

CHAPTER 2

ADMINISTRATION & GOVERNMENT

ARTICLE 1. BOARD ORGANIZATION AND PROCEDURE

Section 2-101. Regular Meeting: Time and Place

(1) Regular Meetings

(a) Time. The Commissioners shall hold two public meetings each month on the second and fourth Tuesday at 7:30 p.m., at which they shall normally conduct the business, enacting ordinances or resolutions, receiving citizen complaints and other communications. Whenever the day fixed for any meeting falls upon a day designated by law as a legal or national holiday, such meeting may be held on some other acceptable day as a majority of the Board shall designate.

(b) Place. All meetings of the Commissioners shall be held in the Town Hall of Rising Sun unless the Board unanimously agrees otherwise. If the meeting place is other than the Town Hall, a public notice shall be posted at the Town Hall or public notice shall otherwise be given stating the location of the meeting.

(2) Executive Meeting. The Town Board of Commissioners may hold such executive meetings as necessary. Executive sessions shall be governed by the requirements of Article 76A of the Annotated Code of Maryland, as amended from time to time.

Section 2-102. Special Meetings

The Mayor shall call special meetings of the Commissioners whenever in his opinion the public business may require, or at the express written request of any two Commissioners. Whenever a special meeting shall be called, a notice in writing shall be served upon each Commissioner, stating the date and hour of the meeting and the purpose for which such meeting is called, and no business shall be transacted there, except such as is stated in the notice.

Section 2-103. The Presiding Officer: Duties,

The Mayor shall serve as the Presiding Officer.

The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Commissioners. He shall state every question coming before the Commissioners, announce the decision of the Commissioners on all subjects and decide all questions of order, subject, however, to an appeal to the Commissioners, in which event a majority vote of the Commissioners shall govern and conclusively determine such questions of order. He shall vote in the case of a tie, his name being called last. In the event of the absence of the Mayor a designated Assistant Presiding Officer or Acting-Mayor shall preside over the meeting.

Section 2-104. Roll Call

Before proceeding with the business of the Commissioners, the Clerk or his deputy shall call the roll of the members, and the names of those present shall be entered in the minutes.

Section 2-105. Quorum

A majority of all the members elected to the Commissioners, excluding the Mayor, shall constitute a quorum at any regular or special meeting of the Commissioners. In the absence of a quorum, the Presiding Officer shall, at the request of any two Commissioners present, request the attendance of absent Commissioners.

Section 2-106. Order of Business

All meetings of the Commission (other than executive sessions) shall be open to the public. Promptly at the hour set on the day of each public meeting, the Mayor, the Commissioners, the Town Administrator the Clerk, and any other Town Officers required to be in attendance shall take their regular stations, and the business of the Commission shall be taken up for consideration and disposition.

Section 2-107. Minutes Approved

Unless a reading of the minutes of a previous meeting is requested by a Commissioner, such minutes may be approved without reading upon motion by a Commissioner, if the Clerk has previously furnished each member with a copy thereof.

Section 2-108. Rules of Debate

(1) Presiding Officer -- The Mayor or such other Commissioner as may be presiding, may move, second and debate from the chair, subject only to such limitations of debates as are by these rules imposed on all Commissioners and shall not be deprived of any of the rights and privileges of a Commissioners by reason of his acting as presiding Officer, except that as Presiding Officer, he may vote only in case of a tie, as provided in Section 2-103 of this Chapter.

(2) Getting the Floor; Improper Reference to be Avoided--Every Commissioner desiring to speak shall address the Chair, and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personal remarks and indecorous language.

(3) Interruptions -- A Commissioner, once recognized, shall not be interrupted when speaking unless it be to call him to order or as herein otherwise provided. If a Commissioner, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in order, he shall be permitted to proceed.

(4) Privilege of Closing Debate -- The Commissioner moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.

(5) Motion to Reconsider -- A motion to reconsider any action taken by the Commissioners may be made only on the day such action was taken. It may be made either

immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing sides, but may be seconded by any Commissioner, and may be made at any time and have precedence over all other motions it shall be debatable. Nothing herein shall be construed to prevent any Commissioner from making or remaking the same or any other motion at a subsequent meeting.

(6) Remarks of Commissioners, When Entered in Minutes -- A Commissioner may request, through the Presiding Officer, the privilege of having an abstract of his statement on any subject under consideration by the Commissioners entered in the minutes.

(7) Synopsis of Debate; When Entered in Minutes -- The Clerk may be directed by the Presiding Officer, with consent of the Commissioners, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Commissioners.

Section 2-109. Addressing the Board

Any person desiring to address the Board shall first secure the permission of the Presiding Officer to do so; provided, however, that under the following headings of business, unless the Presiding Officer rules otherwise, any qualified person may address the Board without securing such prior permission.

(1) Written Communication -- Interested parties or their authorized representatives may address the Board by written communication in regard to matters then under discussion.

(2) Oral Communications -- Taxpayers or residents of the town, or their authorized legal representatives, may address the Board by oral communications on any matter concerning the Town provided, however, that preference shall be given to those persons who may have notified the Clerk in advance of their desire to speak in order that the same may appear on the agenda of the Board.

Section 2-110. Addressing the Board after Motion Made

After a motion is made by the Board, no person shall address the Board without first securing the permission of the Presiding Officer to do so.

Section 2-111. Manner of Addressing Board: Time Limit

Each person addressing the Board shall step up to the Board table, shall give his name and address in an audible tone of voice for the records, and unless further time is granted by the Board, shall limit his address to ten minutes. All remarks shall be addressed to the Board as a body and to any member thereof. No person, other than the Board and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without the permission of the Presiding Officer. No question shall be asked a Board member except through the Presiding Officer. The foregoing shall not apply to members of the Board or the Mayor.

Section 2-112. Silence Constitutes Affirmative Vote

Unless a Commissioner states that he is not voting, his silence shall be recorded as an affirmative vote.

Section 2-113. Decorum

(1) By Commissioners -- While the Board of Commissioners is in session, order and decorum must be preserved, and a Commissioner shall neither, by conversation or otherwise, delay or interrupt the proceedings or disturb any other Commissioners while speaking or refuse to obey the orders of the Commission or its Presiding Officer, except as otherwise provided herein.

(2) By Persons -- Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Commissioners shall be forthwith, by the Presiding Officer, barred from further audience before the Commissioners, unless permission to continue be granted by a majority vote of the Commissioners.

(3) Enforcement -- The Chief of Police, or such member or members of the Police Department as the Mayor may designate, shall be Sergeant-At-Arms at all meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at all meetings. Upon instruction of the Presiding Officer, it shall be the duty of the Sergeant-At-Arms to place any person who violates order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of this Code, the complaint to be signed by the Presiding Officer.

Section 2-114. Persons Authorized to be Seated at the Board Table

No persons, except Town Officers or their representatives, shall be permitted to be seated at the Board Table unless granted permission to do so by the Presiding Officer.

Section 2-115. Special Committees

All special committees shall be appointed by the Mayor unless otherwise directed by the Commissioners.

Section 2-116. Commissioner May File Protest Against Board Action

Any Commissioner shall have the right to have the reasons for his dissent from, or protest against, any action of the Commissioners entered in the minutes.

Section 2-117. Claims Against Town

No account or other demand against the Town shall be allowed until same has been considered and approved by the Mayor and Commissioners.

Section 2-118. Ordinances, Resolutions, Motions and Contracts

(1) Prior Approval by Commissioner -- All ordinances, resolutions, and contract documents shall, before presentation to the Commissioners, have been approved as to form and legality by the Town Attorney or his authorized representative and shall have been examined and approved for administration by the Mayor or his authorized representative, where there are substantive matters of administration involved. All such instruments may first be referred to the Commissioner who heads the department under whose jurisdiction the administration of the subject matter of the ordinance, resolution or contract document would devolve. Provided, however, that if approval is not given, then the same shall be returned to the President

of the Commissioners with a written memorandum of the reasons why such approval is withheld.

In the event the questioned instrument is not re-drafted to meet the Commissioner's objection, or objections, then the Mayor shall so advise the Commissioners and give the reasons advanced by the Commissioners for withholding approval.

(2) Introducing for Passage or Approval

(a) Ordinances, resolutions, and other matters or subjects requiring action by the Board of Commissioners must be introduced and sponsored by a Commissioner, except that the President of the Commissioners, and any Commissioner may assume sponsorship thereof by moving that such ordinance, resolution, matter or subject be adopted; otherwise, they shall not be considered.

(b) No ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed, and when practicable all ordinances may be introduced as amendments to existing ordinances or section thereof.

(c) No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the Commissioners held not less than 6 nor more than 60 days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration referred to some specified future date. In cases of emergency the above requirement may be suspended by the affirmative votes of four members of the Board of Commissioners. Every ordinance, unless it be passed as an emergency ordinance, shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners. The complete text of, or a fair summary of each ordinance shall be published once in a newspaper or newspapers having general circulation in the municipality. An emergency ordinance shall become effective on the date specified in the ordinance.

Section 2-119. Reports and Resolutions to be Filed with Clerk

All reports and resolutions shall be filed with the Clerk and entered in the minutes.

Section 2-120. Adjournment

A motion to adjourn shall always be in order and decided without debate.

Section 2-121. Style of Ordinances

All ordinances passed by the Board of Commissioners should be prefaced by, "*Be it Enacted and Ordained by the Commissioners of the Town of Rising Sun that...*" Ordinances shall be signed by the Mayor and attested to by the Clerk.

ARTICLE 2. ORGANIZATION OF GOVERNMENT

Section 2-201. Administrative Departments Created

The administration of Town business is hereby divided into the following departments and offices:

- (1) Department of Public Affairs
 - (a) Town Clerk
 - (b) Town Attorney
 - (c) Town Engineer
 - (d) Town Treasurer
 - (e) Town Administrator
- (2) Department of Public Safety
 - (a) Police Department
- (3) Department of Streets & Public Works
- (4) Department of Parks, Recreation & Public Property
- (5) Department of Water and Sewer

Section 2-202. Commissioner of Public Affairs: Powers and Duties

The Mayor shall be the Commissioner of Public Affairs, and shall report to the Board of Commissioners for its action on all matters requiring the attention of any department.

(1) General Duties -- The Mayor shall have and exercise all powers and perform all the duties that are or may be prescribed by law, or by this Code. He shall be the chief executive office and representative of the Town; and he shall sign all contracts, checks and warrants on behalf of the Town after approval of same by a majority of a quorum of the Board of Commissioners.

(2) Departments and Offices -- The Town Administrator, Town Attorney, Town Clerk, Town Treasurer and all other officers and employees of the town who are not specifically assigned to another department shall be subject to the Department of Public Affairs.

(3) Enforcement of Ordinances -- The Mayor shall be generally charged with and responsible for the proper conduct of the Town's affairs, the conduct of elections, and the enforcement of all ordinances of the Town.

(4) Publication of Ordinances -- The Mayor shall cause to be prepared and published all ordinances of the Town, in accordance with this Code.

(5) Accounts and Records -- The Mayor shall have charge of an supervision and direction over all records of the Town and all officers, boards, departments insofar as the accounts and records of the Town are concerned, and shall annually prepare the Town budget or have prepared under his supervision. He shall cause proper accounts and records to be kept and proper reports to be made by the officer and departments of the Town, or both, insofar as the accounts and finances of the Town are concerned. He shall audit, or cause to be audited, at frequent intervals, the accounts and records of officers or employees who may receive or disburse money, and shall see to it that the annual audit required by statute is made. He shall inspect, or cause to be inspected, all records or accounts required to be kept in any of the offices

or departments of the Town. He shall examine, or cause to be examined, and report to the Commissioners, upon all bills, accounts, payrolls, demands and claims before they are acted upon, unless otherwise provided by law or ordinance. He shall collect, or cause to be collected, all claims, demands, license fee, inspection fees, franchise taxes, fines, penalties, forfeitures, rentals, or money, which may be due or become due to the Town, except as otherwise provided for by statute, and all amendments thereto, and except as otherwise provided by law. He shall report, or cause to be reported, to the Commissioners any failure to make a report, or to pay moneys due the Town, with such recommendations in relation thereto as he may deem proper.

Section 2-203. Town Attorney: Powers and Duties

The Office of Town Attorney is hereby established. The Town Attorney shall be appointed by the Mayor upon the advice and consent of the Board of Commissioners, and shall serve for an indefinite term at the will and pleasure of the Board of Commissioners. Compensation of the Town Attorney shall be set by the Board of Commissioners. The Town Attorney shall be responsible to the Board of Commissioners through the Mayor for the preparation of all ordinances, resolutions, contracts, and other legal instruments and shall perform any such other duties assigned to him by the Board of Commissioners, as well as any other duties as required otherwise by this Code.

Section 2-204 Administrative Positions Established

- (a) Clerk. The office of Clerk is hereby established. The Clerk shall be appointed by the Mayor, upon the advice and consent of the Board of Commissioners, to serve at the will and pleasure of the Board of Commissioners. The salary of the Clerk shall be set by the Board of Commissioners. The duties of the Clerk shall be established through Resolution of the Board of Commissioners.
- (b) Treasurer. The office of Treasurer is hereby established. The Treasurer shall be appointed by the Mayor, upon the advice and consent of the Board of Commissioners, to serve at the will and pleasure of the Board of Commissioners. The salary of the Treasurer shall be set by the Board of Commissioners. The duties of the Treasurer shall be established through Resolution of the Board of Commissioners.
- (c) Town Administrator. The office of Town Administrator is hereby established. The Town Administrator shall be appointed by the Mayor, upon the advice and consent of the Board of Commissioners, to serve at the will and pleasure of the Board of Commissioners. The salary of the Town Administrator shall be set by the Board of Commissioners. The duties of the Town Administrator shall be established through Resolution of the Board of Commissioners."

Section 2-205. Commissioner of Streets and Public Works

(1) The Commissioner of Streets and Public Works shall be superintendent of the Department of Streets and Public Works and shall have charge of, and supervision over the

cleaning, clearing, and paving of streets, avenues, alleys and public places; the construction, repair, and improvement of all streets, sidewalks, crosswalks, stormdrains, gutters, curbing, culverts, bridges, via-ducts, subways, public parking lots, street signs, and other such improvements.

(2) The Commissioner of Streets and Public Works shall be charged with the efficient operation of the collection of trash and garbage and the coordination of same with the contractor and Board of Commissioners.

Section 2-206. Commissioner of Public Safety

The Commissioner of Public Safety shall be superintendent of the Department of Public Safety, and shall have charge, supervision and direction over the Police Department and any other officers or employees hereafter assigned to this department.

(1) The Commissioner of Public Safety shall be appointed by the Board of Commissioners upon recommendation by the Mayor.

(2) The Chief of Police shall be appointed by the Board of Commissioners. He shall be the head of the Police Department and shall have command over all civilian and police employees of the police department. He shall execute all orders of the Commissioner of Public Safety and perform such police and other related duties as are required of him by such orders, as well as all duties imposed upon him by the Town Charter and this Code.

(3) The Police Department shall enforce all provisions of the Town Charter, this Code and other ordinances for which no other enforcement authority is designated, and shall have such powers and perform such duties not in conflict with the Town Charter or this Code as may be necessary and lawful for this purpose.

(4) The Commissioner of Public Safety shall mark and designate parking, or cause to be marked and designated restricted parking areas, banned parking areas, street signs, and stop signs, upon his recommendation and approval by the Board of Commissioners.

(5) The Commissioner of Public Safety shall report or cause to be reported by those under his supervision, violations of Town ordinances to cooperating county and state officials regarding zoning matters, fire and health hazards, and shall coordinate the enforcement of same with the Board of Commissioners, the Town Attorney and enforcement officials.

Section 2-207. Commissioner of Parks, Recreation, and Public Property

The Commissioner of Parks, Recreation, and Public Property shall be the superintendent of the Department of Parks, Recreation, and Public Property and shall be charged with the construction, maintenance, repair, and expansion of all municipal buildings, and park property. He shall also have charge of the use of municipal buildings and park property and the development of any new parks or park improvements as well as the creation and operation of all recreational facilities and programs of the Town. He shall also be responsible for maintaining all other public property not under the specific charge of any other Department or Commissioner, including any such fixtures, furniture or equipment and shall report to the Commissioners on the current needs of the Town in regard to the purchase or repairs of such property. He shall have the authority to grant or deny any requests for use or reservation of Town park property.

Section 2-208. Commissioner of Water and Sewer

The Commissioner of Water and Sewer shall be the superintendent of the Department of Water and Sewer and shall oversee the construction, maintenance, repair, and use of the Town's water and sewer plants, including all water and sewer mains connected to said plants. The Commissioner of Water and Sewer shall respond to all requests for developers or builders concerning availability of water and sewer service from the Town.

Section 2-209. Planning Commission

(1) Membership. The Planning Commission shall consist of seven (7) members. A commissioner of the Town, selected by the Commissioners, shall serve as an ex-official member and shall have the power to vote on all matters before the Planning Commission. The remaining six (6) members shall be appointed by the Mayor and approved by the Board of Commissioners of Rising Sun.

(2) Term of Office. The ex-officio member shall serve for the term of his elective office. Each member shall serve for a period of five (5) years or until his successor takes office. Each appointed member is eligible of reappointment. Members of the Planning Commission shall serve without compensation.

(3) Vacancy. A vacancy occurring otherwise than by expiration of term shall be filled by appointment by the Commissioners of Rising Sun for the unexpired term.

(4) Procedures. The Mayor, with the approval of the Board of Commissioners, shall appoint a chairman from one of the appointed members and create and fill such other offices as may be determined. The term of chairman shall be one year, with eligibility for reappointment. The chairman shall also serve as the Zoning Inspector for the Town. The Planning Commission shall adopt rules for transactions of business and shall keep a record of its resolutions, transactions, findings, and determinations, which record shall be a public record.

(5) Employees and Expenditures. The Planning Commission may appoint such employees as it may deem necessary for its work, and may also contract with planners, engineers, architects, and other consultants for such services as it may require. The expenditures of the commission, exclusive of gifts, shall be under such conditions and within the amounts appropriated for the purpose by the Commissioners of Rising Sun by resolution.

(6) Powers and Duties. The Planning Commission shall have the powers and duties as now or hereafter provided in Article 66B, Annotated Code of Maryland (1957 edition, as amended) and the Ordinances of the Town of Rising Sun. The Chairman shall approve all building permits. He may forward a request for a building permit to the Cecil County Building Inspector's Office for further review prior to approving any building permit pursuant to Chapter 5 of this Code. He shall also respond to all requests concerning the present zoning classification of any property within the Town.

ARTICLE 3. PERSONNEL

Section 2-301. Classification of Positions.

All positions within the Town government shall be subject to the provisions of this article other than the following: (1) The Mayor, (2) The Commissioners, (3) The Town Attorney, (4) Members of Town Boards or Commissions such as the Planning Commission and the Board of Appeals, and (5) part-time, temporary or unpaid positions.

Section 2-302. Personnel Officer

The responsibility for implementing the provisions of this Article, and for the general supervision of all Town employees and the personnel system is hereby vested in the Mayor, who is hereby further designated as Personnel Officer.

Section 2-303. Duties of Commissioners

The Commissioners, in their capacity as a department head, shall advise and consult with the Personnel Officer regarding all personnel matters, including but not limited to hiring, firing, salaries, and hours of work. Each Commissioner in his or her capacity as a department head may promulgate special departmental rules and regulations which shall be adopted by Resolution of the Board of Commissioners. Any such departmental rules shall not include any subjects encompassed by the General Rules promulgated under Section 2-304 below.

Section 2-304. General Personnel Rules

The Board of Commissioners may adopt by Resolution a Code of Personnel Rules and Regulations. Such Code may contain a job description and classification system for Town employees, basic annual rates of pay for each such classification, longevity pay rates, if any, hours of work, overtime compensation, designation of holidays, holiday pay, annual leave and sick leave benefits, and a description of any additional fringe benefits for any such classification or classifications. The Code may also prescribe rules concerning promotion, demotion, discharge, voluntary separation, and describing grievance and appeal procedures for such classified employees, and any other rules and regulations the Board of Commissioners from time to time may deem necessary.

Section 2-305. Other Personnel; Powers of the Mayor and the Board of Commissioners

(1) The Mayor, upon approval of the Commissioners, shall have the power to hire and contract other personnel needed to carry on the Town's business, such as planners and engineers, but not limited thereto. The Mayor, upon approval of the Commissioners, shall have the power to enter into agreements with state and county officials for the purpose of cooperative enforcement agreements under Town ordinances where the Commissioners deem it in the best interests of the Town.

(2) The Commissioners are hereby granted the authority to provide for health insurance and employee retirement plan coverage which may include, but is not limited to life insurance, coverage of medical expenses, and/or prescription expenses. Said insurance shall be provided pursuant to a resolution passed by a majority of the Commissioners at a duly convened meeting. The Commissioners shall expressly have the authority to cancel, amend, change, or extend said insurance coverage pursuant to a resolution of the Board of Commissioners as set forth previously herein.

ARTICLE 4. COMPENSATION OF MAYOR AND COMMISSIONERS SECTION

2-401. Salary for the Mayor

The Mayor shall receive a fee for attending each regular or special meeting which fee shall be set from time to time by a resolution passed by the Board of Commissioners in the regular course of business.

Provided, however, that no change shall be made in the salary for any Mayor during the term for which he was elected. The resolution making any change in the salary paid to the Mayor, either by way of increase or decrease, shall be finally passed prior to the municipal election to elect the next succeeding Mayor, and shall take effect only as to the next succeeding Mayor.

Section 2-402. Salary for Commissioners

Each Commissioner shall receive a fee each regular or special meeting which shall be equal for all Commissioners and shall be as specified from time to time by resolution passed by the Board of Commissioners in the regular course of its business; provided, however, that the fee specified at the time any Commissioner takes office shall not be changed for the Commissioner during the term for which he was elected. A resolution making any change in the fee, either by way of increase or decrease, shall take effect only when the present term of the Commissioner has expired.

ARTICLE 5. PURCHASING

Section 2-501. Purchasing Agent

The Town Administrator is hereby designated as the Purchasing Agent for the Town government, and all of its departments, except as otherwise directed on specific occasions by the Board of Commissioners.

(1) Duties. Except as otherwise provided specifically by the Board of Commissioners, and as otherwise specified by law, the Purchasing Agent shall make all purchases of material, equipment and supplies for the Town as from time to time are authorized by the Board of Commissioners.

(2) Payments. The Purchasing Agent shall process and make payment for all purchases previously authorized by the Board of Commissioners.

(3) Records. An annual record of purchases authorized by the Board of Commissioners shall be kept and maintained by the Purchasing Agent and shall show date, amount and description of items or services procured and the department which requested the purchase.

Section 2-502. Procurement Procedure

(1) To make purchases of five hundred dollars (\$500.00) or less approval must be obtained from the Town Administrator.

(2) To make purchases over five hundred dollars (\$500.00) but less than two thousand five hundred dollars (\$2,500.00) approval must be obtained from the Mayor and two Commissioners.

(3) To make purchases in the amount of two thousand five hundred dollars (\$2,500.00) or more sealed bids must be solicited by letter or advertisement in a local

newspaper. Certain personal service contracts such as auditor, engineer, architect or attorney may be exempted.

(4) The Board may, by a majority vote, choose to renew contracts without going through the bidding process when negotiations are acceptable to both parties.

(5) Notwithstanding subsections two and three above, the Town Administrator or Town Treasurer may pay normal monthly bills for operations, utilities or supplies, without such authorization. Said payment shall be reported to the Mayor and Commissioners no later than their next scheduled meeting.

(6) In the case of an emergency, the Town Administrator, with the approval of the Mayor and at least two Commissioners may authorize to the Mayor and Board of Commissioners at their next regularly scheduled meeting for ratification. Failure to obtain ratification shall not invalidate any purchase contract to the extent goods or services have been delivered or provide prior thereto.

ARTICLE 6. CONFLICTS OF INTEREST

Section 2-601. Conflicts of Interest

No officer or employee of the Town shall be directly or indirectly interested in any services or materials furnished to the Town, nor receive any emoluments or profit from such services or materials beyond the salary paid him. Anyone found in violation of this Ordinance shall be deemed guilty of a misdemeanor and shall be subject to a fine of up to \$500.00 and to imprisonment up to 30 days; and further, shall forfeit all compensation or profits received. All contracts entered into in violation of this section shall be null and void and unenforceable as against public policy.

ARTICLE 7. HISTORICAL COMMISSION

Section 2-701. Purpose & Membership

(1) The Commission shall consist of members who shall demonstrate an interest in the heritage of the Town of Rising Sun and its environs and who shall pay an annual membership fee. The annual membership fee shall be set by the Board of Directors of the Historical Commission. Until such time as the Directors establish a different membership fee, the fee shall be Five Dollars (\$5.00).

(2) The Rising Sun Historical Commission shall be governed by a Board of Directors consisting of seven (7) members. Two (2) members of the Board of Directors shall be appointed by the Mayor and Commissioners of the Town of Rising Sun and five (5) members shall be elected by a majority of those appearing at the annual membership meeting of the Commission. Each member shall be eligible to vote for five (5) Board members. Each Board member shall serve for a term of two (2) years. Board members may be reappointed or reelected to more than one term. The Commission shall have four (4) officers, President,

Vice President, Secretary and Treasurer, who shall be members of the Board of Directors and shall be chosen annually by a majority of the Board of Directors to serve.

(3) All funds, artifacts, documents, and other property received by the Commission shall be held by the Mayor and Commissioners of the Town of Rising Sun in trust for the Commission and shall not be commingled with other funds or property of the Town. The Town shall not convey, transfer or dispose of any such property without the consent of the Board of Directors of the Historical Commission. The Commission shall be empowered to raise additional funds for the purpose of the collection, purchasing, cataloging, preservation, publication and displaying of historical artifacts and documents of the Town of Rising Sun and its surrounding environs, which funds shall also be held in trust for such purposes by the Mayor and Commissioners of the Town of Rising Sun subject to the conditions as aforesaid.

(4) The purpose of the Rising Sun Historical Commission shall be the collection and preservation of the history and folklore of the Town of Rising Sun and its environs. Its duties shall include the collection, cataloging, preservation, publication and display of historical artifacts and documents of the Town of Rising Sun and its environs and education of the public with regard to the Town's history and folklore.

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