

CHAPTER 146

MAYOR-COUNCIL FORM OF CITY GOVERNMENT

S. F. 28

AN ACT to provide for the government of cities and towns under the mayor-council form of municipal government, and to repeal various sections of chapter three hundred sixty-three (363), Code 1950, relating thereto and to enact a substitute therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 Sections one (1) to four (4) hereof are hereby enacted as a new
2 chapter to be added to Title XV, Code 1950.

1 SECTION 1. **Applicability of chapter.** All incorporated cities and
2 towns which are not under the commission, city manager by ordinance,
3 or city manager by popular election forms of government shall be
4 considered as having the mayor-council form of government and the
5 provisions of this chapter shall be applicable.

1 SEC. 2. **Councilmen—number and election.** Towns operating un-
2 der the mayor-council form of government shall have a council com-
3 posed of five councilmen at large, elected by the entire electorate.
4 Cities operating under the mayor-council form of government may
5 have a council composed of five councilmen at large, or may have a
6 council composed of two councilmen at large, and one councilman from
7 each ward; but if any city embraces within its limits the whole or part
8 of two or more townships, two of which parts contain one thousand
9 or more electors, only one councilman at large shall be chosen from
10 any one township.

1 SEC. 3. **Appointment of officers.** The mayor shall appoint the fol-
2 lowing officers:

3 1. A marshal, and such other police officers, including police matrons
4 as may be provided by ordinance.

5 2. Such other officers as the council may, by ordinance, direct him
6 to appoint.

7 The council shall elect all other officers.

8 The prior civil service rights of any person appointed to any position
9 under this section shall not be abridged by such appointment.

1 SEC. 4. **Compensation of other officers.** The council shall prescribe
2 the rate of compensation of all elected or appointed officers or em-
3 ployees, whose compensation is not fixed by law.

1 SEC. 5. Section three hundred sixty-three point nine (363.9), Code
2 1950, is hereby repealed.

1 SEC. 6. Sections three hundred sixty-three point eleven (363.11),
2 three hundred sixty-three point twelve (363.12), and three hundred
3 sixty-three point fifteen (363.15), Code 1950, are hereby repealed.

1 SEC. 7. Sections three hundred sixty-three point thirteen (363.13)
2 and three hundred sixty-three point fourteen (363.14), Code 1950, are
3 hereby repealed.

1 SEC. 8. Sections three hundred sixty-three point forty-one
 2 (363.41), three hundred sixty-three point forty-four (363.44), and
 3 three hundred sixty-three point forty-five (363.45), Code 1950, are
 4 hereby repealed.

Approved May 2, 1951.

CHAPTER 147

GENERAL POWERS OF MUNICIPAL OFFICERS

S. F. 164

AN ACT to define the general powers and duties of municipal officers and to repeal various sections of the Code relating thereto and to enact substitutes therefor.

Be It Enacted by the General Assembly of the State of Iowa:

GENERAL POWERS AND DUTIES OF MUNICIPAL OFFICERS

The Administration

1 SECTION 1. The council. In all municipal corporations, except
 2 when otherwise provided by laws relating to a specific form of mu-
 3 nicipal government, the council shall:

4 1. *First meeting.* After taking office, assemble, organize and ap-
 5 point a clerk.

6 2. *Meetings.* Determine the time and place of holding their meet-
 7 ings, which at all times shall be open to the public, and in the absence
 8 of the mayor or clerk appoint a temporary chairman or clerk, as the
 9 case may be, from their own number, which appointment shall be en-
 10 tered of record. A majority of the whole number of members to which
 11 the corporation is entitled shall be necessary to constitute a quorum.

12 3. *Special meetings.* Hold special meetings when called by the
 13 mayor or a majority of the members of the council. Notice thereof
 14 shall be given personally or left at the usual place of residence of each
 15 member of the council, and a record of the services of notice made
 16 by the clerk.

17 4. *Rules—journal.* Determine the rules of their own proceedings,
 18 and cause to be kept a journal thereof which shall be open to public
 19 inspection.

20 5. *Attendance of members.* Have power to compel the attendance
 21 of absent members in such manner and under such penalties as they
 22 may prescribe.

23 6. *Seal.* Cause to be provided a seal in the center of which shall
 24 be the name of the city or town, and around the margin the words
 25 "city seal" or "town seal", as the case may be, which shall be affixed
 26 to all transcripts, orders, or certificates which it may be necessary
 27 or proper to authenticate.

28 7. *Appointments.* Have power to appoint an attorney, city clerk,
 29 engineer, health officer, and such other officers, assistants and em-
 30 ployees as are provided by ordinance and are necessary for the proper
 31 and efficient conduct of the affairs of the municipal corporation, and
 32 fix the terms of employment which may include vacations, retirement
 33 plans and sick leave.