

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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SENATE BILL 799

Short Title: Vacancy Filling for Town of Stanley. (Local)

Sponsors: Senator Overcash (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 6, 2024

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT VACANCIES OCCURRING ON THE TOWN COUNCIL FOR
THE TOWN OF STANLEY ARE FILLED FOR THE REMAINDER OF THE
UNEXPIRED TERM.

The General Assembly of North Carolina enacts:

SECTION 1. Section 9 of Chapter 233 of the Private Laws of 1911, as amended by
an ordinance adopted by the Town on July 1, 1991, and a resolution adopted by the Town on
March 2, 1992, reads as rewritten:

"Sec. 9. That on the second Monday in May, one thousand nine hundred and eleven, and
biennially thereafter, the Town Council, after having taken an oath before some justice of the
peace of Gaston County to support the constitution of the United States and the constitution of
the State of North Carolina, and to well, faithfully and truly perform the duties of the office of a
Town Council of the town of Stanley, to the best of their ability, which oath shall be subscribed
to and entered upon the minutes of the corporation, and attested to by the ~~justice of the peace~~
individual administering the oath, shall take their seats and remain in office for a period of four
years and until ~~their successors are~~ a successor is elected and qualified, except such as may be
removed for cause or otherwise. They shall organize by electing one ~~of their members~~ member
chairman, who shall act as a mayor *pro tempore*, in case of a vacancy, absence, or illness of the
mayor. ~~They shall proceed to elect members to fill such vacancies as may arise by death, or
failure to elect in the town, whether by virtue of a tie or on certificate of fraud, and shall fill any
and all vacancies as may occur from time to time during their term of office, either elective or
appointive offices.~~ Notwithstanding G.S. 160A-63, vacancies on the Town Council shall be filled
by appointment of the remaining members of the Town Council for the remainder of the
unexpired term. A majority of the Town Council shall constitute a quorum for the transaction of
business. Said Town Council shall meet for the transaction of business at least once a month, and
shall meet on the call of the mayor, or a majority of the Town Council, as often as may be
necessary. ~~Said board of aldermen at its first meeting after having been qualified shall proceed
to elect a chief of police for said town, and as many assistant policemen as may be deemed
necessary from time to time. The chief of police shall also act as tax collector, and as chief of the
fire department, until the board of aldermen shall deem it best to elect separate officers for these
offices. The board of aldermen shall also elect at this meeting a town clerk, who shall also fill
the office of town secretary and treasurer, until the board of aldermen shall deem it best to elect
separate officers to fill these offices. They shall also elect a sanitary officer for said town and
when deemed necessary a city attorney, and any and all other officers which may be deemed
necessary to promote the general welfare of the people and for the good government of the town.~~
Said officers so elected shall hold their respective offices for a period of two years, or until their



1 ~~successors have been elected and qualified, except such as may be removed for cause or~~
2 ~~otherwise."~~

3 **SECTION 2.** This act is effective when it becomes law and applies to vacancies
4 occurring on or after that date.