

**TITLE II POLICY AND ADMINISTRATION**  
**CHAPTER 3 POWERS AND DUTIES OF MUNICIPAL OFFICERS**

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**2-3-1 GENERAL DUTIES.** Each municipal officer shall exercise the powers and perform the duties prescribed by law and ordinance, or as otherwise directed by the council unless contrary to state law or city charter.

**2-3-2 BOOKS AND RECORDS.** All books and records required to be kept by law or ordinance shall be open to inspection by the public upon request.

**2-3-3 DEPOSITS OF MUNICIPAL FUNDS.** Prior to the fifth day of each month, each office or department shall deposit all funds collected on behalf of the municipality during the preceding month. The officer responsible for the deposit of funds shall take such funds to the city clerk, together with receipts indicating the sources of the funds.

**2-3-4 TRANSFER OF RECORDS AND PROPERTY TO SUCCESSOR.** Each officer shall transfer to the official's successor in office all books, papers, records, documents and property, together with an invoice of the same, in the official's custody and appertaining to the official's office.

**2-3-5 POWERS AND DUTIES OF THE MAYOR.** The duties of the mayor shall be as follows:

1. The mayor shall supervise all departments of the city and give direction to department heads concerning the functions of the departments. The mayor shall have the power to examine all functions of the municipal departments, their records, and to call for special reports from department heads at any time.
2. The mayor shall act as presiding officer at all regular and special council meetings. The mayor pro tem shall serve in this capacity in the mayor's absence.
3. The mayor may sign, veto or take no action on an ordinance, amendment or resolution passed by the council. If the mayor vetoes a measure, the mayor must explain in writing the reason for such veto to the council. The council may repass a measure over the mayor's veto by a two-thirds majority of the council members if said action is taken within thirty days of the veto.
4. The mayor shall make appropriate provision that duties of any absentee office be carried on during the mayor's absence.

5. The mayor shall represent the city in all negotiations properly entered into in accordance with law or ordinance. The mayor shall not represent the city where this duty is specifically delegated to another officer by law or ordinance.
6. The mayor shall, whenever authorized by the council, sign all contracts on behalf of the city.
7. The mayor shall call special meetings of the city council when the mayor deems such meetings necessary to the interests of the city.
8. The mayor shall make such oral or written reports to the city council at the first meeting of every month as referred. These reports shall concern municipal affairs generally, the municipal departments and recommendations suitable for council action.
9. Immediately after taking office, the mayor shall designate one member of the city council as mayor pro tem. The mayor pro tem shall be vice president of the council. Except for the limitations otherwise provided herein, the mayor pro tem shall perform the duties of the mayor in cases of absence or inability of the mayor to perform the duties of the office. In the exercise of the duties of the , the mayor pro tem shall not have power to employ or discharge from employment officers or employees that the mayor has the power to appoint, employ or discharge. The mayor pro tem shall have the right to vote as a member of the council.
10. The mayor shall, upon order of the city council, secure for the city such specialized and professional services not already available to the city. In executing the order of the city council, the mayor shall conduct said duties in accordance with the city ordinance and the laws of the State of Iowa.
11. The mayor shall sign all licenses and permits which have been granted by the council, except those designated by law or ordinance to be issued by another municipal officer.
12. Upon authorization of the council, the mayor shall revoke permits or licenses granted by the council when their terms, the ordinances of the city, or the laws of the State of Iowa are violated by holders of said permits or licenses.
13. The mayor shall order to be removed, at public expense, any nuisance for which no person can be found responsible and liable. This order shall be in writing. The order to remove said nuisances shall be carried out by the superintendent of public works.

**2-3-6 POWERS AND DUTIES OF THE CLERK.** The duties of the clerk shall be as follows:

1. The clerk shall attend all regular and special council meetings and prepare and publish a condensed statement of the proceedings thereof, to include the total expenditure from each city fund. The statement shall further include a list of all claims allowed, a summary of all receipts and the gross amount of the claims.

2. The clerk shall record each measure taken by the council, stating where applicable whether the mayor signed, vetoed or took no action on the measure and what action the council made upon the mayor's veto.
3. The clerk shall cause to be posted or published all ordinances and amendments enacted by the city. The clerk shall authenticate all such measures, except motions with said clerk's signature, certifying the time and place of publication when required.
4. The clerk shall maintain copies of all effective city ordinances and codes for public use.
5. The clerk shall post or publish notice of public hearings, elections and other official actions as required by state and city law.
6. The clerk shall certify all measures establishing any zoning district, building lines, or fire limits, and a plat showing each district, lines or limits to the recorder of the county containing the affected parts of the city.
7. The clerk shall be the chief accounting officer of the city.
8. The clerk shall keep separate accounts for every appropriation, department, public improvement or undertaking, and for every public utility owned or operated by the city. Each account shall be kept in the manner required by law.
9. Following council adoption for the budget, the clerk shall certify the necessary tax levy for the following year to the county auditor and the county board of supervisors.
10. The clerk shall report to the council at the first meeting of each month the stats of each municipal account as of the end of the previous month.
11. The clerk shall balance all funds with the treasurer at the end of each month.
12. The clerk shall prepare the annual public report, publish it and send a certified copy to the state auditor and other state officers as required by law.
13. The clerk shall maintain all city records as required by law.
14. The clerk shall have custody and be responsible for the safekeeping of all writings or documents in which the municipality is a party in interest unless otherwise specifically directed by law or ordinance.
15. The clerk shall file and preserve all receipts, vouchers and other documents kept or that may be required to be kept necessary to prove the validity of every transaction and the identity of every person having any beneficial relation thereto.
16. The clerk shall furnish upon request to any municipal officer a copy of any record, paper or public document under the clerk's control when it may be necessary to such officer in the

discharge of the clerk's duty. The clerk shall furnish a copy to any citizen when requested, upon payment of the fee set by the council resolution. The clerk shall, under the direction of the mayor or other authorized officer, affix the seal of the corporation to those public documents or instruments which by ordinance are required to be attested by affixing of the seal.

- 17.** The clerk shall attend all meetings of committees, boards and commissions of the city. The clerk shall record and preserve a correct record of the proceedings of such meetings.
- 18.** The clerk shall keep and file all communications and petitions directed to the city council or to the city generally. The clerk shall endorse thereon the action of the city council taken upon matters considered in such communications and petitions.
- 19.** The clerk shall issue all licenses and permits approved by the council and keep a record of licenses and permits issued which show a date of issuance, license or permit number, name of person to whom issued, term of license or permit and purpose for which issued.
- 20.** The clerk shall inform all persons appointed by the mayor or city council to offices in the municipal government of their position and the time at which they shall assume the duties of their office.
- 21.** The clerk shall compile and preserve a complete record of every city election, regular or special, and perform duties required by law or ordinance of the city clerk in regard to elections.
- 22.** The clerk shall draw all warrants/checks for the city upon the vote of the council.
- 23.** The clerk shall show on every warrant/check the fund on which it is drawn and the claim to be paid.
- 24.** The clerk shall keep a warrant/check record in a form approved by the council, showing the number, date, amount, payee's name, upon what fund drawn and for what claim each warrant/check is issued.
- 25.** The clerk shall bill and collect all charges, rents or fees due for the city for utility and other services and give a receipt therefor.
- 26.** Annually,, the clerk shall prepare and submit to the council an itemized budget of revenues and expenditures.
- 27.** The city seal shall be in the custody of the clerk and shall be attached by the clerk to all transcripts, orders and certificates which may be necessary or proper to authenticate. The city seal shall be circular in form, in the center of which shall be the words "Coggon, Iowa" and around the margin of the words " City Seal".

**2-3-7 POWERS AND DUTIES OF THE TREASURER.** The duties of the treasurer shall be as follows:

1. The treasurer shall keep the record of each fund separate.
2. The treasurer shall keep an accurate record for all money or securities received by the treasurer on behalf of the municipality and specify date, from whom and for what purposes received.
3. The treasurer shall prepare a receipt in triplicate for all funds received. The treasurer shall give the original to the party delivering the funds, send the duplicate to the clerk and retain the triplicate.
4. The treasurer shall keep an accurate account of all disbursements, money or property, specifying date, to whom and from what fund paid.
5. The treasurer shall keep a separate account of all money received by the treasurer for special assessments.
6. The treasurer shall, immediately upon receipt of monies to be held in the treasurer's custody and belonging to the city, deposit the same in banks selected by the city council in amounts not exceeding monetary limits authorized by the city council.

**2-3-8 POWERS AND DUTIES OF THE LINN COUNTY SHERIFF'S OFFICE.** The duties of the Linn County Sheriff's Office shall be as follows:

1. The Linn County Sheriff's Office shall be in charge of all law enforcement duties for the City of Coggon.
2. The Linn County Sheriff's Office shall assist the city attorney in prosecuting any persons for the violation of an ordinance by gathering all the facts and circumstances surrounding the case.
3. The Linn County Sheriff's Office shall be the sergeant-at-arms of the council chamber when requested by the council.
4. The Linn County Sheriff's Office shall report to the council upon activities as Linn County Sheriff's Office when requested.
5. The Linn County Sheriff's Office shall protect the rights of persons and property, preserve order at all public gatherings, prevent and abate nuisances and protect persons against every manner of unlawful disorder and offense.
6. The Linn County Sheriff's Office shall have charge of any prisoners when taken into custody. The Linn County Sheriff's Office shall, whenever any person is bound over to the district court, convey the prisoner to the county jail.

7. The Linn County Sheriff's Office shall execute all lawful orders of any board or commission established by the city council.
8. The Linn County Sheriff's Office shall, when requested, aid other municipal officers in the execution of their official duties.

**2-3-9 POWERS AND DUTIES OF THE CITY ATTORNEY.** The duties of the city attorney shall be as follows:

1. The city attorney shall be so situated in a convenient location to maintain necessary coordination with the general governmental activities of the municipality.
2. If requested, the city attorney shall attend every regular meeting of the city council and attend those special meetings of the city council at which the city attorney is required to be present.
3. The city attorney shall, upon request, formulate drafts for contracts forms and other writings which may be required for the use of the city.
4. The city attorney shall keep in proper files a record of all official opinions and a docket or register of all actions prosecuted and defined by the city attorney accompanied by all proceedings relating to said actions.
5. The city attorney shall, upon request, give an opinion in writing upon all questions of law relating to municipal matters submitted by the city council, the mayor, members of the city council individually, municipal boards or the head of any municipal department.
6. The city attorney shall prepare those ordinances which the city council may desire and direct to be prepared and report to the council upon all ordinances before their final passage by the city council and publication.
7. The city attorney shall act as attorney for the city in all matters affecting the city's interest and appear on behalf of the city before any court, tribunal, commission or board. The city attorney shall prosecute or defend all actions and proceedings when so requested by the mayor or city council.
8. The city attorney shall not appear on behalf of any municipal office or employee before any court or tribunal for the purely private benefit of said officer or employee. The city attorney shall, however, if directed by the council, appear to defend any municipal officer or employee in any cause of action arising out of or in the course of performance of the duties of his or her office or employment.
9. The city attorney shall sign the name of the city to all appeal bonds and to all other bonds or papers of any kind that may be essential to the prosecution of any cause in court, and when so signed the city shall be bound upon the same.

10. The city attorney shall make a written report to the city council and interested department heads of the defects in all contracts, documents, authorized power of any city officer and ordinances submitted to him/her or coming under his/her notice.
11. The city attorney shall, upon request, after due examination, offer a written opinion on and recommend alterations pertaining to contracts involving the city before they become binding upon the city or are published.

**2-3-10 POWERS AND DUTIES OF THE SUPERINTENDENT OF PUBLIC WORKS.** The duties of the superintendent of public works shall be as follows:

1. The superintendent shall be responsible for the management, operation and maintenance of all municipal public works. The superintendent shall be responsible for the management and control of the city's waterworks system. The superintendent shall supervise the installation of all storm sewers in the city in accordance with the regulations of the department of public works pertaining to the installation of storm sewers.
2. The superintendent shall maintain and repair the sidewalks, alleys, bridges and streets and keep them in a reasonably safe condition for travelers. The superintendent shall immediately investigate all complaints of the existence of dangerous or impassible conditions of any sidewalk, street, alley, bridge, underpass or overpass and is charged with the duty of correcting unsafe defects in them.
3. The superintendent shall, whenever snow or ice imperil travel upon streets and alleys, be in charge of removing said snow and ice from the streets and alleys in the city and shall do whatever else is necessary and reasonable to make travel upon streets and alleys of the city safe.
4. The superintendent shall compile and maintain written records of the purchases, accomplishments, disposition of equipment and manpower, an up-to-date inventory and activities contemplated by the street department. The superintendent shall make monthly oral and written reports of the activities of the department of the mayor on or before the first day of each month.

**2-3-11 POWERS AND DUTIES OF THE FIRE CHIEF.** The duties of the fire chief shall be as follows:

1. The fire chief shall be charged with the duty of maintaining the efficiency, discipline and control of the fire department. The members of the fire department shall, at all times, be subject to the direction of the fire chief.
2. The fire chief shall enforce all rules and regulations established by the council for the conduct of the affairs of the fire department.
3. The fire chief shall exercise and have full control over the disposition of all fire apparatus, tools, equipment and other property used by or belonging to the fire department.

4. The fire chief shall cause to be kept records of the fire department personnel, operating cost and efficiency of each element of fire fighting equipment, depreciation of all equipment and apparatus, the number of responses to alarms, their cause and location and an analysis of losses by value, type and location of buildings.
5. The fire chief shall make monthly written reports on or before the fifth day of each month to the mayor and city council concerning the general status and efficiency of the fire department, the number of alarms answered during the month previous, and additional information that may be requested by the mayor or the city council. The fire chief shall compile an annual report based upon the records maintained by the fire department and summarizing the activities of the fire department for the year. This report shall be filed with the mayor. The annual report shall also contain recommendations for the improvement of the department.
6. The fire chief shall enforce all ordinances and, where enabled, state laws regulating the following:
  - (a) Fire prevention
  - (b) Maintenance and use of fire escapes.
  - (c) The investigation of the cause, origin and circumstances of fires.
  - (d) The means and adequacy of exits in case of fire from halls, theaters, churches, hospitals, asylums, lodging houses, schools, factories and all other buildings in which the public congregates for any purpose.
  - (e) The installation and maintenance of private fire alarm systems and fire extinguishing equipment.
7. The fire chief shall have the right of entry into any building or premises within the fire chief's jurisdiction at a reasonable time and after reasonable notice to the occupant or owner. The fire chief shall there conduct such investigation or inspection that the fire chief considers necessary in light of state law, regulations or ordinance.
8. The fire chief shall make such recommendations to owners, occupants, caretakers or managers of buildings necessary to eliminate fire hazards.
9. The fire chief shall, at the request of the state fire marshal or Linn County Sheriff's Office, and as provided by law, aid said state fire marshal and Linn County Sheriff's Office's duties by investigating, preventing and reporting data pertaining to fires.