

- Not to be voted on before November 2, 2023 -

Ordinance # ____ - ____

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
THE CITY CHARTER FOR THE CITY OF HENDERSONVILLE TO PROVIDE FOR
ELECTION OF CITY COUNCIL MEMBERS BY THE PLURALITY METHOD PURSUANT
TO NORTH CAROLINA GENERAL STATUTE § 163-292**

WHEREAS, City Council members are currently elected using the nonpartisan primary method as provided in N.C.G.S. § 163-294; and

WHEREAS, N.C.G.S. § 160A-102 authorizes the City Council to amend the Charter for the City of Hendersonville to provide for a different method of election after adopting a Resolution of Intent, calling a public hearing, publishing a notice of public hearing at least 10 days prior to the public hearing, holding the public hearing within 45 days of the adoption of the Resolution of Intent, and adopting an ordinance within 60 days of the public hearing, but no earlier than the next regular meeting following the public hearing; and

WHEREAS, on September 7, 2023, City Council adopted a **RESOLUTION OF INTENT TO AMEND THE CITY CHARTER FOR THE CITY OF HENDERSONVILLE TO USE THE PLURALITY METHOD OF ELECTIONS**, and called a public hearing for October 5, 2023; and

WHEREAS, on October 5, 2023, City Council held a public hearing to consider amending the City Charter to provide for the plurality method of election for City Council members; and

WHEREAS, City Council desires to adopt an ordinance to amend the City Charter to provide for the plurality method of election for City Council members at this, the November 2, 2023 meeting, which is within 60 days of the public hearing held October 5, 2023;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina as follows:

1. The City Charter for the City of Hendersonville, as previously amended by Section 1.3(a) of Session Law 2023-44, is hereby amended as follows:

Sec. 4.1. **Regular Municipal Elections.** Regular municipal elections shall be held at the time of the general election in each even-numbered year. The Mayor and Council Members shall serve until their successors are elected and qualified.

Section 4.2. ~~Regular Municipal Primaries~~ **Plurality Election Method.** The Mayor and Council Members shall be elected on a nonpartisan basis and results determined by the ~~primary method as provided in G.S. 163-294~~ **plurality method as provided in G.S. 163-292.**

Section 4.3. ~~Voting~~ **Terms of Office.** The Council Members shall be elected for staggered terms of four years. The mayor shall be elected for a term of four years.

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Section 4.4 Regulation of Elections. All municipal elections shall be conducted in accordance with the uniform municipal election laws in Chapter 163 of the General Statutes, except as otherwise provided by this act.

2. This Ordinance shall be effective upon its adoption.
3. The City Clerk shall file a certified copy of this Ordinance with the Secretary of State and the North Carolina Legislative Library.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of November, 2023.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Becker, City Attorney