

**FAIRVIEW CITY  
ORDINANCE NO. 2022-01**

**AMENDING ORDINANCE NO. 2002-01, AN ORDINANCE ESTABLISHING POWERS AND DUTIES FOR THE POSITION OF CITY ADMINISTRATOR RELATIVE TO THE MAYOR AND CITY COUNCIL AND PROVIDING FOR EFFECTIVE DATE AND TO BE MERGED WITH CHAPTER 3-900 PART 3-924 “APPOINTMENT OF CITY MANAGER” AND PART 3-926 “DUTIES OF THE CITY MANAGER” OF THE FAIRVIEW CITY REVISED CODE OF MUNICIPAL ORDINANCES DATED SEPTEMBER 1, 1978, IN ITS ENTIRETY AND IMPLEMENTING**

**WHEREAS** the current ordinance is in need of clarification,

**WHEREAS** this revised ordinance provides clarity with the appointment of city manager and duties of said city manager, and

**WHEREAS** this ordinance is a living document and will need to be reviewed and updated as time evolves.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of Fairview City, County of Sanpete, State of Utah, that Ordinance No. 2022-01 be enacted and add to Chapter 3-900, Part 3-924 “Appointment of City Manager” and 3-926 “Duties of the Manager” of the Fairview City Revised Code of Municipal Ordinances. If any part of this ordinance shall be declared invalid, such decision shall not affect the validity of the remainder of this ordinance.

**BE IT ORDAINED BY THE FAIRVIEW CITY COUNCIL AS FOLLOWS:**

**Section 1:      Classification.**

The City Manager position shall be classified as an exempt position with at will status, pursuant to and in accordance with all guidelines set forth in the Fair Labor Standards Act and other applicable laws and regulations.

**Section 2:      General Provisions:**

1.      The Mayor is the Chief Executive Officer of the City, and shall exercise all statutory powers, authority and duties relating to the traditional form of government in fifth class cities as set forth in Utah Code Annotated, Title 10, Chapter 3, as amended.
2.      Under the general direction of the Mayor, the City Manager shall:
  - a.      faithfully executes and enforce all applicable law, ordinances, rules and regulations, and see that all franchises, leases, permits, contracts, licenses, and privileges granted by the municipality are observed;
  - b.      carry out the policies and programs established by the City Council;

- c. organize and direct the management of the executive affairs of the City in a manner consistent with State law and with municipal ordinances;
- d. act as the budget officer for the City and assure compliance with the requirements of the Uniform Municipal Procedures Act;
- e. supervise, coordinate and oversee the day-to-day work of City employees;
- f. examine and inspect the books, records, and official papers of any office, department, agency, board, or commission of the City, and make investigations and require reports from City personnel;
- g. represent and advocate for city staff individually and collectively;
- h. make recommendations in matters relating to hiring, suspending, and removing department heads and employees of municipal offices, departments, and agencies, and appointive officers of boards and commission;
- i. recommend standards, qualifications, criteria, and procedures to govern the appointments of officers, department heads, and employees, subject to applicable provisions of the merit system and municipal administrative code;
- j. submit to the City Council plans and programs relating to the development and needs of the City, and annual and special reports concerning the financial, administrative, and operational activities of municipal offices, departments, agencies, boards, and commission, together with his evaluation and recommendations relating to them;
- k. attend all meetings of the City Council and take part in its discussions and deliberations, but without the right to vote;

3. The City Manager serves at the pleasure of the Mayor and City Council and may be removed with or without cause by a majority vote of the City Council.

Section 3: Effective Date:

This ordinance shall take effect immediately upon passage and posting in three public places within the City.

**ADOPTED** the 20<sup>th</sup> day of January 2022 by a duly constituted quorum of the Fairview City Council.

\_\_\_\_\_  
Brad Welch, Mayor

**ATTEST:**

\_\_\_\_\_  
Jan Anderson, City Recorder

City Council Voting:	Yea	Nay	Absent	Abstain
Casey Anderson	___	___	___	___
Matt Sorensen	___	___	___	___
Mike MacKay	___	___	___	___
Shirlene Rasmussen	___	___	___	___
Jim Cheney	___	___	___	___