

Statutory Roles And Responsibilities For NC Municipal Elected Officials And City Clerks

Mayor

1. Preside at council meetings (§ 160A-69).
2. Call special meetings of the council (§ 160A-71).
3. Vote to break a tie or may vote on all matters (§ 160A-69) In a city where the mayor is elected by the council from among its membership, and the city charter makes no provision as to the right of the mayor to vote, he shall have the right to vote as a council member on all matters before the council, but shall have no right to break a tie vote in which he participated. Mayor cannot veto actions of board; cannot appoint or remove (without board permission)
4. Assume all powers and duties enumerated in the General Statutes as well as any others conferred on him or her by the council. This statute recognizes the mayor as the official head of the city for purposes of serving civil process, and most federal and state agencies extend this same recognition for purposes of official correspondence or actions such as grant awards or enforcement of federal laws and regulations (§ 160A-67).

Council

1. Authorized to organize and reorganize city government (§ 160A-146). Except when expressly prevented by other laws, the council can "...create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies...to promote orderly and efficient administration of city affairs..."
2. Except as otherwise provided by law, the government and general management of the city shall be vested in the council (§ 160A-67). .
3. Confer powers and duties upon mayor pursuant to law. (§ 160A-67, 1971, c. 698, s. 1.)
4. In a council-manager city, the council as a body appoints the city manager to serve at its pleasure (§ 160A-147), and as the employer of the manager, it is the body to which the manager is directly responsible and accountable.

City Clerk

1. Keep a journal of the proceedings of the council, be the custodian of all city records and perform any other duties required by law or by the council (§ 160A-171).
2. Full and accurate minutes of the council proceedings shall be kept and shall be open to the inspection of the public. The results of each vote shall be recorded in the minutes and upon the request of any member of the council the ayes and noes upon any question shall be taken (§ 160A-72).
3. Each city shall file a true copy of each ordinance adopted on or after January 1, 1972 in an ordinance book separate and apart from the council's minute book (§ 160A-78).
4. Each city having a population of 5,000 or more shall adopt and issue a code of its ordinances. (§ 160A-77).
5. Administer oaths of office (§ 11-7.1).
6. Every person elected by the people or appointed to any city office shall, before entering upon the duties of the office take and subscribe the oath of office. Oaths of office shall be administered by some person authorized by law to administer oaths and filed with the city clerk.
7. Public notice of official meetings (§ 143-318.12).
8. Provide applications to license to advertise, hold, conduct or carry out a sale (§ 66-77).