

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**SENATE DRS95006-LM-16 (02/01)**

Short Title: New Bern Charter Amendments.

(Local)

Sponsors: Senator Preston.

Referred to:

A BILL TO BE ENTITLED

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW BERN RELATING TO  
THE MAYOR AND MAYOR PRO TEM AND TO THE ELIGIBILITY OF  
CANDIDATES FOR ALDERMEN AND MAYOR.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 6 of the Charter of the City of New Bern, being Chapter 1281 of the 1957 Session Laws, as amended by Chapter 266 of the 1983 Session Laws, Section 4 of Chapter 64 of the 1985 Session Laws, and Section 1 of S.L. 2000-42, reads as rewritten:

"Sec. 6. Mayor and Mayor Pro Tem. At its first meeting in the month of December the board of aldermen shall choose one of its members as mayor pro tem to serve for a term of one year. The mayor pro tem shall act as mayor whenever the mayor shall be absent from the city or be prevented by sickness or other cause from attending to the duties of his office and he shall possess all the rights and powers of the mayor during the continuance of such vacancy, absence or disability. The mayor shall preside at meetings of the board of aldermen and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by the general laws of North Carolina, by this Charter and the ordinances of the city. The Mayor-mayor shall have the right to vote on a-any question before the board of aldermen only in the case of a tie-aldermen, and shall do so as if he were a member of the board. He shall be recognized as the head of the city government for all ceremonial purposes, by the courts for serving civil processes, and by the Governor for purposes of military law. For the purposes of Sections 8, 9, and 10 of this Charter, the mayor shall be considered to be an elected member of the board of aldermen."

**SECTION 2.** Section 18 of the Charter of the City of New Bern, being Chapter 1281 of the 1957 Session Laws, as amended by Section 9 of Chapter 1111 of the 1961 Session Laws, reads as rewritten:

"Sec. 18. Eligibility of Candidates for Aldermen; Residence in Ward and Certain Other Qualifications Required. That no person shall be eligible as alderman unless he shall be eligible to be a member of the General Assembly of this State, and shall have resided in the city thirty (30) days next preceding the day of election, and shall be a registered voter within the ward wherein he resides and from which he seeks to be elected to the office of alderman. No person who has been elected alderman for two full terms shall be eligible as his own immediate successor."

**SECTION 3.** Section 19 of the Charter of the City of New Bern, being Chapter 1281 of the 1957 Session Laws, as amended by Section 10 of Chapter 1111 of the 1961 Session Laws and Section 2 of S.L. 2000-42, reads as rewritten:



1 "Sec. 19. Eligibility of Candidates for Mayor; 30-Day Residence and Certain Other  
2 Qualifications Required.~~Required; No Third Term in Succession.~~ That no person shall be  
3 eligible as mayor unless he shall be a qualified voter for a member of the General Assembly of  
4 this State, and shall have been a resident of the City of New Bern for thirty (30) days  
5 immediately preceding his election. No person who has been elected mayor for two full terms  
6 shall be eligible as his own immediate successor."

7 **SECTION 4.** This act is effective when it becomes law.