

ORDINANCE NO. 21-11

AN ORDINANCE AMENDING 1-5-3: MAYOR AS MEMBER OF CITY COUNCIL,

WHEREAS, the City of Elk Ridge has adopted the Mayor as City Member of City Council Title 1, Chapter 5 Section 3 Mayor as Member of City Council, describing powers and duties; and

WHEREAS, the City of Elk Ridge desires to amend the duties of the mayor with the advice and consent of the council, may appoint a person to fill a municipal office (a city employee) or a vacancy on a commission or committee of the municipality, and the mayor may terminate a city employee or a person on a committee or commission but only with the consent of the council; and

WHEREAS, the public meeting was preceded by the posting of a notice of public meeting in at least three (3) public places: city office, city public works building, pole located at 11200 South and North Twilight Way along with notification to the Payson Chronicle Newspaper, a newspaper of general circulation within the city, at least 24 hours prior to the Public Meeting; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS: (red text is added text, ~~Strikeout text is deleted text~~)

1-5-3: MAYOR AS MEMBER OF CITY COUNCIL:

A. Administration Vested In Mayor: The administrative powers, authority and duties are vested in the mayor.

B. Presiding Officer; Mayor Pro Tempore: The mayor shall be the chairperson and preside at the meetings of the city council. In the absence of the mayor or because of his inability or refusal to act, the city council may elect a member of the city council to preside over the meeting as mayor pro tempore, who shall have all the powers and duties of the mayor during his absence or disability. The election of a mayor pro tempore shall be entered in the minutes of the meeting.

C. Voting: The mayor shall not vote, except in the case of a tie vote of the city council, or in the appointment or dismissal of a city manager under Utah Code Annotated section 10-3-830.

D. Powers And Duties:

1. The mayor is the chief executive officer to whom all employees of the city shall report.

2. The mayor shall:

- a. Keep the peace and enforce the laws of the city;
- b. Remit fines and forfeitures;
- c. Report remittances under subsection D2b of this section to the city council at its next regular session;

- d. Perform all duties prescribed by law, resolution or ordinance;
- e. Ensure that all the laws, ordinances and resolutions are faithfully executed and observed;
- f. Report to the city council the condition of the city and recommend for city council consideration any measures that the mayor considers to be in the best interests of the city;
- g. When necessary, call on the residents of the city over the age of twenty one (21) years to assist in enforcing the laws of the state and ordinances of the city;
- h. Appoint, with the advice and consent of the city council, persons to fill city offices or vacancies on commissions or committees of the city; and
- i. Report to the city council any release granted under subsection D3b of this section.

3. The mayor may:

- a. At any reasonable time, examine and inspect the official books, papers, records or documents of the city or of any officer, employee or agent of the city; and
- b. Release any person imprisoned for violation of any city ordinance.

E. No Veto Power: The mayor shall have no power to veto any act of the city council, unless otherwise specifically authorized by statute. (2003 Code).

F. The mayor, with the advice and consent of the council, may appoint a person to fill a municipal office (a city employee) or a vacancy on a commission or committee of the municipality, and the mayor may terminate a city employee or a person on a committee or commission but only with the consent of the council.

Passed and duly adopted this ____ day of _____, 2021.

Ty Ellis, MAYOR

Councilmember Nelson Abbott	Voted
Councilmember Tricia Thomas	Voted
Councilmember Jared Peterson	Voted
Councilmember Jim Chase	Voted
Councilmember Cory Thompson	Voted

ATTEST:

ROYCE SWENSEN
Elk Ridge City Recorder

STATE OF UTAH)
) ss.

COUNTY OF UTAH)

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of

Ordinance #21-11, passed by the City Council of the City of Elk Ridge, Utah, on the

___ day of _____, 2021, entitled

“AN ORDINANCE OF THE ELK RIDGE CITY COUNCIL AMENDING 1-5-3 MAYOR AS MEMBER OF CITY COUNCIL”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Elk Ridge City Utah this ___ day of _____, 2021.

ROYCE SWENSEN
Elk Ridge City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, ROYCE SWENSEN, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance # 21-11, which is attached hereto on the ___ day of _____ 2021.

The three places are as follows:

1. The Elk Ridge City Office, 80 E Park Drive
2. The Elk Ridge Public Works Building, 645 W. Goosenest Drive
3. The pole located at 11200 South and North Twilight Way

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

ROYCE SWENSEN

Elk Ridge City Recorder

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by
ROYCE SWENSEN.

My Commission Expires:

Notary Public

Residing at: Utah County