

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.

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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.