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ADMINISTRATION AND PERSONNEL

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Chapter 2.04
ELECTION AND APPOINTMENTS ¹

Sections:

- 2.04.010 Commencement of Term

2.04.010 Commencement of Term. All elected officers shall take office on or before noon of the second secular day of January following their election, and all appointive officials shall take office on or before noon of the second secular day of January following their appointment, or as soon thereafter as the various appointment officials are appointed. (Ord. 9-68 §1, 1968).

1. For statutory provisions requiring municipal elections to be held on the Tuesday next after the first Monday in November of odd-numbered years, see I.C.A. 363.27. For statutory provisions requiring officers to take office on or before noon of the second secular day of January following their election, see I.C.A. 363.28. For statutory provisions requiring the Mayor to be elected by the electorate, see I.C.A. 363.27. For statutory provisions authorizing Council members to be elected either by wards or by the entire electorate, see I.C.A. 363.27. For statutory provisions requiring the Mayor to appoint a Police Chief, and such other officers, as may be provided by ordinance, and requiring the Council to elect all other officers, see I.C.A. 363A.3.

Chapter 2.08
MUNICIPAL OFFICERS²

Sections:

- 2.08.010 General Duties
- 2.08.020 Bond Required
- 2.08.030 Books and Records
- 2.08.040 Transfer of Funds to Clerk
- 2.08.050 Transfer of Records and Property to Successor

2.08.010 General Duties. Each municipal officer shall exercise the powers and perform the duties prescribed by law and ordinance. (Ord. 13-68 §1, 1968).

2.08.020 Bond Required. Each officer will give bond, as prescribed by law, in the amounts set opposite his office.

OFFICE	BOND
Mayor	\$100,000.00
City Clerk	\$100,000.00
Deputy City Clerk	\$100,000.00

(Ord. 8-73 §2, 1973; Ord. 13-68 §2, 1968).

2.08.030 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. This does not include employee personnel records. (Ord. 8-73 §2, 1973; Ord. 13-68 §3, 1968).

2.08.040 Transfer of Funds to Clerk. Prior to the tenth day of each month, each office or department shall deposit with the clerk all funds collected on behalf of the municipal corporation during the preceding month. The officer responsible for the transfer of funds shall take the clerk's receipt. (Ord. 8-73 §3, 1973; Ord. 13-68 §4, 1968).

2.08.050 Transfer of Records and Property to Successor. Each officer shall transfer to his successor in office all books, papers, records, documents, and property, together with an invoice of the same, in his custody, and appertaining to his office. (Ord. 13-68 §5, 1968).

2. For statutory provisions providing the method by which municipal officers may be nominated and specifically authorizing nominations pursuant to I.C.A. 44 and 45, see I.C.A. 363.11.

Chapter 2.12
MAYOR*

Sections:

- 2.12.010 Powers and Duties
- 2.12.020 Presiding Officer
- 2.12.030 General Supervision
- 2.12.040 Executive Officer
- 2.12.050 Absence of Officers
- 2.12.060 Represent the City

- 2.12.070 Sign Contracts
- 2.12.080 Special Council Meetings
- 2.12.090 Reports to the City Council
- 2.12.100 Mayor Pro Tem
- 2.12.110 Secure Specialized and Professional Personnel
- 2.12.120 Licenses and Permits
- 2.12.130 Revocation of Permits and Licenses
- 2.12.140 Abatement of Nuisances
- 2.12.160 Jurisdiction
- 2.12.170 Office and Seal
- 2.12.180 Signature Necessary
- 2.12.190 Ordinances and Resolutions
- 2.12.200 Appoint Officers
- 2.12.210 Contracts Filed
- 2.12.220 Pay to Clerk
- 2.12.230 Order for Tax Money
- 2.12.240 Report Offenses and Licenses
- 2.12.250 Record Open
- 2.12.260 Interest Prohibited
- 2.12.270 Other Duties

2.12.010 Powers and Duties. The powers and duties of the Mayor shall be as set forth in this chapter. (Ord. 13-68 §6 (part), 1968)

2.12.020 Presiding Officer. The Mayor shall be the presiding officer of the Council, with the right to vote only in case of a tie. (Ord. 4 §1, 1929)

2.12.030 General Supervision. The Mayor shall supervise all departments of the City and make recommendations to department heads concerning the functions of the departments. He shall have the power to examine all functions of the municipal departments, their records, and call for special reports from department heads at any time.

2.12.040 Executive Officer. The Mayor shall be the chief executive officer, and it shall be his duty to enforce all regulations and ordinances. He shall supervise the conduct of all officers, shall examine the grounds of complaints made against them, and cause all neglect or violation of duty to be corrected or report the same to the proper tribunal that they may be dealt with as provided by law. (Ord. 4 §2, 1929)

2.12.050 Absence of Officers. With the approval of the Council, the Mayor shall make appropriate provision that duties of any absentee officer be carried on during his absence. (Ord. 13-68 §6(b), 1968)

2.12.060 Represent the City. With the Council's approval, the Mayor shall represent the City in all negotiations properly entered into in accordance with law or ordinance. He shall not represent the City where the duty is specifically delegated to another officer by law or ordinance. (Ord. 13-68 §6(c), 1968)

2.12.070 Sign Contracts. Whenever authorized by the Council, the Mayor shall sign all contracts on behalf of the City. (Ord. 13-68 §6(d), 1968; Ord. 4 §10, 1968)

2.12.080 Special Council Meetings. The Mayor shall call special meetings of the City Council when he deems such meetings necessary to the interests of the City. (Ord. 13-68 §6(e), 1968)

2.12.090 Reports to the City Council. The Mayor shall make an oral report to the City Council at the first meeting of every month. These reports shall concern municipal affairs generally, the municipal departments and recommendations suitable for Council action. (Ord. 13-68 §6(f), 1968; Ord. 4 §7, 1968)

2.12.100 Mayor Pro Tem. Immediately after taking office the Mayor shall designate one member of the City Council, Mayor pro tem, which appointment shall be made subject to the approval of a majority of the Council. The Mayor pro tem will 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 his office. In the exercise of the duties of his office, 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 at Council meetings as a member of the Council. (Ord. 13-68 §6(g), 1968)

2.12.110 Secure Specialized and Professional Personnel. Upon order of the City Council, the Mayor shall secure for the City, such specialized and professional services, not already available to the City. In executing the order of the City Council, he shall conduct himself in accordance with the City ordinances and the laws of the state of Iowa. (Ord. 13-68 §6(h), 1968)

2.12.120 Licenses and Permits. 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. (Ord. 13-68 §6(i), 1968)

2.12.130 Revocation of Permits and Licenses. Upon authorization of the Council, the Mayor shall revoke permits or licenses granted by the Council when their terms are violated or the ordinances of the City or the laws of the state of Iowa are violated by holders of the permits or licenses. (Ord. 13-68 §6(j), 1968)

2.12.140 Abatement of Nuisances. 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 the nuisances shall be carried out by the marshal. (Ord. 13-68 §6(k), 1968)

2.12.160 Jurisdiction. The Mayor shall have exclusive jurisdiction of all actions or prosecutions for violation of the ordinances, in other criminal matters, the jurisdiction of the justice of the peace, coextensive with the county, and in civil cases, the same jurisdiction within the municipality as a justice of the peace has within the township. When any information is filed before the Mayor for the violation of any ordinance, he may, upon his own motion only, at any time after the information is filed and before the trial, transfer the case for further proceedings, to

any justice of the peace within the municipality, and the justice of the peace, for further proceedings in the case, shall have jurisdiction thereof to the same extent and with the same power and like limitation as the Mayor. (Ord. 4 §4, 1929)

2.12.170 Office and Seal. The Mayor shall keep an office at some convenient place in the municipality to be provided or designated as such by the Council and shall keep the corporate seal thereof in his charge, and attach the same to all warrants, orders or certificates which it may be necessary or proper to authenticate. (Ord. 4 §5, 1929)

2.12.180 Signature Necessary. The Mayor shall sign all commissions, licenses and permits granted or issued by the authority of the Council, authenticate all ordinances in the ordinance record book, and do such other acts as may require his signature or certificate. (Ord. 5 §6, 1929)

2.12.190 Ordinances and Resolutions. The Mayor shall sign every ordinance or resolution passed by the Council, before the same is in force, and if he refuses to sign any such ordinance or resolution, he shall call a meeting of the Council within fourteen days thereafter, and return the same, with his reasons therefor. If he fails to call the meeting within the time fixed herein, or fails to return the ordinance with his reasons as herein required, such ordinance or resolution shall become operative without such signature. Upon the return of any such ordinance or resolution, by the Mayor to the Council, it may pass the same over his objection upon a call of yeas and nays, by not less than two-thirds vote of the Council. (Ord. 4 §8, 1929)

2.12.200 Appointments. The Mayor shall appoint the following officials: (Code of Iowa, Sec 372.4)

1. Mayor Pro Tem
2. Police Chief—The Mayor shall appoint and dismiss the police chief and the appointment and dismissal of the Police Chief are subject to the consent of a majority of the Council.
3. Health Physician

2.12.210 Contracts Filed. In all cases where contracts are executed either by the Mayor, a committee, or other person authorized, it shall be the duty of the person executing the contract on the part of the municipality to immediately file the contract with the clerk and cause to be delivered to the other contracting party a copy thereof, if such party so requires. (Ord. 4 §11, 1929)

2.12.220 Pay to Clerk. The Mayor shall not appropriate any money, warrants, or property in his possession belonging to the municipality, for the payment of his salary or for any other purpose, but shall pay over monthly to the clerk any money or warrants coming into his hands and belonging to the municipality, and take the clerk's receipt for the same. (Ord. 8-73 §4, 1973; Ord. 4 §12, 1929)

2.12.230 Order for Tax Money. On receipt of the written notice by the county treasurer provided for by this chapter, stating the amount of money collected for each fund up to the first day of that month, the Mayor shall at once draw an order therefor in favor of the City clerk, and upon the county treasurer, and deliver or send the order to the county treasurer. (Ord. 8-73 §5, 1973; Ord. 4 §13, 1929)

2.12.240 Report Offenses and Licenses. The Mayor shall report monthly to the Council all offenses against the ordinances of the municipality and the amount of fine imposed for each offense, and the amount of fine and costs collected in each case, and also a statement of all licenses issued showing the number, to whom issued, for what purposes and the amount charged. (Ord. 4 §14, 1929)

2.12.250 Record Open. All books and records, required by law or ordinance to be kept by the Mayor, shall at all times be open to the inspection of the public. (Ord. 4 §15, 1929)

2.12.260 Interest Prohibited. The Mayor shall not be interested, directly or indirectly, in any contract or job of work or material or the profits thereof or services to be performed for the municipality. (Ord. 4 §16, 1929)

2.12.270 Other Duties. The Mayor shall have such other powers and perform such other duties as may be provided by the Council, the ordinances of the municipality, or the laws of the state, and shall transmit to his successor in office all books, papers, records, documents and property, together with an invoice of the same, in his custody or appertaining to his office. (Ord. 4 §17, 1929)

* For statutory provisions generally providing the powers and duties of the Mayor, see I.C.A. 368A.2. For statutory provisions pertaining to jurisdiction of the Mayor, see I.C.A. 367.5 et seq. For statutory provisions pertaining to the signing by the Mayor of ordinances and resolutions, see I.C.A. 366.5. For statutory provisions generally defining the Mayor's appointive powers, see I.C.A. 363A.3.

Chapter 2.16 COUNCIL

Sections:

- 2.16.010 Organization
- 2.16.020 Commencement of Term
- 2.16.030 Appointment of City Officers
- 2.16.040 Compensation of Appointed Officers
- 2.16.050 Regular Meetings
- 2.16.060 Special Meetings
- 2.16.070 Absence of Clerk
- 2.16.080 Committees
- 2.16.090 Rules Governing Meetings
- 2.16.100 Ordinances
- 2.16.110 Trustees of Fairview Cemetery
- 2.16.120 Surety
- 2.16.130 Blanket Position Bond
- 2.16.140 Bonds Filed
- 2.16.150 Gifts

2.16.010 Organization. The Council shall consist of five members elected from the City at large. It shall have such powers as are now or may hereafter be conferred by the laws of the state of Iowa. (Ord. 15-68 §1, 1968)

2.16.020 Commencement of Term. The Council shall assemble and take office on or before noon of the second secular day of January following their election and then and there qualify and organize. A majority of the whole number of members of the City Council, including the Mayor, shall be necessary to constitute a quorum. Less than a quorum may adjourn from time to time. (Ord. 15-68 §2, 1968)

2.16.030 Appointment of City Officers. The Council, upon qualification, and at the first meeting, shall elect a health officer and legal counsel, both of whom shall serve for a term of one year, subject to removal, as provided by statute, or by ordinances of the City. (Ord. 15-68 §3, 1968)

2.16.040 Compensation of Appointed Officers. The newly elected Council at his first meeting shall have the full power and jurisdiction to fix the salaries and compensation of all officers appointed by it or to be appointed by the Mayor. If the Council, on or before the meeting at which the officers are elected or appointed, fails to fix the salaries and compensation, the salaries as established by the preceding Council shall remain in full force and effect. (Ord. 15-68 §4, 1968)

2.16.050 Regular Meetings. The regular meetings of the City Council shall be held on the first Monday and third Monday of every month. If the first or third Monday falls on a legal holiday, the meeting shall be held on the day following at the same time. The hour of meeting shall be seven p.m. (Ord. 3-85 §1, 1985)

2.16.060 Special Meetings. The Council shall hold special meetings at any time when called by the Mayor or any three members of the City Council. Notice of the meetings shall be given the members of the Council by a written notice signed by the Mayor or by the three members of the City Council calling the meeting, which shall be personally served upon each Councilman or left at his usual place of business or his residence. When a special meeting is called, the service of the notice of this meeting upon any Councilman not appearing at the meeting shall be noted of record in the proceedings of the meeting. (Ord. 15-68 §6, 1968)

2.16.070 Absence of Clerk. Should the clerk be absent at any regular or special meeting duly called, the Council shall appoint one of its members to act as clerk. (Ord. 15-68 §7, 1968)

2.16.080 Committees. There shall be five standing committees of the Council, who shall serve for a term of two year. The members of the committees shall be appointed by the Mayor at the first regular meeting of the Council in January, following the regular municipal election, or as soon thereafter as practicable, and the first person named in each committee shall be the chairman thereof. The following shall be the standing committees: Public Safety, Public Works and Health and Social Services, Culture and Recreation, General Government and Economic Development, and Business Activities. Each standing and special committee shall consist of not less than two members It shall be the duty of the standing committees and the members thereof to make a special study and investigation of the conditions and matters of the City in reference to

the matters involved in their particular departments. Upon the acceptance of a final report from a special committee, the committee shall be considered discharged without a vote, unless otherwise ordered. (Ord. 15-68 §8, 1968)

2.16.090 Rules Governing Meetings. The following rules shall govern the meetings of the Council and its transaction of business:

RULE 1. The Mayor shall be the presiding officer of the Council. He shall preserve order and decorum and shall decide questions of order subject to an appeal to the Council. A member called to order shall immediately suspend his remarks, unless permitted to explain. If there is no appeal, the decision of the chair shall be conclusive; but if the member appeals to the Council from the decision of the chair, the Council shall decide the question without debate.

RULE 2. At the hour appointed for the meeting, a quorum being present, the order of business shall be as follows:

- (1) Reading the minutes of the last meeting or meetings, amendment and approval of same.
- (2) Unfinished business of preceding meeting.
- (3) Presentation of petitions and other communications.
- (4) Reports of City officers.
- (5) Reports of standing committees.
- (6) Reports of special committees.
- (7) Ordinances, resolutions and payment of bills.
- (8) New and miscellaneous business.

RULE 3. A question relating to the priority of business shall be decided by the Mayor without debate.

RULE 4. Motions. No motions shall be put or debated unless seconded. When a motion is seconded, it shall be stated by the Mayor before debate, and every motion shall be reduced to writing if required by the Mayor or any Councilman. After a motion or resolution is stated by the chair, it shall be deemed in possession of the Council, but it may be withdrawn at any time before decision or amendment. In all cases where a resolution or a motion is entered on the minutes of the City Council, the name of the member moving same shall be entered also.

RULE 5. Adoption, Majority Vote. No resolution or ordinance, except specifically provided for by law, shall be adopted without a concurrence of a majority of the whole number of members elected to the Council by call of the ayes and nays which shall be recorded.

RULE 6. Order of Debate. When a question is under debate, the only motions in order shall be:

- (1) To adjourn;
- (2) The previous question;
- (3) To lay on the table;
- (4) Postpone indefinitely;
- (5) To adjourn to a certain day;
- (6) To refer;
- (7) To amend;

and the motions shall be given precedence in the order herein arranged, the first three to be decided without debate.

RULE 7. Adjournment. A motion to adjourn the City Council is in order except when a member is in possession of the floor, while the ayes and nays are being called, while the members are voting, when adjournment was the last preceding motion, or when it is decided that the previous

questions shall be taken. A motion to adjourn simply cannot be amended, but a motion to adjourn to a given time may be, and is open to debate.

RULE 8. Previous Question. When the previous question is moved and put all proposed amendments and all further motions and debates shall be excluded and the question put without delay.

RULE 9. Motion to Lay on Table. A motion to lay a question on the table simply is not debatable, but a motion to lay on the table and publish, or any other condition is subject to amendment and debate.

RULE 10. Postponement. When a motion is postponed indefinitely, it shall not be taken up again during the same meeting.

RULE 11. Reference. A motion to refer to a standing committee shall take precedence of a similar motion for a special committee.

RULE 12. Amendments. A motion to amend an amendment shall be in order, but to amend an amendment to an amendment shall not be entertained. Any amendment modifying the intention of the motion shall be in order, but an amendment relating to a different subject shall not be in order. On a motion to strike out and insert, the paragraph to be amended shall first be read as it stands, the words proposed to be struck out and those to be inserted, and finally the paragraph as it would stand, if so amended.

RULE 13. Reconsideration. A motion may be reconsidered at any time during the same meeting or at a first meeting held thereafter. A motion for reconsideration being once made and decided in the negative shall not be renewed before the next meeting. A motion to reconsider must be made and seconded by the members who voted on the prevailing side, or by those who were absent and did not vote upon the motion to be reconsidered.

RULE 14. The foregoing rules may be suspended for a certain meeting or for a certain purpose only, by the unanimous vote of the Council.

RULE 15. Upon questions arising not covered by the foregoing, Robert's Rules of Order shall govern.

(Ord. 15-68 §9, 1968)

2.16.100 Ordinances. All ordinances shall be presented in writing before being considered by the Council, and shall be fully and distinctly read on three different days, unless three-fourths of the Council shall dispense with the rule. In all proceedings to amend or change an ordinance or section thereof, the proposed amendment shall contain the entire Ordinance or sections thereof to be amended or changed, and the former ordinance or section shall be repealed. (Ord. 15-68 §10, 1968)

2.16.110 Trustees of Fairview Cemetery. The City Council is created as trustees in perpetuity to manage and control the City cemetery. The City Council is created as trustees in perpetuity to accept and receive funds for perpetual care of the City cemetery as provided by Section 566.14 of the 1946 Code of Iowa, and to invest such funds so received as provided by Section 566.15 of the 1946 Code of Iowa. (Ord. 64 §§1, 2, 1948)

2.16.120 Surety. Any association or corporation which makes a business of insuring the fidelity of others and which has authority to do such business within Iowa shall be accepted as surety on any of the bonds.

2.16.130 Blanket Position Bond. The City Council shall provide for a blanket position bond to cover all officers and employees of the City, but the City Council may provide by resolution for a surety bond for any other officer or employee that the City Council deems necessary. The City shall pay the premium on any official bond. (Code of Iowa, Sec. 64.13)

2.16.140 Bonds Filed. All Bonds when duly executed shall be filed with the Clerk, except that the Clerk's bond shall be filed with the Mayor. (Code of Iowa, Sec.64.23)

2.16.150 Gifts. 1. Except as otherwise provided in Chapter 6813, Code of Iowa, a public official, public employee, or candidate, or that person's immediate family member shall not, directly or indirectly, accept or receive any gift or series of gifts from a restricted donor. A public official, public employee, candidate, or the person's immediate family member shall not solicit any gift or series of gifts from a restricted donor at any time.

2. A restricted donor shall not, directly or indirectly, offer or make a gift or a series of gifts to a public official, public employee, or candidate. A restricted donor shall not, directly or indirectly, join with one or more other restricted donors to offer decide the question without debate.

* For statutory provisions pertaining to Council meetings, see I.C.A. 368A.1. For statutory provisions pertaining to the Mayor-Council form of government generally, see I.C.A. 363A.

Chapter 2.18

CITY ADMINISTRATOR

Sections:

2.18.010 Purpose

2.18.020 Objectives

2.18.030 Appointment and Term

2.18.040 Compensation

2.18.050 Duties of the Administrator

2.18.060 Overlapping Duties

2.18.070 Council-Administrator Relations

2.18.080 Residence

2.18.090 City Administrator Bond

2.18.100 Council Relations

2.18.010 Purpose. By virtue of the authority conferred by Chapter 372 Code of Iowa, 1997 the office of City Administrator (Manager) hereinafter "City Administrator," for the City of Denver, Iowa created. (Ord. 6-97)

2.18.020 Objective. 1. To provide for the efficient and effective management of all facets of government of the City under the control and jurisdiction of the Council.

2. To provide optimum coordination, communication, and cooperation between and among City departments, boards and commissions, and City staff.

3. To promote efficient, fair and equitable personnel management and administration.

4. To establish and maintain governmental organization which will support and promote retail, industrial, and other economic development.

5. To provide for the systematic and orderly flow of information to and from the Council, its department heads, staff, and citizens of the community. (Ord. 6-97)

2.18.030 Appointment and Term. The City Administrator shall be appointed by a majority of the Council. The City Administrator shall hold office during the pleasure of said body and shall be subject to removal and termination by a majority vote thereof, subject to the provisions and protections of Section 372.15, Code of Iowa. Appointment shall be made on the basis of the individual's qualifications and not on the basis of party affiliation. (Ord. 6-97)

2.18.040 Compensation. The City Administrator shall receive such annual salary and benefits as Council shall from time to time determine by resolution and payment shall be made from the treasury of the City in a manner provided for the payment of compensation and allocation of benefits of other officers and employees of the City. (Ord. 6-97)

2.18.050 Duties of the Administrator. The City Administrator is the chief administrative officer for the City. The duties of the City Administrator shall be as follows: 1. Law and Council Directives. To see that all resolutions, ordinances, laws, Council and Mayor directives and approved operational policies are either faithfully enforced and executed or referred to proper officials for compliance thereof.

2. Council Meetings. To attend all meetings of the Council unless otherwise excused by the Mayor and Council.

3. Recommendations. To recommend to the Mayor and Council such measures as may be deemed necessary or expedient for the good, efficient government and the general welfare of the City.

4. Supervision and Administration. To have general responsibility for the supervision, direction, and administration of the following departments and offices and be directly responsible to the Council for the proper function of the same.

A. City of Denver Administrative offices.

B. Streets, Sewer, and Water Departments.

C. Electric Department.

5. City Boards. To cooperate with and give assistance requested by the Board of Trustees of the Denver Public Library, the Denver Parks and Recreation Commission, the Planning and Zoning Commission, and the Board of Adjustments.

6. Contracts. To be responsible for the supervision and performance of all contracts for work and services to be done for the City, except as otherwise specified.

7. Accounting. To maintain an accounting of all obligations, agreements, commitments and contractual franchises involving the City and report to the Mayor and Council any deviations from the exact terms as specified.

8. Purchasing. To be authorized to direct the purchasing of all commodities, materials, supplies, capital outlays and services for all departments of the City that have been budgeted and appropriated by resolution of the Council, and enforce a program to determine that such purchases are received and are of the quality and character called for in the order. The City Administrator shall require taking of bids on all matters deemed advisable.

9. Employment Applications. To, along with the appropriate department head, review and evaluate the applications for City Employment and make recommendations to the Council for approval.

10. Hiring, Promotion, Reclassification of Employees. With recommendations of the appropriate department head, the City Administrator shall recommend to the Council employment, promotion, or reclassification of any City employee.
11. Employee Discipline. Subject to requirements of State law, City ordinance, and the City personnel policies, to have the power to discipline any employee in a manner consistent with the City personnel Policy Manual.
12. Buildings and Equipment. To supervise the management of all buildings, structures and land under the jurisdiction of the Council, and shall also be charged with the care and preservation of all City-owned equipment, tools, machinery, appliances, supplies, and commodities.
13. Advise Mayor and Council. To keep the Mayor and Council fully advised of the financial and other conditions of the City and its future needs, and make to the Council periodic reports of the general condition of the City in writing at such intervals as the Council directs.
14. Annual Budget. To assist the Mayor, Council, and all department heads in preparing the annual budget in the manner as prescribed by law.
15. Business Affairs. To see that all business affairs of the City are conducted by approved methods and in an efficient manner.
16. Records. To at all times be responsible for the maintenance of accurate and current records of all affairs of the departments under Administrator's jurisdiction, as may be required by law. Copies of such reports shall be available for public inspection except as otherwise prohibited by law.
17. Delegated Powers. To perform duties and have direct authority on all matters delegated by Council action.
18. Mayor. To provide administrative support and assistance to the Mayor and perform duties in the coordination of all phases of municipal activity as directed by the Mayor and Council.
19. Personnel Policies. To formulate and recommend employment and personnel policies, compensation schedules and benefits for the approval of the Council.
20. Attorney and Engineers. To coordinate, advise, assist and consult with the City Attorney and any engineering firms.
21. Function and Services. To be responsible for the following functions and services:
 - A. Budget control and finance.
 - B. Insurance and public bonds.
 - C. Capital improvements and planning.
 - D. Search for funds and grants.
22. Negotiations and Assistance. To represent the City, as directed by the Council, in all negotiations and relations with employees, contractors, consultants, other governmental units, and civic organizations in which the City may have an interest, and cooperate with, assist and advise all administrative agencies, City boards, and commissions and act as the Council's liaison and representative to such entities.
23. Other Meetings. To attend City, County, regional, and any other meetings as requested by the Mayor and/or Council.
24. Funding. To compile and maintain current and up-to-date information regarding all funding sources of the City, including State and federal grant and loan programs, to plan, develop, and prepare and submit, with the approval and at the direction of the Council, applications for grants, loans and other funding sources and to administer all such funding.

25. Projects. To make recommendations to the Council and to participate in projects and endeavors to support and promote economic growth, and development in the City.

26. City Clerk. To perform such other duties as the Mayor or Council may direct. (Ord. 6-97)

2.18.060 Overlapping Duties. Whenever, by ordinance of the Council or otherwise, the powers and duties heretofore vested in any other appointive municipal officer are to be partly or wholly performed by the City Administrator, the City Administrator shall be in charge of such duties. (Ord. 6-97)

2.18.070 Council-Administrator Relations. Except for the purpose of inquiry, the Council and its members shall deal with the administrative services solely through the City Administrator and neither the Council nor any member thereof shall give orders to any subordinate of the City Administrator, either publicly or privately. (Ord. 6-97)

2.18.080 Residence. The City Administrator, within a reasonable period of time following appointment, shall reside within the Denver City limits unless a waiver of this provision is obtained by Council resolution. (Ord. 6-97)

2.18.090 City Administrator Bond. The City Administrator shall execute and file a bond for the faithful performance of the duties of the office, and in favor of the City, in such sum as determined by the Council. The City shall pay the cost of such bond. (Ord. 6-97)

2.18.100 Council Relations. The City Administrator shall not take part in any Council election except by voting in the election, and shall not appoint a City elected official to any City office or employment. (Ord. 6-97)

Chapter 2.20
CLERK *

Sections:

- 2.20.010 Office Created
- 2.20.020 Secretary
- 2.20.030 Accounting Officer
- 2.20.040 Custody of Funds and Treasury
- 2.20.050 Debt Service
- 2.20.060 Records
- 2.20.070 Petitions and Communications
- 2.20.080 Licenses and Permits
- 2.20.090 Ordinances and Resolutions
- 2.20.100 Appointments
- 2.20.110 Elections
- 2.20.120 Investments
- 2.20.130 Additional Duties
- 2.20.140 Compensation

2.20.010 Office Created. There is created the office of City Clerk to be appointed by the City Council. (Ord. 7-73 §1, 1973)

2.20.020 Secretary. The clerk shall attend all meetings of the Council and its committees, and of such boards and commissions as directed. He shall record and preserve a correct record of the proceedings of such meetings and publish a summary of Council proceedings immediately after each regular or special meeting, in the manner required by law. (Ord. 7-73 §2(1), 1973).

2.20.030 Accounting Officer. The clerk shall be the chief accounting officer of the City and:

- (1) Keep separate accounts for every appropriation, department, public improvement or undertaking, in the manner provided by law;
- (2) Keep an account of all cash, investments, accounts receivable, and property received by, due to, or in the custody of the City and to give a receipt immediately upon cash coming into his hands specifying the date, from whom, for what account, and record each transaction in the correct fund as required by law, and Council direction where not specified by law;
- (3) Keep accounts for cash disbursed, purchase and contract commitments, and property disposed of or sold by the City, specifying the date and to whom paid and record each transaction in the correct fund as required by law, and Council direction where not specified by law;
- (4) Prepare and publish all financial and budgetary reports required by law and the Council, and the list of claims in the manner specified by law. (Ord. 7-73 §2(2), 1973)

2.20.040 Custody of Funds and Treasurer. The clerk shall:

1. Immediately upon receipt of moneys to be held in his custody and belonging to the municipality, deposit the same in banks selected by the Council in amounts not exceeding the monetary limits authorized by the Council;
2. Deposit all City money immediately following receipt on the same day or the day following, and in no instance less often than once a week when any day's receipts do not exceed five dollars;
3. Draw all warrants of the City only upon Council order, except that for payments due under covenants or under a standing authorization granted by resolution of Council in the case of salaries and wages, payroll withholdings, payroll taxes, and insurance benefits due by law or contracts previously approved by Council, and utility billings to obtain discounts allowable, he may pay upon becoming due, but all exceptions are subject to full reporting at the next Council meeting;
4. Show on each warrant the fund on which it is drawn and the claim to be paid;
5. Keep a warrant book, bound with a marginal back, on which margin he shall keep the record of the number, date, amount, payee's name, upon which fund drawn, and what claim each warrant is issued. Whenever a warrant is delivered to the payee by mail, the clerk shall note this fact on the margin of the warrant book with the date of mailing and initial the notation;
6. He shall reconcile the bank statements with his books and certify monthly to the Council the balance of cash and investments of each fund and amounts received and disbursed. (Ord. 7-73 §2(3), 1973)

2.20.050 Debt Service. (a) The clerk shall sign all evidences of indebtedness, coupons, or certificates as required by law of a City clerk or treasurer; and

(b) Keep a register of all bonds outstanding and record all payments made of interest and principal, and report the same to the Mayor and City Council during the month of January of each year. (Ord. 7-73 §2(4), 1973)

2.20.060 Records. (a) The clerk shall have custody and be responsible for the safekeeping of all records or documents in which the municipality is a party in interest unless otherwise specifically directed by law or ordinance, and 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. He shall, upon order of the Council, destroy all vouchers and minor records when over ten years old, except the permanent records specified for retention by law.

(b) Copies of Records. The clerk shall furnish upon request to any municipal officer a copy of any record, paper or public document under his control when it may be necessary to such officer in the discharge of his duty. He shall furnish a copy to any citizen when requested upon payment of the allowable charge set in the law or resolution of Council. (Ord. 7-73 §2(5), 1973)

2.20.070 Petitions and Communications. The clerk shall keep and file by number and date all communications and petitions directed to the Council or to the City generally. He shall endorse thereon the action of the Council taken on the matters presented in such communications and petitions. (Ord. 7-73 §2(6), 1973)

2.20.080 Licenses and Permits. The clerk shall issue all licenses and permits approved by the Council, and keep a record thereof which shall show the date, number, and to whom issued, and for what purpose. (Ord. 7-73 §2(7), 1973)

2.20.090 Ordinances and Resolutions. The clerk shall publish as required by law all ordinances or resolutions of the municipality. He shall keep a record, properly indexed, of such resolutions and ordinances and show the date of passage, date of approval, and date of publication where required, all in accordance with law. He shall authenticate the same. He shall keep the municipal code current at intervals set by the Council. (Ord. 7-73 §2(8), 1973)

2.20.100 Appointments. The clerk shall keep a record of all appointments and notify all persons appointed by the Mayor or Council to office of such appointment and the time of taking office. (Ord. 7-73 §2(9), 1973)

2.20.110 Elections. The clerk shall perform the duties required by law or ordinance of the clerk in regard to elections and keep all records thereof as required by law. (Ord. 7-73 §2(10), 1973)

2.20.120 Investments. The clerk shall advise the Council on investments and shall invest City moneys not immediately needed at interest in accordance with Council directives and the requirements of I.C.A. Chapter 452. He shall determine the anticipated level of bank deposits for making the depository declaration of the State Treasurer as required by I.C.A. Chapter 453, and file with the county treasurer a list of authorized depositories as required by I.C.A. Section 454.6. (Ord. 7-73 §2(11), 1973)

2.20.130 Additional Duties. The clerk shall perform such other duties as specified by the Council by resolution or ordinance. (Ord. 7-73 §2(12), 1973)

2.20.140 Compensation. The clerk shall be paid such compensation as specified by Council resolution. (Ord. 7-73 §3, 1973)

* For statutory provisions defining the powers and duties of the clerk, see I.C.A. 368A.3. For statutory provisions generally regulating municipal accounting, see I.C.A. 368A.5--368A.16. Also, see I.C.A. 368A.3.

Chapter 2.24

DEPUTY CITY CLERK

2.24.010 Duties of the Deputy City Clerk

2.24.010 Duties of the Deputy City Clerk. Under the supervision of the City Administrator, perform entire utility billing process, handles cash and balances cash drawer, collects and deposits revenues received for all departments, performs general accounting duties, balancing bank statements, data entry of information into computer, answers the telephone, answers citizen questions, maintain records, and files for the City, prepares reports as needed, other duties as assigned.

Chapter 2.28

POLICE CHIEF

Sections:

2.28.005 Appointment and Dismissal

2.28.010 Powers and Duties

2.28.020 Arrests

2.28.030 Badge

2.28.040 Assist Attorney

2.28.050 Sergeant-At-Arms

2.28.060 Attendance at Council Meetings

2.28.070 Report to the Council

2.28.080 Protect Persons and Property

2.28.090 Execute Lawful Orders

2.28.100 Aid other City Officers

2.28.120 Reports of Motor Vehicle Accidents

2.28.130 Reports of Records Kept by the Police Chief

2.28.140 Books and Fees

2.28.005 Appointment and Dismissal. The Police Chief shall be appointed or dismissed by the Mayor, subject to the consent of a majority of the Council.

2.28.010 Powers and Duties. The duties of the Police Chief shall be as follows: (Code of Iowa, Sec. 372.13(4))

1. The Police Chief shall wear upon the Police Chief's outer garment and in plain view a metal badge engraved with the name of the Police Chief's office, and such uniform as may be specified by the City Council.
2. The Police Chief 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 Police Chief shall be sergeant-at-arms of the Council chamber when requested by the City Council.
4. The Police Chief shall report to the City Council upon activities as Police Chief when requested.
5. The Police Chief 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 Police Chief shall execute all lawful orders of any board or commission established by the City Council.
7. The Police Chief shall be in command of all officers appointed for police work and be responsible for the care, maintenance and use of all vehicles and equipment for the department.
8. The Police Chief may appoint one or more assistant Police Chiefs, who may perform the Police Chief's duties and who shall be members of the police force.
9. The Police Chief shall make such rules, not in conflict with the provisions of this Ordinance, as needed for the detailed operation of the police department, subject to the approval of the City Council. Such rules shall cover off-duty and on-duty conduct and activity of members, the wearing and care of the uniform, the use and practice with side arms and other police weapons, the use of police radio and other communications, attendance at training meetings and such other matters as the Police Chief determines to be necessary for the operation of the police department. The Police Chief shall see that the discipline and conduct of the department conforms to rules of the department. In the event of an emergency the Police Chief may make temporary rules for the protection of the system until due consideration by the City Council may be had.
10. The Police Chief shall, when requested, aid other municipal officers in the execution of their official duties.
11. The Police Chief shall report all motor vehicle accidents the police department investigates in the regular course of duty to the Iowa Department of Public Safety as provided by law.
12. The Police Chief shall keep a record of all arrests made in the City by police officers. The Police Chief shall record whether said arrest was made under provisions of the laws of the State of Iowa or Ordinances of the City. The record shall show the offense for which arrest was made, who made the arrest, and the disposition made of the charge. At least every year the Police Chief shall review and determine the current status of all Iowa arrests reported, which are at least one (1) year old with no disposition data. Any Iowa arrest recorded within a computer data storage system which has no disposition data after four (4) years shall be removed unless there is an outstanding arrest warrant or detainer on such charge.

2.28.020 Arrests. The Police Chief shall arrest, with or without warrant any person committing or attempting to commit any public offense or violation of any City ordinance, as provided by law. (Ord. 13-68 §9(a), 1968)

2.28.030 Badge. The Police Chief shall wear upon his outer garment and in plain view a metal badge engraved with the name of his office. (Ord. 13-68 §9 (b), 1968)

2.28.40 Assist Attorney. The Police Chief shall assist the City attorney in prosecuting any persons for the violation of any ordinance by gathering all the facts and circumstances surrounding the case. (Ord. 13-68 §9(c), 1968)

2.28.1350 Sergeant-At-Arms. The Police Chief shall be sergeant-at-arms of the Council chamber. (Ord. 13-68 §9 (d), 1968)

2.28.060 Attendance at Council Meetings. The Police Chief shall attend all Council meetings, unless excused by the Mayor. (Ord, 13-68 §9(e), 1968)

2.28.070 Report to the Council. The Police Chief shall report to the Council on his activities as marshal, when requested. (Ord. 13-68 §9(f), 1968)

2.28.080 Protect Persons and Property. The Police Chief shall protect the rights of persons and property. He shall preserve order at all public gatherings, so far as possible, and abolish nuisances, and protect persons against every manner of disorder and offense. (Ord. 13-68 §9(g), 1968)

2.28.090 Execute Lawful Orders. The Police Chief shall execute all lawful orders to the board of health and any other board or commission established in the City. (Ord. 13-68 §9(h), 1968)

2.28.100 Aid Other City Officers. When requested, the Police Chief shall aid other municipal officers in the execution of their official duties. (Ord. 13-68 §9(j), 1968)

2.28.120 Reports of Motor Vehicle Accidents. The Police Chief shall report all motor vehicle accidents he investigates in the regular course of duty to the Iowa Department of Public Safety, as provided by law. (Ord. 13-68 §9(k), 1968)

2.28.130 Reports of Records Kept by the Police Chief. The Police Chief shall keep a record of all arrests made in the City. He shall report whether the arrest was made under provisions of the laws of the state of Iowa or ordinances of the City. The record shall show the offense for which the arrest was made, who made the arrest, and the disposition of the charge (Ord. 13-68 §9(1), 1968)

2.28.140 Books and Fees. The Police Chief shall keep a correct account, in a book provided by the City for that purpose, of all moneys and all City property which may, by virtue of his office, come into his hands from any source whatsoever, stating from whom received, and on what account the same was paid. (Ord. 13-68 §9(m), 1968)

* For statutory provisions defining the powers and duties of the Police Chief, see I.C.A. 372.13 and 372.13.

Chapter 2.32
PUBLIC WORKS DIRECTOR

Sections:

2.32.010 Powers and Duties

2.32.010 Powers and Duties. Powers and duties of the Public Works Director shall be as follows:

1. The Director 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 Director shall maintain and repair the sidewalks, alleys, bridges and streets and keep them in a reasonably safe condition for travelers. The Director shall immediately investigate all complaints of the existence of dangerous or impassable conditions of any sidewalk, street, alley, bridge, underpass or overpass, and is charged with the duty of correcting unsafe defects in them.
3. The Director 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 Director 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 to the Mayor on or before the first Council meeting of each month.

Chapter 2.36

HEALTH OFFICER

Sections:

2.36.010 Powers and Duties

2.36.040 Contagious Disease and Sanitary Conditions

2.36.010 Powers and Duties. The powers and duties of the local health officer shall be as set forth in this chapter. (Ord. 13-68 §11(part), 1968)

2.36.040 Contagious Disease and Sanitary Conditions. The local health officer shall visit all suspected cases of contagious disease and inspect all sanitary conditions within the City. (Ord. 13-68 §11(c), 1968)

Chapter 2.38

CITY ATTORNEY

Sections:

2.38.010 Powers and Duties

2.38.010 Powers and Duties. The duties of the City Attorney shall be as follows: (code of Iowa, Sec. 372.13(4))

1. 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.
2. The City Attorney shall, upon request, formulate drafts for contracts, forms and other writings which may be required for the use of the City.

3. 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.
4. 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.
5. The City Attorney shall prepare those Ordinances when the City Council may desire and direct to be prepared and report to the City Council upon all Ordinances before their final passage by the City Council and publication.
6. 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.
7. 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 City Council, appear to defend any municipal officer or employee in any cause of action arising out of or in the course of the performance of the duties of his or her office or employment.
8. 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.
9. 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 said City Attorney or coming under said City Attorney's notice.
10. 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.

Chapter 2.40
FIRE CHIEF

Sections:

2.40.010 Powers and Duties

2.40.010 Powers and Duties. The duties of the Fire Chief shall be as follows: (Code of Iowa, Sec. 372.13(4))

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 City 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 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.
- f. 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

Chapter 2.42

ELECTRIC SUPERINTENDENT

Sections:

2.42.010 Powers and Duties

2.42.010 Powers and Duties. The Electric Superintendent shall be responsible for the management, operation, and maintenance of the electric utility.

The duties of the Electric Superintendent shall be as follows: (Code of Iowa, Sec. 372.13(4))

1. The Electric Superintendent shall be responsible for the management, operation, and maintenance of the electric utility.
2. The Electric Superintendent shall keep records of distribution and private service maps, depreciation of plant and equipment, and the continuous up-to-date inventory of all electrical materials. The Electric Superintendent shall keep all records ordered to be kept by the Mayor in addition to those provided for by law or ordinance.
3. The Electric Superintendent shall make a written monthly report to the Mayor and City Council on the present state of the electric utility. This report should include production and the general condition of the entire electric utility. The Electric Superintendent shall at the close of every year, compile a written annual report of all the activities and general condition of the electric utility. This report shall contain a statement of the general progress and accomplishments of the distribution system for the year covered in the report. A statement of financial operations for the year showing revenues, expenditures, and profits or losses, a summary of the history of the financial operations of the electric utility for the past five years, showing total revenues, cost of operation, depreciation, interest on bonds and net profits; a statement of free services rendered to other municipal entities during the year and their estimated cash value; a statement of the rate schedules that are presently in effect; and a balance sheet with a statement of all assets, liabilities, and reserves.

Chapter 2.44
PARK AND RECREATION COMMISSION

Sections:

2.44.010 Appointment

2.44.020 Term

2.44.030 Qualifications

2.44.040 Compensation

2.44.050 Officers

2.44.060 Meetings

2.44.070 Duties and Powers

2.44.080 Gifts and Donations

2.44.010 Appointment. The Mayor, with the approval of the Council, shall appoint five (5) parks and recreation commissioners. Three from within the corporate City limits and two from within the boundaries of the Denver Community School District.

2.44.020 Term. Following appointment the initial commission according to law, each member shall be appointed for a term of three (3) years.

2.44.030 Qualifications. 1. The commissioners must be eligible electors, and residents of the Denver School District.

2. No person while on the commission, shall hold any other office, or be an employee of the City.

2.44.040 Compensation. Parks and recreation commissioners shall serve without compensation, but may be reimbursed for actual expenses, including travel expenses, incurred in performing any duty described in this chapter, subject to Council approval.

2.44.050 Officers. 1. Selection. The officers of the commission shall be the chairperson and vice chairperson who shall be elected at the first organizational meeting of the commission in January of each year and who shall serve one (1) year terms.

2. Duties. The chairperson shall be the presiding officer and decide on all points of order and procedure. In the absence of the chairperson, the vice chairperson shall be the presiding officer and assume all responsibilities of the chairperson.

2.44.060 Meetings. The commission shall hold regular monthly meetings at a date, time and place as determined by the commission. Special meetings may be called by the chairperson. All meetings shall be open to the public. A Quorum shall consist of a majority of the commissioners.

2.44.070 Duties and Powers. The commission shall have the following powers and duties. 1. To recommend to the City Council a budget providing for the operations of the parks and recreation department, including public grounds maintenance and recreation programs.

2. To recommend to the City Council the establishment of fees for certain activities of the parks and recreation department.

3. To recommend to the City Council policies for the operation of all functions under the jurisdiction of the parks and recreation department.
4. To recommend to the City Council long term capital improvement programs for parks and recreation facilities, including the acquisition of park sites.
5. To promote parks and recreation activities which will benefit all the citizens of the Denver Community School district.

2.44.080 Gifts and Donations. All grants gifts and donations which are received by the City and subsequently designated to be used for parks and recreation purpose only shall be placed in a special parks and recreation fund to be expended in a manner recommended by the commission and authorized by the City Council.

Chapter 2.52

DENVER FIRE ASSOCIATION *

Sections:

- 2.52.010 Establishment and Purpose
- 2.52.020 Fire Chief
- 2.52.030 Fire Chief's Duties
- 2.52.040 Volunteer Firemen
- 2.52.050 Firemen's Duties
- 2.52.060 Right-of-Way--Penalty for Interference
- 2.52.070 Workmen's Compensation and Hospitalization Insurance
- 2.52.080 Liability Insurance
- 2.52.090 Fires Outside City Limits

2.52.010 Establishment and Purpose. A volunteer fire department is hereby established to prevent and extinguish fires, to protect lives and property against fires, to promote fire prevention and fire safety, and to answer all emergency calls for which there is no other established agency. (Ord. 6-68 §1, 1968)

2.52.020 Fire Chief. The fire chief shall be elected for a term of one year by the members of the volunteer fire department, with approval of the Council. The Council shall be furnished the department's attendance records for drills meetings and fires, and shall give due consideration to such records in approving the appointment of future fire chiefs. The volunteer fire department, with approval of the Council may remove the fire chief by written order, setting out the reasons for removal, which shall be filed with the City clerk: (Ord. 6-68 §2, 1968).

2.52.030 Fire Chief's Duties. The fire chief shall command all operations of the department, and be responsible for the care, maintenance and use of all vehicles and equipment of the department. Subject to Council approval, he shall establish and maintain departmental rules to carry out the requirements of this chapter. He shall provide every fireman with a copy of these rules. With the approval of the Council, he shall appoint carefully selected volunteer firemen, fill vacancies among them and may discharge them.

The chief shall keep a record of the names, ages and residences of the firemen and be responsible for their training and supervision. He shall maintain attendance records for drill meetings and

fires. He shall investigate the cause, origin and circumstances of each fire by which property has been destroyed or damaged or which results in bodily injury to any person. Whenever he finds that bodily injury or property damage of fifty dollars or more was caused by such fire, or if he suspects arson, he shall report his findings to the state fire marshal in writing within one week after the fire. If he believes that a fire was started by design or if a death occurs as the result of a fire, he shall notify the state fire marshal immediately. He has authority to enter and inspect any building or premises in the performance of his duties and shall make written orders to correct any conditions that are likely to cause fire or endanger other buildings and property. (Ord. 6-68 §3, 1968)

2.52.040 Volunteer Firefighters. No more than thirty residents living within the Denver Fire District of sound mind and body at least twenty-one years of age shall be appointed to serve as volunteer firefighters. (Ord. 6-68 §4, 1968)

2.52.050 Firefighter's Duties. When called by the chief, all firefighters shall report for duty immediately, in the manner directed by the chief. They shall be subject to call at any time. They shall obey strictly the commands of any other firefighter who has been appointed by the chief to be in command temporarily. Firefighter shall report to the chief in advance if they expect to be absent from the City for twelve hours or more. Firefighters shall report for training as ordered by the chief. (Ord. 6-68 §5, 1968)

2.52.060 Right-of-Way--Penalty for Interference. The fire department of this City shall have full right-of-way on all streets, avenues, or alleys thereof in responding to a fire alarm or at a fire over any dray, wagon, truck, automobile, car, locomotive, train of cars or any other vehicle or conveyance of any kind whatsoever, and any person who shall willfully hinder or interfere with any City Officer or Firefighter in the performance of their duty, at, or going to, or returning from any fire, or while attending to their duties as members of the fire department, or shall willfully or negligently or carelessly drive or run any dray, wagon, truck, automobile, car, locomotive, train of cars or any other vehicle or conveyance across, along, over or upon any hose, or shall willfully cut, deface, destroy or injure any fire apparatus owned or hired by the City, any wires, poles, signal boxes, or any other property or fixtures belonging to or connected with the fire department or the fire alarm system, or shall willfully give or make or cause to be made or given any false alarm of fire, or ring or cause to be rung any fire bell or gong, by which a false alarm may be given, upon conviction thereof, shall be fined not less than one dollar nor more than one hundred dollars and all costs, or imprisoned in the county jail not more than thirty days and shall be liable for all damages done to any such property. (Ord. 6-68 §6, 1968)

2.52.070 Workmen's Compensation and Hospitalization Insurance. The Council shall contract to insure the City against liability for workmen's compensation and against statutory liability for the costs of hospitalization, nursing and medical attention for volunteer firemen injured in the performance of their duties as firemen. All volunteer firemen shall be covered by the contract. (Ord. 6-68 §7, 1968)

2.52.080 Liability Insurance. The Council shall contract to insure against liability of the City or members of the department for injuries, death or property damage arising out of and resulting from the performance of departmental duties. (Ord. 6-68 §8, 1968)

2.52.090 Fires Outside City Limits. The department shall answer calls to fires and other emergencies outside the City limits. The fire chief is hereby directed to keep a record of all such calls and to file a statement with the City clerk upon his returning from such calls showing the name of the person who made the call and the name of the person owning the property involved. (Ord. 6-68 §9, 1968)

* For statutory provisions authorizing cities and towns to provide fire protection, see I.C.A. 368.11. For provisions covering the fire chief, see Chapter 2.40.

Chapter 2.56

DENVER PUBLIC LIBRARY BOARD OF TRUSTEES*

Sections:

2.56.010 Established.

2.56.020 Board of Trustees

2.56.030 Powers and Duties of Board of Trustees

2.56.040 Power to Contract With Others for Use of the Library

2.56.050 Nonresident Use of the Library

2.56.060 Library Fund

2.56.070 Annual Report

2.56.010 Established. A public library is established by the City Council to be known as the Denver Public Library. (§1 of Ord. passed January 18, 1960).

2.56.020 Board of Trustees. The board of trustees of the Denver Public Library, hereinafter referred to as the board, consists of seven members. All resident members are to be appointed by the Mayor and with the approval of the Board of Supervisors. The majority of members must reside within the corporate limits of the City of Denver. (Ord. 6-99, 1-72 51, 1972; §2 of Ord. passed January 18, 1960)

2.56.030 Powers and Duties of Board of Trustees. The board shall have the exercise the following powers and duties:

1. To meet and elect from its members a president, a secretary, and such other officers as it deems necessary. The City Administrator shall serve as board treasurer, but shall not be a member of the board.
2. To have charge, control and supervision of the public library, its appurtenance, fixtures and room containing the same.
3. To direct and control all affairs of the library with the exception that all-necessary building repairs or improvements shall be provided by the City.
4. To employ a librarian, and authorize the librarian to employ 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, assistants and employees shall have been fixed and approved by a majority of the members of the board voting in favor thereof.

5. To remove by two-thirds vote of the board the librarian and provide procedures for the removal of assistants or employees for misdemeanor, incompetence or inattention to duty.
6. To authorize the librarian to select and make purchases of books, pamphlets, magazines, periodicals, papers, maps, journals, other library materials, furniture, fixtures, stationery and supplies for the library within budgetary limits set by the board.
7. To authorize the use of the library by nonresidents of the City and to affix charges therefor.
8. To make and adopt, amend, modify or repeal rules and regulations, not inconsistent with ordinances and the law, for the care, use, and management of the library and the business of the board, fixing and enforcing penalties for violations.
9. To have exclusive control of the expenditure of all funds allocated for library purposes by the Council, and of all moneys available by gift or otherwise for the erection of library buildings, and of all other moneys belonging to the library including fines and rentals collected, under the rules of the board.
10. To accept gifts of real property, personal property, or mixed property, and devises and bequests, including trust funds; to take the title to said property in the name of the library; to execute deeds and bills of sale for the conveyance of said property; and to expand the funds received by them from such gifts, for the improvement of the library.
11. To keep a record of its proceedings.
12. To enforce the performance of conditions on gifts, devises and bequests accepted by the City by action against the City Council.
13. To have 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 possession of 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 judgement of a historical and educational nature and pay for the same out of funds allocated for the library. (Ord. 6-99)

2.56.040 Power to Contract with Others for the Use of the Library.

1. 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 or with the trustees of any county library by their respective residents.
2. Termination. Such a contract may be terminated at anytime by mutual consent of the contracting parties. It also may be terminated by a majority vote of the electors represented by the governing body of a contracting party on a written petition of not less than five (5) percent in the number of electors who voted in the last general election. The petition must be presented to the governing body not less than forty (40) days before the election. The proposition may be submitted at any election provided by law that is held in the territory or the party who is seeking to terminate the contract. (Ord. 6-99)

2.56.050 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.

1. By lending books or other materials of the library to nonresidents on the same terms and conditions as to residents of the City or upon payment of a special resident library fee.
2. By establishing depositories of library books or other materials to be loaned to nonresidents.

3. By establishing bookmobiles or a traveling library so that books or other library materials may be loaned to non-residents.
4. By establishing branch libraries for lending books or other library materials to nonresidents. (Ord. 6-99)

2.56.060 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 an account for the library. Expenditures shall be paid for only the items approved by the board, signed by its president or secretary. The warrant writing officer is the City Administrator. (Ord. 6-99)

2.56.070 Annual Report. The board shall make a report to the City Council immediately after the close of the fiscal year. This report shall contain statements of the condition of the library, the number of books added, number circulated, the amount of fines collected, and the amount of money expended in the maintenance of the library during the year, together with such further information required by the Council. (Ord. 6-99)

* For statutory provisions pertaining to public libraries, see I.C.A. 378.

Chapter 2.60

AMBULANCE ASSOCIATION

Sections:

- 2.60.010 Established
- 2.60.020 Purpose
- 2.60.030 Membership
- 2.60.040 Rules and Regulations
- 2.60.050 Fees
- 2.60.060 Service Recipients
- 2.60.070 Response to Calls Outside City Limits
- 2.60.080 False Calls

2.60.010 Established. There is established an emergency service within the City of Denver, Iowa, and the surrounding area. The service shall be known as the Denver Ambulance Association. (Ord. 2.70 §1, 1984)

2.60.020 Purpose. The purpose of the organization shall be to provide emergency medical care and transportation whenever and wherever called for in the City of Denver, Iowa, and portions of the surrounding townships and to promote first aid and EMT training to provide emergency medical care and transportation. (Ord. 2.70 §2, 1984)

2.60.030 Membership. The ambulance service shall consist of crew chief and such other positions as authorized by resolutions of the Council. No person less than nineteen years of age or permanently residing outside a radius of four miles of the ambulance garage shall be admitted as a member of the Denver Ambulance Association. Membership in the association shall be in accordance with the rules of the association and no members shall be accepted until final acceptance by the City Council of the City of Denver, Iowa. (Ord. 2.70 §3, 1984)

2.60.040 Rules and Regulations. The association shall adopt such rules and regulations to provide for the effectiveness and discipline of the association and its members, provided, that such rules and regulations do not conflict with the laws of the state, ordinances, or Council-approved policies of the City. Such rules and regulations and future amendments shall be submitted to the City Council for review. When approved by the Council, such rules and regulations shall have the full force and effect of resolution and orders of the City Council. (Ord. 2.70 §6, 1984)

2.60.050 Fees. Fees for the services of the Denver Ambulance Association and its equipment shall be established from time to time by resolution of the City Council. (Ord. 2.70 §7, 1984)

2.60.060 Service Recipients. For the purposes of this chapter, persons receiving the services of the City's emergency unit and its personnel shall be construed as being:

- (1) Those who are actually rendered treatment or first aid by unit personnel or are conveyed in the unit by such personnel;
- (2) Any person or persons responsible for the care, custody and control or otherwise having a relationship imposing a legal responsibility for those actually receiving the services as set forth in subsection (1) of this section. (Ord. 2.70 §8, 1984)

2.60.070 Response to Calls Outside City Limits. The emergency equipment and personnel responding to calls outside the City limits of the City of Denver shall be considered within the jurisdiction of the City. (Ord. 2.70 §9, 1984)

2.60.080 False Calls. Any person who falsely calls or requests the services of this City's emergency unit or its personnel shall be guilty of a misdemeanor. (Ord. 2.70 §10, 1984)

Chapter 2.62

AMBULANCE CREW CHIEF

Sections:

2.62.010 Crew Chief

2.62.020 Responsibility

2.62.010 Crew Chief. The crew chief shall be elected by the members of the association but may not be appointed as such without the consent of the City Council. (Ord. 2.70 §4, 1984)

2.62.020 Crew Chief Responsibility. The crew chief shall be the director of the ambulance association and shall:

- (1) Have full responsibility for the operations equipment, personnel, and administration of the ambulance association;
- (2) Have full control and command of equipment and personnel and report to the City Council on activities of the association. (Ord. 2.70 §5, 1984)

Chapter 2.68
COMPENSATION

Sections:

2.68.010 Payment

2.68.020 Mayor

2.68.030 Employees

2.68.040 Councilmembers

2.68.010 Payment. Elected Officials shall be paid on a quarterly basis. Employees will be paid on a biweekly basis.

2.68.020 Mayor. The Mayor shall receive as compensation for his or her services for each of the following:

1. An annual salary of \$3500; and
2. For meetings (other than City Council meetings) attended on behalf of the City, the sum of \$75.00 per day; and
3. For mileage incurred on behalf of the City, reimbursement at the current standard mileage rate established by the Internal Revenue Service; and
4. The above compensation shall be paid at the end of each three-month period
(Ord. 2-01, 3-90 §1, 1990: Ord. 581 §1, 1981: Ord. 9-73 §1, 1973; Ord. 4-69 §2, 1969: Ord. 12 §2, 1929)

2.68.030 Employees. The City Council establishes employee wage and benefit packages by resolution.

2.68.040 Councilmembers. Each Council person shall receive as compensation for his or her services as a Councilperson each of the following:

1. \$45.00 for each regular or special meeting of the City Council which he or she attends; and
2. For meetings (other than City Council meetings) attended on behalf of the City, the sum of \$75.00 per day; and
3. For mileage incurred on behalf of the City, reimbursement at the current standard mileage rate established by the Internal Revenue Service; and
4. The above compensation shall be paid at the end of each three-month period. (Ord. 2-01, 3-90 §2, 1990: Ord. 5-81 §2, 1981: Ord. 9-73 §2, 1973; Ord. 4-69 §1, 1969)