**ORANGEVILLE CITY ORDINANCE 2024-1**

**AN ORDINANCE REMOVING THE POWER OF THE MAYOR TO HIRE AND FIRE EMPLOYEES WITHOUT THE CONSENT OF THE CITY COUNCIL**

**WHEREAS,** Orangeville City Council **("Council")** is the governing body of Orangeville City ("**Orangeville**") pursuant to Section 1-6-1 of the Orangeville City Code and composed of six members, one of whom is the mayor and the remaining five members shall be the Council members;

**WHEREAS,** Section 1-6-8 A of the Orangeville City Code states that the city council may pass all ordinances, rules, and regulations, not repugnant to law, necessary to carry into effect or discharge all powers and duties conferred by law that as such are necessary and proper to provide for the safety, preserve the health, and promote the prosperity of Orangeville;

**WHEREAS,** Section 1-6-3 A of the Orangeville City Code provides that the Mayor of Orangeville City (**"Mayor"**) shall be the chief executive officer of Orangeville with vested administrative powers, authorities, and duties;

**WHEREAS,** Utah Code Ann. ("**UCA**") Subsection 10-3b-104(1)(a) likewise provides for the Mayor in Orangeville, as a municipality operating under six-member council form of government, is the chief executive officer of Orangeville to whom all municipal employees report;

**WHEREAS,** UCA Subsection 10-3b-303(1)(b)(i)(A) authorizes the Council to remove by ordinance from the mayor any power, duty, or function of the mayor under UCA Subsection 10-3b-104, provided the adoption of the ordinance has the affirmative vote of the mayor and a majority of the all other council members or all council members except the mayor. *See* UCA Subsection 10-3b-303(2);

**WHEREAS,** the Council desires to remove the authority of the mayor to terminate or accept the resignation of any employee who must report to him unless the Council approves the termination or resignation by a majority vote of the Council; and

**WHEREAS,** by this ordinance, and in compliance with UCA Subsection 10-3b-303(1)(c) (i) through (iii), the Council does not remove any of the mayor's legislative or judicial powers or ceremonial powers; the mayor's position as chair of the council; or any ex officio position the mayor holds.

**THEREFORE, BE IT ORDAINED BY THE ORANGEVILLE CITY COUNCIL AS FOLLOWS:**

1. Prior to employing, terminating, or accepting the resignation of any full or part-time employee of Orangeville, the Mayor shall consult with and receive the approval of the Council, by majority affirmative vote, in a meeting of the Council.

2. This Ordinance shall take effect immediately upon publication and recording.

**Adopted** this 20th day of March 2024.

**ORANGEVILLE CITY**

By: David Robertson
David Robertson
Mayor

**ATTEST:**

By: Amanda Lake
Amanda Lake
Recorder

**VOTING:**

Council Member Addley A
Council Member Stilson A
Council Member Butler A
Council Member Bell A
Council Member Jewkes A
Mayor David Robertson A