

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 896
HOUSE BILL 2171

AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO WITH
RESPECT TO RECALL PETITIONS AND WITH RESPECT TO VOTING
REQUIREMENTS ON APPROPRIATING FUNDS FROM THE GENERAL
FUND BALANCE OF THE CITY OF GREENSBORO.

The General Assembly of North Carolina enacts:

Section 1. Sec. 2.71(c) (2) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137 of the Session Laws of 1959, is amended by rewriting the sub-subsection to read as follows:

"Voters seeking the recall of any member of the council shall proceed by way of a recall petition addressed to the council identifying the council member concerned, requesting his/her removal from office and stating the grounds alleged for his/her removal. With respect to any council member elected at large, any recall petition must be filed with the city clerk and must be signed by qualified voters of the city equal in number to at least 25% of the qualified voters of the city who voted at the last preceding election of city council members. With respect to any city council member elected from a district, any recall petition must be filed with the city clerk and must be signed by qualified voters of that council member's district equal in number to at least 25% of the qualified voters of such district who voted at the last preceding election for its city council member."

Sec. 2. Sec. 2.73(g) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137 of the Session Laws of 1959, is amended by rewriting the entire sixth sentence to read as follows:

"Upon completion of its check, the board of elections shall forthwith certify to the city clerk: (1) The total number of registered voters of the city or the municipal electoral district, whichever is applicable, at the time of the most recent election of members of the city council; and (2) the number of voters registered in the city or in the municipal electoral district, if applicable, whose signatures, marked by the clerk, appear on the petition papers that the board found it necessary to examine."

Sec. 3. Sec. 2.75(b) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137 of the Session Laws of 1959, is amended by rewriting the fifth sentence thereof to read as follows:

"Upon completion of this check, the board of elections shall forthwith certify to the city clerk the number of voters registered in the city or in the municipal electoral district, if applicable, whose signatures, marked by the clerk, appear on the supplementary petition papers that the board found it necessary to examine."

Sec. 4. Sec. 2.76(c) of the Charter of the City of Greensboro, as set forth in Section 1, Chapter 1137 of the Session Laws of 1959, is amended by adding a new sentence at the end thereof to read as follows:

"Any recall election for a council member from an electoral district shall be held within that district only."

Sec. 4.1. Section 3.23(b) of the Charter of the City of Greensboro, being Chapter 1137 of the Session Laws of 1959, as rewritten by Section 13 of Chapter 213, Session Laws of 1973 reads as rewritten:

"(b) The Mayor shall be considered and given the same status as a member of the Council for the purpose of determining a quorum of the City Council and for the purpose of voting. A majority of the members of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members by ordering them to be taken into custody. The affirmative vote of a majority of the members of the Council shall be necessary to adopt any ordinance. All other matters voted upon shall be by majority vote of the Council members present but no ordinance shall be adopted on the same day it is introduced unless five affirmative votes are received in favor of it. Nevertheless, with respect to any ordinance amending the budget to appropriate funds from the Unappropriated Fund Balance of the General Fund, the affirmative vote of seven members of the council shall be necessary to adopt any such amendment, except in case of an emergency. For the purpose of this section, an emergency is an unforeseen occurrence or condition calling for immediate action to avert imminent danger to life, health, or property and to secure the public safety. No member shall be excused from voting except on matters involving the consideration of his own official conduct or involving his financial interest."

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1990.