

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 80
HOUSE BILL 657

AN ACT MAKING SUNDRY AMENDMENTS CONCERNING LOCAL
GOVERNMENTS IN CHATHAM COUNTY.

The General Assembly of North Carolina enacts:

FOX TRAPPING SEASON

Section 1. (a) Notwithstanding any other provision of law relating to trapping of foxes, there will be open season for taking foxes with traps of the leghold type no larger than one and one-half, with coil spring and with trap chain and at least three swivels set on dry land with solid anchor. No trap larger than number one and one-half coil spring may be used. This season shall be from December 1 to February 15 of each year.

(b) No person shall place traps on the land of another without first obtaining written permission from the landowner or lessee.

(c) There shall be no bag limit for foxes taken during the trapping season established in this section.

(d) The Wildlife Resources Commission shall provide for the sale of foxes taken lawfully pursuant to this section.

(e) This section applies only to Chatham County.

(f) This section becomes effective October 1, 1995.

ALLOW CENTRAL CAROLINA COMMUNITY COLLEGE TO LEASE
CERTAIN PROPERTY TO THE CHATHAM COUNTY COUNCIL ON AGING

Sec. 2. (a) Notwithstanding G.S. 115D-15, the Board of Trustees of Central Carolina Community College may lease a portion of its real property in Center Township of Chatham County, and grant necessary easements for utilities, to the Chatham County Council on Aging, Inc., upon such terms and conditions as it shall determine in its discretion.

(b) This section applies only to the proposed lease of property in Chatham County.

CHATHAM SCHOOL BOARD/COUNTY COMMISSIONER ELECTIONS

Sec. 3. (a) The Board of Education of Chatham County shall consist of five members who shall be qualified voters of the County, and who shall be elected as hereinafter provided for staggered terms of four years.

(b) For the purpose of electing members of the Board of Education, the County is hereby divided into four resident districts as follows:

District Number One shall consist of all the territory within the boundaries of the precincts of Bynum, West Williams, East Williams, and New Hope.

District Number Two shall consist of all the territory within the boundaries of the precincts of East Pittsboro, West Pittsboro, West Mann's Chapel, and East Mann's Chapel.

District Number Three shall consist of all the territory within the boundaries of the precincts of Cape Fear, Haw River, Oakland, Goldston, and Harpers Crossroads.

District Number Four shall consist of all the territory within the boundaries of the precincts of Bennett, Bonlee, South Siler City, North Siler City, Albright, Hadley, and Hickory Mountain.

(c) The election shall be nonpartisan, and no primary election shall be held. The election shall be held at the same time as the regular primary for county officers, and except as provided in this section, the election shall be conducted in accordance with the applicable provisions of Chapter 163 of the General Statutes regulating general elections.

(d) Beginning in 1996, and thereafter as the terms expire, one member shall be elected from Districts 1 and 2 for terms of four years.

In 1998, and thereafter as the terms expire, one member shall be elected from District 3, and two members from District 4 for terms of four years.

(e) Candidates must reside in the district which they seek to represent, but shall be voted on by the voters of the entire County. The candidates in each district receiving the highest number of votes, equal to the number of positions to be filled in the district, shall be declared elected.

(f) The provisions of G.S. 115C-37, except for subsection (i), shall be applicable to the members of the Chatham County Board of Education.

(g) Chapter 501 of the Session Laws of 1975 is repealed, except for Section 6.

(h) Article 3 of Chapter 153A of the General Statutes is amended by adding a new section to read:

"§ 153A-22.1. Redefining residency district boundaries.

(a) 'Residency district' means a district in which the candidates reside and represent the district, but the candidates are voted on in the primaries and general elections by the qualified voters of the entire county. It includes districts established either by local act or under G.S. 153A-58(3)d.

(b) If a county is divided into residency districts, the board of commissioners may find as a fact whether there is substantial inequality of population among the districts. If the board finds that there is substantial inequality of population among the districts, it may by resolution redefine the residency districts to make them more nearly equal. The test for compliance with this section is a reduction in the relative overall range of deviation.

(c) No change in the boundaries of a residency district may affect the unexpired term of office of a commissioner residing in the district and serving on the board on the

effective date of the resolution. If the terms of office of members of the board do not all expire at the same time, the resolution shall state which seats are to be filled at the initial election held under the resolution.

(d) A resolution adopted pursuant to this section shall be the basis of electing persons to the board of commissioners at the first general election for members of the board of commissioners occurring after the resolution's effective date, and thereafter. Before any resolution may be adopted pursuant to this section, the board of commissioners shall hold a public hearing on it. A notice of the public hearing shall be given once a week for two successive weeks in a newspaper having general circulation in the county. The notice shall be published for the first time not less than 10 days nor more than 20 days before the date fixed for hearing. In computing the period of time, the day of publication shall not be included but the day of the hearing shall be included. A resolution becomes effective upon its adoption, unless it is adopted during the period beginning 150 days before the day of a primary and ending on the day of the next succeeding general election for membership on the board of commissioners, in which case it becomes effective on the first day after the end of the period.

(e) Not later than 10 days after the day on which a resolution becomes effective, the clerk shall file in the Secretary of State's office, in the office of the register of deeds of the county, and with the chairman of the county board of elections, a certified copy of the resolution.

(f) This section applies to Chatham County only."

CHATHAM SCHOOL BOARD TIME OF TAKING OFFICE

Sec. 4. Section 6 of Chapter 501 of the Session Laws of 1975 reads as rewritten:

"Sec. 6. The provisions of G.S. ~~115-24-115C-37(f)~~ shall be applicable to the members of the Chatham County Board of Education. ~~The persons elected shall qualify by taking the oath of office 30 days after the election.~~ The members of the Chatham County Board of Education shall hold a meeting on the first Monday in December following the election. At that meeting, newly elected members of the Board of Education shall qualify by taking the oath of office as prescribed in Article VI, Section 7 of the Constitution."

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 11th day of May, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives