AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF AHOSKIE.

The General Assembly of North Carolina do enact:

Section 1. The Charter of the Town of Ahoskie is hereby revised and consolidated to read as follows:

THE CHARTER OF THE TOWN OF AHOSKIE

ARTICLE I. INCORPORATION AND CORPORATE POWERS

Section 1.1. Incorporation and General Powers. The Town of Ahoskie shall continue to be a body politic and corporate under the name of the "Town of Ahoskie", and shall continue to be vested with all property and rights which now belong to the town; shall have perpetual succession; may have a common seal and alter and renew the same at pleasure; may sue and be sued; may contract; may acquire and hold all such property, real and personal, as may be devised, bequeathed, sold or in any manner conveyed or dedicated to it, or otherwise acquired by it, and may from time to time hold or invest, sell, or dispose of the same; and shall have and may exercise in conformity with this Charter all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever.

Sec. 1.2. Exercise of Powers. All powers, functions, rights, privileges and immunities of the town, its officers, agencies, or employees, shall be carried into execution as provided by this Charter, or, if this Charter makes no provision, as provided by ordinance or resolution of the town council, and as provided by the general laws of North Carolina pertaining to municipal corporations, their officers, agencies or employees.

ARTICLE II. CORPORATE BOUNDARIES

Sec. 2.1. Existing Town Boundaries. The corporate limits of the Town of Ahoskie shall be as follows until changed in accordance with law:

Beginning at a stake on the North side of the highway leading to Aulander 940 feet West of the point where the western boundary line of the old corporate limits crosses said highway; thence North 52 degrees West 1,120 feet to a stake; thence North 21 degrees 45 minutes East 3,040 feet to a stake on the southern boundary line of the city cemetery; thence North 43 degrees 30 minutes East 512 feet to a stake in the northern boundary line of the city cemetery; thence North 67 degrees East 895 feet to a stake; thence North 89 degrees 20 minutes East 1,650 feet to a stake in highway leading to Winton; thence North 89 degrees 20 minutes East 2,960 feet to a stake in the Atlantic
Coast Line Railroad right-of-way; thence South 43 degrees 30 minutes East 2,597 feet to a stake near the road leading to Cofield; thence South 30 degrees East 413 feet to a stake; thence South 71 degrees West 2,760 feet to a stake; thence South 0 degrees 30 minutes West 4,770 feet to a stake on the southern side of the road leading to Powellsville; thence South 24 degrees 30 minutes West 365 feet to a stake; thence North 55½ degrees West 855 feet to a stake near a road; thence North 55½ degrees West 1,120 feet to a stake; thence North 52 degrees West 4,600 feet to the point of beginning.

In addition to the above description, the corporate limits shall include the following:

Beginning at an iron stake on the West side of the highway leading from Ahoskie to Aulander, a corner for Maggie Moore; thence along the West side of said highway North 48 degrees 45 minutes East 273 feet to a corner; thence along a line North 32 degrees 15 minutes East 180 feet to the South side of Stokes Street, the same being the present city limits of Ahoskie; thence along the South side of Stokes Street South 53 degrees East 1,283 feet to a ditch, a corner; thence along a line South 50 degrees West 75 feet; thence South 41 degrees West 64 feet to a gum; thence South 5 degrees West 77 feet; thence South 21 degrees 15 minutes West 100 feet; thence South 37 degrees West 154 feet to a corner; thence South 54 degrees 15 minutes East 1,254 feet to the Ahoskie-Aulander Highway, the point of beginning, excepting a lot on the South corner fronting 75 feet on highway and running back in a northwesterly direction a distance of 60 feet and belonging to Eddie Harrell.

Beginning at the intersection of Catherine Creek Road and Stokes Street at the southeasterly point and running South 11 degrees 24 minutes West 163 feet to a point; thence South 55 degrees 30 minutes East 344½ feet to a point; thence North 24 degrees 30 minutes East 150 feet to a point; thence North 35 degrees 13 minutes West 250 feet to a point; thence North 53 degrees 47 minutes East 118.9 feet along Highway #13 to a point; thence North 35 degrees 13 minutes East 250 feet to a point; thence North 53 degrees 39 minutes West 1,020 feet to the corporate line; thence along present corporate line South 0 degrees 30 minutes West 321.8 feet to a point; thence South 24 degrees 30 minutes West 365 feet to the point of beginning.

Beginning at a point on the corporate line at the southeast point; thence South 55 degrees 30 minutes East 555.3 feet to a point; thence North 53 degrees 50 minutes East 374.3 feet to a point; thence South 54 degrees 47 minutes East 118.9 feet along Highway #13 to a point; thence North 35 degrees 13 minutes East 250 feet to a point; thence North 53 degrees 39 minutes West 1,020 feet to the corporate line; thence along present corporate line South 0 degrees 30 minutes West 321.8 feet to a point; thence South 24 degrees 30 minutes West 365 feet to the point of beginning.

Beginning at the center of Troy and Newsome Streets at a manhole (fixed point) and thence North 71 degrees East 300 feet along Newsome Street to a point; thence South 19 degrees East 187½ feet to a point; thence South 71 degrees West 400 feet to a point; thence North 19 degrees West 187½ feet to a point on the existing corporate line; thence North 71 degrees East 100 feet to the point of beginning.

Sec. 2.2. Extension of Town Boundaries. All extensions of town boundaries shall be governed by the General Statutes of North Carolina.

ARTICLE III. CHARTER AMENDMENTS

Sec. 3.1. Incorporation of Amendments. (a) As soon as possible after the adjournment of each General Assembly, the town attorney shall present to the town council copies of all local laws relating to the Town of Ahoskie that were enacted by
such General Assembly, whether or not amending in terms this Charter, which he recommends be incorporated into this Charter. Such recommendations may include suggestions for renumbering or rearranging the provisions of such laws, for providing titles and catch lines, and for such other changes in arrangement and form that do not change the law as may be necessary to implement the purposes of this Article.

(b) After considering the recommendations of the town attorney, the town council may provide for the incorporation of such laws into this Charter.

(c) The purpose of this section is to enable the town to maintain at all times a current and accurate town Charter, organized in clear and orderly fashion, and embracing all pertinent local laws relating to the town.

ARTICLE IV. MAYOR AND TOWN COUNCIL

Sec. 4.1. Composition of Town Council. The town council shall consist of a mayor and five members, who shall be elected from the town at large in the manner provided by Article V.

Sec. 4.2. Terms; Vacancies. (a) The mayor and members of the Town council shall serve for terms of two (2) years, beginning on the first Monday in May immediately following their election; provided, that members shall serve until their successors are elected and qualified.

(b) If any elected council member shall refuse to be qualified, or if there is any vacancy in the office of councilman after election and qualification, or if any councilman be unable to discharge the duties of his office, the remaining members of the council shall elect some person to serve the unexpired term, or during his disability, as the case may be. Councilmen so elected shall have all authority and powers granted by this Charter to regularly elected councilmen.

Sec. 4.3. Mayor and Mayor Pro Tem. The mayor pro tem shall be elected by the town council from among its own members, and shall hold such office, during the term for which elected to the council.

The mayor shall be the official head of the town and shall preside at all meetings of the town council. He shall not have a vote upon measures coming before the council except in case of a tie vote deadlocking a decision of the council. In the absence or disability of the mayor, the mayor pro tem shall perform his duties. In the absence or disability of both the mayor and the mayor pro tem, the council shall designate one of its members to perform such duties.

Sec. 4.4. Compensation of Mayor and Council. The mayor shall receive for his services such salary as the council shall determine. The mayor's salary shall not be increased or diminished during his term. The council may establish a salary for its members. Such salary may be reduced, but no increase therein shall be made to take effect during the term in which the increase is voted.

Sec. 4.5. Organization of Town Council; Oaths of Office. The town council shall meet and organize on the Monday following its election. Before entering upon their offices, councilmen shall severally take oath before the town clerk to perform faithfully the duties of their respective offices. Any elected councilman not present at the organizational meeting may take oath at any time thereafter.
Sec. 4.6. Rules of Council; Journal of Proceedings. The town council shall determine its own rules and order of business, and shall cause to be kept a journal of its proceedings.

Sec. 4.7. Council Members to Hold no Other Offices. Neither the mayor nor any member of the town council shall hold any other office or position of trust, profit, or honor under the town government.

Sec. 4.8. Meetings of the Town Council. (a) The town council shall fix suitable times for its regular meetings, which shall be as often as once monthly. The mayor, or any two council members may at any time call a special meeting by signing a written notice stating the time of the meeting, to be delivered to each member or left at his usual dwelling place at least six hours before the meeting. Meetings of the council may also be held at any time when all members of the council are present and consent thereto. Any business may be transacted at a special meeting that might be transacted at a regular meeting.

(b) The town council shall from time to time establish rules for its proceedings. Regular and special meetings shall be held at a time and place fixed by ordinance. All legislative sessions shall be open to the public, and every matter shall be put to a vote, the result of which shall be duly recorded. The town council shall not by executive session or otherwise consider or vote on any question in private session.

Sec. 4.9. Quorum; Votes. (a) A majority of the members elected to the council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members.

(b) The affirmative vote of a majority of the council members shall be necessary to adopt any ordinance or to authorize the expenditure of money. All other matters voted upon shall be decided by majority vote of the council members present.

(c) No member of the council shall be excused from voting except on a matter involving his own official conduct or his financial interest.

Sec. 4.10. Exercise of Town Powers. (a) The town council shall direct the exercise of all of the powers of the town, except as otherwise provided by this Charter.

(b) In addition to the powers herein conferred, and to other powers conferred upon it by general law, the town council may adopt and provide for the execution of such ordinances, rules, and regulations, not inconsistent with this Charter, as may be necessary or appropriate for the preservation and promotion of the health, safety, comfort, convenience, good order, better government, and general welfare of the town and its inhabitants.

ARTICLE V. ELECTIONS

Sec. 5.1. Regular Municipal Elections. On Tuesday after the first Monday in May in the odd-numbered years a nonpartisan election shall be held for the purpose of electing a mayor and five members of the town council at large by all the qualified voters of the Town of Ahoskie.

Sec. 5.2. Conduct of Election. The election for the mayor and town council shall be conducted in accordance with the North Carolina General Statutes applicable to regular municipal elections except as otherwise provided for in Section 5.3 of this Charter.
Sec. 5.3. Candidates for Office. (a) Any qualified elector of the town may become a candidate for mayor or member of the town council by filing a written notice of candidacy in substantially the following form:

"I, ______________________________, hereby give notice that I am a candidate for election to the office of ___________________________ to be voted on at the election to be held on the ____ day of May, 19 ____, and I hereby request that my name be printed on the official ballot for such office. I also certify that I am a resident and qualified elector of the Town of Ahoskie, residing at __________________ in said town.

_______________________________
Candidate

_______________________________
Date

Witness:

__________________________"

(b) The notice of candidacy prescribed herein must be filed with the town clerk not earlier than sixty (60) days nor later than ten (10) days prior to the date of election. The town clerk shall preserve all such notices until expiration of the term of the office for which the candidate filed. Any candidate may withdraw his notice of candidacy not later than the last day for filing by submitting written notice of withdrawal with the town clerk.

(c) At the time of filing notice of candidacy, each candidate so filing shall pay to the town clerk a filing fee of five dollars ($5.00). The proceeds from filing fees shall be used to defray the costs of printing ballots and other election costs. Should any candidate withdraw as provided in this section, his filing fee shall be forfeited.

(d) Nothing in this section shall prevent write-in votes for any person otherwise qualified whose name does not appear on the official printed ballot because of failure to comply with the provisions of this section.

Sec. 5.4. Special Elections. All special elections, including bond elections, authorized by general law shall be governed by the provisions of the applicable general law.

ARTICLE VI. TOWN MANAGER

Sec. 6.1. Appointment, Qualifications, Term and Compensation. The town council shall appoint the town manager to hold office during the pleasure of the council. The town manager shall be appointed with regard to merit only, and he need not be a resident of the town when appointed. The town manager shall receive for his services such compensation as the town council shall determine.

Sec. 6.2. Powers and Duties of Town Manager. The town manager shall (1) be the administrative head of the town government and shall be responsible for the administration of all departments; (2) see that within the jurisdiction of the town the laws of the State and the ordinances, resolutions, rules and regulations of the council are faithfully executed and enforced; (3) attend all meetings of the council, and recommend for adoption such measures as he may deem expedient; (4) makes reports to the council from time to time upon the affairs of the town, and keep the council fully advised of the
town's financial condition and its future financial need; (5) appoint and remove all heads of departments and other employees of the town except the town attorney and the town auditor.

Sec. 6.3. Absence or Disability of Town Manager. In the event the town manager shall be sick, absent from the town, or otherwise unable to perform the duties of his office, the council may designate any other town employee, or any other person, as acting town manager, and the person so designated shall have all the power and authority of the manager while serving in such capacity. Any employee designated as acting town manager shall receive such additional compensation as the council may determine. Neither the mayor nor any council member shall serve as acting town manager.

ARTICLE VII. ADMINISTRATIVE OFFICERS

Sec. 7.1. Town Attorney. (a) The town attorney shall be appointed by the town council to serve at their pleasure and he shall receive such compensation as the town council shall determine. At the time of his appointment, the attorney shall be an attorney at law who shall have practiced in the State of North Carolina for at least two (2) years.

(b) The town attorney shall have the following duties: (1) to serve as legal advisor to the town council, the town manager, and all town departments, officers and agencies; (2) to represent as council the town, its officers, agents or employees, in any legal action arising out of or connected with the proper functions of the town, unless disqualified so to act; (3) to draft such ordinances, resolutions and documents as requested by the council or manager.

Sec. 7.2. Town Auditor. The town auditor shall be appointed by the town council to perform the annual audit of all town accounts after the close of each fiscal year. The auditor shall be a qualified public accountant who shall have no personal interest directly or indirectly in the financial affairs of the town government or any of its officers. The auditor shall receive such compensation for his services as the council shall determine.

Sec. 7.3. Duties; Town Accountant. The town accountant shall perform the duties of his office in accordance with the requirements of the general law. He shall have authority and shall be required: To maintain accounting control over the finances of the town government, for which purpose he is empowered to operate a set of general accounts embracing all the financial transactions of the town and such subsidiary accounts and cost records as may be required by ordinance or by the town council for purposes of administrative direction and financial control.

Sec. 7.4. Duties; Town Treasurer. The treasurer, if any, shall have custody of and shall disburse all moneys belonging to the town government subject to the provisions of this Charter and ordinances enacted thereunder; shall have custody of all investments and invested funds of the town or in possession of the town in a fiduciary capacity, and shall keep a record of such investments, and shall have custody of all bonds and certificates of town indebtedness including such bonds and certificates unissued or cancelled, and the receipt and delivery of town bonds and certificates for transfer, registration, or exchange.
Sec. 7.5. Duties; Tax Collector. The tax collector shall collect all taxes, licenses, fees, and other moneys belonging to the town government, subject to the provisions of this Charter and ordinances enacted thereunder, and he shall diligently comply with and enforce the general laws of North Carolina relating to the collection, sale and foreclosure of taxes by municipalities. It shall be the duty of the tax collector to deposit, daily or at other times as may be required by the manager or by ordinance of the council, in the town depository all money belonging to the town.

Sec. 7.6. Consolidating of Functions of Certain Offices. The town council may, in its discretion, consolidate the offices of town clerk, town treasurer, and town tax collector, and may assign the functions of any one of these offices to the holder of any other of these offices.

Sec. 7.7. Oath of Office Required. Before entering upon the duties of their offices, the city manager, city clerk, tax collector, any assistant city clerk or assistant tax collector, city treasurer, chief of police and each member of the police force, the building inspector and all employees empowered to enforce the building code shall be required to take the oath prescribed below before the mayor, city clerk, or other person authorized to administer an oath:

"I solemnly swear (or affirm) that I will support the Constitution and will obey the laws of the United States and of the State of North Carolina, that I will, in all respects, observe the provisions of the Charter and ordinances of the Town of Ahoskie, and will faithfully discharge the duties of the office of _____________________________."

ARTICLE VIII. ADMINISTRATIVE SERVICE

Sec. 8.1. Custody of Town Money. All moneys received by any department or agency of the town for or in connection with the business of the town government shall be paid promptly into the town depository. Such institution shall be designated by the town council in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by ordinance. All interest on moneys belonging to the town shall accrue to the benefit of the town government. All moneys belonging to the town government shall be disbursed only on vouchers, signed by the officers designated by the town council.

Sec. 8.2. Issuance of Bonds. The town may issue bonds for the purpose and in the manner prescribed by the general laws of North Carolina for the issuance of bonds by municipalities.

Sec. 8.3. Purchase Procedure. Before making any purchase for supplies, materials, equipment, opportunity shall be given for competition, under such rules and regulations, and with such exceptions, as the council may prescribe by ordinance. All expenditures for supplies, materials, equipment, involving more than two thousand dollars ($2,000.00) shall be made on a written contract, and such contract shall be awarded to the lowest responsible bidder after such public notice and competition as may be prescribed by ordinance and not in conflict with the general law of the State.

Sec. 8.4. Contracts for Town Improvements. Any town improvement costing more than thirty-five hundred dollars ($3500.00) shall be executed by contract except where such improvement is authorized by the council to be executed directly by a town department in conformity with detailed plans, specifications and estimates, and
provided, the total cost is estimated not to exceed fifteen thousand dollars ($15,000.00). All such contracts for more than thirty-five hundred dollars ($3500.00) shall be awarded to the lowest responsible bidder after such public notice and competition as may be prescribed by ordinance, provided the council shall have the power to reject all bids and advertise again.

Sec. 8.5. Contracts Extending Beyond One (1) Year. No contract involving the payment of money out of the appropriations of more than one (1) year (other than renewals of continuing appropriations) shall be made for a period of more than ten (10) years; nor shall any such contract be valid unless made or approved by ordinance. No ordinance providing for such a contract shall be valid unless notice of the intention to pass the same was published in a newspaper of general circulation within the town at least ten (10) days before its passage by the town council.

Sec. 8.6. Independent Audit. As soon as practicable after the close of each fiscal year, an independent audit shall be made of all accounts of the town government by qualified public accountants, who shall be selected in accordance with Section 7.2. of this Charter.

ARTICLE IX. STREET IMPROVEMENTS: ASSESSMENTS

Sec. 9.1. In addition to any authority which is now or may hereafter be granted by general law to the Town of Ahoskie for making street improvements, the town council is authorized to make street improvements, and assess the cost thereof against abutting property owners in accordance with the provisions of this Article.

Sec. 9.2. When Petition Unnecessary. The town council may order street improvements and assess the cost thereof, exclusive of the costs incurred at street intersections, against the abutting property owners at an equal rate per front foot, without the necessity of a petition, upon the finding by the council as a fact:

(a) That the street improvement project does not exceed 1200 lineal feet, and

(b) That such street or part thereof is unsafe for vehicular traffic and it is in the public interest to make such improvement, or

(c) That it is in the public interest to connect two streets or portions of a street already improved, or

(d) That it is in the public interest to widen a street or part thereof, which is already improved; provided, that assessments for widening any street or portion of street without petition shall be limited to the cost of widening and otherwise improving such street in accordance with the street classification and improvement standards established by the town's thoroughfare or major street plan for the particular street or part thereof to be widened and improved under the authority granted by this section.

Sec. 9.3. Street Improvements Defined. For the purposes of the preceding section, the term "street improvement" may include grading, regrading, surfacing, resurfacing, widening, paving, repaving, and the construction or reconstruction of curbs, gutters, and street drainage facilities.

Sec. 9.4. Assessment Procedure. In ordering street improvements without a petition and assessing the cost thereof under authority of this Article, the town council shall comply with the procedure provided by Article 9, Chapter 160 of the General
Statutes, except those provisions relating to the petition of property owners and the sufficiency thereof.

Sec. 9.5. Effect of Assessments. The effect of the act of levying assessments under authority of this Article shall for all purposes be the same as if the assessments were levied under authority of Article 9, Chapter 160 of the General Statutes.

ARTICLE X. ESTABLISHMENT OF PROPOSED STREET LINES

Sec. 10.1. Authority to Establish Proposed Street Lines. Whenever, in the opinion of the town council, it is in the best interest of the town to do so, the council may make provision for the ultimate widening or extension or both of existing streets and for the opening of new streets, and for the gradual acquisition of the lands necessary for such improvements, in accordance with the procedure established by this Article.

Sec. 10.2. Platting of Proposed Street Lines. From and after the time of adoption of a major street plan by the town council and the State Highway Commission pursuant to provisions of G. S. 136-66.2, the town council shall have power to request, make, or cause to be made, from time to time, surveys for the exact locating of the lines of new, extended, widened or narrowed streets and highways in the whole or any portion of the town and the area within one mile outside of its corporate boundaries. Personnel making such surveys are empowered to enter upon lands, make examination or surveys, and place and maintain necessary monuments thereon, at reasonable times and with due care for the property. A plat or plats of the area or areas thus surveyed shall be prepared on which are indicated the locations of the lines recommended as the planned or mapped lines of future streets, street extensions, street widenings or street narrowings. The preparation of such plat or plats shall not in and of itself constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes.

Sec. 10.3. Adoption of Official Map; Hearing; Notice. Following the preparation of such plats, the town council may officially adopt a map or maps of planned new streets and highways, extensions, widenings, narrowings, or vacations of streets within the town and the area within one mile outside of its corporate boundaries. Before taking any such action, the council shall hold a public hearing thereon, notice of the time and place of which shall have been given once a week for two successive weeks in a newspaper published in the town, or if there be no newspaper published in the town, by posting such notice at four public places in the town and at four public places within the affected area outside of the corporate boundaries. Said notice shall be published or posted for the first time not less than fifteen (15) days prior to the date fixed for said hearing. Following adoption of such a map or maps, the council shall certify a copy to the Register of Deeds of Hertford County, which copy shall be duly filed. The placing of any street or street line upon any official map or maps shall not in and of itself constitute or be deemed to constitute the opening or establishment of any street or the taking or acceptance of any land for street purposes.

Sec. 10.4. Right of Town to Acquire Property Before Improvement. From and after the time of adoption and certification to the register of deeds of any such map or maps, it shall be unlawful to build upon any land within the lines of proposed streets shown thereon or to repair or otherwise improve any existing buildings within said lines
until the town council shall have been given an opportunity to purchase or otherwise acquire said property for street purposes as provided by this Article. To that end, any person proposing to build upon such land or to make repairs or improvements to any existing building on such land shall, in writing, notify the town council of the nature and estimated cost of such building, repairs, or improvements. The council shall then determine whether it will take the necessary steps to acquire said land prior to construction of said building or the making of said repairs or improvements. If the council fails, within sixty (60) days from the receipt of such notice, to acquire, adopt a formal resolution directing an appropriate officer to acquire, or institute condemnation proceedings to acquire said property, then the owner or other person giving notice may proceed to erect the building or to make the repairs or improvements described in said notice. The building inspector is authorized to withhold and refrain from issuing, for a period not exceeding sixty (60) days from receipt by the council of the notice herein prescribed, any building permit for the erection of any building within the said lines, or for the making of any repairs or improvements to existing buildings within said lines.

Sec. 10.5. Failure to Give Notice Bars Recovery for Value of Improvements. If any person, firm or corporation builds upon any land included within said proposed street lines, or repairs or otherwise improves that part of any existing building within said lines, without giving the town council an opportunity to acquire said property free from improvements, as provided in Section 10.4 of this Article, the council shall not be required to pay for the value of said building, repairs, or improvements in any proceeding subsequently brought to acquire the land for the purpose shown on the officially adopted map or maps.

Sec. 10.6. Failure of Town to Act; No Limit to Subsequent Condemnation. The failure of the town council to take action under Section 10.4 of this Article within sixty (60) days after notice shall not have the effect of limiting the right of the council at any subsequent time to condemn the same. In such case, however, the owner shall be entitled to full compensation as now provided by law for the building, repairs, or improvements made after the failure of the council to take action within the prescribed period.

ARTICLE XI. REFUSE, WEEDS, AND TRASH
Sec. 11.1. Property Kept Free of Offensive Matter. It shall be the duty of every property owner in the town to keep his property free from noxious weeds, trash, and all other forms of offensive animal or vegetable matter or refuse which may be dangerous or prejudicial to the public health or which may constitute a public nuisance.

Sec. 11.2. Removal of Offensive Matter; Charges a Lien. The town council may by ordinance establish a procedure whereby town forces may clean, cut, and remove any weeds, trash, refuse, or other offensive matter from any property upon failure of the owner or occupant after ten days notice to do so. In such event, the cost of such cleaning, cutting, and removal shall become a lien upon the particular property equal to the lien for ad valorem taxes and may thereafter be collected either by suit in the name of the town or by foreclosure of the lien in the same manner and subject to the same rules, regulations, costs and penalties as provided by law for the foreclosure of the lien on real property for ad valorem taxes.
ARTICLE XII. TRAFFIC BUREAU

Sec. 12.1. Authority of Town Council to Establish Traffic Bureau. (a) The town council may by ordinance establish a traffic bureau to process and collect civil penalties provided for violations of traffic and parking ordinances of the town.

(b) No State tax shall be paid to the State of North Carolina in cases finally disposed of by the traffic bureau.

(c) All civil penalties collected by the traffic bureau shall be paid into the general fund of the town.

ARTICLE XIII. POLICE

Sec. 13.1. Police Jurisdiction Extended. (a) The jurisdiction of the police force is hereby extended to include all territory outside and within one mile of the corporate limits, and all members of the police force shall have within such territory all rights, power, and authority as they now have within the corporate limits.

(b) The jurisdiction of the police force is hereby extended to include all town-owned property and facilities, whether located within or outside the corporate limits, and all members of the police force shall have upon and within such property and facilities all rights, power and authority as they now have within the corporate limits.

ARTICLE XIV. COURTS

Sec. 14.1. Mayor's Court. The mayor shall be and he is hereby duly constituted an official court with the jurisdiction of a justice of the peace in all criminal matters; and in all matters pertaining to the enforcement of the collection of taxes of the town, including proceedings by garnishment and distress of property. He shall have concurrent jurisdiction with the justices of the peace to try all offenses against the town ordinance and concurrent jurisdiction with the justices of the peace as to all other violations of criminal law in the town. He shall conduct proceedings before his court as commonly prescribed for mayors, with the right of appeal therefrom as now provided by law.

ARTICLE XV. CLAIMS AGAINST THE TOWN

Sec. 15.1. Presentation of Claims; Suit Upon Claims. (a) All claims or demands against the Town of Ahoskie arising in tort shall be presented to the town council in writing, signed by the claimant, his attorney or agent, within ninety (90) days after the claim or demand is due or the cause of action accrues, and no suit or action shall be brought thereon within thirty (30) days or after the expiration of twelve (12) months from the time said claim or demand is so presented. Unless the claim or demand is so presented within ninety (90) days after the cause of action accrues, and unless suit is brought within twelve (12) months thereafter, any action thereon shall be barred.

(b) No action shall be instituted against the town on account of damages to or compensation for real property taken or used by the town for any public purpose of any kind unless within two (2) years after such alleged use, the owner, his executor, administrator, guardian, or next friend shall have given notice in writing to the town council of the claim, stating in the notice the date that the alleged use commenced, a description of the property alleged to have been used, and the amount of damage or compensation claimed.
(c) Notwithstanding the provisions of subsections (a) and (b) of this section, if a complainant suffers from physical or mental incapacity that renders it impossible for him to give notice, his action shall not be barred if notice of claim is given by him or on his behalf within six (6) months after the termination of the incapacity, provided that minority shall not of itself constitute physical or mental incapacity. If the complainant is a minor, his action shall not be barred if notice of claim is given on his behalf within three (3) years after the happening or the infliction of the injury complained of; or, if the minor suffers from physical or mental incapacity that renders it impossible for him to give notice, his action shall not be barred if notice of claim is given on his behalf within six (6) months after termination of the incapacity, or within three (3) years after the happening or the infliction of the injury complained of, whichever is the longer period. The town may at any time request the appointment of a next friend to represent any person having a potential claim against the town and known to be suffering from physical or mental incapacity.

ARTICLE XVI. MISCELLANEOUS

Sec. 16.1. Publicity of Records. All records and accounts of every office and department of the town shall be open to inspection by any citizen or by any representative of the press at all reasonable times and under reasonable regulations established by the town council.

Sec. 16.2. Conflict of Interest. No officer, department head, employee, or board or commission member shall make or participate in the making of any contract with the town in which he may be in any manner financially interested, directly or indirectly. Any such person who has such an interest in any proposed contract shall make known that interest and shall refrain from participation in the making of any such contract. The wilful concealment of such a financial interest or the wilful violation of this section shall constitute malfeasance in office or position, and any violator shall forfeit his office or position. Violation of this section with the knowledge express or implied of the person, firm or corporation contracting with the town shall render the contract void.

Sec. 2. The purpose of this Act is to revise the Charter of the Town of Ahoskie (Chapter 158 of the Private Laws of North Carolina, Session 1903, as amended, and as modified by the adoption of the city manager form of government in an election held on May 7, 1957) and to consolidate into it certain local acts concerning the property, affairs, and government of the Town of Ahoskie. It is intended to continue in force without interruption those provisions of prior local acts which are consolidated into this Act, so that all rights and liabilities that have accrued are preserved and may be enforced.

Sec. 3. This Act shall not be deemed to repeal, modify, nor in any manner to affect any of the following acts, or amendments thereto, even though such acts or amendments are not expressly set forth herein:

(a) Any acts concerning the property, affairs or government of the Ahoskie schools or school system;

(b) Any acts validating, confirming, approving or legalizing official proceedings, actions, contracts, or obligations of any kind;
(c) Any acts authorizing conveyance or sale of particular town property or interest therein.

Sec. 4. (a) The following Acts, having served the purposes for which enacted, or having been consolidated into this Act, are hereby repealed:

1. N. C. Private Laws, 1893, Chapter 4 (first incorporation)
2. N. C. Private Laws, 1895, Chapter 99 (corporate limits)
3. N. C. Private Laws, 1903, Chapter 158 (consolidated Charter)
4. N. C. Private Laws, 1919, Chapter 54 (corporate limits)
5. N. C. Private Laws, 1919, Chapter 62 (bond issue)
6. N. C. Private Laws, 1919, Chapter 63 (bonds, tax)
7. N. C. Private Laws, 1919, Chapter 108 (correct Chapter 54)
8. N. C. Private Laws, 1919, Chapter 166 (correct Chapter 54)
9. N. C. Private Laws, 1921, Chapter 190 (preserve peace)
10. N. C. Private Laws, 1929, Chapter 150 (elections)
11. N. C. Private Laws, 1933, Chapter 32 (assessment payments)
12. N. C. Public-Local Laws, 1939, Chapter 202 (elections)
13. N. C. Session Laws, 1945, Chapter 586 (corporate limits)
14. N. C. Session Laws, 1949, Chapter 367 (city manager election)
15. N. C. Session Laws, 1957, Chapter 477 (city manager election)
16. N. C. Session Laws, 1959, Chapter 959 (police jurisdiction)

(b) The following Acts, applying to more than one municipality, are hereby repealed in their application to the Town of Ahoskie:

1. N. C. Private Laws, 1933, Chapter 137 (assessments)

Sec. 5. No provision of this Act is intended, nor shall be construed, to affect in any way rights or interests (whether public or private):

(a) Now vested or accrued, in whole or in part, the validity of which might be sustained or preserved by reference to any provisions of law; repealed by this Act;

(b) Derived from, or which might be sustained or preserved in reliance upon, action heretofore taken (including the adoption of ordinances or resolutions) pursuant to or within the scope of any provision of law repealed by this Act.

Sec. 6. No law heretofore repealed expressly or by implication, and no law granting authority which has been exhausted, shall be revived by:

(a) The repeal herein of any Act repealing such law, or
(b) Any provision of this Act that disclaims an intention to repeal or effect enumerated or designated laws.

Sec. 7. (a) All existing ordinances and resolutions of the Town of Ahoskie, and all existing rules or regulations of departments or agencies of the Town of Ahoskie, not inconsistent with the provisions of this Act, shall continue in full force and effect until repealed, modified or amended.

(b) No action or proceeding of any nature (whether civil or criminal, judicial or administrative, or otherwise) pending at the effective date of this Act by or
against the Town of Ahoskie or any of its departments or agencies shall be abated or otherwise affected by the adoption of this Act.

Sec. 8. Severability. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 9. General Repeal. All laws and clauses of laws in conflict with the provisions of this Act are hereby repealed.

Sec. 10. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 29th day of May, 1963.