

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

**SESSION LAW 2023-118
SENATE BILL 169**

AN ACT TO PROVIDE FOR VARIOUS LOCAL CHANGES.

The General Assembly of North Carolina enacts:

SECTION 1. Section 2(b) of S.L. 2022-24 reads as rewritten:

"SECTION 2.(b) If the Board adopts a resolution approving the annexation under subdivision (3) of Section 2(a) of this act, and the governing body of the municipality adopts the annexation ordinance under this section, no rezoning under Chapter 160D of the General Statutes of any area that includes the annexed property, or any part thereof, may occur subdivision (3) of Section 2(a) of this act, any rezoning of the satellite annexation area or any part thereof within 60 days from the date of the adoption of the annexation ordinance shall be done in accordance with the terms and conditions of the municipality's unified development ordinance adopted pursuant to Chapter 160D of the General Statutes. Thereafter, the municipality shall not rezone any satellite area that includes the annexed area or any part thereof without the approval of both the governing body of the municipality and the Board. The provisions of this section shall not apply to an area that ceases to constitute satellite corporate limits and becomes part of the primary corporate limits as provided in G.S. 160A-58.6. The area that becomes part of the primary corporate limits as provided in G.S. 160A-58.6 shall be rezoned in accordance with the terms and conditions of the municipality's unified development ordinance adopted pursuant to Chapter 160D of the General Statutes."

SECTION 2.(a) The Carteret County Board of Commissioners and the Carteret County Board of Education may jointly contract, or approve a tenant's contract, for the design and construction of one or more buildings located on all or part of lands in Carteret County used by the Carteret County Board of Education for public school purposes without being subject to the requirements of Article 8 of Chapter 143 of the General Statutes or Article 12 of Chapter 160A of the General Statutes when one or more buildings will be located on property leased in accordance with this section. Notwithstanding any provision of law, the two boards may jointly award the contract in their sole discretion.

SECTION 2.(b) Notwithstanding Article 12 of Chapter 160A of the General Statutes, any property subject to a contract under this section may be leased to a public or private entity which carries out a public purpose and which has a demonstrated history of partnering with the Carteret County Board of Education for similar projects for a period of time as determined jointly by the boards and may be renewed for a period of time as determined jointly by the boards. Article 12 of Chapter 160A of the General Statutes shall not apply to any lease, renewal, or extension entered into pursuant to S.L. 2002-35.

SECTION 2.(c) This section is effective when it becomes law.

SECTION 3.(a) Section 2.2 of Article II of the Charter of the City of Gastonia, being Chapter 37 of the 2017 Session Laws, reads as rewritten:

"Sec. 2.2. City Council Composition; Terms of Office. The Council is composed shall consist of six members who reside in the respective wards as provided in Article III of this Charter, but who are elected by all the qualified voters of the City for elected from six single-member electoral districts, known as wards. The wards shall be the wards as approved by



the Council on May 3, 2022. One member shall be elected from each ward, and the qualified voters of each ward shall elect the member for that ward. Only qualified voters residing in that ward may vote for the member from that ward, and each candidate for a ward seat shall reside in the ward in which the candidate seeks election. Council members shall serve staggered terms of four years or and shall serve until their successors are elected and qualified. The three Council members elected from Wards 1, 2, and 5 in 2017 shall serve for terms of four years, and the three Council members elected from Wards 3, 4, and 6 in 2019 shall serve for terms of four years."

SECTION 3.(b) Section 3.1 of Article III of the Charter of the City of Gastonia, being Chapter 37 of the 2017 Session Laws, reads as rewritten:

"Sec. 3.1. **Regular Municipal Elections.** Regular municipal elections shall be held in each odd-numbered year in accordance with the uniform municipal election laws of North Carolina. Elections are conducted on a nonpartisan basis and the results determined using the nonpartisan plurality method as provided in G.S. 163-292. ~~For purpose of election of Council members, the City is divided into six geographical subdivisions known as wards, provided that all qualified voters of the City may cast a vote for each seat. The wards are numbered from one to six and are as shown on the existing official map of the City or of the election wards, as they may be revised from time to time.~~Except as provided by this act, the election shall be conducted in accordance with Chapter 163 of the General Statutes."

SECTION 3.(c) To continue the staggering of terms, members shall be elected according to the following:

- (1) In 2025, and every four years thereafter, the members elected from Districts 1, 2, and 5 shall each serve a four-year term.
- (2) In 2027, and every four years thereafter, the members elected from Districts 3, 4, and 6 shall each serve a four-year term.

SECTION 3.(d) This section becomes effective at the first regular meeting of the Council following the municipal election in 2025, and municipal elections held in 2025 and thereafter shall be held accordingly.

SECTION 3.5.(a) Notwithstanding the Charter of the Town of Trenton, being Chapter 174 of the Private Laws of 1911, as amended by Chapter 879 of the 1949 Session Laws, regular municipal elections shall be held at the time of the general election in each even-numbered year. 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 3.5.(b) No municipal elections shall be conducted in the Town of Trenton in 2023 and any notice of candidacy that has been filed in 2023 shall be cancelled. The terms of office for the mayor and three commissioners serving on the effective date of this section whose terms are set to expire in 2023 shall be extended by one year. Regular municipal elections shall be conducted in the Town of Trenton in even-numbered years beginning in 2024.

SECTION 3.5.(c) Beginning in 2024, the mayor and three commissioners shall be elected to serve two-year terms.

SECTION 3.5.(d) This section is effective when it becomes law and applies to elections held on or after that date.

SECTION 4. Section 1 of this act is effective when it becomes law and applies to annexations initiated on or after that date. Except as otherwise provided, the remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 13th day of September, 2023.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives