

CHAPTER IV

MAYOR

SECTION 4.00 (Mayor; duties) Subdivision 1. Except as otherwise provided in this Charter, the mayor shall have those duties and powers provided in this section.

Subd. 2. The mayor shall be chief magistrate or executive officer of the city. He shall take care that the laws of the state, the provisions of this charter and the ordinances of the city are duly observed and enforced within the city. He shall have general supervision and control of all of the officers and departments of the city government. He shall take care that all other officers of the city discharge their respective duties, and to that end may maintain any action of mandamus or other appropriate action, against any delinquent city officer. He shall from time to time give the common council such information and recommend such measures as he shall deem advantageous to the city. He may, whenever he shall deem necessary, require of any city officer an exhibit of his books and papers. He shall possess such further powers and perform such further duties as may be conferred or prescribed by this charter, or by any act of the legislature of the State of Minnesota, which is or shall be applicable to the City of Rochester, or by any city ordinance or regulation duly passed or adopted in pursuance thereof.

(Ord. #3065, 11/4/96)

SECTION 4.01. (Execution of documents). Subdivision I. The mayor shall sign all appointments, commissions, licenses and permits granted by the common council, and all warrants, certificates of indebtedness and orders drawn on the treasurer by order of the common council for the payment of money except as provided in Section 11.01. He shall sign all bonds and other obligations on behalf of the city.

Subd. 2. All deeds, leases or other conveyance or written transfers of property made, and all written contracts entered into by the city, and all bonds or other evidence of debt issued by the city, shall on behalf of the city, be signed by the mayor and attested by the city clerk.

Subd. 3. Notwithstanding any provision in this section to the contrary, the common council may by resolution adopt such procedures or policies it deems advisable for the approval and execution of documents. (Ord #4163, 8/4/14)

SECTION 4.02. (Service of process). Upon service of notice, summons or process upon him in any action or proceeding against the city, he shall forthwith inform the city attorney and the common council thereof.

SECTION 4.03. (Veto power). He shall possess the veto power over all ordinances, resolutions, findings of fact, conclusions of law and orders, and motions of the common council. Such veto power shall be exercised in the manner and subject to the restrictions hereinafter set forth.¹ (Amended by Ord. No. 3770, effective June 5, 2006)

¹Editor's Note: under Section 1.02, subd. 2, an ordinance establishing ward boundaries is not subject to the Mayor's veto.

SECTION 4.04. (Vacancy in office). (Repealed by ordinance, effective date August 10, 1996)

SECTION 4.05. (Absence from city) Subdivision I. During the absence of the mayor from the city, or in case of his disability for any reason to discharge the duties of his office, the councilmember-at-large shall, for the time being, exercise all powers and discharge all duties of the mayor. The councilmember-at-large while discharging the duties of mayor shall be styled the "acting mayor" and his acts in that capacity shall have the same force and validity as if performed by the mayor.

Subd. 2. During the absence of both the mayor and the councilmember-at-large from the city or in case of the disability for any reason of the person then discharging the duties of the office of mayor, a councilmember selected by the council shall, for the time being, exercise all powers and discharge all duties of the office of mayor. The selected councilmember, also acting as mayor, shall be styled the "acting mayor" and his duties in that capacity shall have the same force and validity as if performed by the mayor.

Subd. 3. If the councilmember-at-large or the selected councilmember is serving as "acting mayor" he shall not possess the power of veto as set out in Section 4.03.

Subd. 4. During the absence of the councilmember-at-large from the city, or in case of his disability for any reason to discharge the duties of his office, a councilmember selected by the council as hereinafter provided shall, for the time being, exercise all powers and discharge all duties of the councilmember-at-large.

Subd. 5. At its annual meeting, the common council shall establish an order of succession to discharge the duties of the councilmember-at-large in the event of his absence or disability.