

CHAPTER 5: CIVIL ADMINISTRATION

ARTICLE 4: ADMINISTRATIVE DEPARTMENTS

Section

- 5-401 Departments created
- 5-402 Head of department; duty
- 5-403 Fire Department
- 5-404 Police Department
- 5-405 Public Works Department
- 5-406 Administration Department
- 5-407 Utilities Department
- 5-408 Department heads; additional duties
- 5-409 City employees; appointment
- 5-410 City employees; standards of employment
- 5-411 City employees; job classification
- 5-412 Building Official
- 5-413 Code Enforcement Officer

§ 5-401 DEPARTMENTS CREATED.

The following administrative departments are established in the City: Administration Department, Fire Department, Police Department, and Public Works Department. With the exception of the City Clerk, the head of each department shall be appointed by the City Manager and shall serve until removal by the City Manager, or in the event of the death, resignation, or removal of the City Manager who appointed him or her, until his or her successor shall have been appointed by the succeeding City Manager and shall have qualified.
(Ord. 1000, passed 12-4-1978; Am. Ord. 1334, passed 6-21-2010)

§ 5-402 HEAD OF DEPARTMENT; DUTY.

The head of each department shall conduct the affairs of his or her department in accordance with the provisions of law and in accordance with the provisions of the regulations made by the City Manager. He or she shall be responsible for the conduct of the officers and employees assigned to his or her supervision; for the performance of the business of his or her department; and for the custody of the books, records, papers, and property of the City under its control. Subject to the supervision and control of the City Manager in all matters, the head of each department shall manage that department.
(Ord. 1000, passed 12-4-1978)

§ 5-403 FIRE DEPARTMENT.

The Fire Chief shall be the head of the Fire Department and shall have exclusive charge and control of the training, equipping, and stationing of all firefighters under the rules and regulations as the City Manager may make. He or she shall perform all the duties provided by the statutes of the State of Nebraska to be performed by the Fire Chief or the Chief of the Fire Department. (Ord. 1000, passed 12-4-1978)

§ 5-404 POLICE DEPARTMENT.

The Chief of Police shall be the head of the Police Department and shall have the immediate superintendence of the police, and he or she and the police shall have the powers and duties as are prescribed by the laws of the State of Nebraska and this code. The Communication and Transportation shall be divisions of the Police Department. He or she may make or prescribe any rules and regulations for the conduct of the Police Department as he or she shall deem advisable; the rules, when adopted by the City Manager, shall be binding on all the members. The members of the Police Department shall be appointed and promotions within the Department shall be made in a manner provided by law. The Chief and members of the Department shall give bond to the City as is hereinafter provided, conditioned for the faithful discharge of their duties and for the faithful accounting for all property of the City of any kind or nature which shall come into their possession or under their control, and bond shall be filed with the City Clerk and approved by the Council.

(Ord. 1000, passed 12-4-1978)

Statutory reference:

Related state law provisions, see Neb. RS 16-323

§ 5-405 PUBLIC WORKS DEPARTMENT.

The Director of Public Works shall be the head of the Department. The Street Department, Utility Department and Parks/Cemetery Department shall be divisions of the Public Works Department. All employees assigned thereto shall perform the duties subject to his or her supervision. He or she shall have charge of and supervision over the care, maintenance, and construction of all streets, sidewalks, alleys, and public ways; the construction, operation, and maintenance of all storm water sewers, and all streets, gutters, and drains and the appurtenances thereto; the care maintenance and supervision of all City parks and cemetery; and perform any other duties that may be assigned by the City Manager.

(Ord. 1000, passed 12-4-1978)

§ 5-406 ADMINISTRATION DEPARTMENT.

The City Clerk shall be the head of the Administration Department and all employees assigned thereto who shall perform the duties subject to his or her supervision. He or she shall have supervision of the accounts payable division, finance division, personnel division, and

records management division, and perform any other duties that may be required by the Chadron Municipal Code and the state statutes.

(Ord. 1000, passed 12-4-1978; Am. Ord. 1334, passed 6-21-2010)

§ 5-407 UTILITIES DEPARTMENT.

The Superintendent of the Utilities Department shall be the head of the Water and Sewer Departments and all employees assigned thereto who shall perform their duties subject to his or her supervision. He or she shall supervise, operate, and manage the Utilities Department, water plants, and distribution system, together with the sewage disposal plant system belonging to the City, or shall have charge of the construction, reconstruction, improvement, repair, and maintenance of the water distribution system and sewers. He or she shall perform all the duties provided by the statutes of the State of Nebraska. The Superintendent of the Utilities Department shall give bond to the City of Chadron as is hereinafter provided, conditioned for the faithful discharge of his or her duties and for the faithful accounting for all property on the City of any kind or nature which shall come into his or her possession or under his or her control, the bond shall be filed with the City Clerk and approved by the Council.

(Ord. 1000, passed 12-4-1978)

§ 5-408 DEPARTMENT HEADS; ADDITIONAL DUTIES.

In addition to the duties hereinbefore prescribed to be performed by the various department heads, each shall perform the other duties as may be prescribed by the City Manager.

(Ord. 1000, passed 12-4-1978)

§ 5-409 CITY EMPLOYEES; APPOINTMENT.

All City employees shall be appointed by the City Manager and shall serve until removed by the City Manager, or in the event of the death, resignation, or removal of the City Manager who appointed them, until their successors shall have been appointed by the succeeding City Manager and shall have qualified. If in his or her judgment the best interests of the City make it desirable, the City Manager may by regulation require any of the employees to give a bond in an amount which he or she shall prescribe and conditioned as he or she shall prescribe. The employees shall perform any duties as the City Manager shall by regulation or otherwise prescribe.

(Ord. 1000, passed 12-4-1978)

§ 5-410 CITY EMPLOYEES; STANDARDS OF EMPLOYMENT.

The City Manager shall promulgate and enforce regulations governing personnel administration which shall include provisions for: the selection, employment, and promotion of employees in the departments and positions under his or her supervision on the basis of merit and fitness to perform assigned tasks; the standardization of hours of work and leaves of absence; a

uniform treatment of dismissals and disciplinary action including procedures for appeals; the maintenance of adequate records of employee attendance and performance to form a basis for consideration in promotion, salary adjustment, layoffs, disciplinary action, and other personnel merit system without the delegation of responsibility therefore.
(Ord. 1000, passed 12-4-1978)

§ 5-411 CITY EMPLOYEES; JOB CLASSIFICATION.

The City Manager shall prepare and submit to the Council a plan for the classification of all positions of employment under his or her control and supervision. The classification plan shall consist of: a list of the titles of the several classes to which all positions under his or her supervision are to be allocated and a written class specification for each class of positions setting forth the title of the class, a statement of the essential nature of the duties performed in positions in the class, and a statement of the qualifications desired of candidates for appointment to positions in each class. The classification plan shall serve as the basis for handling all personnel activities and transactions. It shall also serve as the basis for the establishment of the schedule of wages and salaries. The City Manager shall allocate every position under his or her supervision to one of the classes established by the plan, placing in each such class those positions sufficiently similar with respect to difficulty, responsibility, and character of work as to require generally the same kind and amount of training and experience for proper performance and meriting approximately equal pay. The official roster shall be posted to show the allocation for each position in the service. The class titles assigned to positions by their allocation to the established classes shall forthwith become the official title of each such position and shall be used in all personnel, accounting, appropriation, and financial records and communications of the City. The class specifications are descriptive and explanatory, but not necessarily inclusive or exclusive. Action leading to amendment hereof may be initiated by the Council, the City Manager, or upon the written request of an employee directed to the City Manager.
(Ord. 1000, passed 12-4-1978)

§ 5-412 BUILDING OFFICIAL.

The Building Official is authorized and directed to enforce all the provisions of this code pertaining to health or safety codes and constructional technical codes. For that purpose, he or she shall have the powers to issue citations as provided by law. In accordance with his or her duties and upon presentation of proper credentials, the Building Official, or his or her duly authorized representative, is authorized with the consent of the owner and/or occupant to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law to perform any duty imposed upon him or her by any building code or plumbing code duly adopted by reference in this code, or any provision of this code. Whenever any building or construction work is being done contrary to the provisions of the codes, it shall be the duty of the Building Official to order the work stopped by notice in writing served on any persons engaged in doing or causing the work to be done. Any such person shall immediately stop, or cause to be stopped, the work until authorization is

received from the Building Official to continue the work. When any structure is in a dangerous condition or the building is being used contrary to the provisions of the laws of the City, the Building Official may order the use discontinued or the structure or portion in violation vacated. The Building Official, acting in good faith and without malice in the discharge of his or her duties, shall not render himself or herself personally liable and is relieved from all personal liability for any damage that may accrue to person or property as the result of any act or omission in the discharge of his or her duties. Any suit brought against the Building Official, because of an alleged act or omission performed by him or her in the enforcement of any provision of the City's codes relating to buildings or building construction shall be defended by the Legal Department of the City until final termination of the proceedings. The Building Official may request, and shall receive so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the City. The position of City Building Official shall be under the responsibility and jurisdiction of the City Manager.
(Neb. RS 18-1757) (Ord. 1308, passed 2-4-2008; Am. Ord. 1334, passed 6-21-2010)

§ 5-413 CODE ENFORCEMENT OFFICER.

The Code Enforcement Officer is authorized and directed to enforce all the provisions of this code pertaining to health or safety codes and construction codes. For that purpose, he or she shall have the powers to issue citations as provided by law. The Code Enforcement Officer may request, and shall receive so far as may be necessary in the discharge of his or her duties, the assistance and cooperation of other officials of the City.
(Neb. RS 18-1757) (Ord. 1309, passed 2-4-2008)