

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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BILL DRAFT 2013-LB-85 [v.7] (02/04)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

3/5/2013 10:33:33 AM

Short Title: Asheville/Buncombe Elections.

(Local)

Sponsors: Representative Moffitt.

Referred to:

A BILL TO BE ENTITLED

AN ACT CONCERNING ELECTION DATES IN BUNCOMBE COUNTY AND TO
CHANGE THE MANNER OF ELECTION OF THE ASHEVILLE CITY COUNCIL.

The General Assembly of North Carolina enacts:

SECTION 1. Other than elections under Article 4 of Chapter 159 of the General Statutes, the Local Government Bond Act and elections to fill vacancies in the United States House of Representatives under G.S. 163-13, no elections may be conducted in odd-numbered years within Buncombe County other than election of mayors and municipal governing boards.

SECTION 2. Section 6 of the Charter of the City of Asheville, being Chapter 121, Private Laws of 1931, as amended by Chapter 114, Private Laws of 1935, Ordinance No. 1501 adopted March 19, 1985 and by Ordinance No. 2385, adopted June 24, 1997, adopted under the provisions of Part 4 of Article 5 of Chapter 160A of the General Statutes, reads as rewritten:

"Sec. 6. – Composition; qualifications and terms of members.

(a) Except as otherwise herein provided in this Charter, all powers of the city shall be vested in a council of a mayor and six councilmembers, all nominated and elected from the city at large in the manner hereinafter provided. The mayor and members of the council, and all other officers, elected under the provisions of this Charter, shall at the time of their election be qualified electors of the City of Asheville.

(b) In 2013 three councilmembers shall be elected at-large for two-year terms. In 2013 and quadrennially thereafter the Mayor shall be elected for a four-year term. In 2015 and quadrennially thereafter one councilmember shall be elected at-large for a four-year term. The city shall be divided into five single-member electoral districts; and the qualified voters of each district shall nominate and elect a person who resides in the district for the seat apportioned to that district. In 2015 one member shall be elected from each district, with the two persons elected receiving the highest numbers of votes receiving an initial four year-term and the three persons elected receiving the next highest numbers of votes receiving an initial two-year term. In 2017 and quadrennially thereafter two councilmembers from districts shall be elected for four-year terms. In 2019 and quadrennially thereafter three councilmembers from districts shall be elected for four-year terms.

(c) The term of the mayor and councilmembers shall begin at the first regular meeting of the city council next following their election as set forth hereinafter. ~~The~~ Except as provided in subsection (b) of this section, the term of office of the mayor and six councilmembers shall be four years, and shall be so staggered that the terms of office of three councilmembers shall



1 ~~expire every two years. Said staggered terms shall begin following the election of 1997, with~~
2 ~~those three persons elected to council who receive the highest number of votes of the entire~~
3 ~~council to serve four year terms to expire in 2001, and the other three persons elected to council~~
4 ~~to serve two year terms to expire in 1999. Commencing with the 1999 election, all terms of~~
5 ~~office for council members shall be four years. The person elected as mayor at the 1997~~
6 ~~election shall serve a four year term of office commencing in 1997 and expiring in 2001.~~
7 ~~Thereafter, all terms of office for the mayor shall be four years.~~

8 (d) A mayor or member of council ceasing to possess any of the qualifications specified
9 in this section shall immediately forfeit office.

10 (e) The city council of the City of Asheville shall no later than December 31, 2013
11 propose to the General Assembly a plan for the five single-member districts provided by this
12 section, with one seat predominantly in central Asheville, one seat predominantly in west
13 Asheville, one seat predominantly in north Asheville, one seat predominantly in east Asheville,
14 and one seat predominantly in south Asheville. In crafting such districts, the City of Asheville
15 shall use data from the 2010 census adjusted for any annexations or deannexations since the
16 date of the census. The city shall provide to the General Assembly data on such annexations or
17 deannexations. The General Assembly shall no later than March 1, 2015 adopt a plan for the
18 districts to be used beginning with the 2015 election."

19 **SECTION 3.** This act is effective when it becomes law.