

CHAPTER 5 APPOINTIVE OFFICERS

2-501. Appointive Officers - Generally.

A. The town treasurer, town clerk, town attorney, town engineer, chief of police, municipal court justice, and any and all other town officers or employees authorized by the council shall be hired or appointed by the mayor with the advice and consent of a majority (3) of the entire council. Any officer or employee suspended or discharged by the mayor shall have the right to appeal his suspension or discharge to the council, for consideration. The decision of the mayor may be reversed by a majority vote (3) of the entire council.

B. The annual salaries of the officers and employees of the town shall be fixed by the mayor and town council and shall be commensurate with the qualifications of the person appointed and the duties of the employment to be performed.

2-502. Town treasurer/town clerk - duties. The duties of the Town Treasurer and Town Clerk who shall be one and the same person shall be as follows:

A. Receive all money derived for the benefit of the town, from any and every source, in each instance giving his official receipt therefor.

B. Disburse the same only on proper orders signed by the mayor, attested by the town clerk, and having affixed thereto the corporate seal. Such orders shall be paid in the order of their issue. All orders and warrants on the town treasurer shall have specified therein the services or indebtedness for which same are drawn.

C. Keep permanent, accurate and complete accounts and records of all receipts, orders and warrants.

D. If, at any time, any orders and warrants are not paid for lack of funds, the town treasurer shall endorse the date of presentation across the back thereof, and the reason for nonpayment; and the holder of such order or warrant shall be entitled to receive interest thereon, at the lawful rate from such date until paid.

E. The town treasurer shall endorse upon or attach to every bond or other evidence issued by the town pursuant to law, a certificate that the same is within the lawful debt limit of the

town and is issued pursuant to law. He shall sign such certificates in his official character.

F. The town treasurer shall at the end of each and every quarter and as often as required, render an account to the town council, under oath, showing the state of the treasury at the date of such account, and the balance of the money in the treasury; he shall also accompany such accounts with a statement of all receipts and disbursements, together with all warrants redeemed and paid by him.

G. The town treasurer shall prepare and compile with the assistance of the mayor and town council and town officers, the annual budget as required by state law.

H. The town treasurer shall allow examination of his books, accounts, and vouchers by the town council or any elector of the town.

I. He shall also perform such other duties as may be required of him by the mayor and town council, or by law.

J. Safely keep the corporate seal, papers, records and books belonging to the town.

K. Attend the meetings of the town council, recording the minutes thereof, which minutes, after approval of each meeting, shall be signed by the mayor, attested by the town clerk and have the town seal affixed.

L. Preserve consecutive record of all resolutions and ordinances passed by the council, promptly filing with each town department copies of any ordinance which may be of concern to such department; he shall also promptly file with the mayor a complete record of the titles of all ordinances, when the same are passed, and an exact copy of each governing ordinance, or ordinance requiring law enforcement.

M. Attest the signature of the mayor and affix the seal of the town to: All minutes of council proceedings, all resolutions and new ordinances passed, all bonds and business licenses issued, and such other documents as shall be required.

N. Attest all orders and warrants upon the town treasurer, keeping an accurate and permanent record thereof.

O. Keep a record of all outstanding bonds against the town, showing the number and amount of each, for and to whom such bonds were issued, and when any bonds are purchased, or paid, or

cancelled, such record shall show the fact, and in his annual report he shall describe particularly the bonds issued and sold during the year, and the terms of sale, with each and every item of expense thereof.

P. Issue business licenses in accordance with this code and the town ordinances.

Q. Perform such other duties as may be required of him by the mayor or the town council, or by law.

2-504. Town attorney - duties. The duties of the town attorney shall be as follows:

A. He shall commence, prosecute and defend all suits to which the town is a party, in all courts of the town and state.

B. Prosecute all suits for the violation of any provision of this code or other town ordinance.

C. Give his advice to the mayor and any member of the town council on legal questions arising that relate to the business of the town.

D. Draw all contracts to which the town is a party.

E. Revise, when necessary, all ordinances prior to their final passage by the council.

F. Draft and prepare all ordinances when so requested by the mayor or any member of the town council.

G. Attend the meetings of the council as requested by the Mayor.

H. Do all legal work relating to the town's business and perform such other duties as may be required of him by the mayor or the town council, or by law.

2-505. Town engineer - duties. The duties of the town engineer shall be as stated in a written contract between the town and engineer.

2-506. Duties of other officers. The duties of other appointive officers shall be as set forth under this code or other ordinances pertaining to their respective departments.