810128031041, 0810128031050, 0810128031051, 0810128031054, 0810128031055, 0810128031056, 0810128031068, 0810128031070, 0810128031071, 0810128031072, 0810128031073, 0810128031089, 0810128031090, 0810128031096, 0810128032000, 0810128032001, 0810128032002, 0810128032003, 0810128032008, 0810128032009, 0810128032014, 0810128032020, 0810128032021, 0810128032025, 0810128032094, 0810153003026, 0810153003027, 0810153003035, 0810153003037, 0810153003042, 0810153003047, 0810153003048, 0810153003050, 0810153003051, 0810153003052, 0810153003053, 0810153003054, 0810153003055, 0810153003056, 0810153003057, 0810153003058, 0810153003059, 0810153003060, 0810153003061, 0810153003064, 0810153003065, 0810153003066, 0810153003067, 0810153003081, 0810153003087, 0810153003088, 0810153003089, 0810153003092; VTD: JEF3: 0810128032022, 0810128032023, 0810128032024, 0810128032030, 0810128032033, 0810128032034, 0810128032044, 0810128032057, 0810128032060, 0810128032061, 0810128032068, 0810128032069, 0810128032070, 0810128032071, 0810128032076, 0810128032078, 0810128032079, 0810128032080, 0810128032081, 0810128032082, 0810128032088, 0810128032089, 0810128032090, 0810128032093, 0810128032095, 0810172001061, 0810172001065, 0810172001068, 0810172001069, 0810172001070, 0810172001071, 0810172001072, 0810172001118; VTD: JEF4: 0810172001001, 0810172001002, 0810172001003, 0810172001004, 0810172001005, 0810172001006, 0810172001008, 0810172001009, 0810172001010, 0810172001012, 0810172001013, 0810172001014, 0810172001015, 0810172001017, 0810172001018, 0810172001019, 0810172001020,

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District 5: Guilford County: VTD: FR1: Block(s) 0810165031005, 0810165031023,
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The names and boundaries of voting tabulation districts, tracts, block groups, and blocks specified in this section are as shown on the 2010 Census Redistricting TIGER/Line Shapefiles. If any voting tabulation district boundary is changed, that change shall not change the boundary of a district, which shall remain the same as it is depicted by the 2010 Census Redistricting TIGER/Line Shapefiles. If any voting tabulation district, tract, block group, or block assigned

to a district does not contain a portion of the City, the assignment of the voting tabulation district, tract, block group, or block does not alter or change the municipal limits of the City and only those areas within the municipal limits are assigned to the district. If any area within the City is not assigned to a specific district by this section, then that area shall be assigned as follows:

- (1) If the area is entirely surrounded by a single district, the area shall be deemed to have been assigned to that district.
- (2) If the area is contiguous to two or more districts, the area shall be deemed to have been assigned to that district which contains the least population according to the 2010 United States Census."

SECTION 2.(d) Section 3.23(b) of the Charter of the City of Greensboro, as set forth in Section 1 of Chapter 1137 of the Session Laws of 1959, as amended by Chapter 213 of the Session Laws of 1973 and Chapter 896 of the Session Laws of 1989, reads as rewritten:

"(b) The Mayor shall be considered and given the same status as a member of the Council for the purpose of determining a quorum of the City Council and ~~for the purpose of voting, may vote only in the case of a tie amongst the members of the City Council.~~ Provided, further, the Mayor shall have a vote in the consideration of the employment, discipline, or dismissal of the City Manager and the City Attorney. A majority of the members of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members by ordering them to be taken into custody. The affirmative vote of a majority of the members of the Council shall be necessary to adopt any ordinance. All other matters voted upon shall be by majority vote of the Council members present but no ordinance shall be adopted on the same day it is introduced unless five affirmative votes are received in favor of it. Nevertheless, with respect to any ordinance amending the budget to appropriate funds from the Unappropriated Fund Balance of the General Fund, the affirmative vote of ~~seven-three-fourths of the members of the council~~ shall be necessary to adopt any such amendment, except in case of an emergency. For the purpose of this section, an emergency is an unforeseen occurrence or condition calling for immediate action to avert imminent danger to life, health, or property and to secure the public safety. No member shall be excused from voting except on matters involving the consideration of his own official conduct or involving his financial interest."

SECTION 2.(e) Section 3.81 of the Charter of the City of Greensboro, as set forth in Section 1 of Chapter 1137 of the Session Laws of 1959, and amended by Chapter 142 of the Session Laws of 1969, reads as rewritten:

"Sec. 3.81. **Mayor and Mayor Pro Tem.**

The mayor shall be the official head of the city and shall preside at council meetings. He Except in accordance with Section 3.23(b) of this Charter, the mayor shall have a no vote upon all measures coming before the council but and no veto. In the absence from the city or disability of the mayor, the mayor pro tem. shall perform his duties. During the absence or disability of both the mayor and mayor pro tem. the council shall select one of its number to perform such duties.

Either the mayor or the mayor pro tem shall be a proper party to receive and accept service of all complaints, notices and other documents of a judicial nature on behalf of the city. The mayor pro tem, as well as the mayor, shall have the authority to execute contracts, deeds or other legal documents on behalf of the city, such documents having been first approved by the city attorney."

SECTION 2.(f) Notwithstanding any other provision of law, G.S. 163-293 shall apply to elections in the City of Greensboro.

SECTION 2.(g) This section applies only to the City of Greensboro.

SECTION 3. Section 1(a) of this act becomes effective the first Monday in December 2015. Sections 2(c), 2(d), and 2(e) of this act become effective the first Monday in December 2015 and apply to acts of the Mayor of Greensboro on or after that date. The districts set out in Section 2(c) of this act shall be used to conduct the municipal election in 2015. The filing period for the 2015 election for the City of Trinity and the City of Greensboro shall open at 12:00 noon on July 27, 2015, and close at 12:00 noon on August 7, 2015. The remainder of this act is effective when it becomes law and applies to elections held on or after that date and to vacancies occurring on or after that date.

In the General Assembly read three times and ratified this the 2nd day of July, 2015.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives