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CHAPTER 30: LEGISLATIVE

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GENERAL PROVISIONS

§ 30.01 REGULAR MEETINGS.

The regular meeting of the Mayor and the Board of Commissioners of the town shall be held on the first Wednesday of each month, at 7:30 p.m. year round, at the Town Hall unless otherwise designated by the Board.
(1973 Code, Ch. A, Art. I, § 1)

§ 30.02 SPECIAL MEETINGS.

Saratoga, NC Code of Ordinances

Special meetings of the Board of Commissioners may be held, after 48-hours' notice, upon the call of the Mayor, the Mayor Pro Tempore, or upon the request in writing of any two Commissioners of the town. Notice of the time and purpose of special meetings shall be posted at the Town Hall, and due notice shall be given to the Mayor and Board of Commissioners of the time and purpose of such meetings as required by G.S. § 160A-71.
(1973 Code, Ch. A, Art. I, § 2) (Ord. passed 3-2-2016)

§ 30.03 QUORUM.

A majority of the members of the Board of Commissioners shall constitute a quorum and no official business of the town shall be transacted by the Board unless a quorum is present.
(1973 Code, Ch. A, Art. I, § 3)

§ 30.04 MINUTES.

It shall be the duty of the Clerk to be present at all meetings of the said Town Board, to keep in a book provided for that purpose a record of all the proceedings of the Board.
(1973 Code, Ch. A, Art. I, § 4)

§ 30.05 MAYOR TO PRESIDE.

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

(B) The Commissioner receiving a plurality of the vote in the town election shall act as Mayor Pro Tempore.

(1973 Code, Ch. A, Art. I, § 5)

§ 30.06 MAYOR NOT TO VOTE.

The Mayor shall not vote on any question before the Board except in the case of the vote dead-locking a decision of the Board of Commissioners.

(1973 Code, Ch. A, Art. I, § 6)

§ 30.07 COMMITTEES.

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

(1973 Code, Ch. A, Art. I, § 7)

ORDINANCES

§ 30.20 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.
(1973 Code, Ch. A, Art. II, § 1)

§ 30.21 ORDINANCE CONFINED TO ONE SUBJECT.

All ordinances shall be confined to one subject, except appropriation ordinances which shall be confined to the subject of appropriations only.
(1973 Code, Ch. A, Art. II, § 2)

§ 30.22 OFFICIAL COPY.

A true copy of an ordinance, which has been duly enacted by the Board, signed by the Mayor and attested to by the Clerk shall be known as an official copy of any ordinance of the town. All ordinances or a true copy thereof shall be inserted in this code in the proper chapter.
(1973 Code, Ch. A, Art. II, § 3)

§ 30.23 ORDINANCE APPROPRIATING MONEY.

No appropriations ordinance or ordinance to alter or repeal an appropriation shall be enacted at any time other than a regular meeting except by a unanimous vote of the entire Board.
(1973 Code, Ch. A, Art. II, § 4)

CHAPTER 31: OFFICERS AND EMPLOYEES

Section

- 31.01 Office of the Mayor
- 31.02 Office of the Clerk-Treasurer
- 31.03 Other officers and employees
- 31.04 Employee bonds
- 31.05 Change in date of appointment of officers and employees

§ 31.01 OFFICE OF THE MAYOR.

(A) It shall be the duty of the Mayor to cause ordinances of the town to be enforced, to attend and preside over all meetings of the Board.

Saratoga, NC Code of Ordinances

(B) It shall further be the duty of the Mayor to within 30 days after the close of the year to require a report to the Board of Commissioners from various departments of the town government for the previous year and recommend such adjustments as he or she sees fit.

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

(1973 Code, Ch. A, Art. III, § 1)

§ 31.02 OFFICE OF THE CLERK-TREASURER.

The Clerk and Treasurer shall be appointed by the Board at the first meeting in May of each year.

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

(B) 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 said town, its resources and liabilities and the disposition and the use of the monies coming under the control of the town.

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

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

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

(1973 Code, Ch. A, Art. III, § 2)

§ 31.03 OTHER OFFICERS AND EMPLOYEES.

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.

(1973 Code, Ch. A, Art. III, § 3) (Ord. passed 3-2-2016)

§ 31.04 EMPLOYEE BONDS.

(A) The Clerk-Treasurer and other officers or employees required by the Board shall, before entering their duties, post bond in amounts specified by the Board.

(B) All bond premiums shall be paid from town funds. Provided that when two officers are combined, such as Clerk and Treasurer, only one bond shall be required.

(1973 Code, Ch. A, Art. III, § 4)

§ 31.05 CHANGE IN DATE OF APPOINTMENT OF OFFICERS AND EMPLOYEES.

Due to a change in the General Statutes on municipal elections, changing said elections from the month of May in uneven years, to the month of November in uneven years, the appointment of officers and employees by the Board of Commissioners shall be made at the regular meeting of the Board of Commissioners in the month of December immediately following the month of the municipal elections when the results of the said elections have been certified and the Commissioners and Mayor begin the new term of office.
(1973 Code, Ch. A, Art. III, § 5)

CHAPTER 32: TOWN ORGANIZATIONS

Section

Recreation Advisory Committee

- 32.01 Creation
- 32.02 Park rules and regulations
- 32.03 Powers and duties

RECREATION ADVISORY COMMITTEE

§ 32.01 CREATION.

(A) The Mayor and Board of Commissioners may create a Recreation Advisory Committee consisting of five members.

(B) The initial appointment to the Recreation Advisory Committee shall be as follows:

- (1) Three residents of the town shall be appointed for a term of three years;
- and
- (2) Two residents of the town or of the town's ETJ shall be appointed for two years.

(C) Thereafter, all new terms shall be for three years and members may be reappointed.

(Ord. passed 8-3-2011)

§ 32.02 PARK RULES AND REGULATIONS.

The Mayor and Town Board of Commissioners shall, by resolution, periodically adopt park rules and regulations for the orderly use and enjoyment of Saratoga Town Park.

(Ord. passed 8-3-2011)

§ 32.03 POWERS AND DUTIES.

(A) The Recreation Advisory Committee shall serve in an advisory capacity to the Mayor and Town Board in recreation-related matters.

(B) The Recreation Advisory Committee shall assist the town in the pursuit, guidance and administration of recreation-related grants and/or other funding, including, but not limited to, State Parks and Recreation Trust Fund funding.

(Ord. passed 8-3-2011)

CHAPTER 33: POLICE DEPARTMENT

Section

- 33.01 Organization
- 33.02 Board to have control
- 33.03 Uniforms
- 33.04 Duties of police
- 33.05 Chief of Police
- 33.06 Records of police activities to be kept

§ 33.01 ORGANIZATION.

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

(1973 Code, Ch. B, Art. I, § 1)

§ 33.02 BOARD TO HAVE CONTROL.

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

(B) The Board may suspend, for cause, any member of the Police Department until the next regular meeting of the Board at which time final disposition shall be made.

(1973 Code, Ch. B, Art. I, § 2)

§ 33.03 UNIFORMS.

All police officers shall wear uniforms as shall be provided by the town and shall keep such uniforms in a neat and clean condition at all times.

(1973 Code, Ch. B, Art. I, § 3)

§ 33.04 DUTIES OF POLICE.

The Police Department shall carry out all orders of the Board, enforce all laws and ordinances of the town and the state and shall at all times preserve the peace, protect the property and the safety of the citizens of the town.
(1973 Code, Ch. B, Art. I, § 4)

§ 33.05 CHIEF OF POLICE.

The Chief shall have control over the Police Department under the supervision of the Board of Commissioners. The Chief shall keep the Board informed of the Department's activities and make such reports as the Board may from time to time require, and he or she shall perform such duties as may be required of him or her by the Board.
(1973 Code, Ch. B, Art. I, § 5)

§ 33.06 RECORDS OF POLICE ACTIVITIES TO BE KEPT.

The Chief of Police of the town shall keep a log of all complaints made to him or her by citizens of the town and an explanation of such action, if any, made by him or her as a result of such complaint. The Chief of Police shall keep in this log a record of all violations, or alleged violations of the laws of the state and the code of ordinances of the town and of the arrests or warrants issued as a result of such violations.
(1973 Code, Ch. B, Art. I, § 6)

CHAPTER 34: FIRE DEPARTMENT

Section

Fire Department

- 34.01 Organization
- 34.02 Duties of the Chief
- 34.03 General authority
- 34.04 Following fire equipment
- 34.05 Interfering with firefighters or fire apparatus
- 34.06 Only firefighters and police officers may ride on truck without permission
- 34.07 Interfering with fire alarm apparatus
- 34.08 Giving false alarm of fire forbidden
- 34.09 Protection of fire hose

Fire Hazards

- 34.20 Burning trash within fire limits prohibited

Fire Limits

34.35 Description

FIRE DEPARTMENT

§ 34.01 ORGANIZATION.

The Fire Department shall consist of the Chief of the Fire Department and sufficient number of firefighters (voluntary) part or full time to maintain and operate the Department. The Board of Commissioners shall appoint the Chief and approve the appointment to the Department of all members. The Department may from time to time adopt its own rules and regulations governing the Department, subject to the approval of the Board of Commissioners, however, any such rules and regulations shall include provisions for at least one training period each month. (1973 Code, Ch. C, Art. I, § 1)

§ 34.02 DUTIES OF THE CHIEF.

The Chief of the Fire Department subject to supervision by the Board of Commissioners shall be as follows:

- (A) General control of the Department, the personnel, apparatus and fire alarm systems;
 - (B) To command the Department and supervise the firefighting and extinguishing of all fires and to have authority to keep away from the vicinity of all fires, all idle, disorderly or suspicious persons;
 - (C) He or she shall inspect or cause to be inspected all trucks and other equipment of the Fire Department each and every week to ascertain that such equipment is being kept in proper condition. He or she shall report annually to the Board of Commissioners the condition of all equipment; and
 - (D) He or she shall inspect or cause to be inspected all fire hydrants and fire alarm systems at least once every three months and shall make a report of such inspection to the Board of Commissioners.
- (1973 Code, Ch. C, Art. I, § 2)

§ 34.03 GENERAL AUTHORITY.

- (A) The officer in command shall have authority to summon aid and no citizen summoned may refuse to help in extinguishing the fire or in protecting exposed property.
- (B) During the continuance of a fire, the Fire Chief, his or her assistant or the Mayor shall have authority to call upon any citizen to render assistance in pulling down or demolishing any building or in removing goods or furniture from a building on fire or in danger of fire, but not without the consent of the officer of the Fire Department or the Police Department who may be in charge.

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

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

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

(1973 Code, Ch. C, Art. I, § 3) Penalty, see § 10.99

§ 34.04 FOLLOWING FIRE EQUIPMENT.

It shall be unlawful to follow any fire apparatus which is responding to a call, by automobile or any other vehicle, unless such is used for transporting firefighters to the scene of the fire, at a distance closer than a city block, or to pass such apparatus or to park within the same block in which a fire is in progress.

(1973 Code, Ch. C, Art. I, § 4) Penalty, see § 10.99

§ 34.05 INTERFERING WITH FIREFIGHTERS OR FIRE APPARATUS.

No person shall interfere with a firefighter in the discharge of his or her duty, or hinder him or her in the performance of said duty, nor shall any person other than members of the Fire Department loiter about any fire station, or change, handle or meddle in any manner with any fire engine or any other fire apparatus.

(1973 Code, Ch. C, Art. I, § 5) Penalty, see § 10.99

§ 34.06 ONLY FIREFIGHTERS AND POLICE OFFICERS MAY RIDE ON TRUCK WITHOUT PERMISSION.

No person other than a bona fide member of the Fire Department shall mount any fire engine, wagon or apparatus before it leaves the station or while on its way to or from a fire, or any other time, unless by permission of the driver or officer in command of such engine, wagon or other apparatus.

(1973 Code, Ch. C, Art. I, § 6) Penalty, see § 10.99

§ 34.07 INTERFERING WITH FIRE ALARM APPARATUS.

No person shall interfere carelessly or willfully with the fire alarm system or injure the poles, wires, boxes, radio equipment or other apparatus connected therewith.

(1973 Code, Ch. C, Art. I, § 7) Penalty, see § 10.99

§ 34.08 GIVING FALSE ALARM OF FIRE FORBIDDEN.

No person shall give or cause to be given any false alarm of fire by means of the fire alarm system or otherwise.

(1973 Code, Ch. C, Art. I, § 8) Penalty, see § 10.99

§ 34.09 PROTECTION OF FIRE HOSE.

It shall be unlawful for any person, firm or corporation to drive over, or in any way damage or mutilate any fire hose while in use at a fire or otherwise.

(1973 Code, Ch. C, Art. I, § 9) Penalty, see § 10.99

FIRE HAZARDS

§ 34.20 BURNING TRASH WITHIN FIRE LIMITS PROHIBITED.

No person shall burn or cause to be burned any trash, refuse, shavings, paper, leaves, litter or any other material of any kind outside any house, or in any street, sidewalk, alley, lot or yard within the fire limits of the town.

(1973 Code, Ch. C, Art. II, § 1) Penalty, see § 10.99

FIRE LIMITS

§ 34.35 DESCRIPTION.

The fire limits shall be limited as described: all real estate and personal property within the town limits as laid out in the Charter of incorporation of the town.

(1973 Code, Ch. C, Art. III, § 1)

CHAPTER 35: FINANCE PURCHASING

Section

- 35.01 Disbursement of funds
- 35.02 Purchasing

§ 35.01 DISBURSEMENT OF FUNDS.

Saratoga, NC Code of Ordinances

No money shall be disbursed from the town treasury except on order of the Board in session and then only if the item for which the disbursement is made has been approved and provided for in the annual budget except in the case of an emergency of extreme proportions. (1973 Code, Ch. A, Art. IV, § 1)

§ 35.02 PURCHASING.

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

(B) Any town employee purchasing goods without a purchase order from the Town Board will be held responsible for the cost of the item.
(1973 Code, Ch. A, Art. IV, § 2)