

ORDINANCE NUMBER 153

POWERS AND DUTIES OF THE MAYOR

AN ORDINANCE DEFINING THE POWERS AND DUTIES OF THE MAYOR.

Be it ordained by the Council of the Town of Buffalo, Iowa:

Section 1. The Mayor shall by the presiding officer of the Council, with the right to vote only in case of a tie.

Section 2. He shall be the chief executive officer, and it shall be his duty to enforce all regulations and ordinances. He shall be a conservator of the peace, and within the city limits shall have the powers conferred upon sheriffs to suppress disorders. He may, upon view, arrest anyone guilty of a violation of any regulation or ordinance, or of any crime under the laws of this State. He shall, upon information supported by affidavit, issue process for the arrest of any person charged with violation of any ordinance of the Town. He shall supervise the conduct of all officers, shall examine the grounds of complaints made against them, and cause all neglect or violation of duty to be corrected, or report the same to the proper tribunal that they may be dealt with as provided by law.

Section 3. He shall have exclusive jurisdiction of all actions or prosecutions for violation of the ordinances, in other criminal matters, the jurisdiction of the Justice of the Peace, co-extensive with the County, and in civil cases, the same jurisdiction within the Town as a Justice of the Peace has within the Township. When an information is filed before the

Mayor for the violation of any ordinance, he may, upon his own motion only, at any time after the information is filed and before the trial, transfer the case for further proceedings to any Justice of the Peace within the Town, and the Justice of the Peace, for further proceedings in the case, shall have jurisdiction thereof to the same extent and with the same power and like limitations as the Mayor.

Section 4. He shall keep an office at some convenient place in the Town to be provided by the Council, and shall keep the corporate seal thereof in his charge, and attach the same to all warrants, orders or certificates which it may be necessary or proper to authenticate.

Section 5. He shall sign all commissions, licenses and permits granted or issued by the authority of the Council, authenticate all ordinances in the ordinance record book, and do such other acts as may require his signature or certificate.

Section 6. He shall, at the first regular meeting of the newly elected Council in January, and at such other times as he may deem expedient, report to the Council concerning the affairs of the Town and recommend such measures as to him may seem advisable.

Section 7. He shall sign every ordinance and resolution passed by the Council, before the same shall be in force, and if he refuses to sign any such ordinance or resolution, he shall call a meeting of the Council within fourteen days thereafter, and return the same, with his reason therefor,

If he fails to call the meeting within the time fixed above, or fails to return such ordinance or resolution with his reasons, as herein required, such ordinance or resolution shall become operative without such signature. Upon the return of any such ordinance or resolution by the Mayor to the Council, it may pass the same over his objection, upon a call of the yeas and nays, by not less than two-thirds vote of the Council.

Section 8. He shall appoint a health physician, a street commissioner and a marshal, who shall be ex-officio a chief of the police and he may also appoint one or more deputy marshals. He shall appoint as many policemen as the Council by general ordinance shall direct and such officers shall hold their positions during the pleasure of the Mayor. He may, in cases of emergency, appoint such special policemen as he may think proper, reporting such special appointments to the Council at its next regular meeting, all such special appointments to continue in force until such meeting unless sooner terminated by the Mayor, and shall appoint such other officers as shall be provided by ordinance.

Section 9. He shall, in behalf of the Town, sign all contracts made between the Town and any other party, where the contracts are authorized or directed to be made by the Council, except in cases where some other person or a committee is especially authorized to do so. He shall see that all contracts made with the Town are faithfully performed by the contracting

parties, and in all suits conducted before any tribunal other than the Mayor's court, and when the Town is a party interested in the results, he shall advise with and, as far as practicable, assist the Town's attorney in collecting the testimony, conducting the trial, or protecting the interests of the Town.

Section 10. In all cases where the contracts are executed, either by the Mayor, a committee, or other person authorized, it shall be the duty of the person executing the contract on the part of the Town, to immediately file such contract with the Clerk and cause to be delivered to the other contracting party a copy thereof, if such party so requires.

Section 11. He shall at no time appropriate any money, warrants or property in his possession belonging to the Town for the payment of his salary or for any other purpose but shall pay over monthly to the Clerk all money or warrants coming into his hands belonging to the Town.

Section 12. On receipt of the written notice by the County Treasurer provided for by the laws of the State, stating the amount of money collected for each Town fund up to the first day of that month, the Mayor shall at once draw an order therefor in favor of the Town Treasurer, countersigned by the Clerk and upon the County Treasurer, and deliver or send such order to the County Treasurer.

Section 13. He shall report monthly to the Council all offenses against the ordinances of the Town and the amount of fine imposed for such offense, and the amount of fine and costs collected in each case, and also a statement of all licenses issued, the number, to whom issued, for what purpose, and the amount charged.

Section 14. All books and records required by law or ordinance to be kept by the Mayor shall at all times be open to the inspection of the public.

Section 15. He shall have such other powers and perform such other duties as may be provided by the Council, the ordinances or the laws of the State and shall transmit to his successor in office all books, papers, records, documents and property, together with invoice of the same in his custody, or appertaining to his office.

Section 16. This ordinance shall be in force and effect from and after its passage and publication as provided by law.

Section 17. All costs collected by the Mayor while in the performance of his duties as magistrate in the Mayor's court shall become the property of the Mayor as his compensation for such duties.

Passed by the Council of the Town of Buffalo, Iowa this 6th day of March, 1972.

Approved by the Mayor of the Town of Buffalo, Iowa this 6th day of March, 1972.

Warren C. Moore, Mayor

Attest: Louis Mc Adams Jr., Clerk