

CHAPTER 32: DEPARTMENTS AND BOARDS

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Cross-reference:

Damaging police property, see § 130.03

Failure to aid police officer, see § 130.11

ESTABLISHMENT OF DEPARTMENTS**§ 32.01 ADMINISTRATION DEPARTMENT.**

The Administration Department, under the direction and authority of the Town Clerk, is hereby established. This Department is responsible for the daily operation of all phases of town government, as directed by the Mayor and Board of Aldermen under state guidelines.

(`92 Code, § 23.01)

§ 32.02 PUBLIC WORKS DEPARTMENT.

The Public Works Department, under the direction and authority of the Director of Public Works, is hereby established. This Department shall work with and supervise street operations, sanitation, and water and sewer facilities.

(`92 Code, § 23.02)

§ 32.03 TAXATION DEPARTMENT.

The Taxation Department, under the direction and authority of the Tax Collector, is hereby established. This Department is responsible for town tax billing and collection pursuant to state guidelines, and shall assist the Town Clerk/Finance Officer.

(`92 Code, § 23.03)

§ 32.04 WASTEWATER TREATMENT DEPARTMENT.

The Wastewater Treatment Department, under the direction and authority of the Wastewater Treatment Director, is hereby established. This Department shall maintain and operate the wastewater treatment plant and pump stations.

(`92 Code, § 23.04)

Section 32.05 of the Code of Ordinances, Town of Bryson City, North Carolina, is hereby amended as follows:

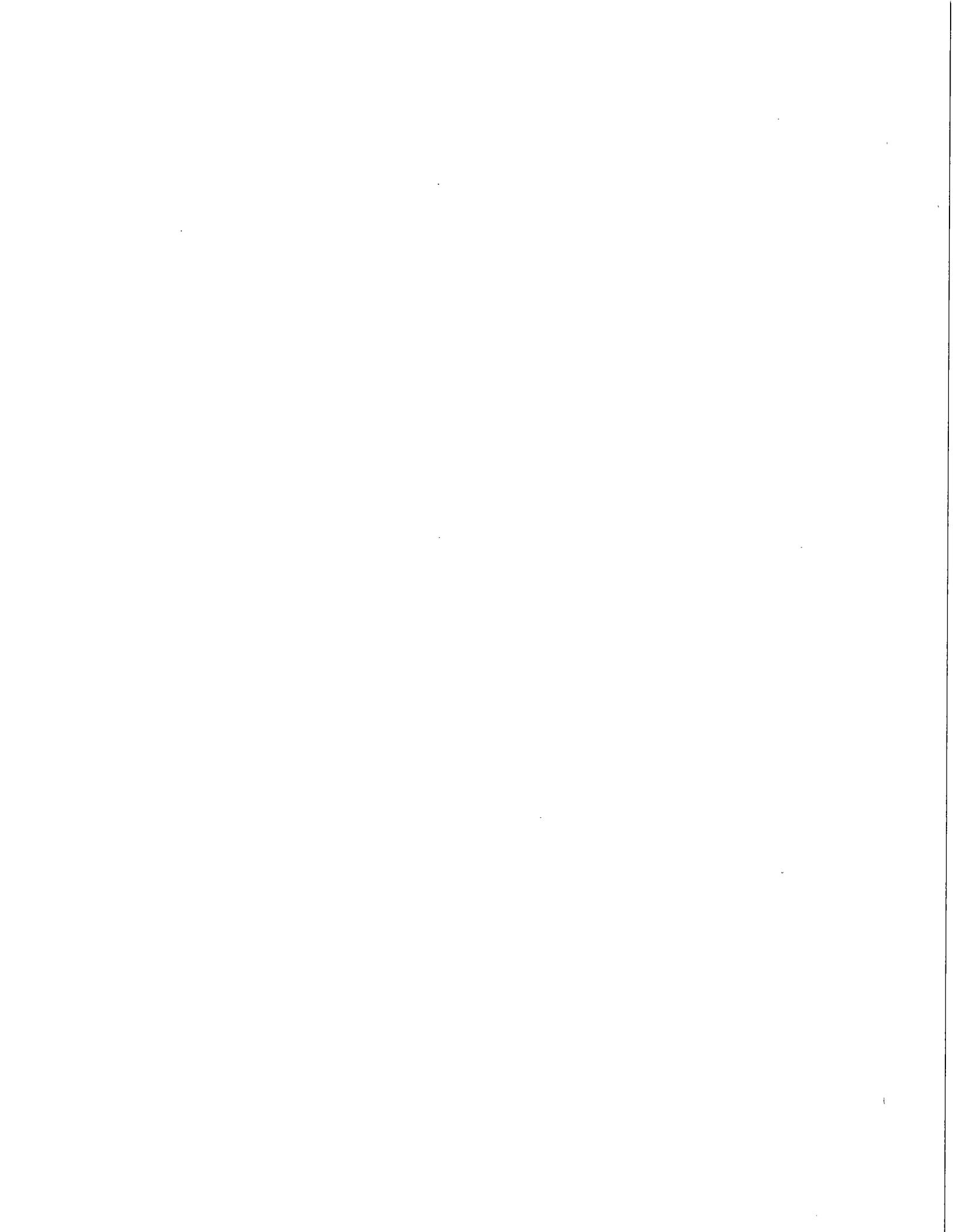
§32.05 VOLUNTEER FIRE DEPARTMENT

The Bryson City Volunteer Fire Department is hereby established. This Department, under the direction and authority of the Fire Chief, shall be responsible for fire protection of the town as set forth in G.S. § 160A-293, and shall perform all other duties established by the Mayor and the Board of Aldermen.

This Department shall be governed by bylaws adopted by the volunteer firemen and approved by the Board of Aldermen. The Fire Chief shall be elected by the volunteer firemen, subject, however, to ratification and confirmation by the Board of Aldermen.

The foregoing amendment to §32.05 of the Code of Ordinances, Town of Bryson City, North Carolina, was adopted unanimously at the regular meeting of the Board of Aldermen on October 4, 2010.

Valerie Lynn Thomas
Town Clerk



§ 32.05 VOLUNTEER FIRE DEPARTMENT.

The Bryson City Volunteer Fire Department, under the direction and authority of the Fire Chief, is hereby established. This Department shall be responsible for fire protection of the town as set forth in G.S. § 160A-293, and shall perform all other duties established by the Mayor and Board of Aldermen.

(`92 Code, § 23.05)

PLANNING BOARD

§ 32.20 CREATION.

The Board of Aldermen hereby establishes the Planning Board under the authority granted by G.S. Ch. 160A-361.

(Ord. passed 4-3-00)

§ 32.21 COMPOSITION AND VACANCIES.

(A) The Planning Board hereinafter referred to as the "Board" shall consist of five members. The initial appointments to the Planning Board shall be made in the following manner: two members shall be appointed for a term of three years; two members shall be appointed for a term of two years, and one member shall be appointed for a term of one year. As the terms of all members expire, members may be reappointed or new members appointed by the Board of Aldermen to terms of three years.

(B) In the event of a vacancy on the Planning Board, the Board of Aldermen shall appoint a new member to fill the unexpired term of the vacated position.

(C) All members of the Board shall be equal rights, privileges and duties. Members shall serve without pay, but may be reimbursed for any expenses incurred while representing the Board. Regular attendance of the meetings of the Board is considered a prerequisite for maintenance and membership on the Board. If a member is absent from more than three consecutive meetings, the member may be replaced at the discretion of the Board of Aldermen.

(Ord. passed 4-3-00)

§ 32.22 ORGANIZATION, RULES, MEETINGS AND RECORDS.

(A) The Board shall meet and elect a chairman and vice chairman from among its regular members, both of whom shall serve for terms of one year or until reelected or until their successors are elected. The Board shall appoint a secretary who shall hold office during the term of the chairman and/or until a successor secretary shall have been appointed. The Board may create and fill other offices as it may determine.

(B) The Board shall adopt rules for the transaction of its business which are consistent with this subchapter as well as the General Statutes of the State of North Carolina, 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 schedule at least four meetings per year and all of its meetings shall be open to the public. There shall be a quorum of three Board members for the purpose of taking any official action required by this subchapter.

(Ord. passed 4-3-00)

§ 32.23 EXPENDITURES.

The expenditures of the Planning Board exclusive of gifts or grants, shall be within the amounts appropriated for the purpose by the Board of Aldermen, and no indebtedness for which the town shall be liable shall be contracted or incurred by the Planning Board unless an appropriation is made by the Board of Aldermen for such purpose, as authorized by law, and then only to the extent of such appropriation. The Planning Board shall have the right to accept gifts and donations for the exercise of its functions, and may expend the money received from such gifts and donations in a manner which in the judgment of the Board is consistent with the best interest of the planning program.

(Ord. passed 4-3-00)

§ 32.24 POWERS AND DUTIES.

The Planning Board shall have the power to perform the following duties:

- (A) Make studies of the area within its jurisdiction and surrounding areas;
- (B) Determine objectives to be sought in the development of the study area;
- (C) Prepare and adopt plans for achieving these objectives;

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

(E) Advise the Board of Aldermen concerning the use and amendment of the means for carrying out plans;

(F) Exercise any functions in the administration and enforcement of various means for carrying out plans that the Board of Aldermen may direct;

(G) Work and coordinate with other boards and advisory groups as directed by the Board of Aldermen;

(H) Perform any other related duties that the Board of Aldermen may direct.
(Ord. passed 4-3-00)

Cross-reference:

Planning Board to enforce tree regulations, see § 95.35

POLICE DEPARTMENT

§ 32.40 COMPOSITION; CHIEF.

(A) The Police Department shall consist of such numbers of police officers as the Board of Aldermen shall from time to time determine to be necessary. ('92 Code, § 23.16)

(B) The Board of Aldermen shall at such time as they deem proper elect a Chief of Police for the town to serve for such time as the Board may decide upon, and to receive such salary as the Board may prescribe. The Board may also elect such other police officers or assistants as it may deem proper, to serve for such time and receive such compensation as the Board may prescribe. ('92 Code, § 23.17)

§ 32.41 SPECIAL POLICE.

The Mayor of the town may appoint such special police from day to day as may be necessary to serve on special occasions. Such special police shall receive such compensation for services rendered as the Board of Aldermen may agree to allow.

('92 Code, § 23.18)

Statutory reference:

Authority to provide for auxiliary police, G.S. § 160A-282

§ 32.42 DUTIES; SUPERVISION.

(A) It shall be the duty of the Chief of Police and other police officers or assistants to be diligent in the enforcement of good order in the town, to enforce all rules, regulations and ordinances prescribed or enacted by the Board of Aldermen of the town, and to do all acts required of public officers in the enforcement of law and good order. ('92 Code, § 23.20)

(B) The Police Department shall be directly under the supervision of the Mayor. ('92 Code, § 23.19)

Statutory reference:

Extraterritorial jurisdiction, G.S. § 160A-286

Powers and duties, G.S. § 160A-285

§ 32.43 WORK SCHEDULE; ACCIDENT REPORTS; TRAINING.

(A) *Work schedule.* Members of the Police Department shall work as scheduled and approved by the Mayor. ('92 Code, § 23.21)

(B) *Accident reports.* All accident reports made by the Police Department shall be kept on file in the Town Hall, with one copy in the police files in the Police Department, and one copy sent to Raleigh. ('92 Code, § 23.22)

(C) *Police school and training.* Members of the Police Department shall attend the police school held at Southwestern Technical College or such other place as may be approved by the Town Clerk and Mayor. ('92 Code, § 23.23)

Statutory reference:

Training and development, see G.S. § 160A-289