

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023**

**SENATE BILL 265  
RATIFIED BILL**

AN ACT TO PROVIDE THAT REGULAR MUNICIPAL ELECTIONS FOR MUNICIPALITIES IN HENDERSON, POLK, AND RUTHERFORD COUNTIES ARE HELD IN EVEN-NUMBERED YEARS; TO EXTEND THE TERMS OF THE MAYOR IN THE TOWN OF TRYON AND ALL ELECTED OFFICERS IN THE TOWN OF RUTH FROM TWO TO FOUR YEARS; AND TO PROVIDE FOR FOUR-YEAR TERMS OF OFFICE FOR ALL MEMBERS OF THE POLK COUNTY BOARD OF COMMISSIONERS.

The General Assembly of North Carolina enacts:

**PART I. MUNICIPALITIES IN HENDERSON COUNTY**

**SECTION 1.1.(a)** Chapter III of the Charter of the Village of Flat Rock, being Chapter 48 of the 1995 Session Laws, reads as rewritten:

"CHAPTER III.  
"GOVERNING BODY.

...  
"Sec. 3.3. **Term of Office of Council Members.** ~~In the 1995 municipal election, two~~ Two members shall be elected from each electoral district. ~~In each electoral district in 1995, the person receiving the highest number of votes is elected to a four year term, and the person receiving the next highest number of votes is elected to a two year term. In 1997 and biennially thereafter, one person is elected from each electoral district for a staggered four-year term.~~ terms.

"Sec. 3.4. **Election of Mayor; Term of Office.** The qualified voters of the entire Village elect the Mayor. ~~A Mayor shall be elected in 1995 and quadrennially thereafter for a four-year term.~~"

**SECTION 1.1.(b)** Section 4.1 of the Charter of the Village of Flat Rock, being Chapter 48 of the 1995 Session Laws, reads as rewritten:

"Sec. 4.1. **Conduct of Village Elections.** Regular municipal elections shall be held at the time of the general election in each even-numbered year. Village officers shall be elected on a nonpartisan basis and results determined by the primary method as provided in G.S. 163-294. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes."

**SECTION 1.1.(c)** No municipal elections shall be conducted in the Village of Flat Rock in 2023. The terms of the Mayor and the three Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the three Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Village of Flat Rock in even-numbered years beginning in 2024.

**SECTION 1.1.(d)** In 2024 and quadrennially thereafter, a mayor and one Council member from each electoral district shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, one Council member from each electoral district shall be elected to serve a four-year term.



**SECTION 1.2.(a)** Chapter III of the Charter of the Town of Fletcher, being Chapter 44 of the 1989 Session Laws, reads as rewritten:

"Chapter III.  
"Governing Body.

...  
"Sec. 3.3. Term of office of Council members. Members of the Town Council are elected to staggered four-year terms, except at the initial election in 1989, the two highest vote getters who are elected to district seats shall be elected to four-year terms, and the next two highest vote-getters elected to district seats shall be elected to two-year terms. In 1991 and quadrennially thereafter, two members of the Council shall be elected for four-year terms. In 1993 and quadrennially thereafter, two members of the Council shall be elected for four-year terms.

"Sec. 3.4. Selection of Mayor; term of office. The qualified voters of the entire town nominate and elect the Mayor. A mayor shall be elected ~~in 1989 and quadrennially thereafter~~ for a four-year term."

**SECTION 1.2.(b)** Chapter IV of the Charter of the Town of Fletcher, being Chapter 44 of the 1989 Session Laws, reads as rewritten:

"Chapter IV.  
"Elections.

"Sec. 4.1. Conduct of Town elections. Regular municipal elections shall be held at the time of the general election in each even-numbered year. The Town Council and Mayor shall be elected on a nonpartisan basis and the results determined by the primary method as provided by G.S. 163-294; provided that if the City of Hendersonville is scheduled to hold a primary on the sixth Tuesday before the election under G.S. 163-279(a)(2), the nonpartisan primary in the Town of Fletcher shall be on that date. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina."

**SECTION 1.2.(c)** No municipal elections shall be conducted in the Town of Fletcher in 2023. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Fletcher in even-numbered years beginning in 2024.

**SECTION 1.2.(d)** In 2024 and quadrennially thereafter, one Council member from each of Districts 2 and 3 shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and one Council member from each of Districts 1 and 4 shall be elected to serve four-year terms.

**SECTION 1.3.(a)** Article IV of the Charter of the City of Hendersonville, being Chapter 874 of the 1971 Session Laws, as amended by City Ordinance No. 1995-06-08 adopted on June 8, 1995, and S.L. 2016-15, reads as rewritten:

"ARTICLE IV. ELECTION PROCEDURES

"Sec. 4.1. Regular Municipal Elections. Regular municipal elections shall be held ~~quadrennially on the date provided by law. In each election year, there shall be elected by the qualified voters of the City four Council Members (in addition to the Mayor) to serve for terms of four years, or at the time of the general election in each even-numbered year.~~ The Mayor and Council Members shall serve until their successors are elected and qualified.

"Sec. 4.2. Regular Municipal Primaries. ~~There shall be a regular municipal primary at which each political party shall nominate four candidates for City Commissioners and one for the office of Mayor, to be filled at the regular municipal election.~~ The Mayor and Council Members shall be elected on a nonpartisan basis and results determined by the primary method as provided in G.S. 163-294.

"Sec. 4.3. Voting. ~~In the elections to be held during the calendar year 1997, each voter shall be entitled to vote for four (4) candidates for City Council and one (1) candidate for the office of~~

mayor. In the election to be held in 1997, two (2) of the council members shall be elected each for a term of two (2) years and two (2) of the council members shall be elected for a term of four (4) years; provided, that the two candidates for council seats receiving the greatest and second greatest number of votes shall be declared elected to the terms of four (4) years, and that the two (2) candidates receiving the third and fourth greatest number of votes shall be declared elected to the terms of two (2) years. In the case of a tie involving the second and third greatest number of votes, declaration for the two (2) year and four (4) year terms shall be decided by lot. Beginning in 1999, elections shall be held every two (2) years and all vacated council seats shall be filled for a term of four (4) years. The Council Members shall be elected for staggered terms of four years. The mayor shall be elected every four (4) years for a term of four (4) years.

"Sec. 4.4. Regulation of Elections. All municipal elections shall be conducted in accordance with the general laws of North Carolina relating to municipal elections, uniform municipal election laws in Chapter 163 of the General Statutes, except as otherwise herein provided.~~provided by this act.~~"

**SECTION 1.3.(b)** No municipal elections shall be conducted in the City of Hendersonville in 2023. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the City of Hendersonville in even-numbered years beginning in 2024.

**SECTION 1.3.(c)** In 2024 and quadrennially thereafter, two Council members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two Council members shall be elected to serve four-year terms.

**SECTION 1.4.(a)** Section 3.1 of the Charter of the Town of Laurel Park, being S.L. 2000-8, reads as rewritten:

"Section 3.1. **Regular Municipal Elections.** Regular municipal elections shall be held at the time of the general election in each odd-numbered year even-numbered year. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. Elections shall be conducted on a nonpartisan basis and the results determined using the nonpartisan plurality method as provided in G.S. 163-292."

**SECTION 1.4.(b)** Sections 3.2 and 3.3 of the Charter of the Town of Laurel Park, being S.L. 2000-8, are repealed.

**SECTION 1.4.(c)** No municipal elections shall be conducted in the Town of Laurel Park in 2023. The terms of the Mayor and the two Commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Commissioners serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Laurel Park in even-numbered years beginning in 2024.

**SECTION 1.4.(d)** In 2024 and quadrennially thereafter, a mayor and two Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, two Commissioners shall be elected to serve four-year terms.

**SECTION 1.5.(a)** Section 3.3 of the Charter of the Town of Mills River, being S.L. 2003-242, reads as rewritten:

"Section 3.3. **Manner of Electing Town Council; Terms of Office.** Two of the Council members shall be elected at large from the residents of the Town and three shall be elected from each of Districts 1, 2, and 3 respectively, as provided in Article IV of this Charter. The qualified voters of the entire Town shall elect all the members of the Town Council, ~~and, except as provided in this section, and they shall serve staggered four-year terms. In 2003, two Council members shall be elected at large and they shall serve for four-year terms, and one Council member shall be elected from each of Districts 1, 2, and 3, respectively and they shall serve for two-year terms. In 2005, and quadrennially thereafter, one Council member shall be elected from~~

each of Districts 1, 2, and 3 respectively and they shall serve for four year terms. In 2007, and quadrennially thereafter, two members shall be elected at large and they shall serve for four year terms."

**SECTION 1.5.(b)** Section 4.1 of the Charter of the Town of Mills River, being S.L. 2003-242, reads as rewritten:

"Section 4.1. **Conduct of Town Elections.** Town elections shall be conducted on a nonpartisan basis and the results determined by plurality, as provided in G.S. 163-292. Elections shall be conducted by the Henderson County Board of Elections in accordance with general law, except as may be modified by this Charter. Elections."

**SECTION 1.5.(c)** Section 4.2 of the Charter of the Town of Mills River, being S.L. 2003-242, reads as rewritten:

"Section 4.2. **Regular Municipal Elections; District Boundaries.** Regular municipal elections shall be held at the time of the general election in each odd-numbered year even-numbered year. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. For purpose of the election of Town Council members, the Town is divided into three geographical subdivisions, known as districts, and all qualified voters of the Town may cast a vote for each seat. A written description or map showing the current boundaries of the three election districts shall be maintained in the office of the Town Clerk and shall be available for public inspection. The district boundaries may be amended periodically pursuant to the provisions of general law. Whenever areas are hereafter annexed and made part of the Town, the Town Council shall, by ordinance, redefine and rearrange the three election districts so as to include the annexed areas. The ordinance shall be adopted at least seven days prior to the opening of candidate filing for the municipal election next succeeding the date of any annexation and shall provide for three election districts of approximately equal population. In redefining and rearranging the election district lines, the Town Council shall follow as nearly as practical existing district lines."

**SECTION 1.5.(d)** No municipal elections shall be conducted in the Town of Mills River in 2023. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the three Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Mills River in even-numbered years beginning in 2024.

**SECTION 1.5.(e)** In 2024 and quadrennially thereafter, two Council members shall be elected at-large to serve four-year terms. In 2026 and quadrennially thereafter, one Council member shall be elected from each of Districts 1, 2, and 3, respectively, to serve four-year terms.

## **PART II. MUNICIPALITIES IN POLK COUNTY**

**SECTION 2.1.(a)** Article III of the Charter of the Town of Columbus, being Chapter 46 of the 1985 Session Laws, as amended by Town Ordinance No. 68 adopted on February 18, 2003, reads as rewritten:

### **"ARTICLE III. ELECTIONS**

"Section 3.1. Regular Municipal Elections. Regular municipal elections shall be held at the time of the general election in each odd-numbered year even-numbered year. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. The Mayor and Council members shall be elected by the voters of the Town on an at-large basis, by the nonpartisan plurality method of ~~election~~ election, as provided in G.S. 163-292.

"Section 3.2. Election of the Council Members. The Council members ~~-serving on the date of ratification of this Charter may continue to~~ shall serve until expiration of their terms, or until their successors are elected and qualified. Council members shall continue to be elected and to serve on a staggered term system. At each ~~such~~ municipal election the candidate receiving the

highest number of votes shall serve for a term of four years, and the two candidates receiving the next highest number of votes shall serve for a period of two years.

"Section 3.3. Election of the Mayor. The Mayor ~~servicing on the date of ratification of this Charter may continue to serve until the expiration of his or her term, or shall serve until a successor is elected and qualified. At the regular municipal election in 1985 and every two years thereafter, there~~ The Mayor shall be elected a Mayor to serve as provided in Article II of this Charter.

...."

**SECTION 2.1.(b)** No municipal elections shall be conducted in the Town of Columbus in 2023. The terms of the Mayor and the two Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Columbus in even-numbered years beginning in 2024.

**SECTION 2.1.(c)** In 2024 and biennially thereafter, a mayor shall be elected to serve a two-year term and three Council members shall be elected for staggered terms.

**SECTION 2.2.(a)** Notwithstanding the Charter of the City of Saluda, being Chapter 5 of the Private Laws of 1881, as amended by Chapter 93 of the Private Laws of 1903, Chapter 20 of the Private Laws of 1907, and Chapter 191 of the Private Laws of 1913, regular municipal elections in the City of Saluda for the election of the Mayor and Commissioners shall be held at the time of the general election in even-numbered years. Election of the Mayor and Commissioners shall be on a nonpartisan plurality basis and the results determined in accordance with G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes.

**SECTION 2.2.(b)** No municipal elections shall be conducted in the City of Saluda in 2023. The terms of the two Commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Commissioners serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the City of Saluda in even-numbered years beginning in 2024.

**SECTION 2.2.(c)** In 2024 and quadrennially thereafter, two Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two Commissioners shall be elected to serve four-year terms.

**SECTION 2.3.(a)** Section 3.3 of the Charter of the Town of Tryon, being Chapter 441 of the 1971 Session Laws, as amended by S.L. 2013-261, reads as rewritten:

"Sec. 3.3. Terms; Qualifications; Vacancies. (a) Except as provided in Section 4.1, the members of the Board of Commissioners shall serve for staggered terms of four years, and the Mayor shall serve for a term of ~~two~~ four years, beginning the day and hour of the organizational meeting following their election, as established by ordinance in accordance with this Charter; provided, they shall serve until their successors are elected and qualify.

...."

**SECTION 2.3.(b)** Section 4.1 of the Charter of the Town of Tryon, being Chapter 441 of the 1971 Session Laws, as amended by Town Ordinance No. 2003-7 adopted on August 19, 2003, reads as rewritten:

"Sec. 4.1. Regular Elections.

(a) Regular municipal elections shall be held ~~biennially on the Tuesday after the first Monday in November in May in odd numbered years.~~ at the time of the general election in each even-numbered year. In each biennial election, there shall be elected two commissioners. Election of the mayor and commissioners shall be on a nonpartisan plurality basis and the results determined in accordance with G.S. 163-292. Except as otherwise provided by this act, the

election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes.

~~(b) Notwithstanding the provisions of subsection (a) above, in 2003 only, there shall be elected three commissioners. The candidates for commissioner who receive the largest and second largest number of votes shall each be elected for a term of four (4) years, and the candidate for commissioner who receives the third largest number of votes shall be elected for a term of two (2) years."~~

**SECTION 2.3.(c)** No municipal elections shall be conducted in the Town of Tryon in 2023. The terms of the Mayor and the two Commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Commissioners serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Tryon in even-numbered years beginning in 2024.

**SECTION 2.3.(d)** In 2024 and quadrennially thereafter, a mayor and two Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, two Commissioners shall be elected to serve four-year terms.

### **PART III. MUNICIPALITIES IN RUTHERFORD COUNTY**

**SECTION 3.1.(a)** Section 4 of the Charter of the Town of Bostic, being Chapter 263 of the Private Laws of 1913, as amended by Town Resolution adopted on March 2, 2009, reads as rewritten:

"Sec. 4. It shall be the duty of the Town Commissioners to provide for an election to be held on the first Tuesday in November, 2009, according to the laws of the State and the Regular municipal elections shall be held at the time of the general election in each even-numbered year. The officers elected shall hold their offices until their successors are elected and qualified. The Town Commissioners shall be composed of 5-five members, each of whom shall be elected for a term staggered terms of four years, provided they shall serve until their successors are elected and qualified. Notwithstanding the foregoing, the terms of the two commissioners receiving the most votes in the 2009 election shall be four years and the terms of the remaining three commissioners in that election shall be two years. Thereafter, the terms of all Town Commissioners shall be four years as referenced above. Notwithstanding the foregoing, the term of the Mayor elected in the 2009 Election shall be four years and thereafter the years. The term of the Mayor shall be four years, as referenced above years. The Commissioners and Mayor shall be elected according to the nonpartisan plurality election method in accordance with G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina."

**SECTION 3.1.(b)** No municipal elections shall be conducted in the Town of Bostic in 2023. The terms of the three Commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Commissioners serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Bostic in even-numbered years beginning in 2024.

**SECTION 3.1.(c)** In 2024 and quadrennially thereafter, three Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two Commissioners shall be elected to serve four-year terms.

**SECTION 3.2.(a)** Section 3-3 of the Charter of Chimney Rock Village, being Chapter 444 of the 1991 Session Laws, reads as rewritten:

"Sec. 3-3. **Term of Office of Council Members.** Members of the Council are elected to staggered four-year terms. At the initial election in 1991, the three highest vote getters shall be elected to four year terms and the next two highest vote getters shall be elected to two year terms. In 1993 and quadrennially thereafter, two members of the Council shall be elected for four year

terms. In 1995 and quadrennially thereafter, three members of the Council shall be elected for four year terms."

**SECTION 3.2.(b)** Section 4-1 of the Charter of Chimney Rock Village, being Chapter 444 of the 1991 Session Laws, reads as rewritten:

"Sec. 4-1. **Conduct of Village Elections.** Regular municipal elections shall be held at the time of the general election in each even-numbered year. Village officers shall be elected on a nonpartisan basis and results determined by a plurality as provided in G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes."

**SECTION 3.2.(c)** No municipal elections shall be conducted in Chimney Rock Village in 2023. The terms of the three Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in Chimney Rock Village in even-numbered years beginning in 2024.

**SECTION 3.2.(d)** In 2024 and quadrennially thereafter, three Council members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, two Council members shall be elected to serve four-year terms.

**SECTION 3.3.(a)** Article III of the Charter of the Town of Ellenboro, being Chapter 425 of the 1983 Session Laws, as amended by S.L. 2007-310, reads as rewritten:

"ARTICLE III.

"ELECTIONS.

"Sec. 3.1. Regular Municipal Elections; Conduct and Method of Election. Regular municipal elections shall be held in the Town ~~every two years in odd-numbered years and at the time of the general election in each even-numbered year.~~ Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. The Mayor and members of the Council shall be elected according to the nonpartisan plurality method of election. election in accordance with G.S. 163-292.

"Sec. 3.2. Election of Council Members. Council members shall be elected to serve staggered four-year terms. All council members shall be nominated and voted upon by the voters of the Town voting at large. ~~At the regular municipal election in 2007, the persons receiving the two highest numbers of votes are elected to four year terms, and the three persons receiving the next highest numbers of votes are elected to two year terms. In 2009 and quadrennially thereafter, three members are elected for four year terms. In 2011 and quadrennially thereafter, two members are elected for four year terms.~~

"Sec. 3.3. Election of the Mayor. ~~At the regular municipal election in 2007, and quadrennially thereafter, there~~ The Mayor shall be elected a Mayor to serve a term of four years. The Mayor shall be elected by the voters of the Town voting at large."

**SECTION 3.3.(b)** No municipal elections shall be conducted in the Town of Ellenboro in 2023. The terms of the Mayor and the two Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the three Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Ellenboro in even-numbered years beginning in 2024.

**SECTION 3.3.(c)** In 2024 and quadrennially thereafter, a mayor and two Council members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, three Council members shall be elected to serve four-year terms.

**SECTION 3.4.(a)** Article III of the Charter of the Town of Forest City, being Chapter 209 of the 1981 Session Laws, as amended by the Town Ordinance adopted on June 18, 2012, reads as rewritten:

"ARTICLE III.

## "ELECTIONS.

"Sec. 3.1. Regular municipal elections; conduct.—Regular municipal elections shall be held in the Town ~~every two years in odd-numbered years, and at the time of the general election in each even-numbered year.~~ Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. The Mayor and members of the Board shall be elected according to the nonpartisan plurality election method. ~~method in accordance with G.S. 163-292.~~

"Sec. 3.2. Election of the Mayor.—~~At the regular municipal election in 2013, and every four years thereafter, there~~ The Mayor shall be elected a Mayor to serve a term of four years. The Mayor shall be elected by the qualified voters of the Town voting at large.

"Sec. 3.3. Election of Board members.—~~At the regular municipal election to be held in 2003, the three candidates who receive the highest number of votes shall be elected for four-year terms, while the two candidates who receive the next highest number of votes shall be elected to two-year terms. At the regular municipal election to be held in 2005 and every four years thereafter, two members of the Board of Commissioners shall be elected to serve four-year terms. At the regular municipal election to be held in 2007, and every four years thereafter, three members~~ Members of the Board of Commissioners shall be elected to serve staggered four-year terms."

**SECTION 3.4.(b)** No municipal elections shall be conducted in the Town of Forest City in 2023. The terms of the three Board members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Board members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Forest City in even-numbered years beginning in 2024.

**SECTION 3.4.(c)** In 2024 and quadrennially thereafter, three Board members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two Board members shall be elected to serve four-year terms.

**SECTION 3.5.(a)** Section 2.3 of the Charter of the Town of Lake Lure, being Chapter 194 of the 1987 Session Laws, reads as rewritten:

"Section 2.3 **Term of Office of Board Members.** Members of the Board are elected to four-year staggered terms. The Board members serving on the date of ratification of this Charter shall serve until the expiration of their terms. ~~In the each municipal election in 1987 and every four years thereafter, election, two members of the Board shall be elected. In the municipal election in 1989 and every four years thereafter, two members of the Board shall be elected."~~

**SECTION 3.5.(b)** Section 3.1 of the Charter of the Town of Lake Lure, being Chapter 194 of the 1987 Session Laws, reads as rewritten:

"Section 3.1. **Nonpartisan Plurality Method.** Regular municipal elections shall be held at the time of the general election in each even-numbered year. Town officers are elected on a nonpartisan basis, and the results determined by a plurality, as provided in G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes."

**SECTION 3.5.(c)** No municipal elections shall be conducted in the Town of Lake Lure in 2023. The terms of the Mayor and the two Board members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the two Board members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Lake Lure in even-numbered years beginning in 2024.

**SECTION 3.5.(d)** In 2024 and biennially thereafter, a mayor shall be elected to serve a two-year term. In 2024 and quadrennially thereafter, two Board members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, two Board members shall be elected to serve four-year terms.



**SECTION 3.6.(a)** Notwithstanding the Charter of the Town of Ruth, being Chapter 55 of the Private Laws of 1893, as amended by Chapter 53 of the Public Laws of 1939, regular municipal elections in the Town of Ruth for the election of Mayor and Commissioners shall be held at the time of the general election in an even-numbered year. The Mayor and Commissioners shall be elected to serve four-year terms. Election of the Mayor and Commissioners shall be on a nonpartisan plurality basis and the results determined in accordance with G.S. 163-292. Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes.

**SECTION 3.6.(b)** No municipal elections shall be conducted in the Town of Ruth in 2023. The terms of the Mayor and all commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Ruth in even-numbered years beginning in 2024.

**SECTION 3.7.(a)** Article II of the Charter of the Town of Rutherfordton, as amended, being Chapter 350 of the 1979 Session Laws, reads as rewritten:

"ARTICLE II. MAYOR AND COUNCIL.

...

"Section 2.2. Council; Composition; Terms of Office. The Town Council shall be composed of four members, each of whom shall be elected by and from the qualified voters of the Town for staggered terms of ~~two~~ four years each in the manner provided by Article III of this Charter, provided they shall serve until their successors are elected and qualified.

"Section 2.3. Mayor; Term of Office; Duties. The Mayor shall be elected by and from the qualified voters of the Town in the manner provided by Article III of this Charter to serve for a term of ~~two~~ four years, or until ~~his~~ a successor is elected and qualified. The Mayor shall be the official head of the Town government and shall preside at all meetings of the Council. ~~He~~ The Mayor shall have the right to vote only when there are an equal number of votes in the affirmative and the negative on any motion before the Council. The Mayor shall exercise such powers and perform such duties as presently are or hereafter may be conferred upon ~~him~~ the Mayor by the General Statutes of North Carolina, by this Charter, and by the ordinances of the Town.

...."

**SECTION 3.7.(b)** Article III of the Charter of the Town of Rutherfordton, being Chapter 350 of the 1979 Session Laws, as amended, reads as rewritten:

"ARTICLE III. ELECTIONS.

"Section 3.1. Regular Municipal Elections; Conduct and Method of Election. Regular municipal elections shall be held in the Town ~~every two years in odd-numbered years and at the time of the general election in each even-numbered year.~~ Except as otherwise provided by this act, the election shall be conducted in accordance with the uniform municipal election laws of North Carolina. The Mayor and members of the Council shall be elected according to the nonpartisan plurality method. ~~method in accordance with G.S. 163-292.~~

"Section 3.2. Election of the Mayor. ~~At the regular municipal election in 1979, and biennially thereafter, there shall be elected a Mayor to serve a term of two years.~~ The Mayor shall be elected by all the voters of the Town voting at large."

**SECTION 3.7.(c)** No municipal elections shall be conducted in the Town of Rutherfordton in 2023. The terms of the two Council members serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Council members serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Rutherfordton in even-numbered years beginning in 2024.

**SECTION 3.7.(d)** In 2024 and quadrennially thereafter, two Council members shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two Council members shall be elected to serve four-year terms.

**SECTION 3.8.(a)** Article IV of the Charter of the Town of Spindale, being Chapter 378 of the 1975 Session Laws, as amended by Town Ordinance adopted on April 15, 1996, reads as rewritten:

"ARTICLE IV. Elections.

"Sec. 4.1. Regular municipal elections. Regular municipal elections shall be held ~~biennially in odd-numbered years on the day set by general law for municipal elections. In the 1997 regular municipal election and quadrennially thereafter, there~~ at the time of the general election in each even-numbered year. The mayor shall be elected ~~a mayor~~ for a term of four years. ~~In the 1997 regular municipal election and quadrennially thereafter there shall be elected two Town Commissioners for terms of four years each. The two~~ Town Commissioners ~~that~~ shall be elected to the staggered four year terms in the 1997 regular municipal election terms will be the two highest vote getters. In the 1997 regular municipal election the third, fourth, and fifth highest vote getters for the Town Commissioner seats will serve two year terms. ~~In the 1999 regular municipal election and quadrennially thereafter there shall be three Town Commissioners elected for a term of four years each. This ordinance as amended shall become effective immediately.~~

"Sec. 4.2. Regulation of elections. ~~All~~ The mayor and Town Commissioners shall be elected according to the nonpartisan plurality election method in accordance with G.S. 163-292. Except as otherwise provided by this act, town elections shall be conducted in accordance with the general laws of North Carolina relating to municipal elections."

**SECTION 3.8.(b)** No municipal elections shall be conducted in the Town of Spindale in 2023. The terms of the three Commissioners serving on the effective date of this act whose terms are set to expire in 2023 shall be extended by one year. The terms of the Mayor and the two Commissioners serving on the effective date of this act whose terms are set to expire in 2025 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Spindale in even-numbered years beginning in 2024.

**SECTION 3.8.(c)** In 2024 and quadrennially thereafter, three Commissioners shall be elected to serve four-year terms. In 2026 and quadrennially thereafter, a mayor and two Commissioners shall be elected to serve four-year terms.

#### **PART IV. POLK COUNTY BOARD OF COMMISSIONERS**

**SECTION 4.** Notwithstanding Chapter 976 of the 1983 Session Laws, all members of the Polk County Board of Commissioners shall serve four-year terms, beginning the first Monday in December following the 2024 general election. In 2024 and quadrennially thereafter, three members shall be elected; in 2026 and quadrennially thereafter, two members shall be elected.

**PART V. EFFECTIVE DATE**

**SECTION 5.** This act is effective when it becomes law and applies to elections held on or after that date.

In the General Assembly read three times and ratified this the 15<sup>th</sup> day of June, 2023.

s/ Timothy D. Moffitt  
Presiding Officer of the Senate

s/ Jeff Zenger  
Presiding Officer of the House of Representatives