

NORTH CAROLINA GENERAL ASSEMBLY  
1965 SESSION

CHAPTER 548  
SENATE BILL 352

AN ACT TO PROVIDE FOR AN ELECTION TO BE HELD IN THE TOWN OF TARBORO IN EDGECOMBE COUNTY TO DETERMINE WHETHER CERTAIN SECTIONS OF THE GENERAL STATUTES SHALL BE AMENDED INsofar AS THEY PERTAIN TO THE FORM OF GOVERNMENT AND TO THE NUMBER AND ELECTION OF THE MEMBERS OF THE CITY COUNCIL AND THE ELECTION OF MAYOR OF THE TOWN OF TARBORO.

The General Assembly of North Carolina do enact:

Section 1. Section 160-296 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro the filing of a petition with the Board of Elections of Edgecombe County shall not be necessary or prerequisite to the holding of an election as hereinafter provided."

Sec. 2. Section 160-297 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro the filing of a petition with the Board of Elections of Edgecombe County shall not be necessary or prerequisite to the holding of an election as hereinafter provided."

Sec. 3. Section 160-298 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro the County Board of Elections of Edgecombe County shall call an election in accordance with the provisions of this Article within five days after a request for such election is filed with said County Board of Elections by the Town Council of the Town of Tarboro, provided such request is filed with said County Board of Elections prior to January 1, 1967. If such an election is so requested, the Board of Elections shall cause notice of such election to be given at least once a week for four weeks in some newspaper of general circulation in Edgecombe County, and the date of such election shall be fixed by the Board not later than forty days from the receipt of such a request. The notice shall be signed by the Chairman of the County Board of Elections, and the cost of publication thereof and other costs of the election paid by the Town of Tarboro. The election shall be held under, and governed and controlled by, the laws in force at the time of such election governing regular elections of the Town of Tarboro."

Sec. 4. Section 160-300 of the General Statutes of North Carolina-is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro all ballots used in the election shall contain the information and be substantially in the form provided for in the following Section."

Sec. 5. Section 160-301 of the General Statutes of North Carolina is hereby amended by adding at the end the following proviso:

"Provided that in the Town of Tarboro, the ballots shall be printed substantially as follows:

### SPECIAL MUNICIPAL ELECTION

To vote for either plan or form of government make a cross in the appropriate square to the left of the form of your choice.

- [ ] For the City Manager Form of Government, with seven City Councilmen elected at large, with a Mayor elected by the Councilmen from among their own number, and a City Manager appointed by the City Council.
- [ ] For the retention of the present form of government, with a Mayor elected at large, eight Councilmen elected according to wards, and a City Manager appointed by the City Council."

Sec. 6. Section 160-338 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro the method of government herein provided for shall be known as Plan D modified. Upon the adoption of Plan D Modified by the Town of Tarboro in the manner prescribed by Article 21 of this subchapter, such plan shall become operative, and the powers of government of such town shall be exercised, as provided herein and in Article 21."

Sec. 7. Section 160-340 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro the City Council shall consist of seven members, who shall be elected at large by and from the qualified voters of the town for a term of two years and until their successors are elected and qualified."

Sec. 8. Section 160-341 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro at least four of the persons entitled to be members of the City Council are present and make oath as aforesaid at the organizational meeting of the City Council."

Sec. 9. Section 160-343 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro four affirmative votes, at least, shall be necessary for the passage of any order, ordinance, resolution, or vote."

Sec. 10. Section 160-347 of the General Statutes of North Carolina is hereby amended by adding at the end of said Section the following proviso:

"Provided that in the Town of Tarboro the Mayor and Council may by a majority vote elect from their membership or from the qualified voters of the Town of Tarboro a

Treasurer and may fix his salary in such sum as they deem proper, and such person may also hold the position of City Clerk if so determined by a majority vote of the Council."

Sec. 11. Chapter 60 of the 1955 Session Laws of North Carolina shall be rescinded and repealed if the majority of the electors of the Town of Tarboro, at an election called and conducted as hereinabove provided, vote for the City Manager form of government, with seven City Councilmen elected at large, with a Mayor elected by the Councilmen from among their own number, and a City Manager appointed by the City Council; but said Chapter 60 shall remain in full force and effect if the majority of said voters vote for the retention of the present form of government, as hereinabove set forth.

Sec. 12. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 13. This Act shall become effective from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of May, 1965.