

ADMINISTRATION
BOARD OF COMMISSIONERS

§ 30.01 MEETINGS.

The time and place of the regular meetings of the Board of Commissioners at their organizational meeting following their election.

('75 Code, § 2-6)

ADMINISTRATION

DEPARTMENTS, BOARDS AND COMMISSIONS

§ **30.10 THROUGH 30.15 REPEALED ON 6/13/11.**

APPEARANCE AND BEAUTIFICATION COMMISSION

§ 31.01 COMPOSITION; TERM; APPOINTMENT; COMPENSATION.

(A) The Town Appearance and Beautification Commission shall consist of seven members, all of whom shall be residents of the town area of planning and zoning jurisdiction or operators of businesses within such jurisdiction. Members shall be appointed by the Mayor and Board of Commissioners. Three of the members shall be appointed for terms of one year; two for two years; and two for three years. Their successors shall be appointed for terms of three years. Vacancies occurring for reasons other than the expiration of terms shall be filled as they occur for the period of the unexpired term.

(B) Members may be immediately reappointed to the commission upon the expiration of terms, and they may be removed from the commission by the Mayor and Board of Commissioners for due cause. Faithful attendance at the meetings of the commission and conscientious performance of the duties of members shall be considered a prerequisite for continued membership on the commission.

(C) In making appointments to the commission, the Mayor and Board of Commissioners shall seek to appoint persons with impartial and broad judgment and, when possible, persons with training or experience in a design profession. As wide a range of community interests as possible should be represented on the commission.

(D) Members of the commission shall serve without pay but may be reimbursed for actual expenses incident to the performance of their duties within the limits of funds available to the commission.

('75 Code, § 2-32)

§ **31.02 ORGANIZATION; RULES; RECORDS; MEETINGS.**

Within 30 days after its appointment, the Appearance and Beautification Commission shall meet and elect a chairman. It shall create and fill such offices as it may determine. The term of the chairman and other officers shall be one year, with eligibility for reelection. The commission shall adopt rules for the transaction of its business and shall keep a record of its members' attendance and recommendations, which records shall be open to the public. The commission shall hold at least one meeting monthly and all of its meetings shall be open to the public. For the purpose of taking any official action authorized or required by this article, there shall be present a quorum of four members.

('75 Code, § 2-33)

§ **31.03 POWERS AND DUTIES.**

The Appearance and Beautification Commission shall have the following powers and duties:

(A) To initiate, promote and assist in the implementation of programs of general community beautification in the town and its environs.

(B) To seek to coordinate the activities of individuals, agencies, organizations and groups, public and private, whose plans, activities and programs bear upon the appearance of the town and its environs.

(C) To direct the attention of the Mayor and the Board of Commissioners to ways in which the town government may take direct action affecting the appearance of the town and its environs.

('75 Code, § 2-34)

§ **31.04 ANNUAL REPORT; RECEIPT AND DISBURSEMENT OF FUNDS.**

(A) The Appearance and Beautification Commission shall report at least twice a year to the Mayor and Board of Commissioners. It shall submit its requested budget of funds needed for operation during the ensuing fiscal year to the Town Manager no later than April 15. All accounts and funds of the commission shall be administered in accordance with the requirements of the Municipal Fiscal Control Act.

(B) The Appearance and Beautification Commission is hereby authorized to receive contributions from private agencies, foundations, organizations, individuals, the state or federal government or any other source in addition to any sums which may be appropriated for its use by the Board of Commissioners. Such funds will be expended in accordance with town policy.
(‘75 Code, § 2-35)

FIRE DEPARTMENT

§ 31.10 APPOINTMENT AND SUPERVISION OF FIRE CHIEF.

The Chief of the Fire Department shall be appointed by the Town Manager and shall be subject to the supervision of the Town Manager (see Charter Article III, § 3-3).
(’75 Code, § 8-20)

§ **31.11 DUTIES OF FIRE CHIEF.**

It shall be the duty of the Chief of the Fire Department to:

- (A) Supervise and direct the extinguishing of fires.
- (B) Preserve, maintain and account for all equipment of the Fire Department.
- (C) Compel, when necessary, all persons to aid in extinguishing fires.
- (D) Enforce all rules and ordinances relative to fire prevention.
- (E) Examine all premises and have removed all combustible material not stored according to town ordinances.
- (F) Have the right to enter all buildings and premises at reasonable hours for the purpose of making inspection.
- (G) Perform such other duties as may be assigned to him by the Town Manager, provision of this Code, other ordinances of the town or state law.
('75 Code, § 8-21)

POLICE DEPARTMENT

§ 31.20 CHIEF OF POLICE; APPOINTMENT AND REMOVAL.

The Town Manager shall appoint a Chief of Police and shall have the power to remove the Chief of Police.

('75 Code, § 20-1)

§ **31.21 DUTIES OF POLICE CHIEF.**

It shall be the duty of the Chief of Police to:

- (A) Supervise the Police Department;
- (B) Preserve the peace by suppressing all disturbances and apprehending all offenders;
- (C) Assign such duties as he deems best to police officers of the town;
- (D) Cooperate with the Fire Department in the protection of property; and
- (E) Carry out such further orders as may be assigned to him by the Town Manager, provisions of this Code, other ordinances of the town or state law.

PLANNING BOARD

§ 31.30 THROUGH 31.44 REPEALED ON 6/13/11.

§ 31.30 PLANNING DEPARTMENT.

(A) The Planning Department shall consist of a planning director and as many other employees as the Board of Commissioners may authorize from time to time.

(B) The Planning Department shall be responsible for conducting planning studies, enforcing ordinances related to regulation and control of development, including but not limited to the Unified Development Ordinance and the minimum housing code, and enforcing the State Building Code. The Planning Department shall also perform any other duties assigned to it by the Manager.

(Amended 6/13/11)

§ **31.31 PLANNING BOARD.**

 There shall be a Planning Board, whose establishment, powers and duties are provided for in Chapter 152, Article III, Part 1 of this code.
(Amended 9-14-09; Amended 6/13/11)

§ **31.32 BOARD OF ADJUSTMENT.**

There shall be a Board of Adjustment, whose establishment, powers and duties are provided for in Chapter 152, Article III, Part 2 of this code.

(Amended 6/13/11)

§ **31.33 THROUGH 31.44 REPEALED ON 6/13/11.**

§ **31.40 THROUGH 31.44 REPEALED ON 9/8/08.**

§ 31.40 Board of Adjustment.

Repealed on 12/12/2016.

PARKS AND RECREATION ADVISORY COMMITTEE

§ 31.50 CREATION, NAME, NUMBER OF MEMBERS, TITLE.

There is hereby created a Committee composed of seven (7) members to be known as the Town of Aberdeen Parks and Recreation Advisory Committee. This ordinance shall be known as the Aberdeen Parks and Recreation Advisory Committee Ordinance.

§ **31.51 COMMITTEE, POWERS AND DUTIES.**

The Parks and Recreation Advisory Committee shall serve as the advisory body for the Town of Aberdeen area on issues relative to parks and recreation. The Parks and Recreation Advisory Committee shall advise the Parks and Recreation Director, the Town Manager and the Commissioners within its responsibilities and powers as stated in this ordinance.

The Parks and Recreation Advisory Committee shall serve as a liaison between the Parks and Recreation Department and the citizens of Aberdeen.

The Parks and Recreation Advisory Committee shall consult with and advise the Parks and Recreation Department in matters affecting recreational programs, park facilities, greenways and open space and the acquisition and disposal of lands and properties and its long-range, projected plan for parks and recreation.

The Parks and Recreation Advisory Committee shall also assume specific duties and responsibilities as follows:

(A) To assist the Park and Recreation Department staff in investigating and determining the needs, interests and goals of the community for park facilities and recreation programs.

(B) To make recommendations to the Parks and Recreation Director, the Town Manager and the Board of Commissioners to meet the above mentioned identified needs and goals.

(C) To inform and educate the public of the importance and need for parks, recreational programs, greenways, open space, facilities and services.

(D) To seek and make recommendations on the acceptance of grants, gifts, requests, donation and personal or real property for park and recreation purposes.

(E) To assist the Park and Recreation Department in developing cooperative ventures with other organizations and private groups, when it will further the objective of providing more and diverse kinds of parks and recreation programs for the citizens of Aberdeen.

(F) To assist the Parks and Recreation Department in recruiting volunteers to assist with the programs and activities.

(G) To assist in matters relating to maintaining the highest standards in park development and operation, parks and recreation leadership and in providing a well balanced program.

(H) To assist in development a plan to meet the present and future needs for programs, services, parks, facilities, open spaces, trails and greenways and to advise in developing priorities for each of these.

(I) To receive information and reports from staff concerning the evaluation of programs, facilities, fees and policies and procedures.

(J) Upon request, recommend approval of rules and procedures pertaining to the use of public parks and facilities including suggested fees and charges.

(K) To represent the Parks and Recreation Department at sponsored events and activities.

(L) Carry out any other assigned duties as determined appropriate by the Parks and Recreation Director and/or Town Commissioners.

§ 31.52 APPOINTMENT OF THE COMMITTEE.

The Aberdeen Parks and Recreation Advisory Committee shall consist of seven (7) members all of whom shall be appointed by the Town Board of Commissioners. The seven appointed members should consist of Aberdeen citizens from these areas of the community:

- (A) Arts.
- (B) Athletics.
- (C) Two (2) citizens at large.
- (D) Local business.
- (E) Senior citizens.
- (F) Teen.

One Town Commissioner and the Park and Recreation Director shall serve as ex-officio members of the Aberdeen Parks and Recreation Advisory Committee.

The terms of office for the members shall be for three (3) years; except for the initial terms of office. Two (2) members shall be appointed for one (1) year, two (2) members shall be appointed for two (2) years and three (3) members shall be appointed for three (3) years. All subsequent terms shall be for three (3) years.

Vacancies arising on the Parks and Recreation Advisory Committee shall be filled by the Town Board of Commissioners for the balance of the unexpired term. All appointments will be made by the Town Board of Commissioners in accordance with the policy governing appointments to Board and Committees.

Any committee member who misses more than three regular meetings with a year, loses his/her membership status.

§ **31.53 OFFICERS.**

The members of the Aberdeen Parks and Recreation Advisory Committee shall elect annually from their own membership a Chairman, Vice-Chairman, Secretary and other officers as they deem essential. Duties of each officer shall be established in the committee by-laws.

§ **31.54 COMPENSATION AND EXPENSES.**

The members of the Parks and Recreation Advisory Committee shall serve without compensation, but shall be entitled to reimbursement for subsistence and travel to approved professional recreation meetings, conferences and workshops with such reimbursement in compliance with the Town's policies.

§ **31.55** **MEETINGS.**

The Parks and Recreation Advisory Committee shall meet at least monthly. The Committee can meet at other times as deemed necessary to transact business, by the following methods:

- (A) Upon the call of the Parks and Recreation Director.
- (B) Upon the call of the Chairman.
- (C) By a majority of the committee members.
- (D) Upon the call of the Board of Commissioners.

A quorum of the committee shall be in attendance before any official action can be taken.

General parliamentary rules, as given in “Robert’s Rules of Order”, as modified by rule san regulations of the Advisory Committee shall be observed in conducting meetings.

§ **31.56 SUBCOMMITTEES AND STANDING COMMITTEES.**

The Parks and Recreation Advisory Committee shall organize temporary or standing subcommittees as it deems necessary in order to carry out the responsibilities of the Committee. Such subcommittees shall be appointed by the Chairman.

Staff members of the Parks and Recreation Department shall be assigned as ex-officio members to sub-committees.

The Parks and Recreation Advisory Committee may refer any matter to a subcommittee before action is taken on the subject by the Parks and Recreation Advisory Committee and referred to the Town Board of Commissioners for approval.
(Ord., passed 9-13-04)

ADMINISTRATION

ELECTIONS

§ 32.01 CONDUCT OF ELECTIONS.

The County Board of Election shall conduct all municipal elections within and for the town.

('75 Code, § 5-1)

§ **32.02 REGISTRATION BOOKS.**

The registration books of the county for the town precincts shall be the official record of registration of persons qualified to vote in municipal elections.
(‘75 Code, § 5-2)

ADMINISTRATION

FINANCE AND TAXATION

§ **33.01 AD VALOREM TAX DISCOUNT RATES.**

Discounts shall be in effect, unless otherwise provided, as follows:

(A) One and one half percent if paid from July 1 to July 30; or

(B) One percent if paid from August 1 to August 31; and then payable at par from September 1 to December 31.

('75 Code, § 7-1)(Ord, passed 3-13-72)

§ **34.01 DISPOSING OF TOWN PROPERTY IN GENERAL;
 DEFINITIONS.**

(A) The Town of Aberdeen shall dispose of town-owned real and personal property only in accordance with the town Code of Ordinances; G.S. Chpt. 160A, Art. 12, “Sale of Property”; and such other laws as may apply.

(B) For the purposes of this section and sections 34.02 through 34.04, the term “exchange” means to “trade property for other property or to trade property for credits that can be applied to reduce the cost of a subsequent purchase of other property.”

(Amended 9/13/10)

§ **34.02 DISPOSING OF PERSONAL PROPERTY WORTH \$7,500.00 OR LESS.**

(A) The town Manager, on behalf of the town, may sell or exchange any town-owned personal property, which may include a single item or a group of items, valued at \$7,500.00 or less by private negotiation and sale or by private negotiation and exchange, provided the Manager complies with the following requirements:

(1) The Manager shall take reasonable steps (i) to secure for the town fair market value for the property to be sold or exchanged and (ii) to ensure that the disposal is conducted efficiently and economically;

(2) Notice of the proposed sale or exchange shall be posted on the town bulletin board and town Web site at least ten (10) days prior to the date of sale;

(3) The Manager shall keep a record of all property sold or exchanged pursuant to this section. The record shall include a general description of the disposed property, to whom the property was sold or exchanged, and the amount of money or other consideration received for the sale or exchange;

(4) At least once a year, the Manager shall provide the Board of Commissioners a report summarizing the personal property sold or exchanged by the Manager pursuant to this section.

(B) The town Manager, in his or her discretion, may refer the disposition of any town-owned personal property worth \$7,500.00 or less to the Board of Commissioners, which shall consider the matter in accordance with sections 34.03 and 34.04.

(Amended 9/13/10)

§ **34.03 DISPOSING OF PERSONAL PROPERTY WORTH MORE THAN
\$7,500.00 AND LESS THAN \$30,000.00.**

The town may sell or exchange any town-owned personal property, which may include a single item or a group of similar items, valued at more than \$7,500.00 and less the \$30,000.00 by private negotiation and sale or by private negotiation and exchange, provided the town complies with the following requirements:

(A) The department head proposing the sale or exchange, or the town manager in the absence of a department head, shall take reasonable steps (i) to secure for the town fair market value for the property to be sold or exchanged and (ii) to ensure that the disposal is conducted efficiently and economically.

(B) The Board of Commissioners must approve the sale or exchange by resolution, and no disposal of property may be completed until a resolution has been approved; and

(C) Notice of the proposed sale or exchange shall be posted on the town bulletin board and town Web site at least ten (10) days prior to the meeting when the Board of Commissioners is scheduled to first consider the resolution approving the disposal of property.

(Amended 9/13/10)

§ **34.04 OTHER METHODS OF DISPOSING OF TOWN-OWNED
 PERSONAL PROPERTY**

In addition to private sale and exchange, the town may dispose of town-owned personal property worth less than \$30,000.00 by any other method authorized by G.S. Chpt. 160A, Art. 12.

Statutory Reference – Rules for sale and exchange of property, G.S. 160A-266(c).

(Amended 9/13/10)