

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1215

**AN ORDINANCE REVISING SECTION 2-106 OF THE CODE OF
ORDINANCES OF THE CITY OF MILES CITY, MONTANA
REGARDING POWERS OF THE MAYOR SO AS TO CONFORM TO
STATE STATUTE.**

BE IT ORDAINED by the City Council of the City of Miles City, Montana as follows:

Section 1. Section 2-106 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

“Sec. 2-106. Powers and duties generally. The mayor of the city shall be the chief executive officer of the city and shall have all the powers and duties given to him by law and city ordinance. Included within these powers and duties are the following”

(1) General Powers: The mayor shall

- (a) enforce laws, ordinances, and resolutions;
- (b) perform duties required by law, ordinance, or resolution;
- (c) administer affairs of the city government;
- (d) carry out policies established by the city council;
- (e) recommend measures to the city council;
- (f) report to the council on the affairs and financial condition of the city government;
- (g) execute bonds, notes, contracts, and written obligations of the council, subject to the approval of the council;
- (h) report to the council as the council may require;
- (i) attend council meetings and may take part in discussions;
- (j) execute the budget adopted by the council; and
- (k) 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.

(2) Powers and Duties Related to Administrative and Executive

Functions: The mayor may:

- (a) communicate to the council, at the beginning of each session and more often if considered necessary, a statement of the affairs of the city or town, with recommendations that the mayor considers proper;
- (b) recommend to the council measures connected with the public health, cleanliness, and ornament of the city or town and the improvement of the government and finances that the mayor considers expedient;
- (c) call special meetings of the council;
- (d) cause to be presented, once in 3 months, a full statement of the financial condition of the city or town;
- (e) bid for the city or town on any property sold at a tax or judicial sale whenever the city or town is an interested party;
- (f) procure and have in the mayor's custody the seal of the city or town;
- (g) take and administer oaths;
- (h) perform other duties that may be prescribed by law or by resolution or ordinance of the council.

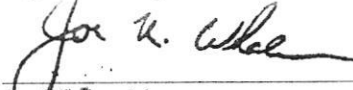
(3) Administrative assistants. The may appoint one or more administrative assistants to assist in the supervision and operation of the local government, and the administrative assistants are answerable solely to

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- the executive.
- (4) Preparation of budget. The mayor may prepare the budget in consultation with the commission and department heads.
 - (5) Voting Powers: The mayor is the presiding officer of the council and shall sign the journals of the council and all warrants on the city treasury and decide all ties by vote. The mayor has no other vote.
 - (6) Powers as to Ordinances and Resolutions, Veto Power: The mayor has power to:
 - (a) cause the ordinances of the city or town to be executed;
 - (b) approve all ordinances and resolutions of the council adopted by it;
 - (c) veto any objectionable part of a resolution or ordinance and approve the other parts. The veto of the mayor is subject to override by a two-thirds vote of the council.
 - (7) Veto Procedure.
 - (a) Veto of Ordinances: The veto power of the mayor as to ordinances must be exercised in writing prior to the next regularly scheduled meeting of the council. Whenever the mayor vetoes an ordinance, the council must act at the next regularly scheduled meeting to either override or confirm the veto. Whenever the veto is overridden or the mayor fails to act, the ordinance shall take effect.
 - (b) Veto of Resolutions: The veto power of the mayor as to resolutions must be exercised in writing at the next regular meeting. If the mayor fails to act, the resolution is approved. If the mayor vetoes a resolution, the governing body must act at the same meeting or its next regularly scheduled meeting to either override or confirm the veto. Whenever the veto is overridden or the mayor fails to act, the resolution shall take effect.

Section 2. This amendment shall become effective thirty (30) days after the final passage of this Ordinance.

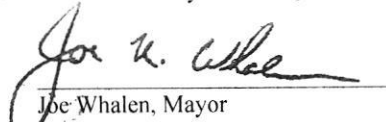
Said ordinance read and put on its passage this 8th day of March, 2011.


Joe Whalen, Mayor

ATTEST:


Rebecca Stanton, City Clerk

FINALLY PASSED AND ADOPTED this 22nd day of March, 2011.


Joe Whalen, Mayor

ATTEST:


Rebecca Stanton, City Clerk