



# DURHAM COUNTY

## Board of Elections

### 2019 QUALIFICATIONS TO RUN FOR MUNICIPAL OFFICE

In accordance with Article VI, §6 of the North Carolina Constitution, a qualified voter must be 21 years old to run for office. Below is a listing of additional qualifications to run for office in addition to (1) completing a Notice of Candidacy and related paperwork, (2) paying the applicable filing fee, and (3) complying with state campaign finance laws. See also details below regarding limitations on holding other positions within the municipality's government ("double office holding") and specifics set out in the charters of the City of Durham and Town of Chapel Hill.

CITY OF DURHAM	
Mayor of City of Durham (1 seat)	Registered voter residing in CITY limits
Durham City Council At-Large (3 seats)	Registered voter residing in the CITY limits
CITY OF RALEIGH	
Mayor of City of Raleigh (1 seat)	Registered voter residing in CITY limits
Raleigh City Council, At-Large (2 seats)	Registered voter residing in CITY limits
Raleigh City Council, District E (1 seat)	Registered voter residing in DISTRICT limits
TOWN OF CHAPEL HILL	
Mayor of Town of Chapel Hill (1 seat)	Registered voter residing in TOWN limits
Chapel Hill Town Council (4 seats)	Registered voter residing in TOWN limits
TOWN OF MORRISVILLE	
Town of Morrisville At-Large (1 seat)	Registered voter residing in TOWN limits
Town of Morrisville District 1,2,3 (3 seats)	Registered voter residing in DISTRICT limits

### Double office holding

GENERALLY, ACCORDING TO STATE LAW

#### Sec. 9. Dual office holding. (N.C. CONST. ART. VI, § 9)

(1) Prohibitions. It is salutary that the responsibilities of self-government be widely shared among the citizens of the State and that the potential abuse of authority inherent in the holding of multiple offices by an individual be avoided. Therefore, no person who holds any office or place of trust or profit under the United States or any department thereof, or under any other state or government, shall be eligible to hold any office in this State that is filled by election by the people. No person shall hold concurrently any two offices in this State that are filled by election of the people. No person shall hold concurrently any two or more appointive offices or places of trust or profit, or any combination of elective and appointive offices or places of trust or profit, except as the General Assembly shall provide by general law.

(2) Exceptions. The provisions of this Section shall not prohibit any officer of the military forces of the State or of the United States not on active duty for an extensive period of time, any notary public, or any delegate to a Convention of the People from holding concurrently another office or place of trust or profit under this State or the United States or any department thereof.

#### § 128-1.1. Dual-office holding allowed.

(a) Any person who holds an appointive office, place of trust or profit in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution, to hold concurrently one other appointive office, place of trust or profit, or an elective office in either State or local government.

(b) Any person who holds an elective office in State or local government is hereby authorized by the General Assembly, pursuant to Article VI, Sec. 9 of the North Carolina Constitution to hold concurrently one other appointive office, place of trust or profit, in either State or local government.

(c) Any person who holds an office or position in the federal postal system or is commissioned as a special officer or deputy special officer of the United States Bureau of Indian Affairs is hereby authorized to hold concurrently therewith one position in State or local government.

(c1) Where authorized by federal law, any State or local law enforcement agency may authorize its law enforcement officers to also perform the functions of an officer under 8 U.S.C. § 1357(g) if the agency has a Memorandum of Agreement or Memorandum of Understanding for that purpose with a federal agency. State and local law enforcement officers authorized under this provision are authorized to hold any office or position with the applicable federal agency required to perform the described functions.

[...]

(d) The term "elective office," as used herein, shall mean any office filled by election by the people when the election is conducted by a county board of elections under the supervision of the State Board of Elections.

CITY OF DURHAM: "No person elected to the city council, whether he qualify [qualifies] or not, shall, during the term for which he was elected, be elected or appointed to any other position, or office of trust or profit, under the city government. However, when a vacancy exists or shall occur in the office of mayor, a councilmember shall not be debarred from election as mayor for the existing term or unexpired part of the term." (Durham City Charter, Ch. III, Sec. 14)



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TOWN CHAPEL HILL: "No member of the governing body may be appointed to any other paid position in the town government, however, when a vacancy exists or shall occur in the office of mayor, a member of the council shall not be debarred from selection as mayor." (Chapel Hill Town Charter, Ch. II, Sec. 2.2(b))