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ORDINANCE NO. 12.

An ordinance concerning the powers and duties of the city officers.

Be it ordained by the Mayor and Council of the City of Payette:°

Section I. The city attorney shall prosecute all actions for the breach of city ordinances.

Section II. The city attorney shall, when requested by the council, draw all ordinances, by-laws, and other legal documents, unless the city council shall employ assistance for him, ~~in which case all such work shall be done under his personal supervision.~~ He shall also, when requested by any officer of the city, or the city council, give to such officers legal advise upon such matters as may relate to the welfare of the city, or, official action of such officers.

Section III. The city attorney shall prosecute all suits for the recovery of fines and penalties which may be brought in any court, and also to institute and defend all suits that may be brought in any court, when the City of Payette or any of the officers thereof may, on account of their official capacities, be parties.

He shall cause executions to be issued on judgments which may be in his opinion, recovered, and attend to their prompt collection.

All moneys received by him on account of said City of Payette shall be paid to the city clerk.

Section IV. The city attorney is hereby authorized and empowered by and with the ^{advice and} consent of a majority of the city council, to take appeals in all cases, where, in his judgment, the interests of the city require it to be done, and to prosecute and defend, the same in any court, and, for the purpose of carrying into effect the provisions of this section, he is authorized to make the necessary affidavits, and to prepare, in the name of the city, the appeal, or other bonds or instruments, which bonds must be duly executed by the proper officers, upon request so to do by the city attorney.

Section V. The city attorney shall have the right to be heard upon all questions or motions before the council, at either regular or special meetings thereof.

Section IV. Upon demand and payment of such fees therefor, as a county recorder of the State of Idaho might receive for similar services, the city clerk shall furnish to any person applying therefor a copy of any records, papers or documents of any kind in his possession, which copy shall be certified to under his hand and seal of office.

All such fees shall be duly accounted for and paid to the treasurer in the same manner as other receipts of the clerk are paid in and accounted for.

Section V. The city clerk shall draw all warrants on the city treasurer that shall be ordered by the city council, and such other warrants for compensation of officers or other purposes as may now, or hereafter ^{be} provided for by ordinance of the City of Payette.

Section VI. The city clerk shall buy all books of account, stationery, receipts, books, blanks, etc., that shall be necessary for the use of the corporation or its officers, whenever they may be ordered by the city council.

Section VII. The city clerk shall be ex officio city auditor, and as such auditor shall be ^{the} general accountant of said city, and shall be constantly acquainted with the condition of the city treasury, and each demand thereon, and shall furnish to the city council any desired information as to the condition of such treasury, or any fund thereof, whenever requested so to do by such city council, ^{or} any committee, or member thereof.

Section VIII. The city clerk as such auditor, shall keep, according to some established system of bookkeeping, all accounts between the city and its officers or other persons, and shall keep an official record of all demands on the treasury allowed by him, showing the number, date, amount, name of original holder, on what account allowed, and out of what fund payable.

City Clerk, Ex Officio Collector and Auditor. ___ Article II.

Section I. The city clerk shall be the keeper of the seal of the city, and shall affix it to all instruments and papers, which by law or ordinance, are required to be attested by the seal of the city. He is to have the custody of, and to safely keep all public records, documents, ordinances, and orders of the city council, and such other papers and documents, in which the city is interested, as may be delivered into his custody for safe keeping.

Section II. It shall be the duty of the city clerk to attend all meetings of the city council, keep minutes of all their proceedings, and record the same in a book to be provided by the city council, and to be kept in his office. He shall countersign all warrants upon ^{drawn} and deliver the same when called for by the proper parties. It shall draw and countersign all warrants ^{respecting} the treasurer for compensation of officers upon their request, provided, he shall not in any case draw or sign a warrant for any such compensation that is not at the time of signing such warrant, shown to be clearly due such officer.

He shall issue such licenses as are provided for by ordinance, and do and perform such other duties as may from time to time be enjoined upon him by ordinance or resolution of the city council.

He shall also, at the close of each fiscal year, and oftener, if required by the council, make out and lay before them a full and complete statement of receipts and expenditures, and all the fiscal affairs of the city during such year, and cause the same to be published in some newspaper published in the City of Payette.

Section III. The city clerk shall be ex officio collector of the city, and shall, in such capacity, receive all moneys due the city from any source whatever, and shall issue proper receipts therefor, to the officers or persons entitled thereto.

He shall, upon the first Monday of each month, deliver to the city treasurer any and all such sums of money received by him as such collector during the previous month, together with a statement of the different accounts upon which the several sums were received, and shall take the treasurer's receipt for the gross amount so deposited with the treasurer.

CITY Treasurer _____ Article III.

Section I. The city treasurer shall, upon upon the first Monday of each month, receive from, and safely keep all moneys belonging to the city, received by the clerk during the preceding month. He shall keep a true and correct account thereof, stating from whom and on what account received, and shall give the city clerk a receipt therefor.

Section II. He shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto.

He shall pay from the treasury all such sums as he may be authorized so to do by warrants duly signed by the mayor, or, in case of his absence, by the president of the council, and countersigned by the city clerk, provided such warrant distinctly states on its face for what the money is appropriated, to whom payable, and on what fund drawn, and not otherwise; Such warrant shall be his voucher therefor.

He shall also, on the first Thursday of August, November, February and May, in each year, and oftener, if required by the council, make out and lay before *the* council a full and complete statement of receipts and expenditures of all the financial affairs of the City during the preceding quarter of that fiscal year, and cause the same to be published in some newspaper published in the City of Payette

Road Overseer _____ Article IV.

Section I. It shall be the duty of the road overseer to superintend all public works and improvements that may be made from time to time on the streets and alleys of the city, and to carry into effect all orders of the city council in relation thereto.

Section II. Any person who shall make payment to the road overseer in either labor or money, of the amount due from him to the town, on account of his road tax, shall be given a receipt therefor by the ~~re~~ road overseer, which receipt must be numbered to correspond with a stub which shall be retained by the officer, and upon which stub shall be entered the name of the party to whom the receipt was given, the amount received, and for what purpose.

Section III. The road overseer shall issue no receipts for labor, not taken from the proper receipt book given him by the cler

and must return the stubs of such book to the clerk when the blank receipts on any book shall have been exhausted, and, whether exhausted or not, such book must be turned over to the clerk at the end of the fiscal year, and such commissioner shall be liable for any such receipts not satisfactorily accounted for by him to the city council at their last regular meeting.

Section IV. Any person notified as above by the road overseer shall work only in such place or portion of the streets as such officer shall designate, and in case of failure so to do, shall not be entitled to a receipt for such labor and road tax on account of such labor.

Section V. The road overseer shall pay all money received on account of road tax, to the city clerk, on or before the last day of each month, that may have been received by him for such tax during *that* month, taking his receipt therefor.

Section VI. The road overseer shall not pay out any money that may come into his hands on account of road tax, for any of the purposes of his office, but he shall O. K. all such claims made against the city for labor or material supplied to him at his request, for the purposes consistent with his office, which he may consider just.

Section VII. The road overseer shall, at each regular meeting of the city council present a detailed report of all his transactions of every kind whatever, as such officer, for the preceding calendar month.

Section VIII. It shall be the duty of the road overseer to find employment upon the streets of the city for any person who may be required to labor upon such streets in default of payment of judgment against them by the city for breach of ordinance thereof.

City Marshal _____ Article V.

Section I. It shall be the duty of the city marshal as ex officio chief of police, to perform all such duties as may be required of him by the mayor of the City of Payette: to see that all ordinances of the city are enforced so far as he may have authority by statute or otherwise to do so; to arrest all offenders against any of the said ordinances, and procure all the evidence that may be necessary for the purpose of convicting any such offenders.

Section II. The city marshal shall, at all regular meetings of the city council, present a detailed report of all his transactions of every kind whatever, as such officer, for the preceding calendar month.

City Engineer _____ Article VI.

Section I. The city engineer shall give lines and grades of all existing streets and alleys within the city limits. He shall give the grades and lines of all new side-walks; he shall give grades and levels for roads, ditches, culverts, or drains for surface drainage, and he shall assist the council and any of their committees in any and all such works.

Section II. All ordinances in conflict with this ordinance are hereby repealed.

Passed and approved this 9 day of Sept 1903.

)) E. M. Waters
Mayor

Attest: Geo W. Baker

Clerk.