

## **IC 36-5-5**

### **Chapter 5. Town Manager**

#### **IC 36-5-5-1**

##### **Application of chapter**

Sec. 1. This chapter applies to all towns.

*As added by Acts 1980, P.L.212, SEC.4.*

#### **IC 36-5-5-2**

##### **Employment; compensation; tenure**

Sec. 2. The town legislative body may employ a town manager to be the administrative head of the town government and may fix his compensation and terms of employment. The manager may be employed to serve:

- (1) at the pleasure of the legislative body; or
- (2) for a definite tenure not to exceed the longest remaining term in office of a member of the legislative body, in which case he may be dismissed only for cause.

*As added by Acts 1980, P.L.212, SEC.4.*

#### **IC 36-5-5-3**

##### **Legislative body members barred**

Sec. 3. The town legislative body may not employ one of its members as the manager.

*As added by Acts 1980, P.L.212, SEC.4. Amended by Acts 1980, P.L.73, SEC.22.*

#### **IC 36-5-5-4**

##### **Joint employment**

Sec. 4. The legislative bodies of two (2) or more towns may employ the same person as the manager of their respective towns.

*As added by Acts 1980, P.L.212, SEC.4.*

#### **IC 36-5-5-5**

##### **Performance bond**

Sec. 5. The manager must, in the manner prescribed by IC 5-4-1, execute a bond for the faithful performance of his duties.

*As added by Acts 1980, P.L.212, SEC.4. Amended by Acts 1981, P.L.47, SEC.23.*

#### **IC 36-5-5-6**

##### **Acting manager**

Sec. 6. The town legislative body may appoint a qualified person to perform the duties of the manager whenever he is absent or unable to perform his duties.

*As added by Acts 1980, P.L.212, SEC.4.*

#### **IC 36-5-5-7**

**Bonds, notes, or warrants; prohibition**

Sec. 7. The town legislative body may not authorize the manager to issue or execute bonds, notes, or warrants of the town.

*As added by Acts 1980, P.L.212, SEC.4.*

**IC 36-5-5-8**

**Duties**

Sec. 8. The manager, under the direction of the town legislative body, is responsible for the administrative duties of the legislative body. Unless a written order or ordinance of the legislative body provides otherwise, the manager:

- (1) shall attend the meetings of the legislative body and recommend actions he considers advisable;
- (2) shall hire town employees according to the pay schedules and standards fixed by the legislative body or by statute;
- (3) shall suspend, discharge, remove, or transfer town employees, if necessary for the welfare of the town;
- (4) may delegate any of his powers to an employee responsible to him;
- (5) shall administer and enforce all ordinances, orders, and resolutions of the legislative body;
- (6) shall see that all statutes that are required to be administered by the legislative body or a town officer subject to the control of the legislative body are faithfully administered;
- (7) shall prepare budget estimates and submit them to the legislative body when required;
- (8) shall execute contracts on behalf of the town for materials, supplies, services, or improvements, after the completion of the appropriations, notice, and competitive bidding required by statute; and
- (9) may receive service of summons on behalf of the town.

*As added by Acts 1980, P.L.212, SEC.4.*

**IC 36-5-5-9**

**Police disciplinary body membership barred**

Sec. 9. The manager may not serve as a member of any body that hears disciplinary charges against:

- (1) the town marshal; or
- (2) a member of the town police department.

*As added by P.L.343-1987, SEC.1.*