

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

**SESSION LAW 2021-39
SENATE BILL 51**

AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS IN THE CITY OF HAVELOCK, TOWNS OF BRIDGETON, COVE CITY, DOVER, RIVER BEND, AND TRENT WOODS, AND THE FIRST CRAVEN SANITARY DISTRICT, SHALL BE HELD IN EVEN-NUMBERED YEARS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Section 3 of the Charter of the City of Havelock, being Chapter 952 of the Session Laws of 1959, as amended by Chapter 152 of the Session Laws of 1977, S.L. 1998-88, and S.L. 1999-126, reads as rewritten:

"Sec. 3. Governing body generally; elections and terms of ~~office~~; office for mayor and board of commissioners; vacancies in offices.

(a) The Government of the City of Havelock shall be vested in a mayor and a board of commissioners made up of five members. Regular elections shall be held ~~biennially to elect, as their terms expire, commissioners for terms of four years and, until the regular election in 2001, a mayor for a term of two years. Beginning with the regular election in 2001, a mayor shall be elected for a term of four years. In the regular election in 1977, and quadrennially thereafter, there shall be elected two commissioners; and in the regular election in 1979, and quadrennially thereafter, there shall be elected three commissioners.~~ in each even-numbered year in accordance with the uniform municipal election laws of North Carolina to elect commissioners for staggered terms of four years and a mayor for a term of four years. Voters in each regular election shall be entitled to as many votes for the offices of commissioner as there are full terms for commissioner to be filled pursuant to this subparagraph, and to one vote for the office of mayor in the year in which the term of the mayor expires. ~~The candidate for mayor who receives the highest number of votes shall be declared elected; and candidates for commissioner, equal in number to the number of offices to be filled, who receive the highest number of votes, shall be declared elected.~~

(b) Any vacancy in the office of mayor shall be filled by appointment of the board of commissioners for the remainder of the unexpired term.

(c) If a vacancy, for any reason, occurs on the board of commissioners, the remaining members shall, within 30 days, appoint a qualified person to fill the vacancy as provided herein. If the vacancy occurs in the first two years of a four-year term, and more than three days before the end of the filing period for that office as provided by the General Statutes prior to the regular municipal election, the person appointed shall serve until the next statutory organizational meeting of the board after the election. At the regular municipal election, the candidate for commissioner who receives the next highest number of votes after the candidates for commissioner who are elected for full terms pursuant to subsection (a) of this section is elected to the unexpired term, said term to begin on the date of the organizational meeting. A voter may vote for no more than the number of full and unexpired terms to be filled at the election. A vacancy occurring otherwise shall be filled for the unexpired term.

(d) The board of commissioners, in acting pursuant to subparagraph (c) of this section to fill a vacancy, shall make its appointment from among those unelected candidates for commissioner in the immediately preceding regular election, who each received total votes in



excess of one-half of the average number of total votes cast in such election for those candidates who were elected, appointment to be made of the first then eligible candidate as taken in the order of the highest number of votes received in the foregoing election; and provided that if there is no candidate so eligible for appointment that the board of commissioners shall make its appointment to fill the vacancy from among all eligible citizens."

SECTION 1.(b) No municipal elections shall be conducted in the City of Havelock in 2021. The terms of office of the mayor and all commissioners serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 2.(a) The Charter of the Town of Bridgeton, being Chapter 621 of the 1989 Session Laws, reads as rewritten:

"Section 3.1. **Regular Municipal Elections; Conduct and Method of Election.** – ~~Regular municipal elections shall be held in the Town every two years in odd-numbered years and shall be conducted~~ Beginning in 2022, regular municipal elections shall be held every two years in even-numbered years in accordance with the uniform municipal election laws of North Carolina. The Mayor and members of the Board of Commissioners shall be elected according to the nonpartisan plurality method of elections. Municipal elections shall be conducted by the County Board of Elections.

"Section 3.2. **Election of the Board of Commissioners.** – ~~At the regular municipal elections in 1989~~ Beginning in 2022 and biennially thereafter, there shall be elected a Mayor and four commissioners to fill the seats of those officers whose terms are then expiring."

SECTION 2.(b) No municipal elections shall be conducted in the Town of Bridgeton in 2021. The terms of office for the mayor and all commissioners serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 3.(a) Section 4 of the Charter of the Town of Cove City, being Chapter 64 of the 1907 Session Laws, as amended by Chapter 427 of the 1957 Session Laws, Chapter 1032 of the 1957 Session Laws, Chapter 649 of the 1963 Session Laws, and Ord. No. 2003-8-4, reads as rewritten:

"Sec. 4. ~~On the first Tuesday after the first Monday in May, 1959, biennially~~ Beginning in 2024 and quadrennially thereafter, there shall be held in said town a municipal election by qualified voters thereof, at which election there shall be elected a Mayor and five commissioners. Said election shall be conducted in accordance with the ~~provisions of Article 3, Chapter 160 of the General Statutes of North Carolina~~ uniform municipal election laws of North Carolina.

Provided, that in regular municipal elections where the names of several candidates appear on the ballot grouped under the office for which they are running, the elector shall cast his or her vote for as many candidates as there are offices to be filled. If the elector votes for any number of such candidates less or more than the number of offices to be filled, such ballot shall not be counted for any of the group candidates for said office. There shall be printed under the title of the offices for group candidates the number of candidates to be voted for."

SECTION 3.(b) No municipal elections shall be conducted in the Town of Cove City in 2023. The terms of office for the mayor and all commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year, and regular municipal elections shall be conducted in 2024 and every four years thereafter.

SECTION 4.(a) The Charter of the Town of Dover, being Chapter 375 of the 1901 Session Laws, is amended by adding new sections to read:

"Sec. 2.1. The Mayor and Board of Commissioners shall be the governing body of the Town of Dover. The Board of Commissioners shall be composed of five members. The Mayor and members of the Board of Commissioners shall be elected for terms of two years.

"Sec. 2.2. Beginning in 2022, regular municipal elections shall be held in even-numbered years. The municipal election shall be conducted in accordance with the uniform municipal

election laws of North Carolina. A Mayor and members of the Board of Commissioners shall be elected to fill the seats of those officers whose terms are then expiring. Results of the municipal election shall be determined in accordance with the nonpartisan plurality method of elections."

SECTION 4.(b) No municipal elections shall be conducted in the Town of Dover in 2021. The terms of office for the mayor and all commissioners serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 5.(a) Section III of the Charter of the Town of River Bend, being that Charter approved by the Municipal Board of Control and filed with the Secretary of State on January 14, 1981, as amended by ordinance of the Town adopted March 17, 1982, as amended by ordinance 04-C-14 of the Town adopted October 20, 2004, reads as rewritten:

"Section III – Composition and Mode of Election of City Council.

- (1) The Town Council shall consist of five members. Members of the Town Council shall serve staggered terms of ~~two~~ four years. All candidates shall be nominated and elected by all the qualified voters of the city.
- (2) Non-partisan, runoff municipal elections shall be held by the County Board of Elections ~~pursuant to Article 23 and 24 of Chapter 163 of the General Statutes of North Carolina and shall be conducted as provided in G.S. 163-293.~~ in even-numbered years in accordance with Chapter 163 of the General Statutes.
- (3) The Mayor shall be elected by all of the qualified voters to serve a ~~two~~ four year term. The Mayor has the right to vote only where there is a tie vote excluding ~~his~~ the Mayor's vote or where the issue is the appointment of officers. The Mayor has no right to break a tie vote in which ~~he~~ the Mayor participates.

~~The first municipal election shall be held in conjunction with the incorporation referendum. The members of the City Council, then elected, shall serve until the next regular municipal election which shall be held on the fourth Tuesday before the Tuesday after the Monday in November of 1981, and the runoff election, if required, shall be held on Tuesday after the first Monday in November 1981, as per G.S. 163-279(4)."~~

SECTION 5.(b) No municipal elections shall be conducted in the Town of River Bend in 2021. The terms of office of the mayor and all Town Council members serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 6.(a) The Charter of the Town of Trent Woods, being Chapter 718 of the 1959 Session Laws, as amended by Chapter 264 of the 1971 Session Laws and Chapter 947 of the 1989 Session Laws, reads as rewritten:

"Section 1. That certain area of Craven County, North Carolina, described in Section 2 below is hereby incorporated under the name "Trent Woods" and the same is hereby created a body politic and corporate; and shall hereafter possess all of the corporate powers and be subject to all of the provisions contained in ~~Chapter 160~~ Chapter 160A of the General Statutes of North Carolina.

...

~~"Sec. 3. The officers of said municipality shall consist of a mayor and three commissioners.~~ Beginning 2022 and thereafter, regular municipal elections shall be held in each even-numbered year in accordance with the uniform municipal election laws of North Carolina.

~~"Sec. 4. Until their successors shall be elected and qualified pursuant to the provisions of Chapter 160, Article 3, of the General Statutes of North Carolina, the following persons shall be and are hereby constituted the officers of said town, to wit: Mayor, George R. Scott; Commissioners, C. Stroud Tilley, George T. Burnette, Jr., and G. C. Honeycutt.~~ The officers of the Town shall consist of a Mayor and three commissioners elected to serve two-year terms and

until their successors are elected and qualified. Beginning in 2022 and biennially thereafter, the Mayor and three commissioners shall be elected to serve two-year terms.

...."

SECTION 6.(b) No municipal elections shall be conducted in the Town of Trent Woods in 2021. The terms of office of the mayor and all commissioners serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 7.(a) S.L. 2009-55 reads as rewritten:

"SECTION 1. Elections for the First Craven Sanitary District shall be in each even-numbered year in accordance with the uniform municipal election laws of North Carolina. In ~~2009, 2022,~~ and quadrennially thereafter, members of the First Craven Sanitary District Board shall be elected for Seats 1 and 2 for four-year terms. In ~~2011-2024,~~ and quadrennially thereafter, members of the First Craven Sanitary District Board shall be elected for Seats 3, 4, and 5 for four-year terms."

SECTION 7.(b) No elections shall be conducted for the First Craven Sanitary District Board in 2021. The terms of office of all First Craven Sanitary District Board members serving on the effective date of this act shall be extended by one year, and regular municipal elections shall be conducted in 2022 and every two years thereafter.

SECTION 8. 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 16th day of June, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives