

CHAPTER 3

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Article I

GENERAL ADMINISTRATION

Section 3-1 Council to Appoint Department Heads.

- a) The Council shall have the authority to appoint, suspend, and remove all town department heads. It may also appoint interim department heads while searching for a person to fill a vacancy.

- b) Each department head shall have the authority to appoint, suspend, and remove town employees assigned to his department and shall see that all laws and policies relating to his department are faithfully executed.
- c) By letter filed with the town clerk, each department head may designate a qualified person to perform his duties during his temporary absence or disability. This designation is subject to the approval of the Council, which may revoke it at any time and appoint another individual to serve as head of that department until the department head returns or his disability ceases.

Section 3-2 Clerk.

- a) The town clerk shall be appointed by the Council.
- b) The town clerk shall:
 - 1) Give notice of meetings of the Council;
 - 2) Keep a journal of the proceedings of the Council;
 - 3) Record in a book kept for the purpose all ordinances and resolutions;
 - 4) Be the custodian of all town records; and
 - 5) Perform such other duties as are prescribed by law or by the town charter or by the Council.

Section 3-3 Attorney.

The Council shall appoint a town attorney to serve at its pleasure and shall prescribe his duties and fix his rate of compensation.

Article II

FINANCE

Section 3-4 Finance Officer.

- a) The duties of the finance officer shall be performed by the town clerk.
- b) The duties of the finance officer shall be to:

- 1) Keep the town's accounts in accordance with generally accepted principles of governmental accounting and the rules and regulations of the Local Government Commission;
- 2) Disburse all funds of the town in strict compliance with the Local Government Budget and Fiscal Control Act, the budget ordinance, and each project ordinance, and pre-audit obligations and disbursements as required by the Local Government Budget and Fiscal Control Act;
- 3) Prepare and file with the Council a statement of the financial condition of the town whenever requested to do so by the Council;
- 4) Receive and deposit all monies accruing to the town and supervise the receipt and deposit of money by other duly authorized officers or employees;
- 5) Maintain all records concerning the town's bonded debt, and determine the amount of money that will be required for debt service during each fiscal year, and maintain all sinking funds;
- 6) Supervise the investment of the town's idle funds; and
- 7) Perform such other duties as may be assigned to him by law, the budget officer, the Council, or by rules and regulations of the Local Government Commission.

Section 3-5 Budget Officer.

- a) The duties of the budget officer shall be performed by the town clerk.
- b) The budget officer shall perform those duties and responsibilities assigned to him by the Local Government Budget and Fiscal Control Act (Article III of G.S.159).

Sections 3-6 through 3-9 Reserved.

Article III

PERSONNEL

Section 3-10 Personnel Responsibilities of the Council.

- a) The Council shall, by adopting and amending the annual budget, fix or approve the schedule of pay, expense allowances, fringe benefits, and all other compensation of all town employees.

- b) The Council may also adopt rules and regulations governing all aspects of the employment relationships between the town and its employees.

Section 3-11 Personnel Officer.

- a) The town clerk shall perform the duties of the personnel officer for the town.
- b) The personnel officer shall be responsible for administering any pay plan adopted by the Council, recommending to the Council the creation of new positions or the modification of the duties of existing positions and generally administering all town polices and board directives concerning personnel.

Sections 3-12 through 3-14 Reserved.

Article IV

PUBLIC SAFETY

Section 3-15 Police Department.

Police services shall be provided by the Town to its residents.

Section 3-16 Fire Department.

Fire protection services are provided to the town by a volunteer fire department.

Sections 3-27 through 3-19 Reserved.

Article V

PLANNING AND REGULATION OF DEVELOPMENT

Section 3-20 Building Inspections Department.

- a) The Gaston County Building Inspections Department, as designated by the Council, shall have the authority and responsibility to enforce the North Carolina State Building Code within the corporate limits of the Town. , The Building Inspections Department shall have the authority and shall follow the procedures set forth in Article 19 of G.S. 160A and Chapter 1 of the North Carolina State Building Code.

- b) Upon the request of the Council, the Gaston County Inspections Department administers and enforces the State Building Code within the town's extraterritorial planning jurisdiction (established pursuant to G.S. 160A-360).

Sections 3-21 through 3-25 Reserved.

Article VI

PUBLIC WORKS AND UTILITIES

Sections 3-26 through 3-30 Reserved.

Article VII

MISCELLANEOUS

Section 3-31 Oaths and Bonds of Officers and Employees.

- a) All officers and employees appointed by the Council shall serve at the pleasure of the Council except as otherwise provided by law, and shall receive for their services such Compensation as may be established annually in the budget ordinance.
- b) The Council shall prescribe the required bond for each officer or employee that it deems necessary to be bonded, and no such officer or employee may begin the duties of this office until the required bond has been obtained.
- c) All town officers shall take the following oath before beginning their duties:

“I, _____, do solemnly swear (Affirm) that I will support and maintain the Constitution and laws of the United States and the Constitution and laws of North Carolina not consistent therewith and that I will faithfully discharge the duties of my office as _____, so help me God.”
- d) This oath may be administered by the mayor or by any other officer authorized to administer oaths by G.S. 11-7.1, and shall be subscribed and filed with the town clerk.