

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 265

Short Title: Increase Municipal Election Participation Act. (Local)

Sponsors: Senator Moffitt (Primary Sponsor).

Referred to: Rules and Operations of the Senate

March 13, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS FOR
3 MUNICIPALITIES IN HENDERSON, POLK, AND RUTHERFORD COUNTIES ARE
4 HELD IN EVEN-NUMBERED YEARS AND TO EXTEND THE TERMS OF THE
5 MAYOR IN THE TOWN OF TRYON AND ALL ELECTED OFFICERS IN THE TOWN
6 OF RUTH FROM TWO TO FOUR YEARS.

7 The General Assembly of North Carolina enacts:

8
9 **PART I. MUNICIPALITIES IN HENDERSON COUNTY**

10 **SECTION 1.1.(a)** Chapter III of the Charter of the Village of Flat Rock, being
11 Chapter 48 of the 1995 Session Laws, reads as rewritten:

12 "CHAPTER III.
13 "GOVERNING BODY.

14 ...
15 "Sec. 3.3. **Term of Office of Council Members.** In the 1995 municipal election, two
16 members shall be elected from each electoral district. In each electoral district in 1995, the person
17 receiving the highest number of votes is elected to a four-year term, and the person receiving the
18 next highest number of votes is elected to a two-year term. ~~In 1997 and biennially thereafter, one~~
19 ~~person is elected from each electoral district for a four-year term.~~ In 2024 and quadrennially
20 thereafter, one Council member shall be elected from each electoral district for a four-year term.
21 In 2026 and quadrennially thereafter, one Council member shall be elected from each electoral
22 district for a four-year term.

23 "Sec. 3.4. **Election of Mayor; Term of Office.** The qualified voters of the entire Village
24 elect the Mayor. A Mayor shall be elected in ~~1995~~ 2024 and quadrennially thereafter for a
25 four-year term."

26 **SECTION 1.1.(b)** No municipal elections shall be conducted in the Village of Flat
27 Rock in 2023. The terms of the three Council members and the Mayor serving on the effective
28 date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of
29 the three Council members serving on the effective date of this act whose terms are set to expire
30 in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the
31 Village of Flat Rock in 2024.

32 **SECTION 1.2.(a)** Chapter III of the Charter of the Town of Fletcher, being Chapter
33 44 of the 1989 Session Laws, reads as rewritten:

34 "Chapter III.
35 "Governing Body.

36 ...



1 "Sec. 3.3. Term of office of Council members. Members of the Town Council are elected to
2 four-year terms, ~~except at the initial election in 1989, the two highest vote getters who are elected~~
3 ~~to district seats shall be elected to four-year terms, and the next two highest vote getters elected~~
4 ~~to district seats shall be elected to two-year terms.~~ In ~~1991-2024~~ and quadrennially thereafter,
5 two members of the Council shall be elected for four-year terms. In ~~1993-2026~~ and quadrennially
6 thereafter, two members of the Council shall be elected for four-year terms.

7 "Sec. 3.4. Selection of Mayor; term of office. The qualified voters of the entire town nominate
8 and elect the Mayor. A mayor shall be elected in ~~1989-2026~~ and quadrennially thereafter for a
9 four-year term."

10 **SECTION 1.2.(b)** No municipal elections shall be conducted in the Town of Fletcher
11 in 2023. The terms of the two Council members serving on the effective date of this act whose
12 terms are set to expire in 2023 shall be extended by one year. The terms of the two Council
13 members and the Mayor serving on the effective date of this act whose terms are set to expire in
14 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town
15 of Fletcher in 2024.

16 **SECTION 1.3.(a)** Section 3.3 of the Charter of the City of Hendersonville, being
17 Chapter 874 of the 1971 Session Laws, as amended by City Ordinance No. 1995-06-08 adopted
18 on June 8, 1995, and Section 2 of S.L. 2016-15, reads as rewritten:

19 "Sec. 3.3. Terms; Qualifications; Vacancies. (a) The members of the City Council shall serve
20 ~~for terms of four years, four-year staggered terms~~ and the Mayor shall serve for a term of four
21 years or shall serve until their successors are elected and qualify. ~~The term of office of the~~
22 ~~members of the City Council shall commence as provided by law and continue for a period of~~
23 ~~four years thereafter.~~ In 2024 and quadrennially thereafter, two Council members shall be elected
24 to serve four-year terms. In 2026 and quadrennially thereafter, two Council members and a
25 Mayor shall be elected to serve four-year terms.

26 (b) No person shall be eligible to be a candidate or be elected as a member of the City
27 Council, or to serve in such capacity, unless ~~he~~ the person is a resident and a qualified voter of
28 the City.

29 (c) In the event a vacancy occurs in the office of Mayor, the remaining members of the
30 Council shall by majority vote choose from their own members ~~his~~ the Mayor's successor for the
31 unexpired term. Any vacancy in the office of ~~Councilman~~ Council member shall be filled by
32 majority vote of the Mayor and the remaining members of the Council until the next election."

33 **SECTION 1.3.(b)** No municipal elections shall be conducted in the City of
34 Hendersonville in 2023. The terms of the two Council members serving on the effective date of
35 this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two
36 Council members and the Mayor serving on the effective date of this act whose terms are set to
37 expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in
38 the City of Hendersonville in 2024.

39 **SECTION 1.4.(a)** Article III of the Charter of the Town of Laurel Park, being S.L.
40 2000-8, reads as rewritten:

41 "ARTICLE III. ELECTIONS.

42 "Section 3.1. **Regular Municipal Elections.** Regular Beginning in 2024, regular municipal
43 elections shall be held in each ~~odd-numbered~~ even-numbered year in accordance with the
44 uniform municipal election laws of North Carolina. Elections shall be conducted on a nonpartisan
45 basis and the results determined using the nonpartisan plurality method as provided in
46 G.S. 163-292.

47 "Section 3.2. **Election of Mayor.** A Mayor shall be elected in the regular municipal election
48 in ~~2003 and each four years~~ 2024 and quadrennially thereafter.

49 "Section 3.3. **Election of Commissioners.** Except for the filing of vacancies as provided
50 for in G.S. 160A-63, two Commissioners shall be elected at the regular municipal election in
51 ~~2001 and every four years~~ 2024 and quadrennially thereafter and two Commissioners shall be

1 elected at the regular municipal election in ~~2003 and every four years~~ 2026 and quadrennially
2 thereafter. In the regular municipal election in ~~2001, 2024~~, and in each regular municipal election
3 thereafter, persons shall be elected to serve four-year terms in those positions whose terms are
4 then expiring.

5"

6 **SECTION 1.4.(b)** No municipal elections shall be conducted in the Town of Laurel
7 Park in 2023. The terms of the two Commissioners and the Mayor serving on the effective date
8 of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the
9 two Commissioners serving on the effective date of this act whose terms are set to expire in 2025
10 shall be extended by one year. Regular municipal elections shall be conducted in the Town of
11 Laurel Park in 2024.

12 **SECTION 1.5.(a)** Section 3.3 of the Charter of the Town of Mills River, being S.L.
13 2003-242, reads as rewritten:

14 "Section 3.3. **Manner of Electing Town Council; Terms of Office.** Two of the Council
15 members shall be elected at large from the residents of the Town and three shall be elected from
16 each of Districts 1, 2, and 3 respectively, as provided in Article IV of this Charter. The qualified
17 voters of the entire Town shall elect all the members of the Town Council, and, except as
18 provided in this section, they shall serve four-year terms. ~~In 2003, two Council members shall be~~
19 ~~elected at large and they shall serve for four-year terms, and one Council member shall be elected~~
20 ~~from each of Districts 1, 2, and 3, respectively and they shall serve for two-year terms. In 2024~~
21 and quadrennially thereafter, two members shall be elected at large and they shall serve for
22 four-year terms. In 2005, 2026 and quadrennially thereafter, one Council member shall be elected
23 from each of Districts 1, 2, and 3 respectively and they shall serve for four-year terms. ~~In 2007,~~
24 ~~and quadrennially thereafter, two members shall be elected at large and they shall serve for~~
25 ~~four-year terms."~~

26 **SECTION 1.5.(b)** Section 4.2 of the Charter of the Town of Mills River, being S.L.
27 2003-242, reads as rewritten:

28 "Section 4.2. **Regular Municipal Elections; District Boundaries.** ~~Regular~~ Beginning in
29 2024, regular municipal elections shall be held in each ~~odd-numbered even-numbered~~ year in
30 accordance with the uniform municipal election laws of North Carolina. For purpose of the
31 election of Town Council members, the Town is divided into three geographical subdivisions,
32 known as districts, and all qualified voters of the Town may cast a vote for each seat. A written
33 description or map showing the current boundaries of the three election districts shall be
34 maintained in the office of the Town Clerk and shall be available for public inspection. The
35 district boundaries may be amended periodically pursuant to the provisions of general law.
36 Whenever areas are hereafter annexed and made part of the Town, the Town Council shall, by
37 ordinance, redefine and rearrange the three election districts so as to include the annexed areas.
38 The ordinance shall be adopted at least seven days prior to the opening of candidate filing for the
39 municipal election next succeeding the date of any annexation and shall provide for three election
40 districts of approximately equal population. In redefining and rearranging the election district
41 lines, the Town Council shall follow as nearly as practical existing district lines."

42 **SECTION 1.5.(c)** No municipal elections shall be conducted in the Town of Mills
43 River in 2023. The terms of the two Council members serving on the effective date of this act
44 whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Council
45 members serving on the effective date of this act whose terms are set to expire in 2025 shall be
46 extended by one year. Regular municipal elections shall be conducted in the Town of Mills River
47 in 2024.

49 PART II. MUNICIPALITIES IN POLK COUNTY

50 **SECTION 2.1.(a)** Article III of the Charter of the Town of Columbus, being Chapter
51 46 of the 1985 Session Laws, as amended by Town Ordinance No. 2003-2-18, reads as rewritten:

"ARTICLE III. ELECTIONS

"Section 3.1. Regular Municipal Elections. ~~Regular~~ Beginning in 2024, regular municipal elections shall be held in each ~~odd-numbered~~ even-numbered year in accordance with the uniform municipal election laws of North Carolina. The Mayor and Council members shall be elected by the voters of the Town on an at-large basis, by the nonpartisan plurality method of election.

"Section 3.2. Election of the Council Members. The Council members serving on the date of ratification of this Charter may continue to serve until expiration of their terms, or until their successors are elected and qualified. Council members shall continue to be elected and to serve on a staggered term system. At each such election the candidate receiving the highest number of votes shall serve for a term of four years, and the candidate receiving the next highest number of votes shall serve for a period of two years. In 2024 and quadrennially thereafter, two Council members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, two Council members shall be elected to serve four-year terms.

"Section 3.3. Election of the Mayor. The Mayor serving on the date of ratification of this Charter may continue to serve until the expiration of his or her term, or until a successor is elected and qualified. At the regular municipal election in ~~1985 and every two years~~ 2024 and biennially thereafter, there shall be elected a Mayor to serve as provided in Article II of this Charter.

...."

SECTION 2.1.(b) No municipal elections shall be conducted in the Town of Columbus in 2023. The terms of the two Council members and the Mayor serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Columbus in 2024.

SECTION 2.2.(a) Section 1 of the Charter of the City of Saluda, being Chapter 123 of the Private Laws of 1933, reads as rewritten:

"Section 1. ~~That at the next election in the City of Saluda there shall be elected four commissioners, and two of the commissioners so elected having the highest number of votes shall hold office for a term of four years, and the other two commissioners shall hold office for a term of two years. That thereafter two commissioners shall be elected at each election for a term of four years.~~ Beginning in 2024, regular municipal elections in the City of Saluda shall be held in even-numbered years in accordance with the uniform municipal election laws of North Carolina. The Board of Commissioners for the City of Saluda shall consist of four members elected to serve four-year terms. In 2024 and quadrennially thereafter, two Commissioners shall be elected for four-year terms. In 2026 and quadrennially thereafter, two Commissioners shall be elected for four-year terms."

SECTION 2.2.(b) Section 2 of the Charter of the City of Saluda, being Chapter 123 of the Private Laws of 1933, reads as rewritten:

"Section 2. ~~That at the next election in the City of Saluda the~~ The mayor of the City of Saluda shall be elected for a term of four years, ~~and that hereafter the term of office of the mayor of the City of Saluda shall be four years.~~ In 2026 and quadrennially thereafter, a Mayor shall be elected to serve a four-year term."

SECTION 2.2.(c) No municipal elections shall be conducted in the City of Saluda in 2023. The terms of the two Commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Commissioners and the Mayor serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the City of Saluda in 2024.

SECTION 2.3.(a) Section 3.3 of the Charter of the Town of Tryon, being Chapter 441 of the 1971 Session Laws, as amended by S.L. 2013-261, reads as rewritten:

1 "Sec. 3.3. Terms; Qualifications; Vacancies. (a) Except as provided in Section 4.1, the Mayor
 2 and members of the Board of Commissioners shall serve for terms of four years, and the Mayor
 3 shall serve for a term of two years, years beginning the day and hour of the organizational meeting
 4 following their election, as established by ordinance in accordance with this Charter; provided,
 5 they shall serve until their successors are elected and qualify.

6 (b) No person shall be eligible to be a candidate or be elected as Mayor or as a member
 7 of the Board of Commissioners or to serve in such capacity, unless he or she is a resident and a
 8 qualified voter of the Town.

9 (c) In the event a vacancy occurs in the office of Commissioner, the Board of
 10 Commissioners shall by majority vote appoint some qualified person to fill the same for the
 11 remainder of the unexpired term."

12 **SECTION 2.3.(b)** Article IV of the Charter of the Town of Tryon, being Chapter
 13 441 of the 1971 Session Laws, as amended by Town Ordinance No. 2003-7 adopted on
 14 8-19-2003 and S.L. 2013-261, reads as rewritten:

15 "ARTICLE IV. REGULAR ELECTION PROCEDURE

16 "Sec. 4.1. Regular Elections.

17 (a) Regular Beginning in 2024, regular municipal elections shall be held biennially ~~on~~
 18 ~~the Tuesday after the first Monday in November in May in odd-numbered~~ in even-numbered
 19 years. In each biennial election, there shall be elected two commissioners.

20 (b) Notwithstanding the provisions of subsection (a) above, in 2003 only, there shall be
 21 elected three commissioners. The candidates for commissioner who receive the largest and
 22 second largest number of votes shall each be elected for a term of four ~~(4)~~-years, and the candidate
 23 for commissioner who receives the third largest number of votes shall be elected for a term of
 24 two ~~(2)~~-years. In 2024 and quadrennially thereafter, two Commissioners shall be elected to serve
 25 four-year terms. In 2026 and quadrennially thereafter, two Commissioners shall be elected to
 26 serve four-year terms.

27 "Sec. 4.2. Voting. Each voter shall be entitled to vote for one candidate for Mayor and for as
 28 many candidates for Commissioner as there are offices to be filled. The candidate for Mayor who
 29 receives the largest number of votes cast for Mayor shall be declared elected. In 2024 and
 30 quadrennially thereafter, a Mayor shall be elected to serve a four-year term.

31"

32 **SECTION 2.3.(c)** No municipal elections shall be conducted in the Town of Tryon
 33 in 2023. The terms of the two Commissioners and the Mayor serving on the effective date of this
 34 act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two
 35 Commissioners serving on the effective date of this act whose terms are set to expire in 2025
 36 shall be extended by one year. Regular municipal elections shall be conducted in the Town of
 37 Tryon in 2024.

38
 39 **PART III. MUNICIPALITIES IN RUTHERFORD COUNTY**

40 **SECTION 3.1.(a)** Section 3-3 of the Charter of Chimney Rock Village, being
 41 Chapter 444 of the 1991 Session Laws, reads as rewritten:

42 "Sec. 3-3. **Term of Office of Council Members.** Members of the Council are elected to
 43 four-year terms. At the initial election in 1991, the three highest vote getters shall be elected to
 44 four-year terms and the next two highest vote getters shall be elected to two-year terms. In ~~1993~~
 45 2026 and quadrennially thereafter, two members of the Council shall be elected for four-year
 46 terms. In ~~1995-2024~~ and quadrennially thereafter, three members of the Council shall be elected
 47 for four-year terms."

48 **SECTION 3.1.(b)** No municipal elections shall be conducted in Chimney Rock
 49 Village in 2023. The terms of the three Council members serving on the effective date of this act
 50 whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Council
 51 members serving on the effective date of this act whose terms are set to expire in 2025 shall be

1 extended by one year. Regular municipal elections shall be conducted in Chimney Rock Village
2 in 2024.

3 **SECTION 3.2.(a)** Article III of the Charter of the Town of Ellenboro, being Chapter
4 425 of the 1983 Session Laws, as amended by S.L. 2007-310, reads as rewritten:

5 "ARTICLE III.

6 "ELECTIONS.

7 "Sec. 3.1. Regular Municipal Elections; Conduct and Method of Election. ~~Regular Beginning~~
8 ~~in 2024, regular~~ municipal elections shall be held in the Town every two years in ~~odd numbered~~
9 ~~even-numbered~~ years and shall be conducted in accordance with the uniform municipal election
10 laws of North Carolina. The Mayor and members of the Council shall be elected according to the
11 nonpartisan plurality method of election.

12 "Sec. 3.2. Election of Council Members. All council members shall be nominated and voted
13 upon by the voters of the Town voting at large. At the regular municipal election in 2007, the
14 persons receiving the two highest numbers of votes are elected to four-year terms, and the three
15 persons receiving the next highest numbers of votes are elected to two-year terms. In ~~2009-2024~~
16 and quadrennially thereafter, ~~three-two~~ members are elected for four-year terms. In ~~2011-2026~~
17 and quadrennially thereafter, ~~two-three~~ members are elected for four-year terms.

18 "Sec. 3.3. Election of the Mayor. At the regular municipal election in ~~2007, 2024~~ and
19 quadrennially thereafter, there shall be elected a Mayor to serve a term of four years. The Mayor
20 shall be elected by the voters of the Town voting at large."

21 **SECTION 3.2.(b)** No municipal elections shall be conducted in the Town of
22 Ellenboro in 2023. The terms of the two Council members and the Mayor serving on the effective
23 date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of
24 the three Council members serving on the effective date of this act whose terms are set to expire
25 in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the
26 Town of Ellenboro in 2024.

27 **SECTION 3.3.(a)** Article III of the Charter of the Town of Forest City, being Chapter
28 209 of the 1981 Session Laws, as amended by Town Ordinance No. 465 adopted on 11-04-2002
29 and No. 614 adopted on 06-08-2012, reads as rewritten:

30 "ARTICLE III.

31 "ELECTIONS.

32 "Sec. 3.1. Regular municipal elections; conduct. ~~Regular Beginning in 2024, regular~~
33 ~~municipal elections shall be held in the Town every two years in odd numbered even-numbered~~
34 years, and shall be conducted in accordance with the uniform municipal election laws of North
35 Carolina. The Mayor and members of the Board shall be elected according to the nonpartisan
36 plurality election method.

37 "Sec. 3.2. Election of the Mayor. ~~At the regular municipal election in 2013, and every four~~
38 ~~years~~ ~~In 2026 and quadrennially~~ thereafter, there shall be elected a Mayor to serve a term of four
39 years. The Mayor shall be elected by the qualified voters of the Town voting at large.

40 "Sec. 3.3. Election of Board members. ~~At the regular municipal election to be held in 2003,~~
41 the three candidates who receive the highest number of votes shall be elected for four-year terms,
42 while the two candidates who receive the next highest number of votes shall be elected to
43 two-year terms. ~~At the regular municipal election to be held in 2005 and every four years~~ ~~In 2024~~
44 ~~and quadrennially~~ thereafter, ~~two-three~~ members of the Board of Commissioners shall be elected
45 to serve four-year terms. ~~At the regular municipal election to be held in 2007, and every four~~
46 ~~years~~ ~~In 2026 and quadrennially~~ thereafter, ~~three-two~~ members of the Board of Commissioners
47 shall be elected to serve four-year terms."

48 **SECTION 3.3.(b)** No municipal elections shall be conducted in the Town of Forest
49 City in 2023. The terms of the three Board members serving on the effective date of this act
50 whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Board
51 members and the Mayor serving on the effective date of this act whose terms are set to expire in

1 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town
2 of Forest City in 2024.

3 **SECTION 3.4.(a)** Article II of the Charter of the Town of Lake Lure, being Chapter
4 194 of the 1987 Session Laws, reads as rewritten:

5 "ARTICLE II. GOVERNING BODY

6 ...

7 "Section 2.3 **Term of Office of Board Members.** Members of the Board are elected to
8 four-year staggered terms. The Board members serving on the date of ratification of this Charter
9 shall serve until the expiration of their terms. In the municipal election in ~~1987~~2024 and every
10 four years thereafter, two members of the Board shall be elected. In the municipal election in
11 ~~1989~~2026 and every four years thereafter, two members of the Board shall be elected.

12 "Section 2.4. **Election of Mayor; Term of Office.** The qualified voters of the entire Town
13 elect the Mayor. ~~The Mayor is elected for a term of two years. In 2024 and biennially thereafter,~~
14 a Mayor shall be elected to serve a two-year term. The Mayor shall have the right to vote on
15 matters before the Board only when there are equal numbers of votes in the affirmative and in
16 the negative."

17 **SECTION 3.4.(b)** No municipal elections shall be conducted in the Town of Lake
18 Lure in 2023. The terms of the two Board members and the Mayor serving on the effective date
19 of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the
20 two Board members serving on the effective date of this act whose terms are set to expire in 2025
21 shall be extended by one year. Regular municipal elections shall be conducted in the Town of
22 Lake Lure in 2024.

23 **SECTION 3.5.(a)** Section 3 of the Charter of the Town of Ruth, being Chapter 55
24 of the Private Laws of 1893, as amended by Chapter 454 of the Private Laws of 1907 and Chapter
25 53 of the Public Laws of 1939, reads as rewritten:

26 "Sec. 3. That the officers ~~thereof~~ shall consist of a mayor, two commissioners and a marshal;
27 and the commissioners shall have the right to appoint a secretary and treasurer. In 2024 and
28 quadrennially thereafter, a mayor and two commissioners shall be elected to each serve a
29 four-year term."

30 **SECTION 3.5.(b)** No municipal elections shall be conducted in the Town of Ruth
31 in 2023. The terms of the two Commissioners and the Mayor serving on the effective date of this
32 act whose terms are set to expire in 2023 shall be extended by one year. Regular municipal
33 elections shall be conducted in the Town of Ruth in 2024.

34 **SECTION 3.6.(a)** Article II of the Charter of the Town of Rutherfordton, being
35 Chapter 350 of the 1979 Session Laws, as amended, reads as rewritten:

36 "ARTICLE II. MAYOR AND COUNCIL.

37 ...

38 "Section 2.2. Council; Composition; Terms of Office. The Town Council shall be composed
39 of four members, each of whom shall be elected by and from the qualified voters of the Town
40 for terms of ~~two-four~~ years each in the manner provided by Article III of this Charter, provided
41 they shall serve until their successors are elected and qualified. In 2024 and quadrennially
42 thereafter, two Council members shall be elected to serve four-year terms. In 2026 and
43 quadrennially thereafter, two Council members shall be elected to serve four-year terms.

44 "Section 2.3. Mayor; Term of Office; Duties. The Mayor shall be elected by and from the
45 qualified voters of the Town in the manner provided by Article III of this Charter to serve for a
46 term of ~~two-four~~ years, or until his successor is elected and qualified. The Mayor shall be the
47 official head of the Town government and shall preside at all meetings of the Council. He shall
48 have the right to vote only when there are an equal number of votes in the affirmative and the
49 negative on any motion before the Council. The Mayor shall exercise such powers and perform
50 such duties as presently are or hereafter may be conferred upon him by the General Statutes of
51 North Carolina, by this Charter, and by the ordinances of the Town.

1"

2 **SECTION 3.6.(b)** Article III of the Charter of the Town of Rutherfordton, being
3 Chapter 350 of the 1979 Session Laws, as amended, reads as rewritten:

4 "ARTICLE III. ELECTIONS.

5 "Section 3.1. Regular Municipal Elections; Conduct and Method of Election. ~~Regular~~
6 Beginning in 2024, regular municipal elections shall be held in the Town every two years in ~~odd~~
7 ~~numbered~~even-numbered years and shall be conducted in accordance with the uniform
8 municipal election laws of North Carolina. The Mayor and members of the Council shall be
9 elected according to the nonpartisan plurality method.

10 "Section 3.2. Election of the Mayor. At the regular municipal election in ~~1979, 2026,~~ and
11 ~~biennially~~quadrennially thereafter, there shall be elected a Mayor to serve a term of ~~two~~four
12 years. The Mayor shall be elected by all the voters of the Town voting at large."

13 **SECTION 3.6.(c)** No municipal elections shall be conducted in the Town of
14 Rutherfordton in 2023. The terms of the two Council members serving on the effective date of
15 this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two
16 Council members and the Mayor serving on the effective date of this act whose terms are set to
17 expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in
18 the Town of Rutherfordton in 2024.

19 **SECTION 3.7.(a)** Section 4.1 of the Charter of the Town of Spindale, being Chapter
20 378 of the 1975 Session Laws, as amended by S.L. 2006-83, reads as rewritten:

21 "ARTICLE IV. Elections.

22 "Sec. 4.1. Regular municipal elections. ~~Regular~~Beginning in 2024, regular municipal
23 elections shall be held biennially in ~~odd-numbered~~even-numbered years on the day set by general
24 law for municipal elections. In the ~~1975-2024~~ regular municipal elections and biennially
25 ~~thereafter~~thereafter, there shall be elected a mayor for a term of two years. In the ~~1975-2024~~
26 regular municipal election and biennially thereafter, five board members shall be elected to serve
27 terms of two years each."

28 **SECTION 3.7.(b)** No municipal elections shall be conducted in the Town of
29 Spindale in 2023. The terms of the five Board members and the Mayor serving on the effective
30 date of this act whose terms are set to expire in 2023 shall be extended by one year. Regular
31 municipal elections shall be conducted in the Town of Spindale in 2024.

32 **PART IV. EFFECTIVE DATE**

33 **SECTION 4.1.** This act is effective when it becomes law and applies to elections
34 held on or after that date.
35