

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