Chapter 2.04 Executive Branch - Mayor

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2.04.010 Chief Executive Officer

The Mayor is the chief executive officer of the City.

Enc Ord 367 March 18, 1993, Charter 3.01, Enc Ord 395 July 1, 1998

2.04.015 Qualifications for Office

Residents of the City of Dillon who are twenty-one (21) years of age or older and citizens of Montana for at least three (3) years and residents of Dillon for at least two (2) years preceding the election to office are eligible to hold the office of Mayor.

Enc Ord 367 March 18, 1993, Charter 3.02, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018

2.04.020 Term of Office

The Mayor is elected to a four (4) year term of office.

Enc Ord 306 January 3, 1973, Enc Ord 367 March 18, 1993, Charter 3.03, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018

2.04.025 Election

The Mayor is nominated and elected at large on a nonpartisan basis.

Enc Ord 306 January 3, 1973, Enc Ord 367 March 18, 1993, Charter 3.04, Enc Ord 395 July 1, 1998

2.04.030 Vacancy from Office

The office of Mayor becomes vacant as prescribed by law.

Enc Ord 367 March 18, 1993, Charter 3.05, Enc Ord 395 July 1, 1998

2.04.035 Removal from Office

The Mayor may be removed from office by a finding, adopted by the affirmative vote of five (5) Council members that the office has become vacant as prescribed by law, or by the recall of the Mayor by the electors of Dillon as prescribed by law.

Enc Ord 367 March 18, 1993, Charter 3.06, Enc Ord 395 July 1, 1998

2.04.040 Filling Vacancy of Mayor

When a vacancy occurs in the office of Mayor, the position is considered open and subject to nomination and election at the next general municipal election, except the term of office is limited to the unexpired term of the person originally creating the vacancy. Pending such election and qualification, the Council must appoint, by the affirmative vote of five (5) Council members, a person possessing the qualifications for office required by law and the City Charter within thirty (30) days of the vacancy to hold the office until the successor is elected and qualified.

Enc Ord 367 March 18, 1993, Charter 3.07, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018

2.04.045 Powers and Duties

The Mayor must:

1. enforce laws, charter, ordinances and resolutions;
2. perform duties required of him by law, Charter, ordinance or resolution;
3. administer affairs of city government;
4. carry out policies established by the Council;
5. recommend measures to the Council;
6. report to the Council on the affairs and financial condition of the city government;
7. execute bonds, notes, contracts, and written obligations of the Council, subject to the approval of the Council;
8. report to the Council as the Council may require;
9. prepare the Council agenda, preside at Council meetings and may take part in discussion;
10. execute the budget adopted by the Council;
11. appoint, with the consent of the Council, all members of boards; except the Mayor may appoint without the consent of the Council, temporary advisory committees established by the Mayor.

Enc Ord 367 March 18, 1993, Charter 3.08, Enc Ord 395 July 1, 1998

2.04.050 Administrative Duties

The Mayor may:

1. prepare the budget in consultation with the Council and department heads;
2. appoint one or more administrative assistants to assist in the supervision and operation of the local government, and such administrative assistants are answerable solely to the Mayor;
3. appoint and remove, with the consent of the Council, all department heads and appoint and remove all other employees in consultation with the appropriate department heads;
4. exercise control and supervision of all departments and boards to the degree authorized by ordinance.

Enc Ord 367 March 18, 1993, Charter 3.09, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018

2.04.055 Legislative Authority

1. The Mayor decides all tie votes of the Council, but has no other vote.
2. The Mayor may veto ordinances and resolutions, subject to override by the affirmative vote of six (6) Council members.

Enc Ord 367 March 18, 1993, Charter 3.10, Enc Ord 395 July 1, 1998

2.04.060 Calling Special Council Sessions—Conservator of Public Peace

The Mayor, when necessary, and must on request of two Council members call special meetings of the Council. He must cause the Chief of Police to notify all Councilpersons of special meetings of the Council.

The Mayor is the conservator of public peace of the City and may call to his/her assistance the City Police, and in cases where necessary, the citizens of the City, or the Governor may be called upon for the aid of the militia to aid in quelling or preventing riots, mobs or unlawful assemblage. Police officers or citizens who refuses to obey his/her orders must, on conviction, be fined a sum not exceeding twenty-five dollars ($25).

Enc Ord 367 March 18, 1993, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018

2.04.065 Health Jurisdiction

The Mayor has full jurisdiction within the City and within three miles thereof for enforcement of quarantines or health ordinances or regulations for protection of the City and its inhabitants from infectious and contagious diseases.

Enc Ord 367 March 18, 1993, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018

2.04.070 City Seal Custodian

The Mayor is the custodian of the City seal and must affix such seal to all proper papers and documents.

Enc Ord 367 March 18, 1993, Enc Ord 395 July 1, 1998

2.04.080 Statutory Provisions of the Mayor

The Mayor has the following statutory powers as defined in State Code:

1. Bid for the City on any property sold at a tax or judicial sale whenever the City is an interested party;
2. Take and administer such oaths as deemed proper;
3. Grant pardons and remit fines and forfeitures for offenses against City ordinances when in his/her judgment public justice would be thereby served; but all pardons granted must be reported, with the reasons therefore, to the next regular City Council meeting.

Enc Ord 456 February 7, 2018

2.04.100 Compensation

The Mayor’s compensation for services rendered to the City is set annually by the City Council. In addition to their regular salary, the Mayor is entitled to legitimate and documented expenses incurred when performing duties as Mayor.

Enc Ord 367 March 18, 1993, Charter 3.11, Enc Ord 395 July 1, 1998, Amended Ord 456 February 7, 2018