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ORDINANCE #628

By Maule

AN ORDINANCE CREATING THE OFFICE OF CITY ADMINISTRATOR; PRESCRIBING HIS POWERS AND DUTIES; PROVIDING FOR AREAS OF AUTHORITY; PROVIDING FOR APPOINTMENT AND REMOVAL OF SUCH OFFICER; PROVIDING FOR DISABILITY OR ABSENCE FROM THE CITY; AMENDING SECTION 1-708, REVISED CODE OF PAYETTE, 1946, RELATING TO APPOINTMENT OF FIRE CHIEF AND ASSISTANT FIRE CHIEF; AMENDING SECTION 1-801, REVISED CODE OF PAYETTE, 1946, RELATING TO APPOINTMENT OF CHIEF OF POLICE AND ASSISTANT POLICE OFFICERS; AMENDING SECTION 1-802, REVISED CODE OF PAYETTE, 1946, RELATING TO THE TERM OF OFFICE OF CHIEF OF POLICE AND ASSISTANT POLICE OFFICERS; AMENDING SECTION 9-301, REVISED CODE OF PAYETTE, 1946, RELATING TO APPOINTMENT OF BUILDING INSPECTOR; PROVIDING FOR A SEVERANCE AND SAVINGS CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. Office CREATED. There is hereby created the office of CITY ADMINISTRATOR for the City.

Section 2. APPOINTMENT AND REMOVAL. Such office shall be filled by appointment by the Mayor, subject to the approval of the Council. Such officer may be removed at the pleasure of the Mayor, subject to the approval of the Council.

Section 3. RESIDENCE. At the time of his appointment, such officer need not be a resident of the City or State, but during tenure of office he shall reside within the City.

Section 4. QUALIFICATIONS. He shall be selected solely on the basis of his executive and administrative qualifications with special reference to his actual experience in and his knowledge of accepted practice in respect to the duties of the office as hereafter set forth.

Section 5. POWERS AND DUTIES. Such officer shall be the Chief Administrative Officer of the City government, shall enforce the laws of the City and require the faithful performance of all administrative duties, and shall:

(1) DUTIES:

(a) APPOINT, DISMISS, ETC. Appoint competent, qualified officers and employees; except City Clerk, City Treasurer, City Attorney, City Engineer, Police Judge, Chief of Police, and Fire Chief; and shall have the power to dismiss, suspend and discipline all officers and employees under his control. He shall also have the power to authorize a department head or officer responsible to him to appoint and remove subordinates serving under that department head or officer.

(b) APPOINT TO ACTING CAPACITY. Designate himself or some other officer or employee to perform the duties of any office or position under his control which is vacant or which lacks adminis-

tration due to the absence or disability of the incumbent.

(c) ANNUAL REPORT. Prepare and present to the Council an annual report of the City's affairs, including a summary of reports of department heads, and such other reports as the Council shall require.

(d) BUDGET REPORT. Assemble estimates of the financial needs and resources of the City for each ensuing year, and shall prepare a program of activities within the financial power of the City, embodying in it a budget document with proper supporting schedules and analysis.

(e) BUDGET ADMINISTRATION. Administer the budget as adopted under policies formulated by the Council, and keep the Council fully advised at all times as to the financial conditions and needs of the City.

(f) LIAISON. Carry out all Council directions and present all departmental request to the Council.

(g) PURCHASING AGENT. Act as purchasing agent for the purchase of all supplies, goods, wares and merchandise, equipment and material which may be required for the various departments, divisions, or services of said City, subject to the approval of the Mayor and Council.

(h) INVENTORIES. Maintain perpetual inventories of material and supplies for all departments.

(i) SUPERVISION AND INSPECTION. Supervise and inspect all City work, both Council directed and routine.

(j) PUBLIC RELATIONS. Investigate all complaints filed against any employee, department, division or service thereof and take appropriate action in connection therewith; cooperate with all community organizations whose aim and purpose is to advance the best interests of the City and its people.

(k) BUILDING INSPECTOR. Be the Building Inspector and perform all duties of that office.

(l) PLANNING. Procure facts and submit long range plans and programs to the City Planning Commission, the Mayor and Council.

(2) POWERS:

(a) ASSIGN PERSONNEL. Have the power to assign any employee of the City to any department or branch thereof requiring services appropriate to his qualifications and line of work.

(b) PRESCRIBE RULES. Have the power to prescribe such rules and regulations as he shall deem necessary or expedient for the conduct of departments and personnel subject to his authority, and he shall have the power to revoke, suspend, or amend any rule or regulation of the administrative service by whomever prescribed.

(c) INVESTIGATE. Have the power, either by himself or by any officer or person designated for the purpose by him, to investigate and to examine or inquire into the affairs or operation of any department, division, or office; and when so authorized by the Council, he shall have power to employ consultants and professional counsel to aid in such investigations, examinations, or inquiries.

(d) OVERRULE OFFICIALS. Have the power to set aside any action taken by a department head and may, except for officers appointed by the Mayor and Council, supersede him in the functions of his office.

(e) DELEGATE DUTIES. Have the power to direct any department, division or office to perform the work for any other department, division or office.

(f) APPEAR BEFORE COUNCIL. Shall appear before and have the power to address the Council at any meeting and participate in discussions.

Section 6. ABSENCE OR DISABILITY. The Council may appoint any qualified person to perform the duties of CITY ADMINISTRATOR in the event of his disability or absence from the City.

Section 7. COUNCIL RELATIONSHIP TO ADMINISTRATIVE SERVICE.

Neither the Council nor any of its members shall dictate the appointment of any person to office by the CITY ADMINISTRATOR or in any way interfere with the CITY ADMINISTRATOR or other City officer to prevent him from exercising his judgment in the appointment or employment of officers and employees in the administrative service.

Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the CITY ADMINISTRATOR and neither the Council nor any member thereof shall give orders to any of the subordinates of the CITY ADMINISTRATOR.

Section 8. Section 1-708, Revised Code of Payette, 1946, be and it hereby is amended to read as follows:

"1-708. Appointment and Term of Office. The fire chief shall be appointed by the Mayor with the approval of the City Council. His term of office shall be indefinite, but not to exceed two years, and he may be removed at the pleasure of the Mayor with the approval of the City Council."

Section 9. That Section 1-801, Revised Code of Payette, 1946, be and it hereby is amended to read as follows:

"1-801. Police Department Established. There shall be and hereby is established a police department for the City of Payette, which shall consist of a Chief of Police and such assistant police officers as may be authorized from time to time."

Section 10. That Section 1-802, Revised Code of Payette, 1946, be and it hereby is amended to read as follows:

"1-802. Appointment and Term of Office. The Chief of Police shall be appointed by the Mayor with the approval of the Council. His term of office shall be indefinite, but not to exceed two years, and he may be removed at the pleasure of the Mayor with the approval of the City Council."

Section 11. That Section 9-301, Revised Code of Payette, 1946, be and it hereby is amended to read as follows:

"9-301. Building Inspector. There is hereby created the office of Building Inspector whose duty shall be as follows:

"1. To enforce all ordinances relating to the construction, equipment, management, and condition of all property within the City of Payette.

"2. To supervise the construction or reconstruction of all buildings.

"3. To report monthly to the Mayor or Council regarding the condition of the City on all matters pertaining to fire prevention.

"4. To prosecute all violations of the Building Ordinances of the City."

Section 12. CONSTITUTIONAL DECLARATION. The provisions of this Ordinance are severable and if any sentence, phrase, clause or section thereof is, for any reason, held to be unconstitutional or invalid, the decision of the Court shall not affect the validity of the remaining portions of the Ordinance.

Section 13. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Passed by the Council this 6th day of July, A.D. 1959.

Approved by the Mayor this 6th day of July, A.D. 1959.

G. Clausen
Mayor

ATTEST: *Alice Bulmer*
City Clerk