



HOUSE BILL 527: Omnibus Local Act

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2015-2016 General Assembly

Committee: Rules and Operations of the Senate
Introduced by: Rep. Burr
Analysis of: PCS to Second Edition
H527-CSTH-42

Date: September 16, 2015
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SUMMARY: *The PCS for House Bill 527 would: (1) provide that regular municipal elections in the municipalities of Stanly County shall be held in even-numbered years; (2) extend the term of office for the Mayor of the City of Albemarle from two years to four years; (3) amend the Charter of the City of Raleigh to authorize the city to sell, exchange, or otherwise transfer real property; (4) clarify the Board voting rules for the Elizabeth City-Pasquotank Board of Education; and to add Beaufort, Dare, Gates, and Hyde Counties to the list of counties covered by G.S. 153A-15.*

CURRENT LAW & BILL ANALYSIS:

Section 1. Currently, regular municipal elections in the City of Albemarle are held in odd-numbered years, and the mayor serves a two-year term. Section 1 would provide that regular municipal elections in the City of Albemarle are to be held in even-numbered years and would extend the term of office for the Mayor of the City of Albemarle from two years to four years.

Sections 2 through 10. Currently, regular municipal elections in the municipalities of Stanly County are held in odd-numbered years. Sections 2 through 10 of the PCS would provide that regular municipal elections for the municipalities of Stanly County are to be held in even-numbered years (Towns of Badin, Locust, New London, Norwood, Oakboro, Red Cross, Richfield, and Stanfield, and the Village of Misenheimer).

Section 11. City governments generally dispose of real and personal property in accordance with the procedures established by Article 12 of Chapter 160A. Subject to certain limitations, a city can dispose of real or personal property belonging to the city by:

- Private negotiation and sale
- Advertisement for sealed bids
- Negotiated offer, advertisement, and upset bid
- Public auction
- Exchange

Section 11 would provide an additional method for the City of Raleigh to sell or exchange property by amending the Charter of the City of Raleigh to allow the city to sell, exchange, or transfer real property by public sale or negotiated private sale when the City Council determines that a sale or disposition of real property will advance or further any Council-adopted economic development, transportation, urban revitalization, community development, or other city policy. The City Council must authorize the conveyance by resolution, and at least ten days' notice must be given prior to adoption of the resolution.

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The notice must give the time and place of the City Council meeting where the proposed transaction will be considered and must announce the Council's intention to authorize the proposed transaction.

Section 12. The Elizabeth City-Pasquotank Board of Education is composed of seven members. The chair and vice chair of the Board of Education are selected by the Board. The chair is to preside over the meetings. The vice chair is entitled to vote in all matters, but neither the chair nor the vice chair may vote to create a tie, then vote to break the tie.

Section 12 of the PCS would clarify that the chair votes only in the case of a tie, and that the vice chair, when sitting as the chair, shall vote only in the case of a tie. Otherwise, the vice chair may vote on matters before the board.

Section 13. G.S. 153A-15 states that when a county, municipality, or other unit of local government seeks to obtain property *located in another county* by eminent domain, purchase, lease, or exchange, the board of commissioners in the county where the property is located must approve the acquisition. Currently, G.S. 153A-15 applies in 85 counties.

Section 13 of the PCS would add Beaufort, Dare, Gates, and Hyde Counties to the counties in which this law applies.

EFFECTIVE DATE: This act is effective when it becomes law.