

10-3b-302 Mayor in six-member council form of government -- Mayor pro tempore.

- (1) The mayor in a municipality operating under a six-member council form of municipal government:
- (a) is, except as provided in Subsection (1)(b), a nonvoting member of the council;
 - (b) votes as a voting member of the council:
 - (i) on each matter for which there is a tie vote of the other council members present at a council meeting; or
 - (ii) when the council is voting on:
 - (A) whether to appoint or dismiss a municipal manager; or
 - (B) an ordinance that enlarges or restricts the mayor's powers, duties, or functions;
 - (c) is the chair of the council and presides at all council meetings;
 - (d) exercises ceremonial functions for the municipality;
 - (e) may not veto an ordinance, tax levy, or appropriation passed by the council;
 - (f) except as modified by ordinance under Subsection 10-3b-303(2), has the powers and duties described in Section 10-3b-104; and
 - (g) may, within budget constraints, appoint one or more administrative assistants to the mayor.
- (2)
- (a) If the mayor is absent or unable or refuses to act, the council may elect a member of the council as mayor pro tempore, to:
 - (i) preside at a council meeting; and
 - (ii) perform, during the mayor's absence, disability, or refusal to act, the duties and functions of mayor.
 - (b) The municipal clerk or recorder shall enter in the minutes of the council meeting the election of a council member as mayor pro tempore under Subsection (2)(a).

Enacted by Chapter 19, 2008 General Session