

§ 1-5. License.

When a person is convicted of a violation of any Section of this Village Code any license previously issued to him by the Village may be revoked by the court or by the Board of Trustees.

§ 1-6. Application.

- A. The penalty provided in this chapter shall be applicable to every Section of this Village Code the same as though it were a part of each and every separate Section. Any person convicted of a violation of any Section of this Village Code where any duty is prescribed or obligation imposed, or where any act which is of a continuing nature or declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Village Code.
- B. In all cases where the same offense is made punishable or is created by different clauses or Sections of this Village Code the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.
- C. Whenever the doing of any act or the omission to do any act constitutes a breach of any Section or provisions of this Village Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this article shall apply and a separate offense shall be deemed committed upon each day during or on which a breach or violation occurs or continues.

§ 1-7. Liability of officers.

No provisions of this Village Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the Board of Trustees to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the Section creating the duty.

ARTICLE III
Budget and Ordinances
[Derived from Title 1, Ch. 4, Art. 1, of the 1993 Code]

§ 1-8. Annual budget. [Amended 6-11-2007 by Ord. No. 071106A]

- A. Budget Officer.
 - (1) There is created hereby the position of Budget Officer in the Village of Port Byron, who shall be designated by the Village President with the approval of the Board of Trustees.

- (2) The Budget Officer may hold another municipal office, either elected or appointed, and may receive the compensation established from time to time by the President and Board of Trustees of the Village for both offices. Such Budget Officer shall serve at the pleasure of the Village President.
- (3) Before entering upon the duties of this office, the Budget Officer shall take oath as provided by statute.

B. Powers and duties of Budget Officer.

- (1) The Budget Officer shall have the following powers and duties:
 - (a) To permit, encourage, and establish the efficient planning, budgeting, auditing, reporting, accounting, and other fiscal management procedures in all municipal departments, commissions, and boards.
 - (b) To compile an annual budget.
 - (c) To examine all books and records of all Village departments, commissions, and boards which relate to moneys received and paid out by the Village, its departments, commissions, and boards and debts and accounts receivable, amounts owed by or to the Village, its departments, commissions and boards.
 - (d) To obtain such additional information from the Village, its departments, commissions, and boards as may be useful for purposes of compiling a municipal budget, such information to be furnished by the Village, its departments, commissions, and boards in the form required by the Budget Officer, and
 - (e) To establish and maintain such procedures as shall ensure that no expenditures are made by the Village, its departments commissions, or boards except as authorized by the budget.
- (2) Any department, commission, or board which refuses to make such information as requested of it available to the Budget Officer shall not be permitted to make expenditures under any subsequent budget for the Village until such department, commission, or board shall comply in full with the request of the Budget Officer.

C. Compilation and contents of budget. The Budget Officer shall compile a budget which contains estimates of revenues available to the Village for the fiscal year for which the budget is drafted, together with recommended expenditures for the Village and all of its departments, commissions, and boards. Revenue estimates and expenditure recommendations shall be presented in a manner which is in conformity with good fiscal management practices. The budget shall contain actual or estimated revenues and expenditures for the two years immediately preceding the fiscal year for which the budget is prepared. So far as is possible, the fiscal data for such two preceding fiscal years shall be itemized in the manner which is in conformity with the chart of accounts recommended above. Each budget shall show the specific fund from which each anticipated expenditure shall be made.

D. Passage of annual budget — effect.