

1-15-1 TOWN MANAGER OFFICE CREATED; ADMINISTRATIVE PROVISIONS

- A. Office Created: The office of the Town Manager, which shall be known as "Town Manager", is created and established pursuant to Utah code section 10-3b-403. The Town Manager shall be referred to as the Town Manager and is the chief administrative officer of the Town.
- B. Control: The powers, duties and functions of the office of Town Manager shall be subject to the control and policies of the Town ~~Council~~pursuant to Town ordinance and resolution.
- C. Appointment: The ~~Town Council~~Mayor shall appoint the Town Manager with the advice and consent of the Town Council, ~~who shall be appointed~~ on the basis of education and experience in administrative, executive abilities and qualifications.
- D. Bond: Before taking office, the Town Manager shall furnish a fidelity bond, at the expense of the Town, in the amount of one million dollars (\$1,000,000.00), conditioned upon the faithful performance of his or her duties, with a corporation licensed to do business in this state as a surety. Such bond shall be filed with the Town Clerk after the Town Manager is appointed and ~~being~~ approved by the Town Council.
- E. Term Of Office: The Town Manager shall serve at the pleasure of the Mayor and Town Council and may be removed at any time, with or without cause, by a majority vote of the Town Council.
- F. Employment Agreement: Nothing in this chapter shall be construed as a limitation on the power or authority of the Town Council to enter into any employment agreement with the Town Manager with additional terms and conditions of employment not inconsistent with any provisions of this chapter.
- G. Salary: The salary and other compensation of the Town Manager shall be established by the Town Council in accordance with Utah law.
- H. Office And Time Spent: The Town Manager shall maintain an office in the Town offices and shall spend such time in the performance of the duties of Town Manager as is necessary or may be required from time to ~~time by the Town Council~~perform the duties as assigned in Town ordinance or resolution. The Town Manager shall not accept any outside employment in addition to employment by the Town without prior approval of the Town Council.
- I. Residence: The Town Manager need not be a resident of the Town at the time of the Town Manager's appointment or thereafter.
- J. Resignation: Before voluntarily resigning from the position of Town Manager, the Town Manager shall give the Town Council at least thirty (60) days' written notice of his or her intent to resign.

1-15-1 TOWN MANAGER POWERS, DUTIES, OBLIGATIONS

- A. Town Manager Duties: Pursuant to the policies and programs established by the Town Council, and under the direction and oversight of the ~~Town Council~~ Mayor and except as otherwise set forth by the Town Council in ordinance, resolution, motion, or this code, the Town Manager shall:
1. Manage the internal affairs of the Town; develop, recommend and implement Town policies, practices, rules, regulations and procedures; report to the Mayor; report to the Town Council at least monthly; advise the Town Council regarding policy options and implementation procedures; carry out legislative directives and decisions; and administer contracts.
 2. Establish and maintain effective working relationships with the Mayor, Town Council, ~~the~~ Town staff, employees, citizen committees, special interest groups, media, contractors, public vendors and representatives from other municipal, county, special district, state and federal agencies.
 3. Consistent with the direction of the ~~Town Council~~ Mayor, be responsible for the full and effective use of Town personnel by establishing, in consultation with the Town attorney, ~~department directors, division heads or~~ and other management employees, overall department objectives, priorities and standards consistent with the goals, direction, and objectives of the Town Council; serve as a facilitator in the achievement by Town departments of Town Council goals by coordinating effective implementation of Town service levels, ordinances, resolutions, rules, regulations and directives; exercise managerial control to ensure that the Town government and its respective departments function in the most efficient and effective manner.
 4. Except for the purpose of inquiry, the Town Council and its members shall deal with the administration solely through the Town Manager and neither the Council, nor any member thereof, or the Mayor shall give orders to any subordinates of the Town Manager, either publicly or privately.
 5. Represent the Town at various meetings or other functions and respond to requests or inquiries about Town policies, rules, ordinances, regulations, resolutions or services rendered by the Town government.
 6. Enforce all applicable laws, ordinances, rules, regulations, and policies of the Town. Assure that all franchises, leases, permits, licenses, contracts and privileges granted by the Town are fully performed and observed. [May need to split out criminal/civil violation enforcement]
 7. Recommend and prepare for consideration by the Town Council and advisory committees long range strategic plans and programs to provide for the health, safety, and welfare of the current and future inhabitants of the Town; furnish reports to the Town Council as requested.
 8. Except as otherwise provided, be responsible for the overall personnel management, function, and implementation of Town personnel ordinances, rules, and regulations that have been adopted, approved, or revised by the Town Council; coordinate personnel ordinances and rules and regulations adopted by the Town Council; coordinate personnel functions with staff such as recruitment,

selection, and appointment; monitor personnel actions, promotion, discipline, demotion, separation and reclassification; coordinate personnel decisions with department directors; coordinate activities of individuals rendering professional services under contract with the Town.

9. The Town Manager may examine and inspect the books, records, and official papers of any office, department, agency, board, or commission of the Town and make investigations and require reports from or about all personnel.
 10. The Town Manager shall promptly notify the Mayor and Town Council of any emergency existing in the Town, or in a Town department or body.
 11. Create all necessary departments as approved by the Town Council. Create all necessary departments, sections, and offices necessary for the government of the Town; prepare recommendations for the Town Council regarding the addition, deletion, or reduction in municipal services.
 12. Attend and participate in all meetings of the Town Council unless otherwise excluded by the Town Council in a closed executive session, but shall not have a right to vote in said meetings.
 - ~~13. Approve and sign commercial and residential subdivision plats on behalf of the Town.~~
 - ~~14.~~13. Perform all other duties and obligations, and exercise the powers set forth by ordinance, resolution, regulation, or directive imposed by the Town Council.
- B. Department Cooperation: It shall be the duty of all ~~subordinate~~ employees to cooperate with the Town Manager in administering the affairs of the Town efficiently, economically, and harmoniously.
- C. Planning And Land Use: Notwithstanding the foregoing, the Town Manager shall exercise no authority over the planning commission or an appeal and variance hearing officer.
- D. Performance Evaluation: The Town Council shall evaluate, at least annually, the performance of the Town Manager.
- E. Powers Of The Mayor Not Delegated: Nothing in this chapter shall be construed to delegate to the Town Manager the legislative and judicial powers of the mayor, the mayor's position as chief executive officer of the Town pursuant to Utah code section 10-3b-104(1)(a), chairperson of the Town Council, or any ex officio position which the mayor shall hold.
- F. [Designate chain of succession of Town Manager?]

If, because of natural or human-caused disaster or emergency situation, absence, disability or death, the Town Manager is unable to carry out the duties imposed by this chapter, the duties and authorities of the Town Manager shall be exercised by one of the following municipal officials, in the order indicated, until the Town Manager or a person

higher on the priority list becomes capable of exercising such duties:

1. Mayor;
2. Mayor Pro Tem;
3. Council Members in order of seniority on Town Council;

The exercise of interim successor duties pursuant to this subsection shall be promptly reported to the members of the Town Council as soon as practical by the person assuming those duties.