



CHAPTER 160A  
ARTICLE 5 - FORM OF GOVERNMENT

N.C.G.S. § 160A-75.

Voting.

|                                                                                    |                                                                                                    |                                           |                                                                                                    |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>S.L. 2020-25, s. 51(a), (b), (d) —<br>thirteenth act in the lineage | RETRIEVED<br>21 September 2026, 07:03 UTC | SOURCE FINGERPRINT<br>adbe5f3c831f381481d82398 -<br>655a7f13a25b3743270fedea -<br>10fc2023a2828db0 |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------------|

- § 160A-75(a)

No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234 or G.S. 160D-109. In all other cases except votes taken under G.S. 160D-601, a failure to vote by a member who is physically present in the council chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct.
- § 160A-75(b)

Notwithstanding subsection (a) of this section, a vote or failure to vote by any member present by means of simultaneous communication in accordance with G.S. 166A-19.24 shall be treated as if the member were physically present only during the period while simultaneous communication is maintained for that member.
- § 160A-75(c)

An affirmative vote equal to a majority of all the members of the council not excused from voting on the question in issue, including the mayor's vote in case of an equal division, shall be required to adopt an ordinance, take any action having the effect of an ordinance, authorize or commit the expenditure of public funds, or make, ratify, or authorize any contract on behalf of the city. In addition, no ordinance nor any action having the effect of any ordinance, except an ordinance on which a public hearing must be held pursuant to G.S. 160D-601 before the ordinance may be adopted, may be finally adopted on the date on which it is introduced except by an affirmative vote equal to or greater than two thirds of all the actual membership of the council, excluding vacant seats and not including the mayor unless the mayor has the right to vote on

all questions before the council. For purposes of this section, an ordinance shall be deemed to have been introduced on the date the subject matter is first voted on by the council.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
13 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



| Nº | YEAR | ACT                               | CHARACTER  |
|----|------|-----------------------------------|------------|
| 01 | 1917 | c. 136, subch. 13, s. 1           | ENACTED    |
| 02 | C.S. | s. 2821                           | RECODIFIED |
| 03 | 1971 | c. 698, s. 1                      | AMENDED    |
| 04 | 1973 | c. 426, s. 16                     | AMENDED    |
| 05 | 1979 | 2nd Sess., c. 1247, s. 7          | AMENDED    |
| 06 | 1983 | c. 696                            | AMENDED    |
| 07 | 2001 | S.L. 2001-409, s. 9               | AMENDED    |
| 08 | 2005 | S.L. 2005-426, s. 5.1(a)          | AMENDED    |
| 09 | 2013 | S.L. 2013-126, s. 11              | AMENDED    |
| 10 | 2015 | S.L. 2015-160, s. 5               | AMENDED    |
| 11 | 2019 | S.L. 2019-111, s. 2.5(n)          | AMENDED    |
| 12 | 2020 | S.L. 2020-3, ss. 4.31(h), 4.33(a) | AMENDED    |
| 13 | 2020 | S.L. 2020-25, s. 51(a), (b), (d)  | AMENDED    |

APPARATUS II  
4 AUTHORITIES

## Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION |
|-----------|------------|------------------------------------|
|-----------|------------|------------------------------------|

|                 |     |                                                           |
|-----------------|-----|-----------------------------------------------------------|
| G.S. 14-234     | (a) | <i>"member is prohibited from voting under"</i>           |
| G.S. 160D-109   | (a) | <i>"from voting under G.S. 14-234 or"</i>                 |
| G.S. 160D-601   | (a) | <i>"other cases except votes taken under"</i>             |
| G.S. 166A-19.24 | (b) | <i>"of simultaneous communication in accordance with"</i> |

## APPARATUS III

## Citation

## FULL SECTION

N.C. Gen. Stat. § 160A-75 (2020).

## PINPOINT

N.C. Gen. Stat. § 160A-75(a) (2020).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

## Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

## HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1917, c. 136, subch. 13, s. 1; C.S., s. 2821; 1971, c. 698, s. 1; 1973, c. 426, s. 16; 1979, 2nd Sess., c. 1247, s. 7; 1983, c. 696; 2001-409, s. 9; 2005-426, s. 5.1(a); 2013-126, s. 11; 2015-160, s. 5; 2019-111, s. 2.5(n); 2020-3, ss. 4.31(h), 4.33(a); 2020-25, s. 51(a), (b), (d).)

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