

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

SESSION LAW 2018-123
SENATE BILL 813

AN ACT TO REVISE THE CHARTER FOR THE CITY OF ASHEVILLE TO PROVIDE FOR THE ELECTION OF CITY COUNCIL MEMBERS FROM DISTRICTS AND TO PROVIDE FOR THE CREATION OF THOSE DISTRICTS AND TO PROVIDE FOR EVEN-YEAR MUNICIPAL ELECTIONS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 6 of the Charter of the City of Asheville, being Chapter 121 of the Private Laws of 1931, as amended by Ordinance No. 1501 of the City of Asheville, adopted March 19, 1985, and Ordinance No. 2385, adopted June 24, 1997, reads as rewritten:

"Sec. 6. Composition; qualifications and terms of members.

(a) Except as otherwise herein provided in this Charter, all powers of the city shall be vested in a council of a mayor and six councilmembers, all nominated and elected ~~from the city at large~~ in the manner hereinafter provided. The mayor and members of the council, and all other officers, elected under the provisions of this Charter, shall at the time of their election be qualified electors of the City of Asheville. Elections for mayor and councilmembers shall be held on a nonpartisan basis in even-numbered years on the Tuesday after the first Monday in November, beginning in 2020 and biennially thereafter. The names of the candidates shall be printed on the ballots without reference to any party affiliation, and any qualified voter residing in the City shall be entitled to vote on such ballots. Results shall be determined using the nonpartisan plurality method in accordance with G.S. 163A-1616. Except as otherwise provided herein, the election shall be conducted according to the provisions of Subchapter III of Chapter 163A of the General Statutes then governing elections. The county board of elections under the direction of the Bipartisan State Board of Elections and Ethics Enforcement shall make necessary provisions for elections for mayor and councilmembers.

(b) The term of the mayor and councilmembers shall begin at the first regular meeting of the city council ~~next following their election as set forth hereinafter. in December of even-numbered years.~~ The term of office of the mayor and six councilmembers shall be four years, and shall be so staggered that the terms of office of three councilmembers shall expire every two years. ~~Said staggered terms shall begin following~~ In the election of 1997, 2020, with those three persons elected to council who receive the highest number of votes of the entire council from District 1, District 2, and from the City at-large to will serve four year terms to expire in 2001, 2024. In the election of 2022, the and the other three persons elected to council from District 3, District 4, and District 5 will to serve two four year terms to expire in 1999, 2026. Commencing with the ~~1999-2020~~ election, all terms of office for council members shall be four years.

(c) One council member shall be nominated and elected from the City at-large. Five council members shall reside in and be elected from five separate districts, as set forth in this section. If this section does not specifically assign any area within the City to a district, and the area is entirely surrounded by a single district, the area shall be deemed to have been assigned to that district. If this section does not specifically assign any area within the City to a district, and the area is contiguous to one or more districts, the area shall be deemed to have been assigned to



that district which contains the least population according to the most recent federal decennial census. If this section specifically assigns to a district any area that is not in the corporate limits of the City, that area outside the corporate limits is not added to the corporate limits and no voter that resides in that area outside the corporate limits may vote in the City election. 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.

(d) The districts are as follows:

District 1: Buncombe County: VTD 105.1: Block(s) 0210014005001, 0210014005005, 0210014005006, 0210014005007, 0210014005010, 0210014005013, 0210014005021, 0210014005022; VTD 106.1: Block(s) 0210011001021, 0210011001022, 0210011001024, 0210011001025, 0210011001026, 0210011001032, 0210011001033, 0210011001034, 0210012001001, 0210012001003, 0210012001004, 0210012001005, 0210012001006, 0210012001007, 0210012001008, 0210012001009, 0210012001010, 0210012001011, 0210012001012, 0210012001013, 0210012001014, 0210012001015, 0210012001016, 0210012001017, 0210012001018, 0210012001019, 0210012001020, 0210012001021, 0210012001022, 0210012002000, 0210012002001, 0210012002002, 0210012002003, 0210012002004, 0210012002005, 0210012002006, 0210012002007, 0210012002008, 0210012002009, 0210012002010, 0210012002015, 0210012002016, 0210012003000, 0210012003001, 0210012003002, 0210012003003, 0210012003008, 0210012003009, 0210013001000, 0210013001007, 0210013002002, 0210013002003, 0210013002004, 0210013002012, 0210013002013, 0210013002014, 0210013002015, 0210013002016, 0210013002017, 0210013002018, 0210013002019, 0210013002020, 0210013002021, 0210013002022, 0210013002023, 0210013002024, 0210013002026, 0210013002027, 0210013002028, 0210013002029, 0210013002030, 0210013002031, 0210013002032, 0210013002033, 0210013002034, 0210013002037, 0210013002038, 0210013002039, 0210013002040, 0210014005002, 0210014005023, 0210014005024, 0210014005025, 0210025063001, 0210025063006, 0210026052055, 0210026052057; VTD 13.1: Block(s) 0210010001007, 0210010002002, 0210010002003, 0210010002004, 0210010002005, 0210010002006, 0210010002007, 0210010002012, 0210010002013, 0210010002014, 0210010002017, 0210010002018, 0210010002019, 0210010002020, 0210010002021, 0210010002022, 0210010002023, 0210010002024, 0210010002025, 0210010002026, 0210010002027, 0210010002028, 0210010002029, 0210010002030, 0210010002031, 0210011002000, 0210011002003, 0210011002024, 0210011002025, 0210011002026, 0210011002027, 0210011003000, 0210011003001, 0210011003002, 0210011003003, 0210011003004, 0210011003005, 0210011003006, 0210011003007, 0210011003008, 0210011003009, 0210011003010, 0210011003011, 0210011003012, 0210011003013, 0210011003014, 0210011003015, 0210011003016, 0210011003017, 0210011003018, 0210011003019, 0210011003020, 0210011003021, 0210011003022, 0210011003023, 0210011003024, 0210011003025, 0210011003026, 0210011003027, 0210011003029, 0210011003030, 0210023024000, 0210023024001, 0210023024002; VTD 15.1, VTD 24.1: Block(s) 0210012005002, 0210012005003, 0210012005007, 0210012005008, 0210012005009, 0210012005010, 0210012005011, 0210012005012, 0210012005013, 0210012005014, 0210012005015, 0210012005016, 0210012005017, 0210012005018, 0210012005019, 0210012005020, 0210012005021, 0210012005022, 0210012005023, 0210012005024, 0210012005025, 0210012005026, 0210012005027, 0210012005028, 0210012005030, 0210012005031, 0210012005032, 0210012005033, 0210012005034, 0210012005036, 0210012005044, 0210012005045, 0210012005046, 0210012005047, 0210012005048, 0210012005049, 0210012005054, 0210013001021, 0210013001022, 0210013001024, 0210013001025, 0210013001026, 0210013001027, 0210013001030,

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0210023021022, 0210023021023, 0210023021024, 0210023021025, 0210023021026,
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0210023022007, 0210023022008, 0210023022010, 0210023022042, 0210023023000,
0210023023003, 0210023023004, 0210023023043, 0210023023046, 0210023024007,
0210023024053, 0210023024061, 0210023024062, 0210023024064, 0210023024067,
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0210023024113, 0210025061029; VTD 45.1: Block(s) 0210013001031, 0210013001032,
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0210023024073, 0210023024074, 0210023024089, 0210023024093, 0210023024095,
0210023024099; VTD 68.1: Block(s) 0210026052056.

District 2: Buncombe County: VTD 01.1, VTD 02.1, VTD 10.1, VTD 101.1: Block(s)

0210021011018; VTD 105.1: Block(s) 0210012001000, 0210012001002, 0210013002000,
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VTD 14.2: Block(s) 0210002001019, 0210002001020, 0210002001035, 0210003001031,
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District 3: Buncombe County: VTD 03.1, VTD 04.1, VTD 05.1: Block(s) 0210016001000, 0210016001001, 0210016001002, 0210016001003, 0210016001004, 0210016001005, 0210016001006, 0210016001007, 0210016001008, 0210016001009, 0210016001010, 0210016001011, 0210016001012, 0210016001013, 0210016001014, 0210016001015, 0210016001016, 0210016001017, 0210016001018, 0210016001019, 0210016001020, 0210016001021, 0210016001022, 0210016001023, 0210016001024, 0210016001025, 0210016001026, 0210016001027, 0210016001028, 0210016001029, 0210016001030, 0210016001031, 0210016001032, 0210016001033, 0210016001034, 0210016001035, 0210016001036, 0210016001037, 0210016001040, 0210016001041, 0210016001042, 0210016001043, 0210016001044, 0210016001045, 0210016001047, 0210016001048, 0210016001049, 0210016001050, 0210016002000, 0210016002001, 0210016002002, 0210016002003, 0210016002005, 0210016002007, 0210016002010, 0210016002011, 0210016002012, 0210016002015, 0210016002016, 0210016002017, 0210016002018, 0210016002019, 0210016002020, 0210016002023, 0210016002024, 0210016002025, 0210016002026, 0210016002027, 0210016002028, 0210016002029, 0210016002030, 0210016002031, 0210016002032, 0210016002033, 0210016002035, 0210016002036, 0210016003057, 0210016003061, 0210016003064, 0210016003067, 0210016003078, 0210016003080, 0210016003081, 0210016003083, 0210016003087, 0210016003092, 0210016003093, 0210016003104, 0210016003108, 0210016003109, 0210016003110; VTD 103.1: Block(s) 0210018011000, 0210018011002, 0210018011030, 0210018011031, 0210018011032, 0210018011033, 0210018011034, 0210018011035, 0210018011036, 0210018011037, 0210018011038, 0210018011039, 0210018011040; VTD 104.1: Block(s) 0210005001000, 0210005001001, 0210005001002, 0210005001003, 0210005001004, 0210005001005, 0210005001006, 0210005001015, 0210005001016, 0210005001019, 0210005001020, 0210005001021, 0210005003000, 0210005003001, 0210005003002, 0210005003003, 0210005003005, 0210005003009, 0210005003010, 0210005003011, 0210017001003, 0210017001007, 0210017001036, 0210017001037, 0210017001038, 0210017001039, 0210017001040, 0210017001041, 0210017001042, 0210017001043, 0210017001044, 0210017001045, 0210017001046, 0210017002008, 0210017002009, 0210017002010, 0210017002011, 0210017002012, 0210017002013, 0210017002014, 0210017002015, 0210017002016, 0210017002017, 0210017002018, 0210017002019, 0210017002020, 0210017002021, 0210017002022, 0210017002023, 0210017002024, 0210017002025, 0210017002026, 0210017002027, 0210017002028, 0210017002031, 0210017002032, 0210017002033; VTD 17.1, VTD 20.1, VTD 28.1, VTD 70.1: Block(s) 0210004001001, 0210004001003, 0210004001004, 0210004001006, 0210004001007, 0210004001008, 0210004001009, 0210004001013, 0210004001019, 0210004001020, 0210004001031, 0210004001037, 0210004001038, 0210004001039, 0210016002006, 0210016002013, 0210016002037, 0210016002039, 0210016003068, 0210016003069; VTD 71.1: Block(s) 0210016003001, 0210016003002, 0210016003012, 0210016003015, 0210016003049, 0210016003050, 0210016003051, 0210016003053, 0210016003055, 0210016003056, 0210016003058, 0210016003059, 0210016003060, 0210016003062, 0210016003063, 0210016003065, 0210016003071, 0210016003072, 0210016003073, 0210016003075, 0210016003082, 0210016003107, 0210016003111.

District 4: Buncombe County: VTD 06.1, VTD 07.1, VTD 09.1, VTD 100.1: Block(s) 0210020003000, 0210020003001, 0210020003002, 0210020003003, 0210020003004, 0210020003005, 0210020003006, 0210020003007, 0210020003008, 0210020003009,

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0210018021008, 0210018021009, 0210018021010, 0210018021011, 0210018021012,
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0210032033009; VTD 62.1: Block(s) 0210018023028, 0210018023029, 0210018023031,
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District 5: Buncombe County: VTD 100.1: Block(s) 0210020003040, 0210020003041,
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(e) The person elected as mayor at the ~~1997-2017~~ election shall serve a ~~four~~ five year term of office commencing in ~~1997-2017~~ and expiring in ~~2001-2022~~. ~~Thereafter,~~ Beginning with

the 2022 election, all terms of office for the mayor shall be four years. The mayor shall be nominated and elected from the City at-large.

(f) A mayor or member of council ceasing to possess any of the qualifications specified in this section shall immediately forfeit office."

SECTION 1.(b) Chapter 165 of the 1969 Session Laws is repealed.

SECTION 1.(c) Nothing in this act shall affect the authority of the City of Asheville to annex any property pursuant to Article 4A of Chapter 160A of the General Statutes and any local act of the General Assembly. Annexed property shall be assigned in accordance with Section 6(c) of the Charter of the City of Asheville.

SECTION 1.(d) The Legislative Services Officer shall certify a true copy of the block assignment file associated with any mapping software used to generate the language in subsection (a) of this section. The certified true copy of the block assignment file shall be delivered by the Legislative Services Officer to the Clerk of the City of Asheville.

SECTION 1.(e) No regular election shall be conducted in the City of Asheville in 2019. The terms of the council members elected in 2015 are extended until 2020, and the terms of the mayor and council members elected in 2017 are extended until 2022.

SECTION 2. This act is effective when it becomes law and applies to elections held on or after that date.

In the General Assembly read three times and ratified this the 29th day of June, 2018.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives