

TITLE III: ADMINISTRATION

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CHAPTER 30: GENERAL PROVISIONS

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§ 30.01 TOWN OFFICE HOURS.

The town office will be open from 9:00 a.m. to 5:00 p.m., Monday through Friday. The office will be closed on Saturday, Sunday and on all legal holidays.
(1997 Code, § 2-1)

§ 30.02 ABSENTEE VOTING.

The Board of Commissioners hereby authorizes absentee voting in all future elections.
(1997 Code, § 2-2)

§ 30.03 ACCESS TO TOWN RECORDS.

All town records shall be open to the public and may be inspected, examined and copied by any person subject to the rules and regulations established by this chapter and by state law.
(1997 Code, § 2-166)

§ 30.04 REQUESTS FOR INSPECTION OF TOWN RECORD.

(A) Any person wishing to examine or inspect a town record may do so by contacting the Town Clerk. If more than 3 items or records are requested, notice must be given to the Town Clerk at least 6 hours in advance.

(B) All requests for information must be directed to the Clerk during normal office hours. No town records may be removed from the town hall, but records may be copied by the Clerk for any person at a cost of \$.10 per sheet.

(C) If the Clerk receives a request for information that the Clerk determines may be confidential under the terms of this section or state law, or a request for such a large amount of information that it would take a substantial amount of the Clerk's time to respond, the Clerk shall forward such a request to the Board of Commissioners for determination.

(1997 Code, § 2-167) (Am. Ord. 99-04-03, passed 4-19-1999)

§ 30.05 EXEMPTIONS.

The following information shall not be open to public inspection:

(A) Confidential communications between the Town Attorney and the Board of Commissioners, as provided in G.S. § 132-1.1;

(B) Investigative reports and other memoranda prepared by the town police officers relating to an investigation of a crime, as provided by a 1975 opinion of the Attorney General (published in vol. 44 of the Attorney General's Reports, p. 340);

(C) Information in a town employee's personnel file that is made confidential by G.S. § 160A-168;

(D) Documents or records, including minutes, which are an integral part of an executive, closed or private session held in accordance with the open meetings law, G.S. § 143-318.11, and whose disclosure would nullify the purpose of holding the executive, closed or private session; and

(E) Such other exemptions as may be allowed by the General Statutes, as amended from time to time.

(1997 Code, § 2-168)

CHAPTER 31: MAYOR AND BOARD OF COMMISSIONERS

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GENERAL PROVISIONS

§ 31.01 GOVERNING BODY.

The governing body of the town shall consist of a Board of Commissioners of 5 members, elected according to the uniform municipal election laws of the state. The governing body shall be charged with the general government and administration of the affairs of the town. (1997 Code, § 2-31)

§ 31.02 POWERS AND DUTIES.

The powers and duties of the governing body shall be as set out in state law, the town's Charter, and the ordinances of the town. (1997 Code, § 2-32)

§ 31.03 MAYOR; DUTIES.

It shall be the duty of the Mayor to attend and preside over all meetings of the Board of Commissioners. It shall further be the duty of the Mayor, within 30 days after the close of each calendar year, to require a report to the Board from the various departments of the town government for the previous year and recommend such adjustments as he or she may see fit. The Mayor shall be the chief executive officer of the town and shall perform such other duties as the Board may from time to time require.

(1997 Code, § 2-33)

§ 31.04 MAYOR PRO TEM.

The Town Board shall select 1 member to serve as Mayor Pro Tem at the pleasure of the Board of Commissioners. The Mayor Pro Tem shall perform the duties of the Mayor temporarily during the absence or disability of the Mayor. If the office of Mayor becomes vacant, the Mayor Pro Tem shall perform the duties of the Mayor until a successor is appointed by the Board.

(1997 Code, § 2-34)

§ 31.05 APPOINTMENT OF COMMITTEES.

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

(1997 Code, § 2-35)

MEETINGS

§ 31.20 REGULAR MEETINGS.

(A) Every member of the Board and its officers shall attend all meetings of the Board unless excused.

(1) The regular official meeting of the Board of Commissioners shall be held on the third Monday of each month at 7:00 p.m. in the town hall.

(2) A second regular meeting of the Board, to be known as a working meeting, shall be held on the second Monday of each month at 7:00 p.m. in the town hall.

(a) Such a meeting shall be for the purpose of discussing matters, which may properly come before the Board.

(b) The working meeting may be cancelled or scheduled for a different time or place at the discretion of the Board.

(B) If the Board holds a regular meeting at any time or place other than specified in division (A) of this section, it shall give notice of the time and place by posting such notice on the town bulletin board, and by notifying those news media and other persons who have filed a written request with the Town Clerk. This notice shall be posted and mailed or delivered at least 48 hours before the time of the meeting. The town body shall charge a fee of \$10 per calendar year to persons other than the media who request notice and may require them to renew their requests quarterly.

(1997 Code, § 2-51) (Am. Ord. 05-02-01, passed 2-21-2005; Am. Ord. 2005-06-10, passed 6-27-2005; Am. Ord. 2005-06-11, passed 6-27-2005; Am. Ord. 2-51, passed 12-19-2005; Am. Ord. 2009-04, passed 2-16-2009)

§ 31.21 SPECIAL MEETINGS.

Special meetings of the Board of Commissioners may be held according to the procedures set out in G.S. § 153A-40.
(1997 Code, § 2-52)

§ 31.22 ADJOURNED MEETINGS.

Any meeting of the Board of Commissioners may be continued or recessed from day to day, or for more than 1 day; but no recess shall be for a longer period than until the next regular meeting thereafter unless otherwise ordered by the Board.
(1997 Code, § 2-53) (Am. Ord. 2005-06-12, passed 6-27-2005)

§ 31.23 MAYOR TO PRESIDE.

The Mayor shall preside at all meetings of the Board of Commissioners, and in his or her absence the Mayor Pro Tem shall preside.
(1997 Code, § 2-54)

§ 31.24 QUORUM.

A majority of the actual membership of the Board of Commissioners plus the Mayor, 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. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for determining whether or not a quorum is present.
(1997 Code, § 2-55)

§ 31.25 WHEN MAYOR MAY VOTE.

The Mayor shall not vote on any question before the Board of Commissioners except in the case of a tie vote deadlocking a decision of the Board.
(1997 Code, § 2-56)

§ 31.26 ORDER OF BUSINESS.

(A) At the hour appointed for the meeting of the Board of Commissioners, the Mayor shall take the chair and direct a call of the members by the Town Clerk, who shall note the absentees. If a quorum fails to attend, the meeting shall stand adjourned to a time agreed on by a majority of the members present. The Mayor may when present substitute any member of the

Board to perform the duties of the chair, but substitution shall not extend beyond adjournment except by special consent of the Board.

(B) Unless the Board agrees in advance otherwise, the business of the Board shall be taken up for consideration and disposition at regular meetings in the following order:

- (1) Call to order;
- (2) Reading or disposition of minutes of the previous meeting;
- (3) Reports of Boards and standing committees;
- (4) Citizens to be heard;
- (5) Unfinished business;
- (6) New business;
- (7) Announcements;
- (8) Other business or Commissioners to be heard; and
- (9) Adjournment.

(C) If the Board directs any matter to be the special business of a future meeting, the matter shall have precedence over all other business at that meeting.

(1997 Code, § 2-57)

§ 31.27 RULES OF PROCEDURE.

The Mayor and Board of Commissioners shall observe, as nearly as possible, the following rules of debate and decorum:

(A) *Manner of speaking.* Every member desiring to speak shall address the chair and upon recognition by the Mayor shall confine himself or herself to the question under debate, avoiding all conflicts in personalities and indecorous language.

(B) *Interrupting the speaker.* A member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order or as otherwise provided under applicable rules of parliamentary procedure. If a member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined and, if in order, he or she shall be permitted to proceed.

(C) *Addressing the Board.* Any person desiring to address the Board shall first secure the permission of the Mayor. Any interested parties or their authorized representatives may address the Board on matters listed on the agenda of the Board. After a motion is before the Board, no person shall address the Board without first securing the permission of the Board to do so.

(D) *Manner of addressing Board; time limit.* Every person addressing the Board shall give his or her name and address for the record and the Board, after consideration of the number of persons desiring to address the Board at such meeting, shall set a time limit for each such person to speak. All remarks shall be addressed to the Board as a body and not to any member thereof. No person, other than Board members and the person having the floor, shall be permitted to enter into any discussion either directly or through a member of the Board. No question shall be asked a member except through the Mayor.

(E) *Request to have statement abstracted.* A member may request from the Mayor the privilege of having an abstract of his or her statement on any subject under consideration by the Board entered in the minutes.

(F) *Questions of order.* All questions of order shall be decided by the Mayor without debate, subject to an appeal to the Board.
(1997 Code, § 2-58)

ORDINANCES

§ 31.40 PROCEDURE; FORM.

Every ordinance amending or repealing any ordinance and every new ordinance shall be proposed in writing. Ordinances shall have ordinance numbers and section captions.
(1997 Code, § 2-66)

§ 31.41 EFFECTIVE DATE.

All ordinances shall be effective after the ratification thereof except ordinances specifying some other effective date or ordinances required by state law to be effective only after having met specific date requirements.
(1997 Code, § 2-67)

§ 31.42 ORDINANCES CONFINED TO ONE SUBJECT.

All ordinances shall be confined to 1 subject except appropriation ordinances, which shall be confined to the subject of appropriations only.
(1997 Code, § 2-68)

§ 31.43 OFFICIAL COPY.

A true copy of an ordinance, which has been duly enacted by the Board of Commissioners, signed by the Mayor, and attested to by the Town Clerk, shall be known as an official copy of any ordinance for the town. All ordinances or a true copy thereof shall be appropriately codified into this code.
(1997 Code, § 2-69)

§ 31.44 ORDINANCE BOOK.

The Town Clerk shall file a true copy of each ordinance, until it is codified in this code, in an ordinance book separate and apart from the Board of Commissioners' minute book. The ordinance book shall be appropriately indexed and maintained for public inspection in the office of the Clerk.
(1997 Code, § 2-70)

§ 31.45 ADDING ORDINANCES TO CODE.

Any ordinance which is proposed to add to the code a new chapter, subchapter or section shall indicate, with reference to the arrangement of this code, the proper number of the chapter, subchapter or section.
(1997 Code, § 2-71)

§ 31.46 ORDINANCES APPROPRIATING MONEY.

No appropriation ordinance or any ordinance to alter or repeal an appropriation ordinance shall be enacted at any meeting other than a regular meeting except by unanimous vote of the Board of Commissioners present and voting.
(1997 Code, § 2-72)

§ 31.47 UNLAWFUL AMENDMENT OF ORDINANCES.

It shall be unlawful for members of the Board of Commissioners to annul, abridge, modify or in any way change any ordinance of the Board except at a regular or special meeting of the Board.
(1997 Code, § 2-73) Penalty, see § 10.99

CHAPTER 32: OFFICERS AND EMPLOYEES

Section

General Provisions

- 32.01 Bond of officers and employees
- 32.02 Consolidation of offices
- 32.03 Appointment of other officers and employees
- 32.04 Defense of public officials for performance of duties

Town Clerk

- 32.15 Appointment; powers and duties

Town Attorney

- 32.30 Appointment; powers and duties

GENERAL PROVISIONS

§ 32.01 BOND OF OFFICERS AND EMPLOYEES.

The Town Clerk and other officers or employees required by the Board of Commissioners shall post bonds in accordance with state law, in amounts specified by the Board. All bond premiums shall be paid from town funds.
(1997 Code, § 2-91)

§ 32.02 CONSOLIDATION OF OFFICES.

Except as otherwise provided by law, the Board of Commissioners may in its discretion consolidate any 2 or more offices and assign the duties of both offices to 1 or more persons.
(1997 Code, § 2-92)

§ 32.03 APPOINTMENT OF OTHER OFFICERS AND EMPLOYEES.

(A) The Town Commissioner who is named Finance Commissioner by the Town Board shall act as the budget officer.

(B) Such other officers and employees that are deemed necessary shall be appointed by the Board of Commissioners. All officers and employees shall serve at the pleasure of the Board and receive such compensation as from time to time may be prescribed by the Board.
(1997 Code, § 2-93)

§ 32.04 DEFENSE OF PUBLIC OFFICIALS FOR PERFORMANCE OF DUTIES.

(A) The Board of Commissioners hereby finds the following facts:

(1) The actions of the employees, officers and public office holders of the town often require that they take a stand in the performance of their official duties that may bring them into conflict with the interest of others.

(2) It is important that the town be able to attract to its public offices and to its employment the very best people available.

(3) It is difficult to attract competent people to such employment and offices when those persons are fearful that they may have to expend large sums of money to defend themselves for actions taken within the course of the discharge of the duties of their offices or employment.

(B) If any public official, officer or employee of the town shall be sued or prosecuted or threatened with suit or prosecution for any action taken in the course of the discharge of the duties of their office or employment, the town shall provide a defense for such officials, officers or employees, to be paid out of the general funds of the town. Before any such defense is undertaken, the Board of Commissioners shall first decide, by a majority vote of those voting on the question, whether or not the action taken was in the course of the discharge of the duties of the office or employment of the person sued, prosecuted or threatened with suit or prosecution.
(1997 Code, § 2-94)

TOWN CLERK

§ 32.15 APPOINTMENT; POWERS AND DUTIES.

(A) The Town Clerk shall be appointed by and serve at the pleasure of the Board of Commissioners.

(B) The Clerk shall perform the following duties:

(1) The Clerk shall attend all meetings of the Board as required and shall regularly and fairly record all proceedings in a minute book to be kept for that purpose. The Clerk shall also maintain the Code of Ordinances, in which shall be fairly and correctly transcribed all ordinances which are enacted by the Board.

(2) It shall be the duty of the 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 moneys coming under the control of the town, and be reported at the regular meeting each month.

(3) The Clerk shall act as Town Treasurer and Tax Collector subject to state law and written permission of the secretary of the local government commission of the state and shall keep or cause to be kept in a safe place all moneys, records and accounts.

(4) The Clerk shall perform such other duties as the Board may from time to time require.

(1997 Code, § 2-111)

TOWN ATTORNEY

§ 32.30 APPOINTMENT; POWERS AND DUTIES.

The Board of Commissioners shall appoint a Town Attorney, whose duties shall be to:

(A) Prosecute or defend any and all suits or actions at law or equity to which the town may be a party; or in which it may be interested; or which may be brought against or by any officer of the town; or in the capacity of the person as an officer of the town;

(B) See to the full enforcement of all judgments or decrees rendered or entered in favor of the town;

(C) See to the completion of all special assessment proceedings and condemnation proceedings;

(D) Draft or review any contract, lease or other document or instrument to which the town may be a party and approve all ordinances and resolutions of the Board as to form;

(E) At the request of the Board, draft ordinances covering any subjects within the power of the town;

(F) Attend meetings of the Board upon request; and

(G) Perform any other duties required of him or her by the Board.

(1997 Code, § 2-121)

CHAPTER 33: TOWN ORGANIZATIONS

Section

Public Works

- 33.01 Organization
- 33.02 Supervision of Department
- 33.03 Public Works employees; duties
- 33.04 Qualifications

PUBLIC WORKS

§ 33.01 ORGANIZATION.

The Public Works Department of the town shall consist of as many full-time and part-time employees as the Board of Commissioners sees fit.
(1997 Code, § 2-146)

§ 33.02 SUPERVISION OF DEPARTMENT.

(A) The Board of Commissioners shall have general supervision over the employees of the Public Works Department. The Board may suspend any member of the Public Works Department until the next regular meeting, at which time final disposition shall be made.

(B) The employees of the Public Works Department are under the immediate supervision of the designated Commissioner.
(1997 Code, § 2-147)

§ 33.03 PUBLIC WORKS EMPLOYEES; DUTIES.

The following functions are designated as public works functions for the town:

(A) The Public Works Supervisor is responsible for operation and minor maintenance of town vehicles.

(B) The Public Works Supervisor must possess a valid state driver's license.

(C) Specific duties include mosquito spraying, cleaning and mowing street rights-of-way, clearing of lots, and operation of the town pickup truck for minor hauling.

(D) The Public Works Supervisor will be responsible for minor street repair pertaining to all streets and rights-of-way located within the town limits, and will be responsible for repairing, replacing, erecting and general upkeep of all safety and traffic regulation signs installed within the town limits.

(E) The Public Works Supervisor will be responsible for maintenance and general housekeeping functions, including painting, cleaning, plumbing, and repairs to town buildings and structures.

(F) The Public Works employees must possess ability to operate hand tools and power tools utilized in clearing of tree branches, and the like, in performance of duties.

(1997 Code, § 2-148)

§ 33.04 QUALIFICATIONS.

The Public Works employees in the performance of these duties must have a good understanding and knowledge of the objectives of maintenance functions. The Public Works employees must have the ability to apply related work methods that pertain to maintenance functions. The Public Works employees must be sober and reliable.

(1997 Code, § 2-149)

CHAPTER 34: POLICE DEPARTMENT

Section

Police Department

- 34.01 Organization
- 34.02 Supervision of department
- 34.03 Public Safety Commissioner; duties
- 34.04 Chief of Police; duties; qualifications
- 34.05 Duties of police officers; qualifications
- 34.06 Mutual aid authorization
- 34.07 Special separation allowance payments to a retired law enforcement officer under G.S. 143-166.42

Auxiliary Police Division

- 34.20 Establishment
- 34.21 Supervision of division
- 34.22 Membership; oath; training
- 34.23 Qualifications
- 34.24 Duties
- 34.25 Identification; uniform
- 34.26 Use of firearms
- 34.27 Active duty
- 34.28 Powers of arrest; privileges and immunities

POLICE DEPARTMENT

§ 34.01 ORGANIZATION.

The Police Department of the town shall consist of a Police Chief and officers and patrol officers and auxiliary patrol officers of designated grade as deemed necessary by the Board of Commissioners.

(1997 Code, § 18-31)

§ 34.02 SUPERVISION OF DEPARTMENT.

(A) The Board of Commissioners shall have general supervision over the Police Department.

(B) The Public Safety Commissioner shall have immediate supervision over the Police Department.

(C) The Chief of Police is held responsible for the discipline, good order and proper conduct of the Department.

(D) Final disposition of any case will be set at the next regular town meeting. No suspension will be without pay until the final disposition has been made by the Board of Commissioners, except in the following cases:

- (1) Cases of violations against the United States;
- (2) Cases of violations against the state as set forth in the criminal codes in effect; or
- (3) Cases of being under the influence of alcohol in a duty status.

(1997 Code, § 18-32)

§ 34.03 PUBLIC SAFETY COMMISSIONER; DUTIES.

The Public Safety Commissioner shall be responsible for the following:

- (A) Establishing guidelines for the Police Department;
- (B) Approving the monthly schedule of duty hours, days off, annual leave, and sick leave, submitted by the Chief of Police;
- (C) Conducting a thorough investigation of all outstanding acts of valor and conduct of all police personnel;
- (D) Conducting a thorough investigation of any complaints against any police personnel;
- (E) Making a monthly report to the Board of Commissioners of matters relating to the Police Department; and
- (F) In case of a vacancy in the position of Chief of Police, the Public Safety Commissioner will select the 3 best applicants and submit their names to the Board of Commissioners in order of preference for interview and selection for employment.

(1997 Code, § 18-33)

§ 34.04 CHIEF OF POLICE; DUTIES; QUALIFICATIONS.

- (A) The duties of the Chief of Police are as follows:

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(1) The Police Chief commands the force under his or her order and is responsible for its discipline and efficiency. It is his or her responsibility to issue to the force under his or her command such orders and directives as may be necessary to preserve the public peace, prevent crime, arrest offenders, and protect public and private property and persons in the town; to enforce the laws, ordinances, police regulations, standard operating procedures in effect at the time as approved by the Board of Commissioners, and executive orders applicable to his or her jurisdiction; to require the proper submission and handling of necessary required reports.

(2) The Chief of the Police Department is directed to implement such standard operating procedures as he or she deems appropriate for the efficient administration of the Police Department subject to the following:

(a) Such standard operating procedures are subordinate to all provisions of this code and all other ordinances and other actions and directions adopted by the Board of Commissioners from time to time;

(b) The standard operating procedures shall not vest any member of the Police Department with an expectation of continued employment; and

(c) All personnel within the Police Department serve at the pleasure of the Board of Commissioners, notwithstanding the standard operating procedures.

(3) The Chief of Police shall attend, as required, meetings of the Board of Commissioners.

(4) The Chief of Police shall make a monthly schedule of duty hours for all police personnel, the schedule to be prepared by the twenty-fifth of each month for the ensuing month.

(a) No changes of the monthly schedule will be made without the approval of the Public Safety Commissioner. In case of an emergency, the Mayor or any member of the Board may grant leave or time off.

(b) A copy of the monthly schedule will be provided to the Mayor and all members of the Board.

(5) The Chief of Police will be responsible for all equipment belonging to the Police Department.

(6) The Chief of Police will be responsible for making a monthly report in writing to the Public Safety Commissioner on all matters relating to the operation of the Police Department. The report will cover the preceding work cycle.

(7) The Chief of Police will maintain a file of applicants seeking employment as a police officer. The Chief of Police will recommend to the Public Safety Commissioner the 3 best qualified applicants ranked in the order of preference for employment. Prior to submitting his or her recommendation, the Chief will investigate each applicant. However, all applications will be submitted to the Public Safety Commissioner for review prior to submitting his or her recommendation to the Board for selection. All applications will be made available to the Board of Commissioners at their request.

(8) The Chief of Police will patrol the streets of the town on a regular basis to ensure compliance with all applicable federal, state and local laws and those town ordinances which come under the authority of the Police Department.

(9) The Chief of Police will be responsible for all found or abandoned property. The Chief of Police will ensure that all evidence and suspected proceeds of crime to be used in court or any other hearing are handled in accordance with state law. The dispositions of

all property will be reported to the Board. No property will be used for the personal use by any police officer or sold or given to anyone without proof of ownership.

(B) The Chief of Police in the performance of these duties must have a good understanding and knowledge of the objectives of the highly diversified laws governing police functions, and a thorough knowledge of police and safety regulations and procedures. The Chief must have the ability to deal with the public in all matters. The Chief must have the ability to apply related work methods that pertain to police operations. The Chief must be sober and reliable.

(C) The Chief of Police may be required to supervise part-time employees pertaining to street maintenance and/or auxiliary police officers that may be assigned to assist in the functions of this position.

(1997 Code, § 18-34)

§ 34.05 DUTIES OF POLICE OFFICERS; QUALIFICATIONS.

The duties of police patrol officers shall be as follows:

(A) Police officers, when on duty, shall be in uniform;

(B) The officers on duty will work the schedule set by the Chief of Police. The work load will be divided equally into 168 hours per cycle;

(C) The officers on duty are responsible for all the police functions in the town. The officers will be required to patrol the streets of the town on a regular basis. The officers will investigate all traffic accidents and crimes that occur within the town limits;

(D) The officers will be required to attend court sessions or hearings at the county courthouse on matters relating to police functions. This attendance will be normally restricted to accidents and crimes occurring within the town limits;

(E) The officers will be responsible for enforcing federal, state and local laws. They will follow the guidelines established by the Public Safety Commissioner as authorized in § 34.03(A).

(F) The officers on duty will be responsible for the control of stray or unlicensed animals running at large within the town limits;

(G) The officers may be required to attend police schools and seminars as required in the fulfillment of their duties and assignments upon recommendation of the Chief of Police and with the approval of the Board of Commissioners;

(H) The officers will keep authentic accurate records pertaining to all police operations.

(I) The officers will not discuss any police investigations or matters pertaining to the police duties with anyone except the Chief of Police and the Public Safety Commissioner; and

(J) Qualification requirements:

(1) The incumbent in the performance of these duties must require a good understanding and knowledge of the objectives of the highly diversified laws governing police functions and a thorough knowledge of police and safety regulations and procedures;

(2) The officers must have the ability to deal with the public in all matters;

(3) The officers must have the ability to apply related work methods that pertain to police operations;

(4) The officers must be sober and reliable;

(5) The officers must meet minimum standards required by the minimum standards council; and

(6) The officers must be capable of supervising part-time employees and auxiliary police officers.

(1997 Code, § 18-35)

§ 34.06 MUTUAL AID AUTHORIZATION.

(A) The Board of Commissioners hereby finds the following facts:

(1) The Board wishes to enhance the efficiency of law enforcement in the town in particular and in the state in general;

(2) The general assembly enacted G.S. § 160A-288, which allows loans or assistance between law enforcement agencies in the state; and

(3) The Chief of Police has requested that pursuant to G.S. § 160A-288 that the Board establish rules, policies and guidelines for the Police Department in order that it may be of assistance to other law enforcement agencies in accordance with G.S. § 160A-288.

(B) The following rules, policies and guidelines are hereby officially adopted by the Board:

(1) The Chief of Police, upon notification of the Police Commissioner, is authorized to provide temporary assistance to any sheriffs department, county police department or municipal police department in the state if the Chief receives written request for such assistance from the head of any such department and if the Chief determines that such assistance is in the best interests of effective law enforcement. However, in cases where the safety of citizens is at risk, the Police Chief may render such assistance as he or she deems necessary until proper authority can be obtained.

(2) As provided for in G.S. § 160A-288(a), such assistance may comprise allowing officers of the Police Department to work temporarily with officers of the requesting agency, including in an undercover capacity, and lending equipment and supplies. While working with the requesting agency under the authority of this section, an officer shall have the same jurisdiction, powers, rights, privileges and immunities as the officers of the requesting agency in addition to those the officer normally possesses. While on duty with the requesting agency, he or she shall be subject to the lawful operation commands of his or her superior officers in the requesting agency; but he or she shall, for personnel and administrative purposes, remain under the control of his or her own agency, including for purposes of pay. The officer shall furthermore be entitled to workers' compensation and the same benefits when acting pursuant to this section to the same extent as though he or she were functioning within the normal scope of his or her duties.

(3) Any officer under this authorization loaned to another agency shall present a written report of his or her work within 10 days following completion of his or her work to the Chief of Police. The Chief of Police may be required to provide the Police Commissioner with a brief statement of the amount of assistance rendered and the department to which such assistance was rendered. However, no information shall be required in written form which may endanger the life or safety of any law enforcement officer or the security or efficiency of any law enforcement agency.

(1997 Code, § 18-36)

§ 34.07 SPECIAL SEPARATION ALLOWANCE PAYMENTS TO A RETIRED LAW ENFORCEMENT OFFICER UNDER G.S. 143-166.42.

(A) To qualify for the special separation allowance the officer shall comply with the requirements set forth in G.S. 143-166.42.

(B) Special separation allowance payments under G.S. 143-166.42 to a retired officer shall cease at any of the following conditions:

- (1) The death of the officer; or
- (2) The last day of the month in which the officer attains 62 years of age; or
- (3) If the officer worked for the Town of Cape Carteret for a period of less than five (5) years, upon the first day of full time re-employment by any North Carolina department, agency, institution, or local municipality that is supported by the same retirement system from which the police officer retired.

(Ord. 2009-03, passed 2-16-2009)

AUXILIARY POLICE DEPARTMENT

§ 34.20 ESTABLISHMENT.

There is hereby established within the Police Department as a division thereof an Auxiliary Police Division. The Auxiliary Police Division shall be a volunteer organization, composed of as many members as may, from time to time, be determined by the Board of Commissioners.

(1997 Code, 18-66)

§ 34.21 SUPERVISION OF DIVISION.

The Auxiliary Police Division shall be under the direct control of the Chief of Police acting under the general supervision of the Board of Commissioners. All appointments and removals of members of the Auxiliary Police Division shall be made in the same manner and under the same policies and procedures as may, from time to time, be established for appointment and removal of regular police officers.

(1997 Code, § 18-67)

§ 34.22 MEMBERSHIP; OATH; TRAINING.

The Auxiliary Police Division shall have no commanding officer nor any other officers, and all members shall bear the rank of patrolperson. Each member of the Auxiliary Police Division shall take the oath of office of a regular police officer. Except as provided in § 34.23, the Chief of Police shall provide for adequate training of members of the Auxiliary Police Division, and of candidates for membership.

(1997 Code, § 18-68)

§ 34.23 QUALIFICATIONS.

(A) All candidates for membership in the Auxiliary Police Division shall meet the following qualifications:

- (1) Meet the minimum standards prescribed by the State Criminal Justice and Training Council;
- (2) Be willing to obligate himself or herself to 24 hours of active duty each month without pay;
- (3) Be willing to attend the 240-hour basic police school during the probationary year of service, the first year of service, on his or her own time;
- (4) Be capable of exercising good, mature judgment and be capable of dealing with people in a courteous manner;
- (5) Be of good character and reputation;
- (6) Possess a state driver's license and a history of good driving habits. Evidence of more than 2 moving violations during the preceding 3 years shall be presumptive evidence that the candidate is not possessed of good driving habits; and
- (7) Be willing to be guided by applicable state and local laws and departmental procedures and guidelines as appropriate.

(B) Failure of any auxiliary police officer to continue to meet and to comply with the requirements of this section shall be reason for his or her dismissal.
(1997 Code, § 18-69)

§ 34.24 DUTIES.

(A) The duties of the Auxiliary Police Division, subject at all times to the direction, supervision and control of the Chief of Police or his or her designee, shall be to assist the regular members of the Police Department in the enforcement of law and the maintenance of peace and order when called to active duty by the Chief of Police. The Chief of Police shall by order establish rules and regulations to govern the Auxiliary Police Division, to fix the specific duties of its members, and to provide for the maintenance and discipline. Members of the Auxiliary Police Division shall obey the instructions of regular police officers in carrying out their duties.

(B) The Chief of Police may prescribe other duties than those mentioned herein to be performed by the Auxiliary Police Division, with approval of the Board of Commissioners.
(1997 Code, § 18-70)

§ 34.25 IDENTIFICATION; UNIFORM.

(A) An identification card and other insignia of evidence of identity as the Chief of Police may prescribe shall be issued to each member of the Auxiliary Police Division, who must carry the card and other identification at all times while on duty, and who must surrender them upon the termination of his or her membership.

(B) Each auxiliary police officer will be provided with 1 uniform by the town. Every auxiliary police officer shall wear a uniform at all times while on duty and must surrender the

uniform furnished by the town upon the termination of his or her membership. The uniform must be returned to the town in the same condition as received, ordinary wear and tear excepted.
(1997 Code, § 18-71)

§ 34.26 USE OF FIREARMS.

No member of the Auxiliary Police Division shall, while on duty, carry or use any firearm except upon the express order of the Chief of Police or his or her designee; and all official firearms shall be kept in the custody of the Police Department except when issued to a member of the Auxiliary Police Division for use on active duty while accompanied by and under the supervision of 1 or more regular police officers.
(1997 Code, § 18-72)

§ 34.27 ACTIVE DUTY.

No member of the Auxiliary Police Division shall enforce or attempt to enforce any law except when called to active duty, and when directed to do so by the Chief of Police.
(1997 Code, § 18-73)

§ 34.28 POWERS OF ARREST; PRIVILEGES AND IMMUNITIES.

Members of the Auxiliary Police Division shall, while undergoing official training, while performing duties on behalf of the town, and when properly certified by the State Criminal Justice Training and Standards Council, pursuant to orders or instructions of the Chief of Police, be entitled to all powers of arrest, and privileges and immunities afforded by law to regularly employed police officers.
(1997 Code, § 18-74)

CHAPTER 35: FINANCES

Section

- 35.01 Purchasing order
- 35.02 Disbursement of funds
- 35.03 Countersignatures on drafts

§ 35.01 PURCHASING ORDER.

(A) Before any order is given for items to be paid for by the town or any purchase made by any town employee, a purchasing order must first be obtained from the Town Clerk.

(B) Any town employee purchasing goods without a purchasing order from the Clerk will be held responsible for the cost of the goods.
(1997 Code, § 2-196)

§ 35.02 DISBURSEMENT OF FUNDS.

(A) In accordance with the Local Government Budget and Fiscal Control Act, being G.S. Ch. 159, Art. 3, no check or draft of the town shall be valid unless it bears on its face the certificate of the Treasurer as follows:

“This disbursement has been approved as required by the Local Government Budget and Fiscal Control Act, being G.S. Ch. 159, Art. 3.”

(B) No contract, agreement or purchase order shall be valid unless it bears the Finance Officer's certificate as follows:

“This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act, being G.S. Ch. 159, Art. 3.”

(1997 Code, § 2-197)

§ 35.03 COUNTERSIGNATURES ON DRAFTS.

All checks and drafts issued by the town, regardless of amount, must be signed by the Town Clerk and 1 other authorized person.

(1997 Code, § 2-198)

CHAPTER 36: EMERGENCY MANAGEMENT

Section

State of Emergency

- 36.01 Restrictions authorized
- 36.02 Proclamation; imposing prohibitions and restrictions
- 36.03 Evacuation procedure
- 36.04 Curfew
- 36.05 Certain activities prohibited or restricted during state of emergency
- 36.06 Removal of prohibitions and restrictions
- 36.07 Superseding and amendatory proclamations
- 36.08 Termination of proclamation
- 36.09 In case of absence or disability of Mayor
- 36.10 Motor vehicle registration
- 36.11 Proclamation forms

- 36.99 Penalty

STATE OF EMERGENCY

§ 36.01 RESTRICTIONS AUTHORIZED.

(A) A state of emergency shall be deemed to exist wherever during times of public crisis, disaster, rioting, catastrophe or similar public emergency, for any reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety or property, or whenever the occurrence of any such condition is imminent.

(B) In the event of an existing or threatened state of emergency endangering the lives, safety, health and welfare of the people within the town or any part thereof, or threatening damage to or destruction of property, the Mayor is hereby authorized and empowered under G.S. § 166A-8 to issue a public proclamation declaring to all persons the existence of such state of emergency, and in order to more effectively protect the lives and property of people within the city, to place in effect any or all of the restrictions hereinafter authorized.

(C) The Mayor is hereby authorized and empowered to limit, by the proclamation, the application of all or any part of such restrictions to any area specifically designated or described within the town limits and to specific hours of the day or night; and to exempt from all or any part of such restrictions, while acting in the line of and within the scope of their respective duties, law enforcement officers, firefighters and other public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel, whether state or federal; on-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting, and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the people within the town.

(1997 Code, § 10-32)

§ 36.02 PROCLAMATION; IMPOSING PROHIBITIONS AND RESTRICTIONS.

(A) The Mayor, by proclamation, may impose the prohibitions and restrictions specified in §§ 36.03 through 36.05, inclusive, in the manner described in those sections. The Mayor may impose as many of those specified prohibitions and restrictions as he or she finds are necessary, because of an emergency, to maintain an acceptable level of public order and services, and to protect lives, safety and property. The Mayor shall recite his or her findings in the proclamation.

(B) The proclamation shall be in writing. The Mayor shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it in the town hall. The Mayor shall send reports of the substance of the proclamation to the mass communications media which serves the affected area. The Mayor shall retain a text of the proclamation and furnish upon request certified copies of it for use as evidence.

(1997 Code, § 10-33)

§ 36.03 EVACUATION PROCEDURE.

The Mayor may direct and compel evacuation of all or part of the population of the town, to prescribe routes, modes of transportation, and destination in connection with evacuation; and to control ingress and egress of a disaster area, the movement of persons within the area, and the occupancy of premises therein. Details of the evacuation may be set forth or amended in a subsequent proclamation, which shall be well publicized.
(1997 Code, § 10-34)

§ 36.04 CURFEW.

(A) The proclamation may impose a curfew prohibiting, in certain areas and during certain periods, the appearance in public of anyone who is not a member of an exempted class. The proclamation shall specify the geographical area or areas and the period during each 24-hour day to which the curfew applies. The Mayor may exempt from some or all of the curfew restrictions classes of people whose exemption the Mayor finds necessary for the preservation of the public health, safety and welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted.

(B) Unless otherwise specified in the proclamation, the curfew shall apply during the specified period each day until the Mayor by proclamation removes the curfew.
(1997 Code, § 10-35)

§ 36.05 CERTAIN ACTIVITIES PROHIBITED OR RESTRICTED DURING STATE OF EMERGENCY.

(A) The proclamation referred to in § 36.02 may prohibit the possession or consumption of any alcoholic beverage, including beer, wine and spirituous liquor other than on one's own premises and may prohibit the transfer, transportation, sale or purchase of any alcoholic beverage within the area of the town described in the proclamation. The prohibition, if imposed, may apply to transfers of alcoholic beverages by employees of alcoholic beverage control stores as well as by anyone else within the geographical area described.

(B) The proclamation may prohibit the transportation or possession off of one's own premises, or the sale or purchase of any dangerous weapon or substance. The Mayor may exempt from some or all of the restrictions classes of people whose possession, transfer or transportation of certain dangerous weapons or substances is necessary to the preservation of the public's health, safety or welfare. The proclamation shall state the exempted classes and the restrictions from which each is exempted.

(C) The term ***DANGEROUS WEAPON OR SUBSTANCE*** means:

(1) Any deadly weapon, ammunition, explosive, incendiary device, radioactive material or device as defined in G.S. § 14-288.8(c)(5), gasoline, or other instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property;

(2) Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property, when the circumstances indicate that there is some probability that such instrument or substance will be so used; and

(3) Any part or ingredient in any instrument or substance included in divisions (C)(1) and (C)(2) above when the circumstances indicate a probability that such a part or ingredient will be so used.

(D) If imposed, the restriction shall apply throughout the jurisdiction of the town or such part thereof as designated in the proclamation.

(E) The proclamation may prohibit obtaining access or attempting to obtain access to any area, designated in the manner described in this section, in violation of any order, clearly posted notice or barricade indicating that access is denied or restricted.

(F) Areas to which access is denied or restricted shall be designated by the Chief of Police and his or her subordinates when directed in the proclamation to do so by the Mayor. When acting under this authority, the Chief of Police and his or her subordinates may restrict or deny access to any area, street, highway or location within the town if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency or to prevent further aggravation of the emergency.

(G) Movements of people in public places may be restricted.

(H) The operation of offices, business establishments, and other places to or from which people may travel or at which they may congregate may be restricted.

(I) Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency within the area designated in the proclamation may be restricted.

(1997 Code, § 10-36)

§ 36.06 REMOVAL OF PROHIBITIONS AND RESTRICTIONS.

The Mayor shall by proclamation terminate the entire declaration of emergency or remove the prohibitions and restrictions as the emergency no longer requires them, or when directed to do so by the Board of Commissioners.

(1997 Code, § 10-37)

§ 36.07 SUPERSEDING AND AMENDATORY PROCLAMATIONS.

The Mayor, in his or her discretion, may invoke the restrictions authorized by this chapter in separate proclamations, and may amend any proclamation by means of a superseding proclamation in accordance with the procedures set forth in § 36.02.

(1997 Code, § 10-38)

§ 36.08 TERMINATION OF PROCLAMATION.

Any proclamation issued under this chapter shall expire 5 days after its last imposition unless sooner terminated in writing under the same procedures set forth in § 36.02 for proclamations.

(1997 Code, 10-39)

§ 36.09 IN CASE OF ABSENCE OR DISABILITY OF MAYOR.

In case of the absence or disability of the Mayor, the Mayor Pro Tem, or such other person as may be designated by the Board of Commissioners, shall have and exercise all of the powers herein given the Mayor.
(1997 Code, § 10-40)

§ 36.10 MOTOR VEHICLE REGISTRATION.

(A) *Automobile identification decals.*

(1) Each resident and property owner shall register with the Police Department every motor vehicle kept in the town any part of 15 or more days within a calendar year. The Police Department will issue a decal to each vehicle so registered. The purpose of the decal is to identify residents and property owners in the event of evacuation and reentry into the town in connection with a declaration of emergency.

(2) Registration for motor vehicles then subject to registration shall be completed on or before February 15, 1993.

(3) Each motor vehicle shall be registered by its owner within 30 days after it is subject to registration.

(4) Persons who are employed within the town limits, but who neither reside in nor own property in the town, may register their vehicles according to this section at any time prior to a declaration of emergency. If such person chooses to register his or her vehicle, he or she shall comply with and be subject to all provisions of this section.

(5) There will be no charge for registration or issuance of the decals.

(B) *Display of decals.* Decals will be displayed in the left bottom corner of the front windshield of the vehicle for which it was issued, except that the decal will be displayed on the front fender of 2-wheel motor vehicles.

(C) *Replacement of and removal of decals.*

(1) In the event a decal issued for a motor vehicle under this section is destroyed, the owner of such vehicle must apply for a new decal with the Police Department within 15 days after the destruction of the previous decal.

(2) Residents who move from the town, property owners who sell their property, and persons who register their vehicles by reason of employment within the town but who leave such employment, will remove all decals issued pursuant to this section within 15 days and will report such action to the Police Department.

(D) *Reentry without decal prohibited.* Vehicles that do not display the identification decal will not be permitted to reenter the town after an evacuation ordered until ownership can be verified or until the emergency is declared ended.

(E) *Unlawful use of decal is prohibited.* No person shall display or cause or permit to be displayed or have in his or her possession any decal issued under this section knowing the same to be fictitious or invalid or to have been canceled, revoked, suspended, nullified or altered; and no person shall willfully display any decal that is not valid and current. It shall be unlawful for any person to give, lend, sell or obtain a decal for any purpose other than as authorized in this section and for any purpose other than in connection with vehicles for which the decal was issued.

(1997 Code, § 10-41)

§ 36.11 PROCLAMATION FORMS.

The following forms shall be used to proclaim and terminate a municipal state of emergency:

(A) *Municipal state of emergency.*

PROCLAMATION OF A MUNICIPAL STATE OF EMERGENCY

Section 1. Pursuant to Town Ordinance _____ and Chapter 166A and § 14-288 of the North Carolina General Statutes, I have determined that a State of Emergency, as defined in Town Ordinance _____, exists in the Town of Cape Carteret.

Section 2. I, therefore, proclaim the existence of a State of Emergency in the Town of Cape Carteret.

Section 3. I hereby order all town law enforcement officers and employees and all other emergency management personnel subject to my control to cooperate in the enforcement and implementation of the provisions of the town emergency ordinances which are set forth below.

Section 4. Evacuation. I have determined that, in the best interest of public safety and protection, it is necessary to evacuate the civilian population from the Town of Cape Carteret. Citizens are free to use any type of transportation, but they are to use only _____ in leaving the town. Evacuation is to occur as soon as possible. Further proclamation concerning evacuation will be issued as needed.

Section 5. Curfew. Unless one is a member of the town's law enforcement agency or the emergency management program, every person who is located within a _____ radius of _____ is to be inside a house or dwelling from the hours of _____ to _____.

Section 6. No Alcoholic Beverages. There shall be no sale, consumption, transportation or possession of alcoholic beverages during the State of Emergency in the Town of Cape Carteret.

Section 7. No Firearms, Ammunition or Explosives. During the State of Emergency, there shall be no sale or purchase of any type of firearm or ammunition or any possession of such items along with any type of explosive off of owner's own premises.

Section 8. Execution of Emergency Plan. All civilians and emergency management personnel are ordered to comply with the emergency reaction plan.

Section 9. This proclamation shall become effective immediately.

Proclaimed this the _____ day of _____ at _____ [a.m./p.m.].

Mayor/Town of Cape Carteret

(B) *Terminating a municipal state of emergency.*

PROCLAMATION TERMINATING A MUNICIPAL STATE OF EMERGENCY

Section 1. On _____ at _____ [a.m./p.m.], I determined and proclaimed a local State of Emergency for the Town of Cape Carteret.

Section 2. On _____, at _____ [a.m./p.m.], I ordered the evacuation of all civilians from the area, imposed a curfew, prohibited alcoholic beverages, firearms, ammunition and explosives and ordered the execution of the emergency reaction plan.

Section 3. I have determined that a State of Emergency no longer exists in the Town of Cape Carteret.

Section 4. I hereby terminate the proclamation of a local State of Emergency and all of the restrictions and orders therein.

Section 5. This proclamation is effective immediately.

Proclaimed this the _____ day of _____ at _____ [a.m./p.m.]

Mayor/Town of Cape Carteret
(1997 Code, § 10-42)

§ 36.99 PENALTY.

(A) Any violation of any provision of §§ 36.01 *et seq.* other than those provisions in § 36.10 shall subject the violator to a civil penalty in the sum of \$25 per day.

(B) A citation for the civil penalty shall be issued by the Police Department or the Town Building Inspector.

(C) Each citation for a civil penalty must be paid within 72 hours of issuance.

(D) For violations of § 36.10, the following penalties shall apply:

(1) If any person shall display or cause or permit to be displayed or have in his or her possession any decal issued under § 36.10 for purposes of reentering the town in connection with a declaration of emergency with knowledge that such decal is fictitious, invalid, canceled, revoked, suspended, nullified or altered, such person shall be guilty of a general misdemeanor.

(2) Any other violation of any provision of § 36.10 shall subject the violator to a civil penalty in the sum of \$5 per day. A citation for the civil penalty must be issued by the Police Department. Each citation for a civil penalty must be paid within 72 hours of issuance.

(E) Each day that the violator continues any violation in this chapter shall be a separate and distinct offense.

(1997 Code, § 10-31)

CHAPTER 37: PERSONNEL

Section

37.01 Adoption by reference

§ 37.01 ADOPTION BY REFERENCE.

(A) The Board of Commissioners hereby adopts as its personnel policy the provisions of former Chapter 24 of the code of ordinances of the Town of Cape Carteret.

(B) The Town Clerk or the Clerk's designee is hereby authorized to renumber the provisions of former Chapter 24 of the code in any reasonable manner to facilitate its use by the town and its employees.

(Res. passed 10-21-2002)

(C) A copy of the personnel policy manual shall be on file in the office of the Town Clerk and is available for public inspection and copying.

CHAPTER 38: CHARTER AMENDMENTS

Section

- 38.01 Staggered terms for Board members
- 38.02 Competitive bidding procedures

§ 38.01 STAGGERED TERMS FOR BOARD MEMBERS.

Section 4 of the Charter is hereby amended as follows: Except as otherwise provided in this Charter, all powers of the town shall be vested in a Board of Commissioners of 5 members and a Mayor nominated and elected from the town at large in the manner hereinafter provided. The term of office of the Mayor shall be for 4 years and until his or her successor is elected and qualified. At the regular election to be held in 2015, and every 4 years thereafter the Mayor shall be elected. Four members of the Board of Commissioners shall have staggered 4 year terms and 1 member shall have a 2 year term. At the regular municipal election to be held in 2001, the 2 candidates for Board of Commissioners who receive the highest number of votes shall be elected for 4 year terms, while the 3 candidates who receive the next highest number of votes shall be elected for 2 year terms. At the regular municipal election to be held in 2003, and every 2 years thereafter, 3 members of the Board of Commissioners shall be elected. The 2 candidates who receive the highest number of votes will serve 4 year terms and the candidate who receives the next highest number of votes will serve a 2 year term. The Mayor and the Board of Commissioners shall take office at the end of the business session of the first regularly scheduled meeting of the Board of Commissioners following the election. If a vacancy occurs in the office of Mayor or Commissioner, it shall be filled for the remainder of the unexpired term by a majority vote of the remaining members of the Board of Commissioners. The Mayor and the members of the Board of Commissioners shall be qualified electors of the town. A member of the Board of Commissioners or the Mayor ceasing to possess any of the qualifications specified in this section, or convicted of crime while in office, shall immediately forfeit his or her office. (Ord. passed 4-16-2001; Am. Ord. 2013-02, passed 8-19-2013)

Cross-reference:

Terms for Board members, see Charter, § 4

§ 38.02 COMPETITIVE BIDDING PROCEDURES.

Section 18 of the Charter is hereby amended as follows:

(A) G.S. § 143-131, as amended since the chartering of the Town of Cape Carteret sets out purchase procedures with the amount limitations substantially different from those contained in the Charter § 18.

Cape Carteret, NC Code of Ordinances

(B) The Board of Commissioners of the Town of Cape Carteret desire to clarify their intent that the town's officers, agents and employees conform all of the town's purchasing procedures to the provisions of general state law as that law presently exists or as it may be amended from time to time and not the antiquated Charter provisions from almost 50 year ago.

(C) The Board of Commissioners of the Town of Cape Carteret recognizes the superseding effect of the provisions of G.S. § 143-131 over the provisions of the Charter § 18; and that the town's purchasing procedures shall hereafter be those set out in G.S. § 143-131 and G.S. § 143-129 and other applicable provisions of state law as they now exist or as they may from time to time be amended or recodified.

(Res. passed 1-17-2005)

Cross-reference:

Competitive bidding procedures, see Charter, § 18