NORTH CAROLINA GENERAL ASSEMBLY
1971 SESSION

CHAPTER 328
HOUSE BILL 590

AN ACT TO AUTHORIZE A REFERENDUM IN THE TOWN OF YOUNGSVILLE ALCOHOLIC BEVERAGE CONTROL STORES.

The General Assembly of North Carolina do enact:

Section 1. The Board of Commissioners of the Town of Youngsville may, on its own motion, and shall, upon receipt of petition signed by qualified voters of the town equal in number to fifteen percent (15%) of the votes cast for Mayor in the most recent regular town election, call and conduct a special election in the town upon the question whether alcoholic beverage control stores shall be established in the town. No new registration of voters shall be necessary for such special election, and all qualified voters of the town who are registered prior to the registration period for such special election and all who register during such period shall be entitled to vote in such special election. Notice of such special election shall be posted at the Town Hall and at two other public places in the town at least 15 days preceding the day of election. Except as otherwise provided herein, the special election shall be conducted in accordance with the laws, rules, and regulations governing regular town elections in the Town of Youngsville. Such special election may be held on the same day as any regular town election or any other special election.

Sec. 2. At such special election, ballots shall be provided which contain the words "For Town Alcoholic Beverage Control Stores" and "Against Town Alcoholic Beverage Control Stores", with appropriate squares so that each voter may designate by his cross (X) mark his preference.

Sec. 3. If a majority of the votes cast at such special election shall be cast "For Town Alcoholic Beverage Control Stores", then it shall thereafter be lawful for such stores to be established and operated within the town and the Board of Commissioners shall immediately create the Town of Youngsville Alcoholic Beverage Control Board, to be composed of a Chairman and two other members. The Chairman and members shall be appointed by the Board of Commissioners. The member designated as Chairman shall serve for a term of three years; one member shall serve for a term of two years, and one member for a term of one year. After the initial terms, successors shall be appointed for terms of three years. Any vacancy on such Board shall be filled by the Board of Commissioners for the unexpired term. Compensation of the members of the Board shall be fixed by the Board of Commissioners.

Sec. 4. The Town of Youngsville Alcoholic Beverage Control Board shall have all the powers granted to, and duties imposed upon, county alcoholic control boards by G.S. 18-45 and shall be subject to the powers and authority of the State Board

of Alcoholic Control as granted by G.S. 18-39; provided, however, that G.S. 18-45(15) and G.S. 18-39(10) shall not be applicable to the Town of Youngsville Alcoholic Beverage Control Board.

Sec. 5. The net annual revenue from the operation of alcoholic beverage control stores remaining after payment of all costs and operating expenses and after retaining sufficient working capital in an amount determined by the Town of Youngsville Alcoholic Beverage Control Board shall be paid to the Town of Youngsville. The Town Alcoholic Beverage Control Board may, with the approval of the Board of Commissioners of the town, appropriate or pay out the funds authorized by this Section on a quarterly basis after sufficient working capital has initially been set aside.

Sec. 6. If a majority of the votes cast in such special election shall be cast "Against Town Alcoholic Beverage Control Stores", then no town alcoholic beverage control stores shall be established in the Town of Youngsville under authority of this act unless authorized by a subsequent election conducted under authority of Section 1 of this act.

Sec. 7. This act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 6th day of May, 1971.