

FORMS FOR IMPLEMENTING FOUR-YEAR STAGGERED TERMS

Form #1

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE (CITY) (TOWN) (VILLAGE) OF _____ TO IMPLEMENT FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY) 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 implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body) as authorized by G.S. 160A-101(4). It is proposed that at the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

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 implement four-year staggered terms of the (City) (Town) (Village) (Governing Body). It is proposed that at the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms. 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
TO IMPLEMENT FOUR-YEAR STAGGERED TERMS FOR THE
MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)

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 members of the (City) (Town) (Village) (Governing Body) shall hereafter be elected for four-year terms on a staggered basis as set forth in Section 2 below.

Section 2. At the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

Section 3. The (City) (Town) (Village) Clerk shall cause a notice to be duly published, stating that an ordinance amending the Charter to implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body) 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 3. 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:

Approved as to Form:

Clerk

Attorney

Form #4

PUBLIC NOTICE STATING THAT AN ORDINANCE AMENDING THE CHARTER OF THE (CITY) (TOWN) (VILLAGE) OF _____ HAS BEEN ENACTED IMPLEMENTING FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)

The public will take notice that the (Governing Body) of the (City) (Town) (Village) of _____ enacted 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 implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body). The ordinance provides that at the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

(City) (Town) (Village) Clerk

Form #5

RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO A VOTE AN ORDINANCE IMPLEMENTING FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)

WHEREAS, pursuant to G.S. 160A-101 and 160A-102, the (Governing Body) of the (City) (Town) (Village) of _____ enacted 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 implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body); 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 members of the (City) (Town) (Village) (Governing Body) shall be elected for four-year terms on a staggered basis as follows: At the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

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 IMPLEMENTING FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)

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 enacted 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 implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body) shall become effective. The ordinance provides that at the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

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 IMPLEMENTING FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)

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 implement four-year staggered terms for the members of the (City) (Town) (Village) (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 members of the (City) (Town) (Village) (Governing Body) shall be elected for four-year terms on a staggered basis as follows: At the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

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 IMPLEMENT FOUR-YEAR STAGGERED TERMS FOR THE
MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)**

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 proposal 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 implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body) shall be approved. It is proposed that at the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

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 _____ TO IMPLEMENT FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE (CITY) (TOWN) (VILLAGE) (GOVERNING BODY)

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 implement four-year staggered terms for the members of the (City) (Town) (Village) (Governing Body); 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 members of the (City) (Town) (Village) (Governing Body) shall hereafter be elected for four-year terms on a staggered basis as set forth in Section 2.

Section 2. At the regular municipal election to be held in (2019), the (three) candidates who receive the highest number of votes shall be elected for four-year terms, while the (two) candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in (2021), and every four years thereafter, (two) members of the (Governing Body) shall be elected to serve for four-year terms. At the regular municipal election to be held in (2023), and every four years thereafter, (three) members of the (Governing Body) shall be elected to four-year terms.

Section 3. This ordinance shall be effective upon adoption.

Adopted this _____ day of _____, 20____.

Mayor

ATTEST:

Approved as to Form:

Clerk

Attorney