

**AN ACT TO REVISE THE CHARTER OF TOWN OF SOUTHERN SHORES AND
CHANGE THE METHOD BY WHICH VACANCIES IN THE OFFICES OF MAYOR OR
COUNCIL MEMBER ARE FILLED**

The General Assembly of North Carolina enacts:

Section 1: If a vacancy occurs in the office of mayor or any council member, it shall be filled by election, notwithstanding 160A-63, as follows:

- (A) If the vacancy occurs within ninety (90) days, including the ninetieth (90th) day, before the last date for filing Notices of candidacy pursuant to G.S. 163-292¹ before the next regular municipal election than a successor shall be elected at the next regular town election. The elected successor shall serve the remainder of the unexpired term of the office in which the vacancy occurs unless the term of said office expired at the next regular town election in which case the elected successor shall serve the full four year terms as provided in Section 3-3 of the Charter of the Town of Southern Shores: or
- (B) If the vacancy occurs more than ninety (90) days before the last date for filing notices of candidacy pursuant to G.S. 163-294.2 for the next regular town election then a successor shall be elected in a special election to fill said vacancy. In such event, the Town Council shall meet within ten (10) days of the event creating the vacancy and shall notify in writing the Dare County Board of Elections, who shall conduct a special election at the Town's expense within ninety (90) days in accordance with the procedures for conducting a municipally mixed beverage special election [G.S. 18B-601(c)].
- (C) If by reason of a vacancy there shall be two (2) seats to be filled in the same election then candidates shall declare for the specific seat or office which said candidate is seeking in the notice of candidacy. Each seat shall be a single office and the successor elected as provided in G.S. 163-292

No person may be so elected to the office of mayor or council member unless said person is a resident and qualified voter of the town.

If the mayor or any council member should change his or her residence from the town, his or her term of office shall immediately expire upon such change and a vacancy as to that office shall immediately occur.”

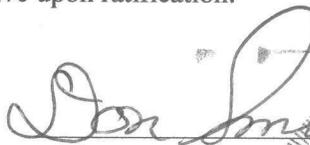
Section 2. To the extent any provisions of Chapter 203 of the Session Laws of 1979)² is inconsistent with any provision of this act, this act prevails.

Section 3. This act is effective upon ratification.

Adopted this 8th day of February, 2006.

ATTEST:

Carrie Gordin
Carrie Gordin, Town Clerk


Mayor Don Smith

S E A L



¹ The Southern Shores Town Charter (§4-1) provides that elections shall be held in accordance with Section 163-292, which is the plurality method of election.

² Charter for the Town of Southern Shores.