

Title 2

ADMINISTRATION AND PERSONNEL*

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Chapter 2.04

CREATION OF CITY OFFICES

Sections:

- 2.04.010 Organization
- 2.04.020 Term of office.

2.04.010 Organization.

The officers of the city shall be mayor, clerk, five council members, treasurer, street commissioner, marshal or chief of police, fire chief and attorney. The mayor shall be elected biannually and shall hold office for a term of two years or until a successor is elected and qualifies for office. Each council member shall be elected at large and shall hold office for a staggered term of four years or until a successor is elected and qualifies for office, with either three council members or two council members to be elected at alternating elections. (Ord. 291 §1, 2003; Amended during 1978 codification: Ord. 86 §1, 1905).

2.04.020 Term of office.

The marshal and fire chief shall be appointed by the mayor and shall each hold their office for the term of one year or during the pleasure of the mayor. The street commissioner and the city attorney

* For statutory provisions concerning the form of government in cities, see Code 1977 §372.1 et seq; for provisions concerning a mayor-council form of government, see Code 1977 §372.4; for provisions authorizing a city council to appoint and remove city officers and employees and provide compensation for all city officers and employees and provide compensation for all city officers and employees, see Code 1977 §372.13.

shall be elected by the council, and shall each hold their office for the term of one year or during the pleasure of the council. (Ord. 86 §2, 1905).

Chapter 2.08

MAYOR*

Sections:

2.08.010 Duties—Compensation.

2.08.010 Duties—Compensation

A. The duties of the mayor shall be such as are provided by law and such other duties as the council may prescribe by ordinance not inconsistent with the laws of the state.

B. The mayor shall receive as compensation for services a salary of fifty dollars per month (six hundred dollars annually), payable as established by the council. The mayor may also be reimbursed for actual expenses incurred while attending to city business as approved and allowed by the council. (Ord. 291 §2, 2003; Ord. 86 §5, 1905).

* For statutory provisions on mayors, see Code 1977 §372.14; for provisions on mayors' action on city legislation, see Code 1977 §380.5.

Chapter 2.12

CITY COUNCIL*

Sections:

2.12.020 Duties—Compensation.

2.12.020 Duties—Compensation. A. The duties of the city council shall be such as are provided by law.

B. Each council member shall be such receive as compensation for services a salary of ten dollars for each meeting of the council attended, payable as established by the council. Each council member may also be reimbursed for actual expenses incurred while attending to city business as approved and allowed by the council. (Ord. 291 §3, 2003; Ord. 86 §13, 1905).

*For statutory provisions on the city council, see Code 1977 §372.13.

Chapter 2.16

CITY CLERK*

Sections:

2.16.010 Duties—Compensation.

2.16.010 Duties—Compensation. A. The duties of the clerk shall be such as are provided by law and such other duties as the council may prescribe by ordinance not inconsistent with the laws of the state.

B. He shall receive for his services such fees as are provided by law and the ordinances of the city and, in addition thereto, the sum of two dollars for each session of the council which he actually attends. (Ord. 86 §6, 1905).

Chapter 2.20

CITY MARSHALL AND ASSISTANT MARSHAL**

Sections:

2.20.010 Created.

2.20.020 Duties—Compensation—Fees for services.

2.20.030 Compensation—Salary and automobile allowance.

2.20.010 Created. The offices of marshal and assistant marshal are created and the mayor is directed to appoint suitable persons to serve as said officers. (Ord. 182 §1, 1954).

2.20.020 Duties—Compensation—Fees for services. A. The duties of the marshal shall be such as are provided by law and the ordinances of the city.

B. He shall receive as compensation for his services such fees as are provided by law and the ordinances of the city. (Amended during 1978 codification; Ord. 86 §9, 1905).

* For statutory provisions on appointment and duties of city clerks, see Code 1977 § 372.13(3) and 380.7.

** For statutory provisions defining a marshal as a peace officer and setting forth his/her duties, see Code 1977 Ch. 748.

2.20.030 Compensation—Salary and automobile allowance. A. The compensation of the marshal is set and fixed at the sum of two hundred dollars per month and shall be entitled to reimbursement at the rate of seven cents per mile for the use of his automobile while in the discharge of his automobile while in the discharge of his official duties.

B. The compensation of the assistant marshal is fixed at the one hundred eighty dollars per month. (Ord. 182 § 2, 1954).

Chapter 2.24

CITY ATTORNEY

Sections:

- 2.24.010 Oath.
- 2.24.020 Duties—Compensation.

2.24.010 Oath. The city attorney, before entering upon the duties of his office, shall take an oath for the faithful performance of his duties. (Ord. 86 §4, 1905).

2.24.020 Duties—Compensation. A. The duties of the city attorney shall be such as are provided by law and the ordinances of the city.

B. He shall receive for his services such compensation as the council may determine to be reasonable. (Ord. 86 §12, 1905).

Chapter 2.28

CITY TREASURER*

Sections:

- 2.28.010 Appointment—Vacancy filling.
- 2.28.020 Powers and duties.
- 2.32.030 Compensation.

* For statutory provisions on deposit of public funds, see Code 1977 Ch. 453; for provisions on the treasurer's duties in relation to city enterprises and funds, see Code 1977 § §384.85, 410.3 and 411.7.

2.28.010 Appointment—Vacancy filling. 2.28.010 Appointment—Vacancy filling.

A. There is establishment the office of the city treasurer, to be appointed by the mayor at the first meeting of the council in January following each regular city election for a term of two years commencing on that date and continuing until a successor is appointed and qualified. The appointment is subject to the approval of the city council.

B. A vacancy in the office shall be filled in the same manner as the first appointment for the balance of the term remaining. (Ord. 217 §1, 1975).

2.28.020 Powers and duties. The treasurer shall have the following powers and duties:

A. He shall be responsible for the safe custody of all funds of the city in the manner provided by law and council direction.

B. He shall act as treasurer and custodian of all funds received or held in custody for any board or commission or agency existing in the city created by the council or by the people.

C. He shall reconcile the bank statement with his books and certify monthly to the council the balance of cash and investments of each fund and amounts received and disbursed.

D. He shall reconcile his books with the books of the clerk every month.

E. He shall perform such other duties as specified by the council by resolution or ordinance. (Ord. 217 §2, 1975).

2.28.030 Compensation. He shall be paid such compensation as specified by council resolution. (Ord. 217 §3, 1975).

Chapter 2.32
FIRE CHIEF*

Sections:

2.32.010 Authority.

2.32.010 Authority. The chief of the fire department, the assistant chief or the mayor may authorize or dispatch the fire equipment or a part thereof, and the personnel of the fire department or a portion thereof, outside the corporate limits of the city for the purpose of fighting fires or for the rendering of other emergency assistance whenever, in the opinion of the chief of the fire department, the assistant chief or the mayor, such action will save life or property and will not be prejudicial to the safety and general welfare of the city. (Amended during 1978 codification: Ord. 86 §11, 1905).

* For statutory provisions on the duties of city officers regarding fires, see Code 1977 §100.2 et seq.

Chapter 2.36

STREET COMISSIONER*

Sections:

2.36.010 Duties—Compensation.

2.36.010 Duties—Compensation. A. It is the duty of the street commissioner to enforce all the ordinances of the city concerning street labor and the improvement and repairs of the streets and alleys of the city. He shall be under the direction of the city council in the discharge of his duties and, at the expiration of his term of office, shall make and file with the clerk an itemized and verified inventory of all property belonging to the city in his hands, and shall deliver and turn over said property to his successor in office.

B. He shall serve in this office at the pleasure of the council and shall receive for his services such compensation as shall be from time to time established by the council. (Amended during 1978 codification; Ord. 86 §10, 1905).

Chapter 2.40

BOARD OF PARK COMMISSIONERS**

Sections:

2.40.010 Established.

2.40.010 Established. There is established a board of park commissioners for the city, consisting of three members, who shall be elected and hold office as provided by law of the state. (Ord. 130 §1, 1919).

* For statutory provisions making the city responsible for the care and supervision of its streets, sidewalks, alleys and other private grounds, see Code 1977 §364.12.

** For statutory provisions empowering the city council to establish an administrative agency to deal with city parks, see Code 1977 §§392.1 and 384.24.

Chapter 2.44

CITY PLANNING AND ZONING COMMISSION*

Sections:

2.44.010	Established.
2.44.020	Appointment.
2.44.030	Term of office.
2.44.040	Vacancies.
2.44.050	Compensation.
2.44.060	Powers and duties.
2.44.070	Appropriation authority.

2.44.010 Established. A city planning and zoning commission is created and established. (Amended during 1978 codification; Ord. 196 §2, 1964).

2.44.020 Appointment. A city planning and zoning commission, consisting of seven members, who shall be citizens of Corydon and qualified by knowledge or experience to act in matters pertaining to the development of a city plan and who shall not hold any elective office in the municipal government, shall be appointed by the mayor, subject to the approval of the city council. (Ord. 196 §2, 1964).

2.44.030 Term of office. The term of office of the members of the planning and zoning commission shall be five years, except that, of the seven members constituting said commission, those first named shall hold office in the following manner: one for two years, two for three years, two for four years, and two for five years. (Ord. 196 §3, 1964).

2.44.040 Vacancies. If any vacancy exists on the planning and zoning commission, caused by resignation or otherwise, the mayor shall appoint a successor for the residue of said term, subject to the approval of the city council. (Ord. 196 §4, 1964).

2.44.050 Compensation. All members of the planning and zoning commission shall serve without compensation, except their actual expenses, which shall be subject to the approval of the city council. (Ord. 196 §5, 1964).

2.44.060 Powers and duties. A. The planning and zoning commission shall choose annually at its first regular meeting one of its members to act as chairman of this commission and another as vice chairman, who shall perform all the duties of the chairman during his absence or disability.

B. The commission shall adopt such rules and regulations governing its organization and procedure as it may deem necessary.

*For statutory provisions on city zoning commissions, see Code 1977 §414.6.

C. The commission shall each year make a report to the mayor and city council of its proceedings, with a full statement of its receipts, disbursements and the progress of its work during the preceding fiscal year.

D. Subject to the limitation contained in this chapter as to the expenditure of funds, the commission may appoint such assistants as it may deem necessary and prescribe and define their respective duties and fix and regulate the compensation to be paid to the several persons employed by it.

E. The commission shall have full power and authority to make or cause to be made such surveys, studies, maps, plans, or charts of the whole or any portion of such municipality, or of any land outside thereof, which in the opinion of the commission bears relation to a comprehensive plan and shall bring to the attention of the council, and may publish, its studies and recommendations.

F. No statutory, memorial or work of art in a public place, and no public building, bridge, viaduct, street fixtures, public structure or appurtenances, shall be located or erected, or site therefore obtained, nor shall any permit be issued by any department of the municipal government for the erection or location thereof until and unless the design and proposed location of any such improvement has been submitted to the planning and zoning commission and its recommendations thereon obtained, except such requirements and recommendations shall not act as a stay upon action for any such improvement when the commission, after thirty days' written notice requesting such recommendations, has failed to file the same.

G. All plans, plats or replats of subdivisions or resubdivisions of land embraced in the municipality, or adjacent thereto, laid out in lots or plats with the streets, alleys, or other portions of the same intended to be dedicated to the public in such municipality, shall first be submitted to the city planning and zoning commission and its recommendations shall be obtained before approval by the city council.

H. No plan for any street, park, parkway, boulevard, trafficway, riverfront, or other public improvement affecting the city plan shall be finally approved by the municipality or the character or location thereof determined unless such proposal has first been submitted to the city planning and zoning commission and the latter has had thirty days within which to file its recommendations thereon.

I. The commission shall have full, complete and exclusive authority to expend for and on behalf of the city all sums of money appropriated as provided in Section 2.44.070 and to use and expend all gifts, donations or payments whatsoever which are received by the city for the city plan purposes.

J. The commission shall have no power to contract debts beyond the amount of its income for the present year.

K. For the purpose of making a comprehensive plan for the physical and development of the municipality, the city planning and zoning commission shall make careful and comprehensive studies of present conditions and future growth of the municipality, with due regard to its relation to neighboring territory. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality and its environs which will, in accordance with the present and future needs, best promote health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development.

L. Before adopting a comprehensive plan, as referred to in subsection K of this section, or any part of it, or any substantial amendment thereof, the commission shall hold at least one public hearing thereon, notice of the time of which shall be given by one publication in a newspaper of general circulation in the city not less than ten nor more than twenty days before the date of the hearing. The

adoption of the plan or part or amendment thereof shall be by resolution of the commission carried by the affirmative vote of not less than two-thirds of the members of the commission. After adoption of said plan by the commission, an attested copy thereof shall be certified to the council of the city, and the council may approve the same. When said plan or any modification or amendment thereof receives the approval of the council, the plan, until subsequently modified or amended as authorized by this section, shall constitute the official city plan.

M. When such comprehensive plan as provided for in this section has been adopted, no substantial amendment or modification thereof shall be made without such proposed change first being referred to the city planning and zoning commission for its recommendations. If this commission disapproves the proposed change, it may be adopted by the affirmative vote of at least three-fourths of the members of the city council. (Ord. 196 §6, 1964).

2.44.070 Appropriation authority.

The city council may annually appropriate a sum of money from the general fund for the payment of the expenses of the city planning and zoning commission. (Ord. 196 §7, 1964).

Chapter 2.48

OFFICERS' BONDS*

Sections:

2.48.010 Designated.

2.48.010 Designated.

It is the duty of the mayor, clerk, treasurer, street commissioner, marshal and fire chief, before entering upon the duties of their respective offices, to take an oath of office and to execute a bond in favor of the city for the faithful performance of their duties in such amount as required by law and with such sureties as shall be approved by the council, which bonds shall be filed with the clerk, except the bond of the clerk which shall be filed with the mayor. (Amended during the 1978 codification; Ord. 86 §3, 1905).

Chapter 2.50

PUBLIC LIBRARY

Sections:

2.50.010 Public Library.

2.50.020 Library trustees.

* For statutory provisions on bonds of city officers, see Code 1977 §64.1 et seq.

- 2.50.030 Qualifications of trustees.
- 2.50.040 Organization of the board.
- 2.50.050 Powers and duties.
- 2.50.060 Power to contract with others for the use of the library.
- 2.50.070 Nonresident use of the library.
- 2.50.080 Library account.
- 2.50.090 Annual report.

2.50.010 Public Library.

There is hereby established a free public library for the city, to be known as the Karl Miles LeCompte Memorial Public Library.

(Ord. No. 322, §2, 2-9-2015)

2.50.020 Library trustees.

The board of trustees of the Karl Miles LeCompte Memorial Public Library, hereinafter referred to as the board, consists of five resident members and up to two residents of Wayne County. The board will nominate trustees to the mayor for appointment with the approval of the council. All board members are to be appointed by the mayor with the approval of the council.

(Ord. No. 322, §2, 2-9-2015)

2.50.030 Qualifications of trustees.

All of the members of the board shall be bona fide citizens and residents of the city or county, and all shall be over the age of eighteen.

(Ord. No. 322, §2, 2-9-2015)

2.50.040 Organization of the board.

A. Terms of Office. All appointments of the board shall be for six years, except to fill vacancies. Each term shall begin on July 1. Appointment shall be made every two years of one-third of the total number as near as possible, to stagger the terms. The present incumbents are confirmed in their appointments and terms. Persons are eligible for three consecutive terms.

B. Vacancies. The position of any trustee shall be vacant if he moves permanently from the city or county in the case of a nonresident county member; or if he is absent from six consecutive regular meetings of the board, except in the case of sickness or temporary absence from the city/county. Vacancies to the board shall be filled by appointment by the mayor, with approval of the council and the new trustee shall fill out the unexpired term for which the appointment is made.

C. Compensation. Trustees shall receive no compensation for their services.

(Ord. No. 322, §2, 2-9-2015)

2.50.050 Powers and duties.

The board shall have and exercise the following powers and duties:

A. To meet and elect from its members a president, a secretary, and such other offices as it deems necessary. The city clerk shall serve as board treasurer, but shall not be a member of the board.

B. To have charge, control and supervision of the public library, its appurtenances, fixtures and rooms containing the same, including books, catalogs and computer systems.

C. To direct and control all the affairs of the library.

D. To employ a librarian, and such assistants and employees as may be necessary for the proper management of the library, and fix their compensation; provided, however, that prior to such employment, the compensation of the librarian, employees and assistants shall have been fixed and approved by a majority of the members of the board voting in favor thereof.

E. To remove by a two-thirds vote of the board the librarian and provide procedures for the removal of assistants or employees for misdemeanor, incompetency, inattention to duty or any behavior detrimental to the library.

F. To authorize the librarian to select and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, and other library materials, furniture, fixtures, stationary and supplies for the library within budgetary limits set by the board.

G. To authorize the use of the library by nonresidents of the city and to fix the charges therefore.

H. To make and adopt, amend, modify or repeal rule and regulations, not inconsistent with ordinances and the law, for the care, use, government and management of the library and other business of the board fixing and enforcing penalties and violations.

I. To have exclusive control of the expenditure of all funds allocated for library purposes by the council and of all monies currently available, monies available by gift and monies donated for the erection of the library buildings; and of all other monies belonging to the library including fines, rentals and memorials collected under the rules of the board.

J. To accept gifts of bequests, including from wills, trust funds or non-profit funds in the name of the library, and to expend the funds received by them for the improvement of the library.

K. To keep a record of its proceedings.

L. To enforce the performance on conditions of gifts, devises and bequests accepted by the city be action against the city council.

M. To have the authority to make agreements with the local county historical associations, where such exist, and to set apart the necessary room and to care for such articles as may come into the association. The trustees are further authorized to purchase necessary receptacles and materials for the preservation and protection of such articles as are in their judgment of historical nature and pay for the same out of funds associated for library purchases.

N. To prepare and submit an annual budget to the council in a timely manner and monthly budget updates to be submitted to the city clerk.

(Ord. No. 322, §2, 2-9-2015)

2.50.060 Power to contract with others for the use of the library.

A. Contracting. The board may contract with any other boards of trustees of free public libraries of any other city, school organization, institution of higher learning, township, or county, private or semi-private organizations or with the trustees of any county library district for the use of the library by their respective residents.

B. Termination. Such a contract may be terminated at any time by mutual consent of the contracting parties. It also may be terminated by a majority vote of the electors represented by either of the contracting parties. Such a termination proposition shall be submitted to the electors by the governing body of a contracting party on a written petition of not less than five percent in number

of the electors who voted for governor in the territory of the party at the last general election. The petition must be presented to the governing body of not less than forty days before the election. The proposition may be submitted at an election provided by law that is held in the territory of the party who is seeking to terminate the contract.

(Ord. No. 322, §2, 2-9-2015)

2.50.070 Nonresident use of the library.

The board may authorize the use of the library by nonresidents in any one or more of the following ways:

- A. By lending books or other materials of the library to nonresidents in the same terms and conditions as to residents of the city, or upon payment of a special nonresident library fee.
- B. By establishing depositories of library books or other materials to be loaned to nonresidents.
- C. By establishing bookmobiles or a traveling library so that books or other library materials may be loaned to nonresidents.
- D. By establishing branch libraries for lending books or other library materials to nonresidents.

(Ord. No. 322, §2, 2-9-2015)

2.50.080 Library account.

All money appropriated by the council from the general fund for the operation and maintenance of the library shall be set aside in the account only for the library. Expenditures shall be paid for only on orders of the board, signed by the president and a board designee. The warrant writing officer is the librarian, said warrants to be signed by the librarian and board designee.

(Ord. No. 322, §2, 2-9-2015)

2.50.090 Annual report.

The board shall make a report to the city council immediately after the close of the municipal fiscal year. This report shall contain statements of the condition of the library, the number of books added thereto, the number of circulated, and revenue and expenditures together with such further information required by the council.

(Ord. No. 322, §2, 2-9-2015)