

CHAPTER 2
OFFICERS AND EMPLOYEES

Revised Chapter 2, Ordinance #2011-11, Adopted 11/08/11, Amended 02/05/18

2-101

OFFICERS

The officers of the City shall include the following: City Attorney, City Administrator, Public Works Director, Finance Officer, Chief of Police, and such additional officers as may be deemed necessary for the proper administration of municipal business. Such officers shall be hired by the Mayor and Council Members and shall hold office until their successors are duly hired and qualified.

- a) Oath of Office: Each officer and such other officers as may be required shall take an oath of office before entering upon the discharge of duties. The oath shall be subscribed by the person taking it and shall be filed and preserved in the Finance Office.
- b) Removal of Officials: The Mayor shall have the power to remove any official whenever he/she shall be of the opinion that the interest of the City demands a removal. The Mayor shall report the reason for such removal to the Council at a regular or special meeting to be held not less than five (05) nor more than fifteen (15) days after such removal. If the Mayor shall fail or refuse to file with the Finance Officer a statement of the reason for the removal or if the Council by a two-thirds vote of all its members as authorized by law, disapproves the removal, the official shall thereupon become restored to said office. No official shall be removed a second time for the same incident.

2-201

CITY ADMINISTRATOR

- a) Creation of Office. The office of the City Administrator is hereby created.
- b) Powers and Duties of City Administrator. The City Administrator shall be the chief administrative officer of the City and shall be responsible to the Mayor and City Council for the proper administration, coordination and delegation of all affairs of the City. The City Administrator shall have the powers and shall be required to perform the duties as set forth from time to time by the City Council by resolution. The City Administrator may also hold more than one office including that of the Finance Officer.
- c) Bond. The City Administrator shall furnish a surety bond in such amount as is approved by the Mayor and City Council, said bond to be conditioned on the faithful performance of all the City Administrator's duties. The premium of the bond shall be paid by the City.
- d) Compensation. The annual salary of the City Administrator is to be fixed by resolution and to be paid monthly by warrants.

2-202

CITY FINANCE OFFICER

- a) Duties of the Finance Officer. The Finance Officer shall in all things perform any duties required by state law to be performed by the city finance officer, city auditor or the city treasurer. Any references in state law to duties, obligations or requirements of the city finance officer, city auditor or city treasurer shall be deemed as reference to and duties of the Finance Officer.

- b) Revenues and Special Funds. All money belonging to the City from taxation, licenses, fines, permits, the operation of utilities, or from any other source, shall be paid into the City treasury, and the City Council shall designate by ordinance to what fund or funds such money shall be applied. The Finance Officer shall keep full, true and just accounts of all financial affairs of such form and in such manner from time to time as required by the South Dakota Department of Revenue. (SDCL 9-14-18)
- c) Bond. The Finance Officer shall furnish a surety bond in such amount as is approved by the Mayor and City Council, said bond to be conditioned on the faithful performance of the Finance Officer's duties. The premium of the bond shall be paid by the City.
- e) Compensation. The annual salary of the City Finance Officer is to be fixed by resolution and to be paid monthly by warrants.

2-203

CITY ATTORNEY

- a) Duties. The City Attorney shall draft all legal documents required of him/her and act as the legal advisor to the city. The City Attorney shall furnish opinions, on request, of the Mayor or Council, prosecute violations of city ordinances, represent the city in any court action, and perform other services required by nature of the office.
- b) Compensation. The salary of the City Attorney is to be determined by and set by an employment contract between the governing board of this city and City Attorney, which contract and the resulting salary shall be negotiated between them.

2-204

CHIEF OF POLICE

- a) Duties and responsibilities. The Chief of Police shall have charge of all members of the police force, subject to the powers of the Mayor. All Police Officers shall possess the power of constables and shall enforce the laws of the state and ordinances of the city. While on duty each police officer shall display the insignia of his office, except when otherwise required and he shall be orderly in conduct, refrain from violent and insolent language, and shall abstain from intoxication or other dereliction of duty.
- b) Compensation. The annual salary of the Chief of Police is to be fixed by resolution and to be paid monthly by warrants.

2-205

PUBLIC WORKS DIRECTOR

- a) Duties. The Director of Public Works performs supervisory duties in administering the maintenance and repair activities on streets, wastewater, water, airport, rubble site, swimming pool, parks and related public works. Duties involve organizing, assigning, and reviewing the operations.
- b) Compensation. The annual salary of the Public Works Director is to be fixed by resolution and is to be paid monthly by warrants.