

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 385
HOUSE BILL 252

AN ACT TO EXPAND THE ORANGE COUNTY ABC BOARD AND PROVIDE
THAT IT SHALL BE APPOINTED BY THE BOARD OF COMMISSIONERS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 18A-16(a), G.S. 18A-16(c), and G.S. 18A-16(d) shall not apply to Orange County.

Sec. 2. (a) There is hereby created the Orange County Board of Alcoholic Control to consist of five members. The members of the board shall be chosen for three-year terms by the Orange County Board of Commissioners.

(b) The terms of office of the members of the Orange County Board of Alcoholic Control shall be as follows: Two members shall serve for their first term a period of three years, two members shall serve for their first term a period of two years and the other member shall serve his first term for a period of one year, all terms beginning with the date of their appointment. After each term has expired, each successor in office shall serve for a period of three years and shall be appointed in the same manner as provided in this section. The members shall annually elect from among their own members a chairman.

(c) Any member of the Orange County Board of Alcoholic Control may be removed by the Orange County Board of Commissioners whenever such board finds that a member is unfit to serve. If any member of the county board is removed hereunder, his successor shall be selected to serve out the time for which such member was originally selected.

(d) Upon the death or resignation of any member of the Orange County Board of Alcoholic Control, before the expiration of the term of office for which said member has been appointed his replacement shall fill out the remainder of the unexpired term.

(e) The several members of the Orange County Board of Alcoholic Control shall give bond for the faithful performance of their duties, in the penal sum of five thousand dollars (\$5,000). This bond shall be payable to the State of North Carolina and to Orange County with some corporate surety, which surety shall be satisfactory to and approved by the county attorney of said county and the Chairman of the State Board and shall be deposited with the Chairman of the State Board. The State Board for and on behalf of the State of North Carolina and Orange County shall each be secured therein to the full amount of the penalty thereof, and the recovery or payment of any sums due thereunder to either shall not diminish or affect the right of the other obligee in said bond to recover the full amount of the said penalties thereof. The giving and the

approval of such bond shall be a part of the qualification of said members, and no member shall be entitled to exercise any of the functions or powers incident to his appointment until and unless the said bond has been given and approved as herein provided. The Orange County Board of Commissioners shall be authorized to relieve any member of the Orange County Board of Alcoholic Control who does not handle any money or funds from furnishing such bond, and shall be further authorized to require bond in excess of five thousand dollars (\$5,000) of any member of the board handling money or funds if the Orange County Board of Commissioners deem it advisable to increase such bond.

Sec. 3. The salaries of the members of the Orange County Board of Alcoholic Control shall be set by the Orange County Board of Commissioners.

Sec. 4. The terms of the current members of the Orange County Board of Alcoholic Control shall expire when the Board of Commissioners makes its initial appointments under this act.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 17th day of April, 1979.