

# VIRGINIA ACTS OF ASSEMBLY -- 2002 SESSION

REPRINT

## CHAPTER 121

*An Act to amend and reenact § 3, § 4, as amended, § 5, and § 6, as amended, of Chapter 480 of the Acts of Assembly of 1942, which provided a charter for the Town of Chatham, relating to town powers, chief of police and town elections.*

[H 431]

Approved March 8, 2002

**Be it enacted by the General Assembly of Virginia:**

**1. That § 3, § 4, as amended, § 5, and § 6, as amended, of Chapter 480 of the Acts of Assembly of 1942 are amended and reenacted as follows:**

§ 3. Powers of the Town of Chatham.

In addition to the powers elsewhere mentioned in this charter and powers conferred by general law, and the Constitution, the said Town of Chatham shall have the following powers:

(1) To raise revenue as hereinafter provided, in accordance with this charter and the laws of the *State Commonwealth* of Virginia.

(2) To impose special and local assessments for local improvements as hereinafter provided in accordance with general laws of this *State Commonwealth*.

~~(3) To impose a tax not exceeding one dollar per annum upon all persons residing in said town above the age of twenty-one years, not exempt from the payment of State capitation tax.~~

(4 3) To contract debts, borrow money, and make and issue evidences of indebtedness.

~~(5 4)~~ To expend the money of the town for all lawful purposes.

~~(6 5)~~ To acquire by purchase, gift, devise, condemnation or otherwise, property, real or personal, or any estate therein, within or without the town, for any purpose of the town; and to hold, improve, sell, lease, mortgage, pledge or otherwise dispose of the same or any part thereof, including any property owned by the town.

~~(7 6)~~ To establish markets in the town and regulate the same, and to enforce such regulations in regards to the keeping and sales of fresh meat, vegetables, eggs, and other green groceries and the trade of hucksters and junk dealers as may be deemed advisable.

~~(8 7)~~ To own, operate and maintain water works and to acquire in any lawful manner in any county of the *State Commonwealth*, such water, lands, property rights, and riparian rights as the council of the said town may deem necessary for the purpose of providing an adequate water supply to the said town and piping and conducting the same; to lay, erect and maintain all necessary mains and service lines, either within or without the corporate limits of the said town, for the distribution of water to its customers and consumers, both within and without the corporate limits of the said town and to charge and collect water rents therefor; to erect and maintain necessary dams, pumping stations and other works in connection therewith; to make reasonable rules and regulations for promoting the purity of its said water supply, and for protecting the same from pollution; and for this purpose to exercise full police powers and sanitation patrol over all land comprised within the limits of the water shed, tributary to any such water supply wherever such lands may be located in this *State Commonwealth*; to impose and enforce adequate penalties for the violation of any such rules and regulations; and to prevent by injunction any pollution or threatened pollution of such water supply, and any and all acts likely to impair the purity thereof, and to carry out the powers herein granted, and said town may exercise within the *State Commonwealth* all powers of eminent domain provided by the laws of the *State Commonwealth*.

~~(9 8)~~ To acquire by gift, purchase, exchange or by right of exercise of the power of eminent domain within this *State Commonwealth*, lands or any interest or estate in lands, rock quarries, gravel-pits, sand pits, water and water rights, and the necessary roadways thereto, either within or without the town, and to acquire and install machinery and equipment, and build the necessary roads or tramways thereto, operate the same for producing material required for any and all purposes of the town.

~~(10 9)~~ To provide in or near the town lands to be used as burial places for the dead; to charge for and to improve and care for and regulate the use of the ground therein; to cooperate with any nonprofit corporation or society in the improvement and care of burial places and approaches thereto; and to provide for the perpetual upkeep and care of any plot or burial lot therein, and the said town is authorized to take and receive sums of money by gift, bequest, or otherwise, to be kept invested, and the income thereof used in and about perpetual upkeep and care of the said lot or burial plot, for which the said donation, gift or bequest shall have been made; and said town is further empowered to subdivide any such land acquired as burial places for the dead into lots and to sell or otherwise dispose of the same to person or persons, and to contract with such person or persons, either at the time of sale or other disposition of said lot or lots, or at any other time, for temporary or permanent care and

maintenance, by payment of such sum or sums to the said town as it may deem sufficient, to be held and invested by it, the income to be used for said permanent care and maintenance, and in all such cases, such permanent care shall be consistent with the general rules and regulations governing such burial place as may be designated by the council of the said town. And all acts of the said town in accepting from any cemetery or other private company, society or corporation any such land to be used as a burial place for the dead, whether said land had been heretofore used or not, as well as all contracts and agreements made with any person or persons for perpetual care and maintenance are hereby declared valid.

~~(11~~ 10) To collect and dispose of sewage, offal, ashes, garbage, carcasses of dead animals, and other refuse, make reasonable charges therefor; to acquire and operate reduction or any other plants for utilization or destruction of such material or any of them; to contract or regulate the collection and disposal thereof, and to require the collection and disposal thereof, and to acquire land within or without the said town for said purpose.

~~(12~~ 11) To inspect, test, measure and weigh any commodity or commodities or articles of consumption for use within the town; and to establish, regulate, license and inspect weights, meters, measures and scales.

~~(13~~ 12) To license and regulate the holding and location of shows, circuses, public exhibitions, carnivals and other similar shows, or fairs, or prohibit the holding of the same, or any of them, within the limits of the town or within one mile thereof.

~~(14~~ 13) To construct, maintain, regulate and operate public improvements of all kinds, including municipal and other buildings, markets and all buildings and structures necessary and appropriate for the use and proper operation of the various departments of the town and to acquire by condemnation or otherwise, all lands, riparian and other rights and easements necessary for such improvements, or any of them.

~~(15~~ 14) To establish, alter, enter, open, widen, extend, grade, improve, construct, maintain, and clean public highways, streets, sidewalks, boulevards, parkways, and alleys; to establish and maintain parks, playgrounds and public grounds; to keep them lighted and in good order; to construct, maintain and operate bridges, viaducts, subways, tunnels, sewers, and drains, and to regulate the use of all such highways, streets, alleys, parks, public grounds and works; to plant and maintain or remove shade trees along the streets and upon such public grounds; to prevent the obstruction of such streets and upon such public grounds; to prevent the obstruction of such streets, alleys and highways, abolish and prevent grade crossings over the same by railroads in the manner provided by general law for the elimination of grade crossing; to require any railroad company operating a railroad at a place where any highway or street is crossed within the limits of the town to erect and maintain at such crossing proper gates and keep a person in charge thereof, or keep a flagman at such crossings during such hours as the council may require in accordance with general laws; to regulate, except insofar as may be prohibited by State law, the operation and speed of automobile and vehicles upon said streets and highways, as well as the speed of all engines, cars and trains on railroads within the town; and to do all other things whatsoever adapted to make said streets and highways safe, convenient and attractive.

~~(16~~ 15) In addition to the parks and playgrounds above provided for, the said town may also operate parks, playgrounds, and public grounds without the corporate limits of said town, and may place thereon stadiums, swimming pools, recreation and amusement buildings, structures or enclosures of every character, and charge admission, and may rent out or lease the privileges of the same.

~~(17~~ 16) To establish, impose and enforce the collection of water and sewage rates, and rates and charges for public utilities, or other services, products or conveniences, operated, rented or furnished by the town and to assess, or cause to be assessed, after reasonable notice to the owner or owners, water and sewage rates and charges directly against the owner or owners of the buildings against the proper tenant or tenants; and may by ordinance require a deposit of such a reasonable amount as it may by such ordinance prescribe before furnishing such service, to either owner or tenant.

~~(18~~ 17) To establish, construct and maintain sanitary sewers, sewer lines and systems, and to require abutting property owners to connect therewith and to establish, construct, maintain and operate sewage disposal plants, and to acquire by condemnation or otherwise, within or without the town limits, all land, rights-of-way, riparian and other rights and easements necessary for the said purpose, and to charge and assess and collect reasonable fees, rentals, assessments or costs of service for connecting with and using the same.

~~(19~~ 18) Subject to the provisions of the Constitution and general laws and this charter, to grant franchises for public utilities.

~~(20~~ 19) To charge and collect fees for permits to use public facilities and for public services and privileges. The said town shall have the power and right to charge a different rate for any service rendered or convenience furnished to citizens without the corporate limits from the rates charged for similar services to citizens within the corporate limits.

~~(21~~ 20) To compel the abatement and removal of all nuisances within the town or upon property owned by the town beyond its limits at the expense of the person or persons causing the same, or of the owner or occupant of the ground or premises whereon the same may be, and to collect said expense by

suit or motion or by distress and sale; to require all lands, lots and other premises within the town to be kept clean and sanitary and free from stagnant water, weeds, filth, and unsightly deposits, or to make them so at the expense of the owners or occupants thereof, and to collect said expense by suit or motion or by distress and sale; to regulate or prevent slaughter houses or other noisome or offensive business within the said town, or the exercise of any dangerous or unwholesome business, trade, or employment therein; to regulate the transportation of all articles through the streets of said town; to compel the abatement of smoke and dust, and prevent unnecessary noise; to regulate the location of stables and the manner in which the same shall be kept and constructed; to regulate the location, construction, operation, and maintenance of billboards and generally to define, prohibit, abate, suppress, and prevent all things detrimental to the health, morals, aesthetics, safety, convenience, and welfare of the inhabitants of the town; and to require all owners or occupants of property having sidewalks in front thereof to keep the same clean and sanitary, free from all weeds, filth, unsightly deposits and ice and snow.

(22 21) To extinguish and prevent fires, and to establish, regulate and control a fire department or division, to regulate the size, height, material and construction of buildings, fences, walls, retaining walls and other structures hereafter erected in such manner as the public safety and conveniences may require; to remove or require to be removed or reconstructed any buildings, structure, or addition thereto which by reason of dilapidation, defect of structure, or other causes may have become dangerous to life or property, or which may be erected contrary to law; and may enact stringent and efficient laws for securing the safety of persons from fires in halls and buildings used for public assemblies, entertainments, amusements, or school gatherings.

(23 22) To direct the location of all buildings for storing explosives or combustible substances; to regulate the sale and use of gunpowder, nitroglycerin, fireworks, kerosene oil or other like material; to regulate the exhibition of fireworks, the discharge of firearms, and the making of bonfires in the streets or yards.

(24 23) To provide for the care, support and maintenance of children and of sick, aged, insane or poor persons and paupers; and where in the opinion of the governing body of the town the same is necessary, to contribute to organizations providing for care, support or maintenance of sick, aged, insane or poor persons and paupers.

(25 24) To prevent the riding and driving of horses or other animals at an improper speed; to prevent the throwing of stones, or engaging in any sort of employment in the public streets which is dangerous or annoying to passersby, and to prohibit the abuse of animals.

(26 25) To acquire in any lawful manner, for the purpose of encouraging commerce and manufacture, lands within or without the town, not exceeding at any one time five hundred acres in the aggregate, and from time to time sell or lease the same or any part thereof for industrial or commercial use and purposes, irrespective of the consideration paid for such lease or sale.

(27 26) To prevent any person having no visible means of support, paupers, and persons who may be dangerous to the peace and safety of the town from coming to said town from without the same; and to expel therefrom any such person who has been in said town less than twelve months.

(28 27) To restrain and punish drunkards, vagrants and street beggars; to prevent and quell riots, disturbances, and disorderly assemblages; to suppress houses of ill fame and gambling houses; to prevent and punish lewd, indecent and disorderly exhibitions in said town; and to expel therefrom persons guilty of such conduct who have not resided therein as much as twelve months.

(29 28) To prohibit and punish mischievous, wanton or malicious damage to school and public property, as well as private property.

(30 29) To prohibit and punish minors from frequenting, playing in or loitering in any public poolroom, billiard parlor, or bowling alley, and to punish any proprietor or agent therefor for permitting the same.

(31 30) To compel persons sentenced to confinement in jail of the town for any misdemeanor or other violation of the laws or ordinances of the town to work on the public streets, parks or other public works of the town; and on the requisition of the mayor or any other persons acting as judge or justice of the municipal court, it shall be the duty of the sergeant of the town to deliver such persons to the duly authorized agent of the town for such purposes from day to day as he may require. For the purpose of carrying into effect the police regulations of the said town, the town shall be allowed the use of the county jail of Pittsylvania County for the safe keeping and confinement of all persons who shall be sentenced to imprisonment under the ordinances of the said town.

(32 31) To offer and pay rewards for the apprehension and conviction of criminals.

(33 32) To give names to streets and to alter and change the same.

(34 33) To regulate, permit or prohibit poles and wires for electric, telephone and telegraph purposes to be erected and gas or other pipes to be laid in the streets and alleys, and to prescribe and collect annual charges for such privileges, hereafter granted; to require the owner or lessee of an electric light, telephone or telegraph pole or poles or wires now in use or hereafter erected, to change the location or move the same; to require all telephone and telegraph wires and all wires and cables carrying electricity, hereafter installed, to be placed in conduits under ground, and prescribe rules and regulations for the construction of such conduits, provided that none of the rights exercised by town in accordance with this

paragraph shall be inconsistent with the provisions of any franchise granted by town.

~~(35~~ 34) To enact and carry out zoning ordinances, and building codes within the limits of the said town, in conformity with laws of the ~~State~~ Commonwealth of Virginia, and to provide for changes therein, and by ordinance from time to time to modify and change the same.

~~(36~~ 35) To enact and carry out plumbing and heating ordinances and to regulate in the limits of the town the installation of water, gas, and heating pipes, and lines, fixtures, boilers and plants, on private or public property, and to regulate and supervise the installation of the same.

~~(37~~ 36) To exercise full police powers and establish and maintain a division or department of police.

~~(38~~ 37) To make and enforce ordinances, not inconsistent with the laws of the ~~State~~ Commonwealth of Virginia.

~~(39~~ 38) To enjoin and restrain the violation of any town ordinance or ordinances, although a penalty is provided upon conviction thereof.

~~(40~~ 39) To pass and enforce all by-laws, rules, regulations and ordinances which may be deemed necessary for the good order and government of the town, the management of its property, the conduct of its affairs, the peace, comfort, convenience, order, morals, health and protection of its citizens and their property, and to do such other things, pass such other laws, as may be necessary or proper to carry into full force and effect, all powers, authority, capacity or jurisdiction which is or shall be granted or vested in said town, in the council, court, or other officers thereof, or which may be necessarily incident to a municipal corporation.

~~(41~~ 40) To provide reasonable penalties for violation of any town ordinance, rule or regulation or any provision of this charter, not exceeding penalties prescribed by the general laws of the ~~State~~ Commonwealth of Virginia.

~~(42~~ 41) To appoint a town sergeant who shall qualify and give bond, if any required, in such amount as the council may deem proper. He shall be vested with powers of a conservator of the peace, and shall have the same powers and discharge the same duties as a constable within the corporate limits of the town, and to a distance of one mile beyond the same, and shall perform such other duties as may from time to time be prescribed by the council a chief of police, and such additional police officers as it may deem necessary or proper, to prescribe rules and regulations for the government thereof, and to prescribe their rate of pay. Until the town council shall appoint the chief of police, the town sergeant shall perform the duties of such office. The policemen of the town shall have no power or authority in civil matters, but shall in all other cases execute such warrants or summonses as may be placed in their hands by appropriate authority and shall make due return thereof. The sergeant and the police officers for the town shall have the power to arrest without warrants and carry before proper authority, to be dealt with according to law, any and all persons who shall violate any ordinance of the town or laws of the Commonwealth in their presence and it shall be their duty to swear out warrants of arrest for any person where they have reason to believe any offense has been committed.

~~(43~~ 42) The mayor, the town councilmen, the town sergeant and the members of the police force of the town shall have jurisdiction, power and authority in criminal and police matters for one mile from the corporate limits of the said town.

#### § 4. Administration and Government.

(1) The present mayor and council of the Town of Chatham shall continue in office until the expiration of the term for which they were respectively elected, or until their successors are duly elected and qualified.

(2) Except as otherwise provided in this charter, all powers of the town and the administration and government of the said town shall be vested in the council of the Town of Chatham, and such boards or officers as are hereafter mentioned, or may be by law otherwise provided.

(3) On the ~~second Tuesday in June, 1942,~~ first Tuesday in May 2002, and every two years thereafter, there shall be elected by the qualified voters of the Town of Chatham, one ~~elector~~ qualified voter of the town, who shall be denominated mayor and will serve a two-year term, and There shall also be elected six other ~~electors~~ qualified voters of the town, who shall be denominated the councilmen of the town and shall serve for terms of four years, and said mayor and councilmen shall constitute the town council. For the elections to be held in May 2002, the three councilmen receiving the highest number of votes shall serve four-year terms and the remaining three councilmen shall serve two-year terms. Upon the next election in May of 2004, the three expiring councilmanic terms shall be filled by election for four-year terms. They shall enter upon the discharge of the duties of their offices on the first day of ~~September~~ July next succeeding their election, and shall continue in office until their successors are duly elected and qualified. Every person elected shall take an oath faithfully to execute and discharge the duties of his office to the best of his judgment, and the mayor shall take the oath prescribed by law for State officers. The failure of any person elected or appointed under the provisions of this Act hereof to qualify or to take the oath required, within the time prescribed for entering upon the discharge of the duties of the office to which he is elected or appointed, shall vacate the said office, and the council shall proceed and are hereby vested with power to fill such vacancy in the manner herein prescribed.

(4) There shall be appointed for the town a registrar and officers of election in the manner provided for by general law of Virginia, and all elections held in said town shall be governed in accordance with

~~said general law; the electorate shall be that prescribed by general law. All elections shall be conducted in accordance with state law. For such purposes, the local electoral board and registrar appointed pursuant to the provisions of Articles 3 through 5 (§ 24.2-106 et seq.) of Chapter 1 of Title 24.2 of the Code of Virginia of 1950, as amended, shall be responsible for the conduct and regulation of such elections for the town.~~

(5) The council of the town shall judge the election, qualification and return of its members; may fine them for disorderly conduct, and with concurrence of two-thirds vote of the council, expel a member. If any person returned, be adjudged disqualified, or be expelled, a new election to fill the vacancy shall be ordered by the council and held on such day as it may designate by ordinance. Any other vacancy occurring during the term of any member of the council shall be filled by the council by the appointment of anyone eligible to such office. A vacancy in the office of mayor shall be filled by the council from the electors of the town, and any member of the council may be eligible to such office.

(6) For the transaction of business by the council, four members of whom the mayor may be counted as one, shall constitute a quorum.

(7) Each member of the council may receive a salary to be fixed by the council, payable at such times, and in such manner, as the council may direct, but the salary paid to any one member during any year shall not exceed the sum of ~~sixty dollars~~ *\$600 per annum annually*; the mayor may receive a salary to be fixed by the council, payable in such manner and at such times as the council may direct, not to exceed the sum of ~~five hundred dollars~~ *\$1,200 per annum annually*; and the council is also empowered to provide that the salary of the mayor shall be in lieu of any fees he is entitled to receive for acting as justice of the municipal court. The present acting council of the town shall receive no salary for their services during the remaining part of their present term, but may set a salary for both mayor and councilmen to begin on and after the first day of ~~September, 1942~~ *July 2002*. *The salary of the mayor and the councilmen, when fixed, shall so continue until changed by the council, and shall be payable out of the treasury of the town in monthly installments.*

(8) The mayor shall preside at the meetings of the council and perform such other duties as may be prescribed by this charter and by general law, and such as may be imposed by the council, consistent with his office. The mayor shall have no right to vote in the council except ~~that in case of a tie vote then, in which case~~ the mayor shall vote. ~~The mayor shall, unless the council shall by resolution place the trial of violations of town ordinances in the hands of the trial justice, or some other duly authorized person, be clothed with authority to try all violations of any ordinance of the town, and shall be a conservator of the peace within the limits of the town. There may be two justices of the peace for the Town of Chatham who shall be appointed by the council and shall hold office during its pleasure, and such justices may be justices of the peace for Chatham Magisterial District. They shall be conservators of the peace within the limits of the Town of Chatham, and one mile beyond, and shall have the right and authority to issue warrants and summon witnesses involving violations of town ordinances. All warrants and process issued by the justices shall be returnable before the mayor. The compensation of said justices of the peace shall be determined by the council of the town and shall be either in the form of a salary or the fees which the justices collect.~~

(9) The council shall, as soon as practicable, after qualification, choose one of its members as vice-mayor. The ~~vice~~ *vice*-mayor shall perform the duties of the mayor during his absence or disability, and in event of a vacancy for any reason in the office of mayor, he shall serve until a mayor is duly appointed by the council or is elected. The said vice-mayor shall continue to have all rights, privileges, powers, duties and obligations of councilman while performing the duties of mayor during the absence or disability of the mayor of the town; ~~and the said vice mayor shall be clothed with authority to try all violations of any ordinance of the said town in absence of the mayor or in event of the mayor for any reason being disqualified to try any such violation.~~ In the absence of the mayor or vice-mayor, the mayor may designate a member of the council to perform his duties.

(10) The council shall, by ordinance, fix the time for their meetings, but shall have at least one meeting each month. Special meetings shall be called by the clerk at the instance of the mayor or any three members of the council, in writing; no business shall be transacted at a special meeting but that for which it shall be called, unless the council be unanimous. The meetings of the council shall be open to the public except when in the judgment of the council the public welfare shall require executive sessions.

(11) The council shall keep a minute book, in which the clerk shall note the proceedings of the council, and shall record proceedings at large on the minute book and keep the same properly indexed.

(12) The council may adopt rules for regulating its proceedings, but no tax shall be levied or corporate debt contracted except by a vote of two-thirds of the council, four votes being counted as two-thirds, which vote shall be taken by yeas and nays, and recorded in the minute book. It may appoint such committees as may be deemed proper for the transaction of business, and may compel attendance of absent members.

(13) The council may require the mayor to communicate to it annually as soon after the close of the fiscal year, or oftener, if necessary a general statement of the condition of the town in relation to its government, finances and improvements, with such recommendations as he may deem proper. He shall

exercise a constant supervision over the conduct of all subordinate officers, have power and authority to investigate their acts, have access to all books and documents in their offices, and may examine such officer on oath. He shall have power to suspend all officers appointed by the council until the next regular meeting of the council, but such suspension shall in all cases be for misconduct in office or neglect of duty, to be specified in the order of suspension. In case of suspension of any officer the mayor shall submit a written report of the same to the council at its next regular meeting, or any meeting called for that purpose, specifically designating the charge against the officer and reasons for dismissal, and in case of suspension by the mayor, he shall have power to appoint some other person in his place to hold such office and perform the duties thereof until the next regular meeting of the council.

(14) Every ordinance passed by the council for the violation of which a penalty is imposed shall be published in such way as the council may order, so as to give general publicity thereto, and no order may become effective until so published, either by handbills posted in at least two public places, or in a newspaper published and having general circulation in the town, except in the case of an emergency, in which instance the ordinance shall so state and shall become effective immediately upon its passage. If published by handbill, a certification of the posting thereof shall be made by the clerk or sergeant as to the time and place where the ordinance is recorded, provided however, that after the expiration of six months from date of the passage of any ordinance, its publication shall not be questioned, or its validity affected by any failure to publish the same.

#### § 5. Town Clerk.

At its first meeting in ~~September of 1942~~ July 2002, or as soon thereafter as practicable, and every two years thereafter, there shall be appointed by the council a clerk, who shall hold office *at the pleasure of council* for a period of two years, ~~unless sooner removed by the council for cause~~, and said clerk shall attend all meetings of the council, and shall keep a permanent record of its proceedings as hereinbefore set out; he shall be custodian of the town seal, and shall affix the same to all documents and instruments requiring a seal, and shall attest the same; he shall keep all papers, codes, documents, and records pertaining to the town, the custody of which is not otherwise provided for in this charter. He shall give all notices to all parties, presenting petitions or communications to the council of the final action of the council on such petitions or communications; he shall publish such reports and ordinances as the council is required to publish, and such other records and ordinances as it may direct; he shall perform such other acts or duties as the council may, from time to time, require.

#### § 6. Town Treasurer.

(1) There shall be appointed by the council at its first meeting in ~~September of 1942~~ July 2002, or as soon thereafter as practicable, and every two years thereafter, a treasurer, who shall serve at the pleasure of the council who before entering upon the discharge of his duties shall give bond with sufficient surety to be approved by the council, in the penalty of such amount as may be fixed by the council from time to time, payable to the Town of Chatham, conditioned for the true and faithful performance of the duties of his office. The treasurer shall be responsible for the collection of all taxes, licenses, and levies and charges for services furnished by the public utilities of the town. The council shall have the authority to place in the hands of a town collector to be designated by it, the collection of taxes, licenses and other levies at any time if in the discretion of the council it shall be proper to do so.

(2) The town treasurer shall receive all moneys belonging to the town which it is his duty to collect from persons owing the same to the town, or which it is the duty of other officers of the town to collect and pay over to him, and pay the same out as ordinances of the town may prescribe; to keep all such moneys safely, and account therefor; and to pay all drafts and orders made on him in conformity with ordinances of the town.

(3) The funds of the town shall be deposited by the treasurer in such bank or banks as the council may direct, and such bank or banks may be required to give security in such sum or sums as the council shall fix. He shall keep books showing accurately the date of his accounts and the money of the town shall be kept distinct and separate from his own money, and he is prohibited expressly from using directly or indirectly the town's money for his own benefit, or the benefit of any other person or persons whomsoever, and any violation of this provision shall subject him to immediate removal from office.

(4) The town treasurer shall, when required by the council, render an account to the council showing the state of the treasury and balance of money on hand. He shall also, when required by the council, accompany such account with a statement of all moneys received by him on what account with a list of checks paid by him during the month closed, and shall furnish such other information as the council may direct, and at all times the accounts and books of the treasurer shall be open to inspection by the mayor and council, and to any other person or persons appointed by the council to inspect the same.

(5) All taxes, levies and other sums of money received by the town treasurer belonging to the Town of Chatham, shall be credited on the books of the treasurer, and paid out by him only on a warrant of the clerk of the council, countersigned by the mayor.

(6) The treasurer shall perform such other duties as may be required by the council, not inconsistent with the general laws of the ~~State~~ Commonwealth, and he shall receive for his services such compensation as the council may deem proper.

- 2. That an emergency exists and this act is in force from its passage.**