

10-3b-203 Council in a council-mayor form of government.

- (1) The council in a municipality operating under a council-mayor form of government:
 - (a) shall:
 - (i) by ordinance, provide for the manner in which:
 - (A) municipal property is bought, sold, traded, encumbered, or otherwise transferred; and
 - (B) a subdivision or annexation is approved, disapproved, or otherwise regulated;
 - (ii) pass ordinances, appropriate funds, and review municipal administration;
 - (iii) perform all duties that the law imposes on the council; and
 - (iv) elect one of its members to be the chair of the council;
 - (b) may:
 - (i) adopt an ordinance, to be known as the municipal administrative code:
 - (A) dividing the municipality's administrative service into departments, divisions, and bureaus;
and
 - (B) defining the functions and duties of each department, division, and bureau;
 - (ii) adopt an ordinance:
 - (A) creating, consolidating, or abolishing departments, divisions, and bureaus; and
 - (B) defining or altering the functions and duties of each department, division, and bureau;
 - (iii) notwithstanding Subsection (1)(c)(iii), make suggestions or recommendations to a subordinate of the mayor;
 - (iv)
 - (A) notwithstanding Subsection (1)(c), appoint a committee of council members or citizens to conduct an investigation into:
 - (I) an officer, department, or agency of the municipality; or
 - (II) any other matter relating to the welfare of the municipality; and
 - (B) delegate to an appointed committee powers of inquiry that the council considers necessary;
 - (v) make and enforce any additional rule or regulation for the government of the council, the preservation of order, and the transaction of the council's business that the council considers necessary; and
 - (vi) take any action allowed under Section 10-8-84; and
 - (c) may not:
 - (i) direct or request, other than in writing, the appointment of a person to or the removal of a person from an executive municipal office;
 - (ii) interfere in any way with an executive officer's performance of the officer's duties; or
 - (iii) publicly or privately give orders to a subordinate of the mayor.
- (2) A member of a council in a municipality operating under the council-mayor form of government may not have any other compensated employment with the municipality.

Enacted by Chapter 19, 2008 General Session