

## **CHAPTER 1-4**

### **CITY APPOINTIVE OFFICIALS**

#### **1-4-1**

##### **APPOINTMENT BY MAYOR**

The Mayor, with the approval of the City Council, shall appoint the officers described in this chapter, and such officers shall then enter upon the discharge of their duties as soon as they have qualified, and shall hold office until appointment and qualification of their successors. Salaries of such officers shall be fixed by Resolution.

**Legislative History:**  
Ordinance No. 33, §§ 16 and 18,  
in part, 3/8/76.

**Authority:**  
SDCL § 9-14-3.

#### **1-4-2**

##### **CITY ATTORNEY**

In addition to those duties prescribed for a City Attorney and by South Dakota Law, the City Attorney shall represent the City in all matters of City business, prepare such ordinances, notices or other papers as are incidental to the affairs of the City, advise the City officials with respect to legal affairs of the City, and represent the City in litigation in which the City is named as a party. But it is expressly understood that in cases or matters involving special assessments, bond issues, local improvements, revisions of ordinances and litigation the City Attorney shall be entitled to reasonable compensation to be fixed by the governing body. In case of the absence of the City Attorney or his incapacity, or in matters deemed by the governing body to be of great importance to the City, or matters in which the City governing body deems the City Attorney needs assistance, a special attorney may be employed at such reasonable pay as shall be directed by them.

**Legislative History:**  
1990 Revisions.

**Authority:**  
SDCL Ch. 9-14 generally.

#### **1-4-3**

##### **CHIEF OF POLICE**

The chief of police shall have the general supervision of all the members of the police force, and shall insure that the ordinances of the City of Brandon and the laws of the State of South Dakota are enforced within City limits. His duties include all those which are ordinarily undertaken by the Chief of Police and granted by local ordinances and the State.

**Legislative History:**  
1990 Revisions.

**Authority:**  
SDCL Ch. 9-14 generally.

#### **1-4-4**

##### **FINANCE OFFICER, ENGINEER, ADMINISTRATOR**

The governing board of municipalities of the first class may appoint an auditor or clerk, administrator, treasurer and such other officers as needed and provided for by ordinance. By resolution of the governing board of a municipality the board may choose to appoint a Finance Officer instead of an auditor or clerk and treasurer. The Finance Officer shall perform all of the duties of the auditor or clerk and treasurer except where duplicate records are required, only one set of records is necessary. The Finance Officer shall be bonded in the same amount as is required for the treasurer.

**Legislative History:**  
1990 Revisions.

**Authority:**  
SDCL §9-14-1.

## **1-4-5**

### **OTHER APPOINTIVE OFFICERS AND/OR EMPLOYEES**

The governing body shall, by resolution, appoint any such other City officers and employees as may be necessary, and at any such salary or wage as may be deemed appropriate.

**Legislative History:**  
990 Revisions.

**Authority:**  
SDCL Ch. 9-14 generally.

## **1-4-6**

### **VACANCIES IN APPOINTIVE OFFICES**

In the event of death, resignation, or removal from office of an appointed officer, the Mayor shall make such appointments as necessary to fill the unexpired portion of the term. Such appointments made by the Mayor shall be subject to the concurrence by the majority of the members of the City Council.

**Legislative History:**  
Ordinance No. 33, §19, 3/8/76.

**Authority:**  
SDCL Ch. 9-14.

## **1-4-7**

### **REPORTS BY APPOINTIVE OFFICERS AND BOARDS**

Every appointive officer and all boards shall make such reports to the City Council as required by the Council.

**Legislative History:**  
Ordinance No. 33, §20, 3/8/76.

**Authority:**  
*SDCL Ch. 9-14.*

## **1-4-8**

### **DELIVERY OF BOOKS AND RECORDS**

Within five (5) days after the expiration of his term of office, each officer or employee shall turn over to the Mayor or his successor all books, papers, files, records and other property or things belonging to the City which may be in his possession or under his control.

**Legislative History:**  
Ordinance No. 33, §21, 3/8/76.

**Authority:**  
SDCL Ch. 9-14.