

## TITLE 1 - ADMINISTRATIVE CODE

### Chapter 1.01 - Municipal Employees

### Chapter 1.02 - Mayor and City Council

### Chapter 1.03 - Fire Department

### Chapter 1.04 - Finance Regulations

#### CHAPTER 1.01 - MUNICIPAL EMPLOYEES

- 1.0101 Appointive Officers, Method of Appointment. All appointive officers shall be appointed by the Mayor with the majority vote of the City Council and shall hold office until their successor shall be appointed and qualified. (SDCL 9-14-3)
- 1.0102 Appointive Officers, Salaries, Bonds. The following offices or positions of the City, as hereinafter created, are continued, and the amounts of salaries to and bonds to be furnished by them shall be fixed by resolution of the City Council and shall be adjusted as deemed necessary by resolution of the City Council of the City of Colton and said amounts shall be on file at the office of the Finance Officer: Finance Officer, Attorney and such other officers as may be prescribed by ordinance or state statute.
- The salaries of such designated officers or employees shall be paid bi-weekly except that of the City Attorney shall be paid an hourly rate on a monthly basis.
- 1.0103 Employees Other Than Appointive. In addition to appointive officers, the Mayor with the majority vote of the City Council shall hire such other personnel, professional and otherwise, required and necessary for municipal purposes. The compensation of such employees shall be fixed by resolution at anytime regardless of the time when any City employee may have been hired.
- 1.0104 Personnel Policies. Vacation, sick leave and other employment policies in effect are on file in the office of the City Finance Officer.

#### CHAPTER 1.02 - MAYOR AND CITY COUNCIL

- 1.0201 Composition. The City Council shall consist of the Mayor elected at large, who shall hold office for three years, and four aldermen, two elected from each ward, who shall hold office for three years. (SDCL 9-8-1 and 9-8-4)
- 1.0202 Regular Meetings. On the second Monday of each month at 7:30 p.m., the City Council shall meet at City Hall or other designated place, to consider, take under advisement, and act upon such business as may come before it. If a regular meeting day falls upon a City observed holiday, the regular meeting shall be held on the following day. (SDCL 9-8-8)
- 1.0203 Mayor - Duties. The Mayor shall preside at all meetings of the City Council, but shall have no vote except in case of a tie. The Mayor shall perform such other duties as may be prescribed by laws and ordinances and ensure that such laws and ordinances are faithfully

executed, and shall have the power to veto any part or item of an ordinance or resolution appropriating money. (SDCL 9-8-3).

- 1.0204 President and Vice-President of Council. At the first regular meeting after the annual election in each year and after the qualification of the newly elected aldermen, the City Council shall elect from among its own members a president and vice-president, who shall hold their respective offices for the municipal year.
- 1.0205 Compensation - Mayor and City Council. The Mayor and Councilmen are to be allowed compensation as set by resolution of the City Council. Compensation of the Mayor and Councilmen as herein set forth shall be paid at such times as may be decided upon by the Council.
- 1.0206 Special Meetings of City Council. Special meetings of the City Council may be held at any time on call of the Mayor, or in case of absence or inability to act, then by the President of the City Council; or by two of the Aldermen.

It shall be the duty of the Finance Officer to contact the Aldermen before the time specified for such meetings, and this may be done by telephone.

### **CHAPTER 1.03 - FIRE DEPARTMENT**

- 1.0301 Establishment. There shall be established for the City a Volunteer Fire Department which shall consist of a Chief, First Assistant Chief, Second Assistant Chief, Secretary-Treasurer, and such other members as may be from time to time determined by the Fire Department. (SDCL 9-33-13)
- 1.0302 Constitution and Bylaws. The Fire Department may adopt such constitution and bylaws and rules for its regulation and government, subordinate to the ordinances of the City, as it may deem best calculated to accomplish the object of its organization.
- 1.0303 Members. The members of the Fire Department shall be able-bodied persons of good moral character, duly elected by a majority of the active members of the Fire Department.
- 1.0304 Terms of Office. The Chief, First Assistant Chief, Second Assistant Chief and Secretary-Treasurer shall be the head of the Fire Department and shall hold office for a term of two years and until their successors shall be appointed and qualified.
- 1.0305 Appointment of Officers. The officers shall be nominated by the active members of the Fire Department and elected by a majority of members present at the annual meeting of the Fire Department in February of each year; the names of such officers shall be reported to the City Council and confirmed by them.
- 1.0306 Meetings. The Fire Department shall meet at least once a month upon call of the Fire Chief and any member not responding to such call unless absent from the City, or upon other good cause shown to the satisfaction of the Chief of the Fire Department may be dismissed from said Department.
- 1.0307 Appropriation. The City Council shall in its annual appropriation, appropriate such amounts as they may deem necessary for the purpose of maintaining such Fire Department including

equipment, ladders, trucks, hoses and other apparatus, and providing such necessary articles of clothing as they may deem necessary for the members of said Department. (SDCL 9-33-12)

- 1.0308 Equipment. The equipment, trucks, implements and all apparatus, shall be kept at such place as may be provided and directed by the City Council and shall at all times be ready for immediate use. (SDCL 9-33-11)
- 1.0309 Duties of Chief. The Fire Chief shall have sole charge and control over all members of the Fire Department and fires. The Chief shall, at all times, have the general direction and management of all hoses, chemicals, engines, and other apparatus belonging to the Department.
- 1.0310 Fire Zone. The Chief, or acting Chief in command, may prescribe limits around any fire, and it shall be unlawful for any person, except those who reside therein, or firemen, law enforcement officers and those given admission by any officer of the Fire Department, to enter therein.
- 1.0311 Investigation of Cause of Fire. The Chief shall inquire into and investigate the cause of each fire that occurs in the City as soon as possible, and make a record of such proceedings and file the same or a copy thereof with the Secretary of the Fire Department.
- 1.0312 Financial Estimate. The Chief shall prepare in detail and submit to the Finance Officer on or before the first day of August in each year, an estimate of the entire cost and expense of providing and maintaining the Fire Department during the current fiscal year, and shall present such estimate to the City Council with an annual budget estimate for the following year.
- 1.0313 Command in Absence of Chief. If the Chief is absent from any fire call, the First Assistant Chief, the Second Assistant Chief then the Secretary-Treasurer (in that order) shall take charge of the organization and shall have and exercise all the powers of Chief.
- 1.0314 Vacancy. In case of a vacancy occurring in the office of Chief, the First Assistant Chief shall discharge the duties of the Chief until such vacancy is filled.

## **CHAPTER 1.04 - FINANCE REGULATIONS**

- 1.0401 Revenues and Special Funds. All money belonging to the City from taxation, licenses, fines, permits, the operation of utilities, or from any other source, shall be paid into the City treasury, and the City Council shall designate by ordinance to what fund or funds such money shall be applied. The Finance Officer shall keep full, true and just accounts of all financial affairs of such form and in such manner from time to time as required by the South Dakota Department of Revenue. (SDCL 9-14-18)
- 1.0402 Records Retention and Destruction. The Records Retention and Destruction Schedule Manual, authorized for South Dakota municipalities by the Office of Records Management, Bureau of Administration, State of South Dakota, shall be adopted by the City Council, and a printed copy of such manual shall be filed with the Finance Officer.