Chapter 35

OFFICERS AND EMPLOYEES

[HISTORY: Adopted by the Town Council of the Town of Pennington Gap as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Mayor
[Adopted 3-14-1985 (Ch. 2, Art. II, of the 1985 Code)]

§ 35-1. General powers and duties.

It shall be the duty of the Mayor to preside at all meetings of the Council when present, to enforce the laws and ordinances of the Town, and all orders and resolutions of Council. He shall see that the duties of the various Town officers are faithfully performed. He shall have the power to investigate their acts, have access to all books and documents in their offices, and may examine them and their subordinates on oath. He shall also have the power to suspend or remove the Police Chief, or any officer appointed by him or the Council, for misconduct in office, or neglect of duty, to be specified in the order of removal or suspension; provided that no such suspension or removal shall be made without reasonable notice to the officer complained of, and an opportunity afforded to be heard in defense.

§ 35-2. Removal of officers.

Whenever the Mayor shall remove any officer, he shall, for the information of the Council, report the same and reasons therefor at the next regular meeting of the Council, or at any special meeting held for the purpose.

§ 35-3. Absence.

In case of the absence of the Mayor, or his inability to act, the Vice-Mayor shall act in his place. In the absence of the Vice-Mayor, the Council shall designate one of its members to act in the place of such Mayor, and who shall have all the powers conferred upon the Mayor by the Charter.

§ 35-4. Appointment of Committees.

At the first organizational meeting, and such other times as deemed necessary, the Mayor may appoint committees at his discretion as deemed necessary, subject to Council approval.

ARTICLE II
Town Council
[Adopted 3-14-1985 (Ch. 2, Art. III, of the 1985 Code)]

§ 35-5. Membership; term.

The Council of the Town of Pennington Gap shall be composed of six members, the Mayor and five Councilmen, all of whom shall be qualified voters of the Town. Their term of office shall be for four years.

§ 35-6. Members not to withdraw without leave.

After the name of a member of the Council has been recorded as present at any meeting, he shall not be absent himself from such meeting previous to adjournment, without permission of the majority of the Council.

ARTICLE III
Town Treasurer
[Adopted 3-14-1985 (Ch. 2, Art. IV, of the 1985 Code)]

§ 35-7. Duties.

All duties as listed in the Job Description.

ARTICLE IV

Town Manager.

§ 35-8. Duties.

All duties as listed in the Job Description.

ARTICLE V
Attorney
[Adopted 3-14-1985 (Ch. 2, Art. V, of the 1985 Code)]

§ 35-9. Duties.

A. It shall be the duty of the Attorney, or Attorneys, to take the management, charge and control of all the law business of the Town, and to be, in regard to all municipal affairs, the legal advisor to the Mayor, Council or any committee thereof, and of the several officers of the Town government, and, when required, he shall furnish written or verbal opinions upon any subjects involving questions of law in which the Town is interested.

B. It shall be his duty to draft all bonds, contracts, agreements and other legal instruments of whatever nature which may be required of him by any ordinance or

order of the Council; to appear, defend and advocate the rights and interests of the Town, or any officer thereof, in any suit or prosecution for any act in the discharge of his official duties, wherein any right, privilege, ordinance or act of the Town government may be brought in question before any tribunal in this state, when requested by the Mayor or Council, and shall perform such other duties as may be required of him on behalf on the Town, by any ordinance or resolution of the Council.

§ 35-10. Conflicts of interest.

When the Attorney, or Attorneys, is incompetent by reason of interest or otherwise to represent the Town in any manner requiring the services of an attorney, the Mayor shall employ another attorney to represent the Town; provided he shall in every case contract to pay such attorney a reasonable fee.

§ 35-11. Compensation.

The Town Attorney shall receive compensation in the form of a monthly retainer in an amount set forth by Council.

ARTICLE VI
Engineer
[Adopted 3-14-1985 (Ch. 2, Art. VI, of the 1985 Code)]

§ 35-12. Duties.

A.   The Council may, from time to time, as the requirements of the Town may demand, appoint an Engineer for the Town, whose duty it shall be to superintend the opening, repairing and improving of all streets, alleys, parks, or boulevards of the Town as the same may be ordered, and he shall take the general supervision of all streets, sidewalks, boulevards, public grounds, and make such surveys and estimates, and do such other things in the time of his profession as the Council and the various committees thereof may direct, or the necessities of the Town may require.

B.   When so required, he shall make maps, showing the profile and grades of all the streets, boulevards, and other highways and public grounds of the Town, as well as maps showing the lengths and dimensions of culverts and sewers constructed by the Town, the location, course and dimensions.

§ 35-13. Compensation.

The Engineer for the Town shall receive such compensation as the Town Council may from time to take or year to year prescribe.

ARTICLE VII
Police Chief
[Adopted 3-14-1985 (Ch. 11 of the 1985 Code); amended in its entirety at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 35-14. Duties.

All duties as listed in the Job Description.

§ 35-15. Compensation.

The compensation for the Police Chief shall be such as the Town Council may from time to time, or year to year, determine.