

CITY OF CLAREMONT  
NORTH CAROLINA

ORDINANCE # 14-16

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES  
OF THE CITY OF CLAREMONT  
TITLE 2  
GOVERNMENT AND ADMINISTRATION

**Whereas**, it is the desire of the Council of the City of Claremont to continually update and revise the Claremont Code of Ordinances.

**Now, therefore, be it ordained by the Claremont City Council that**, Title 2 Government and Administration, Chapters 1-7 are hereby amended by changing the following:

**Title 2  
Government and Administration**

**ARTICLE B  
Meetings**

**Sec. 2-1-21 Regular meetings; time and place.**

The regular meetings of the council shall be held on the first Monday of each month at the city hall, unless otherwise designated by the council. The meetings shall begin at ~~7:00 p.m.~~ **6:30 p.m.** Every member of the council and officers shall attend all meetings of the council, unless excused. (Ord. of 6/5/89, No. 140-89)

**State Law Reference:** Quorum, G.S. 160A-74, voting, G.S. 160A-75; see pages S-1 and following for reprinted laws.

**Sec. 2-1-24 Order of business.**

(a) At the hour appointed for the meeting of the council, the mayor shall take the chair and direct a call of the members by the clerk, who shall note the absentees. ~~If a quorum is not present, the mayor shall send for the absentees, and upon the appearance of a quorum shall call to order and proceed with the order of business.~~ 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 council to perform the duties of the chair, but substitution shall not extend beyond adjournment, except by special consent of the council.

(b) Unless the council agrees in advance otherwise, the business of the council 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) reports of special committees;
- (5) unfinished business;
- (6) new business;
- (7) announcements; and
- (8) adjournment.

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

**Sec. 2-1-25 Rules of procedure.**

(a) Agenda. All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the council should be delivered or submitted to the clerk at least ~~four (4) days~~ **one week** prior to its meeting.

- (b) Rules of debate and decorum.

(1) Manner of speaking. Every member desiring to speak shall address the chair and upon recognition by the mayor shall confine himself to the question under debate, avoiding all personalities and indecorous language.

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

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

(4) Manner of addressing the council; time limit. Every person addressing the council shall give his name and address for the records, and unless special time is granted by the council, shall limit his remarks to ~~10 minutes~~ **5 minutes**. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than council members and the person having the floor, shall be permitted to enter into any discussion either directly or through a member of the council. No question shall be asked a member except through the mayor.

(5) Request to have statement abstracted. A member may request from the mayor the privilege of having an abstract of his statement on any subject under consideration by the council entered in the minutes.

(6) Request to record synopsis of discussion in the minutes. The clerk may be directed by the mayor, with consent of the council, to enter in the minutes a synopsis of the discussion on any question coming before the council.

(7) Questions of order. All questions of order shall be decided by the mayor without debate, subject to an appeal to the council.

(8) "Roberts' Rules of Order." When any point of procedure shall arise, the latest revised edition of "Roberts' Rules of Order" shall determine the question of procedure.

**Secs. 2-1-26 through 2-1-40 reserved.**

**CHAPTER 2**  
**Administrative Organization**  
**ARTICLE A**  
**Administrative Offices**

**Sec. 2-2-1 City manager; duties.**

The council shall appoint a city manager to serve at its pleasure, to be the chief administrator of the city. The manager shall direct and supervise the administration of all departments and agencies of the city, subject to the general direction and control of the council. ~~He shall~~ **He shall** have such other powers and duties as provided by law, or as authorized by the council.

**State Law Reference:** Powers and duties of manager. G.S. 160A-148.

**CHAPTER 3**  
**Departmental Operating Organization**

§ 2-3-1 Departments enumerated.

**Sec. 2-3-1 Departments enumerated.**

The administrative organization of the city shall be divided into the following departments:

- (1) Police department;
- (2) Fire department;
- (3) Street department;
- (4) Sanitation department;
- (5) Water department;
- (6) Maintenance department; and
- (7) Sewer department.

**CHAPTER 4**  
**Financial Administration**

**ARTICLE B**  
**Purchasing**

- § 2-4-1 Disbursement of funds.
- § 2-4-2 Purchasing agent.
- § 2-4-3 Purchasing order.
- §§ 2-4-4 through 2-4-10 reserved.

**ARTICLE B**  
**Fiscal Procedures**

**Sec. 2-4-11 Countersignatures upon all drafts.**

All checks and drafts issued by the city, regardless of amount, must be signed by the finance officer and countersigned by the mayor, ~~and member of council so designated by vote of council,~~ or the city manager.

**State Law Reference:** Dual signatures on checks, G.S. 159-25.

**CHAPTER 7**  
**Surplus Property**

§ 2-7-1 Procedures for disposing of personal property valued at less than \$500.

**Sec. 2-7-1 Procedures for disposing of personal property valued at less than \$500.**

(a) The city manager is hereby authorized, pursuant to G.S. § 160A-266 (c), to dispose of any surplus personal property owned by the City of Claremont, whenever he determines, in his discretion, that:

- (1) the item or group of items has a fair market value of less than \$500;
- (2) the property is no longer necessary for the conduct of public business; and
- (3) sound property management principles and financial considerations indicate that the interests of the city would best be served by disposing of the property.

(b) The city manager may dispose of any such surplus personal property by any means which he judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of G.S. Chapter 160A. Such sale may be public or private, and with or without notice and minimum waiting period.

(c) The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the city if greater value may be obtained in that manner, and the city manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the city manager may retain the property, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No surplus property may be donated to any individual or organization except by resolution of the city council.

~~(d) The city manager shall, on or before the first day of February, report in writing to the city council on any property disposed of under these provisions from July 1 through December 31 of the previous year, and shall, on or before the first day of August, report in writing to the city council on any property disposed of under these provisions from January 1 through June 30 of that year. The written report shall generally describe the property sold or exchanged, to whom it was sold, or with whom it was exchanged, and the amount of money or other consideration received for each sale or exchange since the last such report was submitted. (Ord. of 3/6/89, No. 132-89)~~

Adopted this 5<sup>th</sup> day of December 2016.

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Shawn R. Brown, Mayor

Attested:

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Wendy L. Helms, City Clerk