

ORDINANCE RESPECTING THE ASSIGNMENT OF TERRITORY TO ELECTION WARDS

WHEREAS --

(1) The publication of results from the 2010 census required the reassignment of precincts to the City's three election wards.

(2) On November 21, 2011, the City Council approved the use of Option B for the reassignment of precincts to the wards.

(3) Option B placed 77,322 persons in Ward 1; 75,988 persons in Ward 2, and 75,020 persons in Ward 3.

(4) In approving the use of Option B, the City Council determined and found that the three election wards as established therein provided for approximately equal population in each election ward, and the Council reaffirms that determination and finding.

(5) Since 2009 precinct 34 has been split into 34-1 and 34-1, and precincts 35-1 and 35-2 have been combined into 35.3, making it appropriate to change precinct numbers in the City Code Section 2-21 in order to match the official precinct designations.

(6) This ordinance is consistent with the November 21, 2011 approval referred to above, and is intended to effectuate that approval.

(7) It is appropriate that all land that may reasonably be expected to be annexed, including land located in counties other than Durham County, be assigned to one of the three election wards;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DURHAM ORDAINS:

SEC. 1. Section 2-21 of the City Code is revised to read:

Section 2-21. Assignment of Territory to election wards.

(a) Definitions.

The "Cheek Road-Old Weaver Trail line" is the centerline of the right of way of Cheek Road beginning at the boundary of Durham County and Wake County and continuing until Cheek Road ends at what is now or formerly was the intersection with Old Weaver Trail, and continuing with the centerline of the right of way of Old Weaver Trail as it runs in a generally northeast direction.

"Territory" means real property in the corporate boundaries of the City on [to insert: date of council adoption of this ordinance], or annexed into the City after that date ~~June 16, 2009~~.

(b) Territory located in Durham County.

All Territory located in the election precincts listed in this table is assigned to the indicated election wards.

Durham County election precinct number	City Election Ward
1, 2, 3, 7, 8, 10, 12, <del>13</del> , 15, 17, 18, 19, 20, 21, 22, 23, 25, <u>26, 28, 29, 44, 45, and 46, 55-11, and 55-49</u>	1
<del>9, 13, 14, 16,</del> 30-1, 30-2, 31, 32, 33, <del>34, 34-1, 34-2, 35-1, 35-2, 35.3,</del> 41, 42, 47, <del>48,</del> 51, 52, <del>54, 55-11,</del> and <del>54</del> <u>55-49</u>	2
4, 5, 6, <u>9, 16,</u> 24, 27, 36, 37, 38, 39, 40, 43, 44, <del>45,</del> <u>48,</u> 50, <del>53-1,</del> and 53-2	3

If precinct boundaries change after ~~May 5, 2009~~[to insert: date of council adoption of this ordinance], the precinct boundaries in effect as of that date ~~May 5, 2009~~ will~~shall~~ continue to be used in applying this table.

(c) Territory located in counties other than Durham County.

(1) The following is assigned to Election Ward 3: all Territory that is both (i) in Chatham County and (ii) west of the centerline of the right of way of Highway 751.

(2) The following is assigned to Election Ward 2: all Territory that is simultaneously (i) both east of the centerline of the right of way of Highway 751 and south of the Cheek Road-Old Weaver Trail line, and (ii) in either Chatham County or Wake County.

(3) The following is assigned to Election Ward 1: all Territory that is both (i) north of the Cheek Road-Old Weaver Trail line and (ii) in either Wake County or Granville County.

(4) The following is assigned to Election Ward 1: all Territory that is both due north of Durham County and in Person County.

(5) The following is assigned to Election Ward 1: all Territory that is (i) north of the centerline of ~~the right of way of Guess Road~~Eno River and (ii) in either Orange County or Person County.

(6) The following is assigned to Election Ward 3: all Territory that is both south of the centerline of ~~the right of way of Guess Road~~Eno River and in Orange County.

(d) Any Territory that is not assigned by the provisions of sections (b) and (c) will be assigned to Ward 1.

(e) Assignments of Territory to election wards pursuant to this section shall occur without the necessity of further City Council action.

SEC. 2. The motion adopted on November 21, 2011, by which the City Council approved the use of Option B for the reassignment of precincts to the wards, is repealed.

SEC. 3. In this ordinance, the struck-through material is deleted from the existing text, and the underlined material is added to the existing text.

SEC. 4. This ordinance is effective upon adoption.