

IC 36-3-3

Chapter 3. Executive Authorities

IC 36-3-3-1

Application of chapter

Sec. 1. This chapter applies to each consolidated city and its county.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-2

Mayor as executive; election; qualifications; term of office

Sec. 2. (a) A mayor, who is the executive of both the consolidated city and the county, shall be elected under IC 3-10-6 by the voters of the whole county.

(b) To be eligible to serve as the executive, a person must meet the qualifications prescribed by IC 3-8-1-24.

(c) The term of office of an executive is four (4) years, beginning at noon on January 1 after election and continuing until a successor is elected and qualified.

As added by Acts 1980, P.L.212, SEC.2. Amended by Acts 1980, P.L.213, SEC.1; P.L.194-1984, SEC.1; P.L.5-1986, SEC.38.

IC 36-3-3-3

Deputy as acting executive; designation; powers; certification; president of legislative body as acting executive

Sec. 3. (a) Whenever the executive is absent from the county, ill, or injured, he may designate one (1) of his deputies as acting executive, with all the powers of the office. The executive may exercise this power for a maximum of fifteen (15) days in any sixty (60) day period.

(b) A designation under subsection (a) shall be certified to the president and clerk of the city-county legislative body. In addition, when the executive resumes his duties, he shall certify to those officers the expiration of the designation.

(c) Whenever the executive is incapacitated and unable to make a designation under subsection (a), the president of the legislative body becomes acting executive.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-4

Residence; vacancy in office

Sec. 4. (a) The executive must reside within the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana.

(b) The office of executive becomes vacant whenever the executive:

- (1) dies, resigns, or is removed from office;
- (2) ceases to be a resident of the county; or
- (3) is incapacitated to the extent that the executive is unable to perform the executive's duties for more than six (6) months.

(c) The vacancy shall be filled under IC 3-13-8.
As added by Acts 1980, P.L.212, SEC.2. Amended by P.L.5-1986, SEC.39; P.L.3-1987, SEC.551.

IC 36-3-3-5

Supervision of work of departments, special service districts, and special taxing districts

Sec. 5. As the chief officer of the executive branch of the consolidated city government as provided by IC 36-4-4, the executive shall supervise the work of the departments of the consolidated city, its special service districts, and its special taxing districts.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-6

Approval or veto of ordinances and resolutions

Sec. 6. The executive shall approve or veto ordinances and resolutions of the legislative body under IC 36-3-4.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-7

Investigation of work and reports; examination of records

Sec. 7. The executive may investigate the work of those under his supervision and require reports from them. He may examine any records of the consolidated city.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-8

Appointment powers

Sec. 8. The executive shall make the appointments prescribed by IC 36-3-5 and all other appointments required by statute to be made by the executive of a consolidated or first class city or a county having such a city.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-9

Performance of duties and exercise of powers; restrictions

Sec. 9. The executive shall perform the duties and exercise the powers prescribed for the board of commissioners of the county by statutes other than this title, except for the following:

(1) Duties and powers vested in the city-county legislative body by IC 36-3-4.

(2) Duties and powers retained by the board of commissioners of the county under section 10 of this chapter.

As added by Acts 1980, P.L.212, SEC.2.

IC 36-3-3-10

Board of commissioners of county; members; powers and duties

Sec. 10. (a) The board of commissioners of the county is composed of the county treasurer, the county auditor, and the county assessor. These officers shall serve ex officio as commissioners

without additional compensation for performing the duties of the board.

(b) The board of commissioners:

(1) shall make the appointments required by statute to be made by the board of commissioners of a county;

(2) shall perform the duties and exercise the powers prescribed by statutes pertaining to the issuance and payment of bonds of the county and the expenditure of the unexpended proceeds of those bonds; and

(3) may exercise the powers granted it by Article 9, Section 3 of the Constitution of the State of Indiana and by IC 12-30-3.

As added by Acts 1980, P.L.212, SEC.2. Amended by P.L.2-1992, SEC.888.