

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 1999-255
HOUSE BILL 841

AN ACT TO AMEND THE CARRBORO TOWN CHARTER TO AUTHORIZE THE GOVERNING BODY TO OFFER INCENTIVES TO ENCOURAGE MORE AFFORDABLE HOUSING UNITS AND TO CHANGE THE NAME OF THE CARRBORO BOARD OF ALDERMEN, AND TO AUTHORIZE THE TOWN OF CHAPEL HILL TO ENHANCE AND INCREASE SEDIMENTATION PROTECTION AND TO AMEND THE CHAPEL HILL CHARTER TO ALLOW THE TOWN COUNCIL TO REQUIRE CANDIDATES FOR ELECTIVE TOWN OFFICE TO DISCLOSE THE NAMES OF CAMPAIGN CONTRIBUTORS AND TO LIMIT BY ORDINANCE THE AMOUNT THAT PERSONS MAY CONTRIBUTE TO A CANDIDATE OR THEIR POLITICAL COMMITTEE AND TO ALLOW THE REGULATION OF OPEN BURNING, AND TO ALLOW HALF-DAY SHIFTS FOR ELECTION JUDGES IN ORANGE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 9-2 of the Carrboro Town Charter, being Chapter 476 of the 1987 Session Laws, reads as rewritten:

"Section 9-2. Unified Development Ordinance. The board of aldermen may combine into a single ordinance or unified land use code any of the ordinances that it is permitted to adopt pursuant to the authority granted in Article 19 of Chapter 160A of the General Statutes or any local act applicable to the Town of Carrboro that deals with the subject matters contained in Article 19 of Chapter 160A of the General Statutes. In a unified development ordinance the board may provide that subdivision preliminary plat approval be granted in the same manner as any other conditional use permit is issued, including the attachment of reasonable conditions to such approval. The Town may provide by ordinance for appropriate incentives to encourage that residential developments contain housing units that are affordable to low- or moderate-income persons."

Section 2. Section 2-1(a) of Article 2 of the Charter of the Town of Carrboro, being Chapter 476 of the 1987 Session Laws, as amended, reads as rewritten:

"(a) The governing body of the Town of Carrboro shall consist of a mayor and six aldermen, aldermen, commissioners, councillors, or council members, as determined by resolution of the Town of Carrboro, elected as provided in Section 2-2. The governing body shall be known as the Board of Aldermen, Board of Commissioners, Board of Councillors, or Town Council, as determined by resolution of the Town of Carrboro. Whenever this Charter or any ordinance, resolution, or other

document refers to the Carrboro Board of Aldermen, such reference shall be deemed to refer to the Carrboro Board of Aldermen, Board of Commissioners, Board of Councillors, or Town Council, as determined by resolution of the Town of Carrboro."

Section 3. G.S. 113A-60(a) reads as rewritten:

"(a) Any local government may submit to the Commission for its approval an erosion and sediment control program for its jurisdiction, and to this end local governments are authorized to adopt ordinances and regulations necessary to establish and enforce erosion and sediment control programs. Local governments are authorized to create or designate agencies or subdivisions of local government to administer and enforce the programs. An ordinance adopted by a local government shall at least meet and may exceed the minimum requirements of this Article and the rules adopted pursuant to this ~~Article~~. Article and may require enhanced and increased sedimentation protection by reason of the concurrent construction of two or more projects in the same watershed. Two or more units of local government are authorized to establish a joint program and to enter into any agreements that are necessary for the proper administration and enforcement of the program. The resolutions establishing any joint program must be duly recorded in the minutes of the governing body of each unit of local government participating in the program, and a certified copy of each resolution must be filed with the Commission."

Section 4. Chapter II of the Charter of the Town of Chapel Hill, being Chapter 473 of the 1975 Session Laws, as amended, is amended by adding the following new sections to read:

"Sec. 2.6. Disclosure of contributors.

(a) The Town Council may by ordinance require the disclosure by candidates (and their political committees) for elective town office of the names of all contributors to their campaigns. The ordinance may exempt from disclosure contributions below a monetary amount set in the ordinance.

(b) The ordinance shall apply regardless of the total amount of contributions, loans, or expenditures by the campaigns.

(c) G.S. 163-278.10A does not apply to municipal elections in the Town of Chapel Hill.

"Sec. 2.7. Limitation on contributions.

Except as provided by G.S. 163-278.13(c), the Town Council may by ordinance limit the amount of contributions which any individual, person, or political committee may contribute to any candidate for town office or to any political committee of that candidate. The ordinance may not set a limitation which has a dollar amount greater than the dollar amount set in the general law which would apply to elective office in the town.

"Sec. 2.8. Definitions. The definitions in Article 22A of Chapter 163 of the General Statutes apply to Sections 2.6 and 2.7 of this Charter."

Section 5. Chapter V of the Charter of the Town of Chapel Hill, being Chapter 473 of the 1975 Session Laws, as amended, is amended by adding the following new Article to read:

"Article 9.

Regulation of Open Burning.

"Sec. 5.50. After conducting a public hearing, the Town may adopt ordinances to regulate and prohibit the open burning of trees, limbs, stumps, and construction debris within the Town or the Town's extraterritorial jurisdiction.

The Town may, as a condition of approval for any permit for a subdivision, clearing and development of land, or construction of buildings within the Town or the Town's extraterritorial jurisdiction, regulate and prohibit the open burning of trees, limbs, stumps, and construction debris associated with the permitted activity."

Section 6.(a) G.S. 163-47(a) reads as rewritten:

"(a) The chief judges and judges of election shall conduct the primaries and elections within their respective precincts fairly and impartially, and they shall enforce peace and good order in and about the place of registration and voting. On the day of each primary and general and special election, the precinct chief judge and judges shall remain at the voting place from the time fixed by law for the commencement of their duties there until they have completed all those duties, and they shall not separate nor shall any one of them leave the voting place except for unavoidable necessity. Notwithstanding the requirement in the previous sentence, the county boards of elections may allow judges of election to serve for half-day shifts."

Section 6.(b) This section applies to Orange County only.

Section 7. Section 3 of this act applies only to the Town of Chapel Hill.

Section 8. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 6th day of July, 1999.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives