

TITLE III: ADMINISTRATION

Chapter

- 30. BOARD OF ALDERMEN**
- 31. TOWN OFFICIALS**
- 32. DEPARTMENTS, BOARDS, AND COMMISSIONS**
- 33. FINANCE**
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CHAPTER 30: BOARD OF ALDERMAN

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Cross-reference:

Board of Aldermen, see Charter Secs. 3.1 through 3.5

Statutory reference:

Board to organize government, see G.S. § 160A-146

General powers, see G.S. § 160A-67

§ 30.01 REGULAR MEETINGS.

The regular meetings of the Mayor and Board of Aldermen of the town shall be held on the third Tuesday of each month at 6:30 p.m. at the town hall unless otherwise designated by the Board. ('85 Code, § 30.01) (Am. Motion passed 9-8-92)

Statutory reference:

Regular meetings, see G.S. § 160A-71

§ 30.02 SPECIAL MEETINGS.

(A) The Mayor, the Mayor Pro Tempore, or any two members of the Council may at any time call a special court meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the Mayor and each councilman or left at his usual dwelling place at least six hours before the meeting. Only those items of business specified in the notice may be transacted at a special meeting, unless all members are present or have signed a written waiver of notice. In addition to the procedures set out in this section or any charter section, a person or persons calling a special meeting of the town shall comply with the notice requirements of G.S. § 143-33C.

(B) Special meetings may be held at any time when the Mayor and all members of the Council are present and consent thereto, or when those present have signed at written waiver of notice.

(C) During any regular meeting, or any duly called special meeting, the Council may call or schedule a special meeting, provided that the motion or resolution calling or scheduling any such special meeting shall specify the time, place, and purpose or purposes of such meeting and shall be adopted during an open session.

Statutory reference:

Special meetings, see G.S. § 160A-71

CHAPTER 30: BOARD OF ALDERMAN

§ 30.03 QUORUM.

A majority of the actual membership of the Board of Aldermen, excluding vacant seats, shall constitute a quorum and no official business of the town shall be transacted by the Board unless a quorum is present.

('85 Code, § 30.03)

Statutory reference:

Quorum, see G.S. § 160A-74

§ 30.04 MINUTES.

It shall be the duty of the Clerk to be present at all meetings of the Board of Aldermen and to keep in a book provided for that purpose a record of all the proceedings of the Board.

('85 Code, § 30.04)

Statutory reference:

Minutes to be kept, see G.S. § 160A-72

§ 30.05 MAYOR TO PRESIDE.

(A) The Mayor shall preside at all meetings of the Board of Aldermen, and in his absence the Mayor Pro Tempore shall preside.

(B) While presiding at a meeting of the Board of Aldermen, the Mayor Pro Tempore shall retain the right to vote as a member of the Board but shall not then have the right to cast a second vote in the event of a tie vote.

('85 Code, § 30.05)

Cross-reference:

Mayor, see Ch. 31

§ 30.06 MAYOR NOT TO VOTE.

The Mayor shall not vote on any question before the Board of Aldermen except in the case of a tie vote deadlocking a decision of the Board.

('85 Code, § 30.06)

§ 30.07 COMMITTEES.

The Mayor and Board of Aldermen may create such committees of the Board for special purposes as they deem best.

('85 Code, § 30.07)

§ 30.08 ORDER OF BUSINESS.

The Board of Aldermen may from time to time prescribe the order of business for their meetings.

('85 Code, § 30.08)

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§ 30.09 COMPENSATION.

The Board of Aldermen shall receive the compensation as they shall from time to time determine.
('85 Code, § 30.09)

CHAPTER 31: TOWN OFFICIALS AND EMPLOYEES

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Editor's note:

Town Administrator currently serves as the Town Budget Officer.

GENERAL PROVISIONS

§ 31.01 MISUSE OF PROPERTY.

Any employee of the town using town owned equipment on private property will be subject to immediate dismissal.
('85 Code, § 31.01)

§ 31.02 EXCEPTION.

In the case of a natural disaster, such as ice storm, hurricane, or as the Board does so desire, § 31.01 shall be ruled as not applicable.
('85 Code, § 31.02)

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§ 31.03 OFFICERS AND EMPLOYEES.

Officers and employees that are deemed necessary shall be appointed by the Board of Aldermen. All officers and employees shall serve at the pleasure of the Board and receive the compensation as from time to time may be prescribed by the Board.

('85 Code, § 31.03)

MAYOR

§ 31.10 MAYOR.

The Mayor shall preside at all meetings of the Board of Aldermen.

(Ord. 10, passed 1-1-80)

Statutory reference: For the powers and duties of the Mayor, see G.S. § 160A-67

§ 31.15 DUTIES.

It shall be the duty of the Mayor to cause all ordinances of the town to be enforced, to attend and preside over all meetings of the Board of Aldermen. It shall further be the duty of the Mayor to within 30 days after the close of each year to require a report to the Board from the various departments of the town government for the previous year and recommend the adjustments as he may see fit and the Mayor shall perform the other duties as the Board may from time to time require. The Mayor shall be the Chief Executive Officer of the town.

('85 Code, § 31.10)

Cross-reference:

Board of Aldermen, see Ch. 30

Statutory reference:

Duties of Mayor, see G.S. § 160A-69

Election of Mayor, see G.S. § 160A-101

§ 31.16 COMPENSATION.

The Mayor shall receive the compensation as the Board of Aldermen shall from time to time determine.

('85 Code, § 31.11)

Cross-reference:

Salary, see Charter Sec. 12

TOWN CLERK

§ 31.30 DUTIES.

(A) The Town Clerk shall be appointed by the Board of Aldermen.

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(B) The Town Clerk shall attend all meetings of the Board of Aldermen and shall regularly and fairly record all of their proceedings in a book to be kept by him/her for that purpose. He/she shall also keep a well bound book to be styled the Code of Ordinances in which he/she shall fairly and correctly transcribe all ordinances which are enacted by the Board.

(C) It shall be the duty of the Town Clerk to keep true, accurate, and just books of accounts of the dealings and transactions of the town, which books shall show at all times the true condition of the town, its resources and liabilities and the disposition and use of the monies coming under the control of the town.

(D) The Town Clerk shall keep or cause to be kept in a safe place all monies, records, and accounts.

(E) The Town Clerk shall disburse funds for the various purposes of the town only when an appropriation for the purpose has been made in the annual budget and the disbursement is authorized by the Board.

(F) The Town Clerk shall perform the other duties as the Board may from time to time require.
('85 Code, § 31.20)

Statutory reference:

Duties of Clerk, see G.S. § 160A-171

§ 31.31 BOND.

The Town Clerk and other officers or employees required by the Board of Aldermen shall, before entering upon their duties, post bond in amounts specified by the Board. All bond premiums shall be paid from town funds. However, when two offices are combined, such as Clerk and Treasurer, only one bond shall be required.

('85 Code, § 31.21)

OTHER OFFICIALS

§ 31.45 BUILDING INSPECTOR.

For provisions concerning the Building Inspector, see Chapter 150.

('85 Code, § 31.30)

§ 31.46 TOWN ATTORNEY.

For provisions concerning the Town Attorney, see G.S. § 160A-173. ('85 Code, § 31.31)

§ 31.47 FINANCE OFFICER.

The Finance Officer is the same person as Treasurer. For provisions concerning the Finance Officer, see G.S. § 159-24.

('85 Code, § 31.32)

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§ 31.48 TAX COLLECTOR.

For provisions concerning the Tax Collector, see G.S. § 105-349.
(‘85 Code, § 31.33)

§ 31.49 DIRECTOR OF PUBLIC WORKS.

For provisions concerning the Director of Public Works, see Chapter 53.
(‘85 Code, § 31.34)

§ 31.50 WATER AND SEWER INSPECTOR.

For provisions concerning the Water and Sewer Inspector, see Chapter 53.
(‘85 Code, § 31.36)

§ 31.51 TOWN ADMINISTRATOR.

The Board of Alderman may hire a Town Administrator from time to time, whose duties and responsibilities shall be determined by the Board.

CHAPTER 32: DEPARTMENTS, BOARDS AND COMMISSIONS

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FIRE DEPARTMENT

§ 32.01 ORGANIZATION.

The Fire Department shall consist of the Chief of the Fire Department and an Assistant Chief and a sufficient number of firefighters (voluntary, part- or full-time) to maintain and operate the Department. The Board of Aldermen shall appoint the Chief and approve the appointment to the Department of all members. The Department may from time to time adopt its own rules and regulations governing the Department subject to the approval of the Board. However, any rules and regulations shall also include provisions for at least one training period each month and that any member who is absent for two consecutive meetings without a bona fide reason be dropped from the Department.

('85 Code, § 32.01)

Statutory reference:

Authority to organize, see G.S. § 160A-291

§ 32.02 DUTIES OF CHIEF.

The duties of the Chief, subject to supervision by the Board of Aldermen, shall be as follows:

(A) General control of the department, the personnel, apparatus, and fire alarm systems.

(B) To command the department and supervise the firefighting and extinguishing of all fires and to have the authority to keep away from the vicinity of all fires, any and all idle, disorderly, or suspicious persons.

(C) He shall inspect or cause to be inspected all trucks and other equipment of the Fire Department each and every week to ascertain that the equipment is being kept in proper condition. He shall report annually to the Board the condition of all equipment.

(D) He shall inspect or cause to be inspected all fire hydrants and fire alarm systems at least once every three months and shall make a report of the inspection to the Board.

('85 Code, § 32.02)

Cross-reference:

Police Chief to post signs prohibiting carrying concealed weapons on municipal property, see §§ 34.01, 34.02

Statutory reference:

Duties of Chief, see G.S. § 160A-292

§ 32.03 FIRE INSPECTOR.

(A) The Fire Chief is to assume the functions of Fire Inspector. As such, he (or his designated agent) shall have authority to enter any and all premises, at a reasonable time, for purpose of inspection.

(B) *Routine inspections.* He shall make annual inspections of all structures located within the fire district.

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(C) *Inspections upon complaint.* He shall, upon receipt of a complaint, forthwith investigate.

(D) He shall investigate the causes of fires and shall keep records of his findings as to origin, location, owner, extent of damage, injury, and amount of insurance carried. The findings must be reported to the North Carolina Insurance Commissioner at regular intervals.

(E) He shall cause the removal of fire hazards by serving proper order to owner or agent of premises in question, the order to state a reasonable time limit. Failure to comply with the order shall be considered a misdemeanor.

('85 Code, § 32.03)

§ 32.04 GENERAL AUTHORITY.

(A) The officer in command shall have authority to summon aid and no citizen summoned may refuse to help in extinguishing the fire or in protecting exposed property.

(B) During the continuance of a fire, the Fire Chief, his assistant, or the Mayor shall have authority to call upon any citizen to render assistance in pulling down or demolishing any building or in removing goods or furniture from a building on fire or in danger of fire, but not without the consent of the officer of the Fire Department or the Police Department who may be in charge.

(C) It shall be unlawful to congregate on the streets or alleys near a fire in a manner which would interfere with the activities of the Fire Department.

(D) In the event of an alarm of fire the apparatus of the Fire Department responding to it shall have the right-of-way in and upon all streets, lanes, alleys, and other public ways.

(E) The drivers of vehicles, upon the approach of fire apparatus, shall immediately bring their vehicle to a stop on the right hand side of the street in the direction in which they are facing and shall not move their vehicle until the apparatus has passed.

('85 Code, § 32.04)

POLICE DEPARTMENT

§ 32.15 ORGANIZATION.

The Police Department of the town shall consist of a Chief and as many policemen as the Board of Aldermen shall from time to time determine and elect and as many special policemen as the Mayor and Board may deem necessary to appoint for special purposes.

('85 Code, § 32.10)

Statutory reference:

Authority to create, see G.S. § 160A-281

State law requirements, see G.S. § 17C-10

§ 32.16 CHIEF.

The Chief shall have control over the Police Department under the supervision of the Board of Aldermen. The Chief shall keep the Board informed of the Department's activities and make the reports that

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the Board may from time to time require, and he shall perform the other duties as may be required of him by the Board.

('85 Code, § 32.11)

Statutory reference:

Authority to appoint, see G.S. § 160A-281

§ 32.17 DUTIES.

The Police Department shall carry out all orders of the Board of Aldermen, enforce all laws and ordinances of the town and the state, and shall at all times preserve the peace, protect the property and the safety of the citizens of the town.

('85 Code, § 32.12)

Statutory reference:

Duties, see G.S. § 160A-285

§ 32.18 BOARD TO SUPERVISE.

The Board of Aldermen shall have general supervision over the Police Department. The Board may suspend, for cause, any member of the Police Department until the next regular meeting at which time final disposition shall be made.

('85 Code, § 32.13)

§ 32.19 UNIFORMS.

All police officers shall wear uniforms as shall be provided by the town and shall keep the uniforms in a neat and clean condition, and shall surrender all uniforms and equipment upon leaving the police service of the town if the uniforms and equipment were furnished by the town.

('85 Code, § 32.14)

§ 32.20 AGE REQUIREMENTS.

Age limits for hiring a police officer is to be a minimum of 21 years.

('85 Code, § 32.15)

HUMAN RELATIONS COMMITTEE

§ 32.30 ESTABLISHMENT.

The Board of Aldermen of the town does hereby establish the Fremont Human Relations Committee (hereinafter referred to as the "HRC"). This organization's membership shall be appointed by the Board of Aldermen and its members must reside within the town limits.

(Res. passed 9-13-90)

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§ 32.31 GOAL.

It shall be the goal of the HRC to facilitate the prevention and/or resolution of problems in areas affecting the human relations of all citizens who reside, work, or trade within the town.
(Res. passed 9-13-90)

§ 32.32 PURPOSE AND OBJECTIVE.

(A) The purpose and objective of this subchapter is to:

(1) Encourage understanding and good will between all citizens of the town regardless of race, sex, religion, creed, nationality, or economic status, and thus promote the general welfare of the community.

(2) Identify concerns within the town which jeopardize the welfare of the community.

(3) Promote peace, understanding, respect, good will, and harmony among all citizens of the town.

(B) The Fremont Human Relations Committee may promote public interest in its recommendations in such a manner as to lessen any tensions and promote good will among all citizens.
(Res. passed 9-13-90)

§ 32.33 DUTIES OF THE COMMITTEE.

(A) The duties of the Committee shall be to:

(1) Report and to recommend to the Board of Aldermen measures designed to promote the welfare of the town.

(2) Act as a public forum in hearing complaints involving racial tension or discrimination and to bring those concerned with these complaints together to discuss the facts and to assist in complaint resolution.

(3) Develop an atmosphere conducive to the best possible human relations and to conduct studies and suggest areas of concern such as problems related to senior citizens, youth, job opportunities, housing, recreational facilities, police protection, and other areas that may be developed as a result of research and consideration by the HRC. The HRC will recommend such action it feels is necessary and may be lawfully taken to minimize areas of conflict and to promote harmonious relations.

(4) Provide open channels of useful communication between and among various racial, religious, ethnic, and economic groups, and between such groups whereby understanding and differences leading to conflict may be resolved.

(5) Institute and conduct educational programs to promote fairness and courtesy in dealings between all people, regardless of their economic background and status.

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(6) Sponsor meetings, forums and the like concerning human relations in order to receive input from all citizens about their concerns and to impart a clearer understanding of the Committee's goals.

(7) Act as an impartial public forum to the end that there will be better communications between all segments of the town and with the Board of Aldermen.

(B) The Committee may sponsor meetings or forums intended to lead citizens to a clearer understanding of the true meanings of responsible citizenship in the community, of the obligations inherent in being a good citizen, and of the need for mutual understanding and respect by all citizens for each other.

(C) The HRC shall have the authority to create and devise plans for recommendations to the Board of Aldermen.

(Res. passed 9-13-90)

§ 32.34 MEMBERSHIP.

(A) The membership of the HRC shall consist of 12 representatives, with two members to be chosen from each of the town's six respective wards, duly appointed by the Board of Aldermen. The initial HRC members shall be appointed for the following terms:

(1) Four members for one-year terms.

(2) Four members for two-year terms.

(3) Four members for three-year terms.

(B) At the expiration of the terms of all members initially appointed to the HRC, all new appointments or reappointments shall be for a term of three years. All appointments to fill vacancies on the HRC will be for the unexpired term. The HRC shall elect a chairperson from its membership and other officers as it deems necessary. The members of the HRC will receive no compensation for their services.

(Res. passed 9-13-90)

§ 32.35 MEETINGS.

All meetings of the HRC shall be held at a regular place and shall be open to the public. The HRC shall keep written minutes of its proceedings in a book maintained for that purpose only. The HRC shall adopt and make public its own rules of procedure.

(Res. passed 9-13-90)

PLANNING BOARD

§ 32.45 MEMBERSHIP AND VACANCIES.

The Planning Board shall consist of ten members. Five members shall be citizens and residents of the town and shall be appointed by the Board of Aldermen; five members shall be citizens and residents of the territory surrounding the town, as described in the extraterritorial ordinance kept on file in the office of the

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Town Clerk, and shall be appointed by the Wayne County Board of Commissioners. Two of the initial members shall be appointed for a term of one year; four for two years; and four for three years. Their successors shall be appointed for terms of three years. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term. Faithful attendance at the meetings of the Board is considered a prerequisite for continued membership on the Board. One member of the Board of Aldermen shall serve ex officio as an advisory member. The representatives of the extraterritorial area to the Planning Board shall have equal rights, privileges, and duties with the other members of the Planning Board, regardless of whether the matters at issue arise within the town or within the extraterritorial area.

(Ord. passed 3-13-86)

§ 32.46 ORGANIZATION, RULES, MEETINGS, AND RECORDS.

Within 30 days after appointment, the Planning Board shall meet and elect a chairperson and create and fill such other offices as it may determine. The term of the chairperson and other officers shall be one year, with eligibility for reelection. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which record shall be a public record. The Board shall meet when necessary and in accordance with the State Open Meetings Law. There shall be a quorum of six members for the purpose of taking any official action.

(G.S. § 143-318.9 *et seq.*) (Ord. passed 3-13-86)

§ 32.47 GENERAL POWERS AND DUTIES.

It shall be the duty of the Planning Board, in general:

(A) To make studies of the area within its jurisdiction and surrounding areas; to acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in those conditions;

(B) To determine objectives to be sought in the development of the area studied;

(C) To prepare, adopt, and from time to time amend and revise plans for achieving those objectives, including a comprehensive and coordinated plan for the physical development of the area;

(D) To develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;

(E) To advise the Board of Aldermen concerning the use and amendment of various means for carrying out plans, as directed by the Board of Aldermen;

(F) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area;

(G) To keep the Board of Aldermen and the general public informed and advised as to these matters;

(H) To perform any other duties that may lawfully be assigned to it.

(Ord. passed 3-13-86)

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§ 32.48 BASIC STUDIES.

(A) As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of man-made and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the community, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts.

(B) In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but are not limited to studies of housing; commercial and industrial facilities; parks, playgrounds, and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities.

(C) All town officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The Board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

(Ord. passed 3-13-86)

§ 32.49 COMPREHENSIVE: PLAN.

(A) The comprehensive plan, with the accompanying maps, plats, charts, and descriptive matter, shall be and show the Planning Board's recommendations to the Board of Aldermen for the development of said territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; also, the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals.

(B) The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the town and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements.

(Ord. passed 3-13-86)

§ 32.50 ZONING ORDINANCE.

(A) The Planning Board shall prepare, certify, and submit to the Board of Aldermen for its consideration and possible adoption a zoning ordinance regulating the height, area, bulk, location, and use of buildings, structures, and land, in accordance with the provisions of G.S. Chapter 160A, Article 19, Part 3.

(B) The Planning Board may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make

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recommendations to the Board of Aldermen concerning all proposed amendments to the zoning ordinance.
(Ord. passed 3-13-86)

Cross-reference:

Zoning Code, see Ch. 153

§ 32.51 SUBDIVISION REGULATIONS.

(A) The Planning Board shall review, from time to time, the town's regulations for land subdivision in the area and submit to the Board of Aldermen its recommendations, if any, for the revision of said regulations.

(B) The Planning Board shall review and make recommendations to the Board of Aldermen concerning all proposed plats of land subdivision.

(Ord. passed 3-13-86)

§ 32.52 PUBLIC FACILITIES.

The Planning Board may review with town officials and report as recommendations to the Board of Aldermen upon the extent, location, and design of all public structures and facilities, on the acquisition and disposal of public properties, on the establishment of building lines, mapped street lines, and proposals to change existing street lines. However, in the absence of a recommendation from the Planning Board, the Board of Aldermen may, if it deems wise, after the expiration of 30 days from the date on which the question has been submitted in writing to the Planning Board for review and recommendation, take final action.

(Ord. passed 3-13-86)

§ 32.53 MISCELLANEOUS POWERS AND DUTIES.

The Planning Board may conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the comprehensive plan. Before adopting any plan it shall hold at least one public hearing thereon. The Planning Board shall have power to promote public interest in and an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.

(Ord. passed 3-13-86)

CHAPTER 33: FINANCE

Section

33.01 Disbursement of funds

33.02 Purchasing

§ 33.01 DISBURSEMENT OF FUNDS.

No funds of the town shall be disbursed by the Finance Officer except in accordance with state law, the town's budget ordinance, and the policies and directions of the Board of Aldermen.
('85 Code, § 33.01)

§ 33.02 PURCHASING.

All purchases by the town or its employees shall be in accordance with the purchasing policy which shall be determined by the Board of Aldermen.
('85 Code, § 33.02)

CHAPTER 34: MUNICIPAL PROPERTY

Section

Signs Prohibiting Concealed Weapons on Municipal Property

- 34.01 Posting of signs required
- 34.02 Location of signs

SIGNS PROHIBITING CONCEALED WEAPONS ON MUNICIPAL PROPERTY

§ 34.01 POSTING OF SIGNS REQUIRED.

The Police Chief is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each park and each building or portion of a building owned, leased as lessee, operated, occupied, managed or controlled by the town, as well as the appurtenant premises to the buildings, indicating that carrying a concealed handgun is prohibited therein.

(Ord. passed 10-17-95)

§ 34.02 LOCATION OF SIGNS.

Signs on buildings shall be visibly posted on the exterior of each entrance by which the general public can access the building. The Police Chief shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises and parks.

(Ord. passed 10-17-95)