

Town of River Bend Town Government

Excerpts from Ordinance

Information on Elected Officials

The Town of River Bend operates under the Council-Manager form of government. All five members of the Town Council are popularly elected to serve four year terms. Terms of office are staggered so an election for at least a portion of the Council is held every two years.

The Mayor is elected directly by the voters to serve a four-year term and presides at all meetings of the Town Council and represents the Town at official functions. The Mayor, and each member of the Town Council, also serve as liaisons to Advisory Boards, or in other administrative capacities, to support the function of the Town. The Mayor Pro-Tempore is a member of the Council, selected by the Council to assume the duties of the Mayor in the Mayor's absence.

The Town Council appoints a Town Manager to handle the administrative affairs of the Town. The Manager is the supervisor of Town staff and, by law, the Town's budget officer. The Manager provides the Town Council with regular reports regarding the operational and financial condition of the Town and works with the Council to establish and implement long-range plans.

GENERAL PROVISIONS

§ 3.01.001 GENERAL POWERS OF MAYOR AND COUNCIL.

(A) The government of the town and the general management and control of its affairs shall be vested in the Town Council.

(B) The powers and duties of the Mayor shall be such as are conferred upon him by law, together with other powers and duties as may be conferred upon him by the Council pursuant to law.

(Prior Code, Ch. 2, Art. I)

§ 3.01.002 COMPOSITION AND ELECTION OF GOVERNING BODY.

The governing body of the town shall consist of a Mayor and a Council of 5 members and shall be elected in accordance with provisions of the Town Charter and the applicable provisions of the General Statutes of North Carolina.

(Prior Code, Ch. 2, Art. I)

§ 3.01.008 COMPENSATION OF ELECTED/APPOINTED OFFICIALS.

As provided for by G.S. § 160A-64, the compensation of the Mayor and that of each other member of the Town Council shall be fixed by adoption of the annual budget ordinance. No sitting Council shall increase its own compensation or that of the sitting Mayor during its term. A Council may increase the compensation for an incoming Mayor and Council by providing for the increases in the budget ordinance with an effective date of January 1 of the new budget year.

This compensation will accrue to each newly elected or appointed official commencing with the month following his or her election or appointment and will cease for each upon his or her last full month of service.

Payment thereof will be made quarterly on the last workday of each calendar quarter.

(Prior Code, Ch. 2, Art. VIII)

MAYOR

§ 3.01.020 OATH.

The Mayor, before entering upon the duties of his or her office, shall take and subscribe before some person lawfully entitled to administer oaths, an oath of affirmation to support the Constitution of the United States and the Constitution of the state and the laws made pursuant thereto and to faithfully perform the duties of his or her office, which oath or affirmation shall be entered upon the minutes of the Council subscribed as provided in this section, attested by the officer administering the oath, and further shall be filed with the Town Clerk.

(Prior Code, Ch. 2, Art. II)

§ 3.01.021 DUTIES.

The Mayor shall be the chief executive of the town and shall perform the following duties:

- (A) Attend and preside over all meetings of the Town Council;
- (B) Sign all contracts, resolutions, franchises, ordinances and other documents authorized by the Council;
- (C) May appoint members of special ad hoc committees that fall within the area of the Mayor's responsibilities and outline their duties, subject to the consent of the Council;
- (D) Make recommendations to the Council from time to time concerning the affairs of the town;
- (E) Represent the town at ceremonies and other official occasions; and
- (F) Perform other duties and functions as authorized by the Council, the General Statutes of North Carolina or by the Town Charter.

(Prior Code, Ch. 2, Art. II)

TOWN COUNCIL

§ 3.01.035 OATH OF MEMBERS.

Each member of the Town Council, before entering upon the duties of his or her office, shall take and subscribe before some person lawfully entitled to administer oaths an oath or affirmation to support the Constitution of the United States and the Constitution of the state and the laws made pursuant thereto and to faithfully perform the duties of his or her office, which oath or affirmation shall be entered upon the minutes of the Council, subscribed as provided in this section attested by the officer administering the oath, and further shall be filed in the office of the Town Clerk.

(Prior Code, Ch. 2, Art. III)

§ 3.01.036 SELECTION AND DUTIES OF MAYOR AND MAYOR PRO TEMPORE.

The Council shall elect at its first meeting 1 of its members to serve as Mayor Pro Tempore to serve at the pleasure of the Council.

(Prior Code, Ch. 2, Art. III)

§ 3.01.037 FILLING VACANCIES OF AN ELECTIVE OFFICE.

(A) The procedures that follow apply to the filling of each position vacated by an elected official.

(B) Subject to the provisions of G.S. §§ 160A-59, 160A-63 and 160A-74, a vacancy that occurs in an elective office shall be filled by appointment of the Town Council and Mayor. The elected official vacating the position may vote on the selection of his or her replacement provided that the resignation becomes effective after the selection of the replacement.

(C) Upon receipt of notification that a position is vacant, or will become vacant, the Mayor shall
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call a special meeting of the Town Council to be held within 1 week of the receipt of the notice, to consider the filling of the vacancy. If a regular Council meeting or work session is scheduled

within 1 week of the receipt of the notification, it will not be necessary to convene a special meeting, and the topic "Filling of Vacancy" will automatically be placed upon the agenda of that meeting.

(D) At the meeting, the vacancy shall be recognized by the Council and instructions to fill the vacancy issued. In the event of resignation, the Council shall formally accept the resignation and set an effective date in accordance with the letter of resignation.

(E) Within 7 business days following the above meeting, the Town Clerk shall publish a "Notice of Vacancy" requesting applications from interested persons wishing to be considered for appointment. The applications are to be submitted to the Town Clerk by 4:00 p.m. on the fifteenth calendar day after publication of the "Notice of Vacancy." In accordance with G.S. §160A-59 and the Constitution of North Carolina, any person 21 years of age, residing in and a registered voter of River Bend, may submit an application.

(F) (1) At the meeting held under division (C) above, the Council shall determine how it wishes to conduct the selection process, and the candidates shall be informed of this process by the Town Clerk in writing upon submission of their applications.

(2) The Council and Mayor shall consider all applications meeting the requirements at the next regular Council meeting following the deadline date for submission of applications.

(3) At the conclusion of the deliberations, the names shall lay over until the next regular meeting at which time the Council shall select 1 of the candidates to fill the vacancy. However, if there is only 1 candidate to fill the vacancy, the candidate may be selected immediately following the deliberations.

(G) The Council and Mayor may not formally consider or fill a vacancy of an elective office except in an open meeting.

(H) The person appointed to fill the vacancy shall serve the remainder of the unexpired term. (Prior Code, Ch. 2, Art. III)

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CHAPTER 3.03: ELECTIONS

Section

3.03.001 Generally

§ 3.03.001 GENERALLY.

(A) Municipal elections of the town shall be conducted by the Craven County Board of Elections.

(B) Registration of voters shall be provided for in both River Bend, North Carolina and New Bern, North Carolina.

(Prior Code, Ch. 5, Art. I)