

**FORMS FOR CHANGING NUMBER OF GOVERNING BODY MEMBERS**

**Form #1**

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE (CITY) (TOWN) (VILLAGE) OF \_\_\_\_\_ TO CHANGE THE NUMBER OF (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_ AND SETTING THE DATE FOR A PUBLIC HEARING THEREON

WHEREAS, pursuant to G.S.160A-101 and 160A-102, the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ may adopt an ordinance to amend the Charter of the (City) (Town) (Village) to implement any of the optional forms set out in G.S. 160A-101; and

WHEREAS, G.S. 160A-102 requires that proposed Charter amendments first be submitted to a public hearing and that due notice thereof be published not less than ten (10) days prior to the date fixed for the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ that:

1. The (Governing Body) hereby intends to consider an ordinance amending the Charter of the (City) (Town) (Village) of \_\_\_\_\_, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, to change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_, as authorized by G.S. 160A-101(5).

2. A public hearing on the proposed ordinance is hereby called at (place) at (time) on (day of week), (date).

3. Following the public hearing called hereby, the (Governing Body) shall consider passage of the ordinance at its regular meeting on (day of week), (date).

4. The (City) (Town) (Village) Clerk is hereby directed to cause to be published in the (name of newspaper) a proper notice of the public hearing called, which notice shall contain a summary of the proposed Charter amendments.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

**Form #2**

NOTICE OF PUBLIC HEARING ON PROPOSED CHARTER AMENDMENT ORDINANCE

The public will take notice that the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ will conduct a public hearing at (place) at (time) on (day of week), (date), concerning a proposed ordinance amending the Charter of the (City) (Town) (Village) of \_\_\_\_\_, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, to change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_. Following the public hearing, the (Governing Body) will consider passage of the ordinance at its regular meeting to be held on (day of week), (date).

\_\_\_\_\_  
(City) (Town) (Village) Clerk

**Form #3**

AN ORDINANCE AMENDING THE CHARTER OF THE (CITY) (TOWN) (VILLAGE) OF \_\_\_\_\_, CHANGING THE NUMBER OF (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_

BE IT ORDAINED by the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_:

Section 1. Pursuant to G.S.160A-101 and 160A-102, the Charter of the (City) (Town) (Village) of \_\_\_\_\_, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, is hereby further amended to provide that the (City) (Town) (Village) (Governing Body) shall hereafter consist of \_\_\_\_\_ members.

Section 2. The (City) (Town) (Village) Clerk shall cause a notice to be duly published, stating that an ordinance amending the Charter to change the number of members of the (Governing Body) from \_\_\_\_\_ to \_\_\_\_\_ has been adopted. Subject to any referendum petitioned for and conducted pursuant to G.S. 160A-103, this ordinance shall be in full force and effect from and after (date).

**OR**

Section 2. This ordinance shall be effective only upon approval by a vote of the people. A special election for the purpose of submitting the ordinance to a vote shall be held as provided by resolution also adopted this day.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Approved as to Form:

\_\_\_\_\_  
Attorney

**Form #4**

PUBLIC NOTICE STATING THAT AN ORDINANCE AMENDING THE CHARTER OF THE (CITY) (TOWN) (VILLAGE) OF \_\_\_\_\_ HAS BEEN ADOPTED CHANGING THE NUMBER OF \_\_\_\_\_ (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_

The public will take notice that the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ adopted an ordinance on (date), amending the (City) (Town) (Village) Charter, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, to change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
(City) (Town) (Village) Clerk

**Form #5**

RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO A VOTE AN ORDINANCE CHANGING THE NUMBER OF (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_

WHEREAS, pursuant to G.S. 160A-101 and 160A-102 the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ adopted an ordinance on (date), amending the Charter of the (City) (Town) (Village) as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, to change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_; and

WHEREAS, pursuant to G.S. 160A-102, the ordinance provides that it will become effective only if approved by a vote of the people;

**OR**

WHEREAS, pursuant to G.S. 160A-103, a valid petition for referendum has been received by the (Governing Body);

NOW, THEREFORE, BE IT RESOLVED BY THE (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ that:

1. An election is hereby called for (day of week), (date), for the purpose of determining whether the (City) (Town) (Village) (Governing Body) shall consist of \_\_\_\_\_ members.

2. Pursuant to G.S. 163A-1592 the (Name of County) County Board of Elections is hereby requested to conduct the election herein described and the (City) (Town) (Village) Clerk is directed to forthwith deliver a copy of this resolution to said Board of Elections.

3. Pursuant to G.S. 160A-102, the (City) (Town) (Village) Clerk shall cause to be duly published in accordance with G.S. 163A-1592 a notice of the election hereby called. (Not required for election resulting from referendum petition.)

4. The election shall be held in accordance with Article 27, Chapter 163A of the General Statutes of North Carolina.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

**Form #6**

PUBLIC NOTICE OF ELECTION ON THE ORDINANCE CHANGING THE  
NUMBER OF (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM  
\_\_\_\_\_ TO \_\_\_\_\_

The public will take notice that an election will be conducted in the (City) (Town) (Village) of \_\_\_\_\_, North Carolina, on (day of week), (date), for the purpose of submitting to the voters the question of whether the ordinance adopted by the (Governing Body) on (date), amending the (City) (Town) (Village) Charter, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, and changing the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_ shall become effective.

The election will be held in the following precincts:

The polls will be open on election day from \_\_\_\_\_ a.m. until \_\_\_\_\_ p.m.

\_\_\_\_\_  
(City) (Town) (Village) Clerk

**Form #7**

RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO A VOTE CHARTER AMENDMENTS INITIATED BY PETITION CHANGING THE NUMBER OF (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_

WHEREAS, the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ received a valid initiative petition pursuant to G.S. 160A-104 on (date), proposing amendments to the Charter of the (City) (Town) (Village) as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended; and

WHEREAS, the proposed amendments would change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_;

NOW, THEREFORE, BE IT RESOLVED BY THE (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ that:

1. An election is hereby called for (day of week), (date), for the purpose of determining whether the (City) (Town) (Village) (Governing Body) shall consist of \_\_\_\_\_ members.

2. Pursuant to G.S. 163A-1592 the (Name of County) County Board of Elections is hereby requested to conduct the election herein described and the (City) (Town) (Village) Clerk is directed to forthwith deliver a copy of this resolution to said Board of Elections.

3. Pursuant to G.S. 160A-104, the (City) (Town) (Village) Clerk shall cause to be duly published in accordance with G.S. 163A-1592 a notice of the election hereby called.

4. The election shall be held in accordance with Article 27, Chapter 163A of the General Statutes of North Carolina.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

**Form #8**

**PUBLIC NOTICE OF ELECTION ON CHARTER AMENDMENTS PROPOSED BY  
PETITION TO CHANGE THE NUMBER OF (COMMISSIONERS) (ALDERMEN)  
(COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_**

The public will take notice that an election will be conducted in the (City) (Town) (Village) of \_\_\_\_\_, North Carolina, on (day of week), (date), for the purpose of submitting to the voters the question of whether the proposals contained in an initiative petition received by the (Governing Body) on (date), amending the (City) (Town) (Village) Charter, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, to change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_ shall be approved.

The election will be held in the following precincts:

The polls will be open on election day from \_\_\_\_\_ a.m. until \_\_\_\_\_ p.m.

\_\_\_\_\_  
(City) (Town) (Village) Clerk

**Form #9**

AN ORDINANCE AMENDING THE CHARTER OF THE (CITY) (TOWN) (VILLAGE) OF \_\_\_\_\_, CHANGING THE NUMBER OF (COMMISSIONERS) (ALDERMEN) (COUNCILMEMBERS) FROM \_\_\_\_\_ TO \_\_\_\_\_

WHEREAS, the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_ received a valid initiative petition pursuant to G.S. 160A-104 on (date), proposing amendments to the Charter of the (City) (Town) (Village) to change the number of (Commissioners) (Aldermen) (Councilmembers) from \_\_\_\_\_ to \_\_\_\_\_; and

WHEREAS, after publication of notice an election was duly held on (day of week), (date), for the purpose of submitting the proposed amendments to a vote of the people; and

WHEREAS, a majority of the votes cast in the election were in favor of the proposed amendments;

NOW, THEREFORE, BE IT ORDAINED by the (Governing Body) of the (City) (Town) (Village) of \_\_\_\_\_:

Section 1. Pursuant to G.S. Chapter 160A, Article 5, Part 4, the Charter of the (City) (Town) (Village) of \_\_\_\_\_, as set forth in Chapter \_\_\_\_\_ of the (Year) (Private) (Session) Laws of North Carolina, as amended, is hereby further amended to provide that the (City) (Town) (Village) (Governing Body) shall hereafter consist of \_\_\_\_\_ members.

Section 2. This ordinance shall be effective upon adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Approved as to Form:

\_\_\_\_\_  
Attorney

**NCLM 03/2024**