

CLERMONT (pop. 35,000)

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LEESBURG (pop. 23,000)

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MASCOTTE (pop. 5,743)

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MONTVERDE (pop. 1,633)

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TAVARES (pop. 17,000)

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UMATILLA (pop. 3,750)

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CLERMONT

- **ARTICLE V. - CITY MANAGER**
- **Sec. 31. - City manager—Appointment; removal; qualifications; participation by council regarding administrative services.**

(a) The Council shall appoint as an officer of the city, a person who shall have the title of "City Manager" and shall have the powers and perform the duties provided in this chapter [Charter]. No councilman shall receive such appointment during the term for which he shall have been elected, nor within one (1) year after the expiration of his term.

(b) The Council shall appoint the City Manager for an indefinite term and may remove him by a majority vote of its members. At least thirty (30) days before such removal shall become effective, the council shall by majority vote of its members adopt a preliminary resolution stating the reasons for his removal. The manager may reply in writing and may request a public hearing before the council which shall be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the council by majority vote of its members may adopt a final resolution of removal. By the preliminary resolution the council may suspend the manager from duty but shall in any case cause to be paid him forthwith any unpaid balance of his salary for the next one (1) calendar month following adoption of the final resolution.

(c) Neither the Council nor any of its members shall direct or request the appointment of any person to or his removal from, office by the City Manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers or employees in the administrative service of the City, except as otherwise provided. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any councilman violating the provisions of this section, or voting for a resolution or ordinance in violation of this section shall constitute grounds for recall.

(d) The City Manager shall be chosen by the Council solely on the basis of his executive and administrative qualifications with special reference to his actual experience in, or knowledge of, accepted practice in respect to the duties of this office as hereinafter set forth.

(Ord. No. 140-C, § 1(ee), 10-28-1975/12-2-1975; Ord. No. 288-C, § 1, 6-23-1998)

- **Sec. 32. - Same—Powers and duties.**

(a) The City Manager shall be chief executive officer and the head of the administrative branch of the city government. He shall be responsible to the council for the proper administration of all affairs of the city and to that end, he shall have power and shall be required to:

(1) Appoint and, when necessary for the good of the City, remove all officers and employees of the City except as otherwise provided by this Charter and except as he may authorize the head of a department or office, to appoint and remove subordinates in such department or office;

(2) Prepare the budget annually and submit it to the council and be responsible for its administration after adoption;

(3) Prepare and submit to the council, as of the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year;

(4) Keep the council advised of the financial condition and future needs of the city and make such recommendations as may seem to him desirable;

(5) To attend all meetings of the City Council and of its committees and keep the council advised of the activities of his office, with the right to take part in the discussions but without having a vote;

(6) To perform such other duties as may be prescribed under this Charter or as may be required by him by ordinance or resolution of the City Council;

(7) The City Manager may appoint a qualified person as purchasing agent, subject to approval of the Council, by whom all purchases of supplies shall be made subject to the rules and regulations to be prescribed by the Council and he shall approve all vouchers for the payment of same. In the capacity of purchasing agent he shall also conduct all sales of personal property which the Council may authorize to be sold as having become unnecessary or unfit for the city's use. All purchases, sales and contracts shall conform to such regulations as the City Council may from time to time prescribe;

(8) Fix the salary of officers and employees according to the wage schedule approved by the City Council.

(b) The City Manager shall manage and control all City owned public utilities operated and managed by the municipality and the office of the City Manager shall be charged with the management and operation of all public works, charitable and correctional institutions and agencies of the City; subject to regulations prescribed by ordinance, and regulations relative to the preservation and promotion of public health; and manage or inspect water, lighting, power and transportation enterprises of the City; shall manage and control the use, construction, improvement, repair and maintenance facilities of the City, including parks,

playgrounds and public gymnasiums, and social centers. He shall manage and supervise all public improvements, works and undertakings of the City except as otherwise provided in this Charter.

(Laws of Fla., ch. 73-433, § 7; Ord. No. 140-C, § 1(ff)—(ii), 10-28-1975/12-2-1975)

- **Sec. 33. - Same—Absence or disability.**

To perform his duties during his temporary absence or disability, the manager may designate by letter filed with the City Clerk and Mayor a qualified administrative officer of the City as acting City Manager; provided, however, the appointment shall not be for a period longer than thirty (30) days. In the event of failure of the manager to make such designation, or in the event the City Manager is absent or disabled for a period longer than thirty (30) days, the Council shall appoint a qualified person as acting City Manager.

(Ord. No. 140-C, § 1(jj), 10-28-1975/12-2-1975)

LEESBURG

- **ARTICLE II. - CITY MANAGER**
- **Sec. 19. - Appointment, Qualifications, Term.**

The City Commission shall appoint a City Manager by majority vote of the entire Commission, to be the administrative head of the City under the direction and supervision of the Commission. The City Manager shall be selected solely on the basis of executive and administrative qualifications, without regard to political belief, and shall hold office at the pleasure of the City Commission. The City Manager need not be a resident of the City or State at the time of appointment and may reside outside the City while in office, with the approval of the City Commission. No person currently serving as a City Commissioner, or who has served in that capacity within the preceding six months, may be considered for appointment to the office of City Manager. The City Manager shall designate a qualified City employee to exercise the powers and perform the duties of the City Manager during any temporary absence or disability of the City Manager. The Commission may revoke such designation at any time and appoint another eligible person to serve as Acting City Manager at the discretion of the Commission, until the City Manager returns.

- **Sec. 20. - Compensation.**

The City Manager shall receive such compensation as the City Commission may determine by record vote.

- **Sec. 21. - Removal and Suspension.**

The City Manager may be removed by the City Commission with or without cause. If the City Manager is removed for cause at any time after having served six months, he or she may demand written charges and a public hearing before the Commission on those charges, and the removal shall not take effect until the hearing has been concluded, but the Commission may suspend the City Manager from office pending completion of such hearing.

- **Sec. 22. - Powers and Duties.**

The City Manager shall be responsible to the City Commission for the enforcement of the laws and ordinances, and proper administration of all City affairs. The City Manager shall have sole authority to appoint, suspend, demote or discharge all subordinate officers and employees of the City, except as otherwise provided by law, this Charter or such personnel rules as may be adopted by the City. The City Manager shall have the authority to direct, control and supervise all operations, departments, divisions, offices and public utilities of the City. The City Manager shall attend all City Commission meetings unless excused by the Commission, and shall have the right to take part in discussions but shall not have a vote. The

City Manager shall oversee the preparation and submittal of the annual budget to the City Commission, and shall keep the Commission advised as to the financial condition and needs of the City. The City Manager shall have authority to make such recommendations to the City Commission pertaining to the affairs of the City as he or she deems necessary or expedient, shall have authority to execute deeds, bonds, notes and other legal documents on behalf of the City, and otherwise shall perform all other duties as may be imposed on the City Manager by the Commission, subject to limitations imposed by general law or this Charter.

- **Sec. 23. - Employee Compensation.**

The City Manager shall determine the number of City employees and their compensation, subject to the approval of the City Commission. Salaries and other compensation shall be uniform for like services in each grade within the City's Position Classification Scale, as recommended by the City Manager and approved by the City Commission. All salaries, other compensation, dates of employment and discharge, shall be reported promptly to the City Clerk and the Finance Director by the City Manager.

- **Sec. 24. - Remittance of Monies Collected.**

All fees and other monies received by the City Manager or any other officer or employee of the City shall be turned over immediately to the Finance Director on the date of their receipt.

- **Sec. 25. - Liability of City for Misfeasance or Nonfeasance.**

The City of Leesburg shall not be liable for any misfeasance or nonfeasance on the part of any of its officers or employees.

MASCOTTE

- **Sec. 18. - City Manager; Powers and duties.**

The city manager shall be the chief administrative officer of the city and shall be responsible for the administration of all city affairs for which the city manager is given the responsibility under this Charter. The powers and duties of the city manager shall include, but not be limited to, the following:

- (1) To appoint and, when necessary for the good of the city, to suspend or remove any city employees or department directors unless otherwise provided under this Charter, personnel policies of the City, or the laws of the state. The city manager may authorize any department director who is subject to the city manager's direction and supervision to exercise these powers with respect to subordinates in such director's department, office or agency.
- (2) To direct and supervise the administration of all department, offices and agencies of the city, except as otherwise provided under this Charter, personnel policies of the City, or the laws of the state.
- (3) To attend all city council meetings and take part in any discussion at such meetings. This shall not be construed to include the right to vote at such meetings.
- (4) To ensure, to the extent possible, that all provisions of this Charter and all laws and acts of the city council that are subject to enforcement by the city manager or by officers subject to the direction and supervision of the city manager are faithfully executed.
- (5) To direct and supervise the administration of the annual budget for the city.
- (6) To direct and supervise a completed report on the finances and administrative activities of the city as of the end of each fiscal year.
- (7) To direct and supervise to the city council such other reports as the city council may require concerning the operation city departments, offices and agencies.
- (8) To prepare and submit to the city council on a quarterly basis a complete report on the financial conditions and future needs of the city and to make recommendations relating thereto.
- (9) To perform such other duties as may be required under this Charter or as may be required by the city council.

(Ord. No. 2007-02-439, pt. I, 4-16-07; Ord. No. 2011-06-597, § 1(Exh. A), 6-20-11/11-8-11)

- **Sec. 19. - Same—Appointment; qualifications; compensation; termination.**

(a) Appointment, qualifications, compensation. The city council shall appoint by affirmative vote of a majority of all its members a city manager. The city manager shall be appointed on the basis of experience and executive and administrative qualifications and need not be a resident of the city or the state at the time of appointment. The city council shall fix the compensation of the city manager. The city council may enter into an employment agreement with the city manager addressing terms and conditions of employment not inconsistent with or in conflict with the provisions of this section. Any such agreement may provide for circumstances under which the city manager may be temporarily suspended with or without pay.

(b) Termination. The city manager shall serve at the pleasure of city council and may be terminated with or without cause unless otherwise specified in any employment agreement. The city manager shall be removed from office only by a majority vote of the full council. The city manager may, within seven days of the dismissal by council, submit to the Mayor a written request for reconsideration. Any action by the council at the reconsideration hearing shall be final.

(Ord. No. 2007-02-439, pt. I, 4-16-07; Ord. No. 2011-06-597, § 1(Exh. A), 6-20-11/11-8-11)

- **Sec. 20. - Acting and interim city manager.**

(a) Acting city manager. There shall be an acting city manager who shall exercise the powers and perform the duties of city manager during the temporary absence, disability or suspension of the city manager. In the case of a temporary absence, the city manager shall designate, by letter filed with the city clerk, a qualified city administrative officer to serve as acting city manager. In the event that the city manager fails to designate someone as acting city manager as required hereunder, or the city manager has been suspended or is disabled, then in any of such events the city council may appoint a qualified acting city manager.

(1) The acting city manager shall serve at the pleasure of the city council and may be removed by the city council at any time, with or without cause. The removal of the acting city manager shall not affect, in any manner, any other positions such person may hold with the city.

(2) The acting city manager shall serve as city manager until such time as the city manager resumes the position of city manager or a new city manager is appointed by the city council.

(b) Interim city manager. Whenever there is a vacancy in the position of city manager, city council shall appoint an interim city manager who shall exercise the powers and perform the duties of city manager.

(1) The interim city manager shall serve as city manager until such time as a new city manager is appointed by the city council.

(2) The interim city manager shall serve at the pleasure of the city council and may be removed by the city council at any time, with or without cause. The removal of the interim city manager shall not affect, in any manner, any other positions such person may hold with the city.

(Ord. No. 2007-02-439, pt. I, 4-16-07; Ord. No. 2011-06-597, § 1(Exh. A), 6-20-11/11-8-11)

- **Sec. 21. - City departments and offices.**

The city shall have an administrative department, building and development department, finance department, public services department, police department, and fire department. The City Council may create, consolidate, or abolish departments.

(Ord. No. 2007-02-439, pt. I, 4-16-07)

- **Sec. 22. - Department directors.**

Department directors shall be appointed or removed by the city manager. A department director removed by the manager may appeal the manager's decision in writing to City Council within seven days of the date of removal. Department directors serve at the pleasure of the city and may be removed with or without cause.

(Ord. No. 2007-02-439, pt. I, 4-16-07; Ord. No. 2011-06-597, § 1(Exh. A), 6-20-11/11-8-11)

- **Sec. 23. - Appointment of consultants.**

Consultants for the city shall be appointed by city council upon the recommendation of the city manager or shall be awarded a position by city council when the city requests proposals. Consultants shall serve at the pleasure of city council. Consultants may include but not be limited to the city attorney, building official, and city engineer.

(Ord. No. 2007-02-439, pt. I, 4-16-07; Ord. No. 2011-06-597, § 1(Exh. A), 6-20-11/11-8-11)

- **Sec. 24. - Noninterference by city council.**

Except for purposes of investigation, inquiry and information, the council and committees or individual members thereof shall deal with the department directors and employees of the city solely through the city manager, acting city manager, or interim city manager. This section shall in no way restrict the right of individual council members to observe personally and scrutinize closely all aspects of city government in order to obtain independent information

for use by the council in discharging its responsibility to formulate sound policies, to hold the city manager, acting city manager, or interim city manager and administration accountable to the people, and to increase the efficiency and economy of city government, wherever possible.

(Ord. No. 2007-02-439, pt. I, 4-16-07; Ord. No. 2011-06-597, § 1(Exh. A), 6-20-11/11-8-11)

MONTVERDE

• ARTICLE III - TOWN MANAGER

Section 3.01. Appointment; Qualification; Compensation. The town council by a majority vote of its total membership shall appoint a town manager with appropriate education, credentials and experience for an indefinite term and fix the manager's compensation.

Section 3.02. Removal. If the town manager declines to resign at the request of the town council, the town council may remove the town manager by a majority vote of all the councilmembers and, upon demand by the manager, a public hearing shall be held prior to a vote to remove the manager.

Section 3.03. Acting Town Manager. By letter filed with the town clerk with a copy to the town council, the town manager shall designate a town officer or employee to exercise the powers and perform the duties of town manager during the manager's temporary absence or disability; the town council may revoke such designation at any time and appoint another officer of the town to serve until the town manager returns.

Section 3.04. Powers and Duties of the Town Manager. The town manager shall be the chief executive officer of the town, responsible to the council for the management of all town affairs placed in the manager's charge by or under this charter. The town manager shall:

- a) Appoint and suspend or remove all town employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by law, this charter or adopted personnel rules. The town manager may authorize any administrative officer subject to the town manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- b) Direct and supervise the administration of all departments and offices of the town, except as otherwise provided by this charter or by law;
- c) Attend all town council meetings. The town manager shall have the right to take part in discussion but shall not vote;
- d) See that all laws, provisions of this charter and acts of the town council, subject to enforcement by the town manager or by officers subject to the town manager's direction and supervision, are faithfully executed;
- e) Prepare and submit the annual budget and capital program to the town council, and implement the final budget approved by town council to achieve the goals of the town;
- f) Make such reports as the town council may require concerning operations;

g) Keep the town council fully advised as to the financial condition and future needs of the town;

h) Make recommendations to the town council concerning the affairs of the town and facilitate the work of the town council in developing policy; and

i) Perform such other duties as are specified in this charter or may be required by the town council.

TAVARES

- **Section 8.01. - City administrator; powers and duties.**

There shall be a city administrator who shall be the chief administrative officer of the city. The administrator shall be responsible to the council for the proper administration of all affairs of the city and to that end shall have power and shall be required to:

- (a) Appoint, and when necessary for the good of [the] city, remove all officers and employees of the city except as otherwise provided by this Charter.
- (b) Prepare the budget annually and submit it to the council and be responsible for its administration after adoption, subject to guidelines established by the city council.
- (c) Direct and supervise the administration of all departments, offices and agencies of the city except as otherwise provided by this Charter.
- (d) Attend all council meetings and shall have the right to take part in discussion but may not vote.
- (e) See that all laws, provisions of this Charter and acts of the council, subject to enforcement by the administrator or by officers, subject to the administrator's direction and supervision, are faithfully executed.
- (f) Submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year.
- (g) Make such other reports as the council may require concerning the operations of city departments, offices and agencies, subject to the administrator's direction and supervision.
- (h) Keep the council fully advised as to the financial condition and future needs of the city and make such recommendations to the council concerning the affairs of the city as may be deemed desirable.
- (i) Sign contracts on behalf of the city pursuant to the provisions of appropriations ordinances and guidelines established by council.
- (j) Perform such other duties as are specified in this Charter or may be required by the council.
- (k) The city administrator shall manage and control all city-owned public utilities operated and managed by the municipality and the office of the city administrator shall be charged with the management and operation of all public works, charitable

and correctional institutions and agencies of the city; subject to regulations prescribed by ordinance, and regulations relative to the preservation and promotion of public health; and manage or inspect water, lighting, power and transportation enterprises of the city; shall manage and control the use, construction, improvement, repair and maintenance facilities of the city, including parks, playgrounds and public gymnasiums, and social centers. The city administrator shall manage and supervise all public improvements, works and undertakings of the city except as otherwise provided in this Charter.

- **Section 8.02. - Appointment; removal; compensation.**

(a) *Appointment.* The council shall appoint a city administrator for an indefinite term by a majority vote of all the councilmembers.

(b) *Removal.* The council may remove the city administrator by a majority vote of all councilmembers.

(c) *Compensation.* The compensation of the city administrator shall be fixed by the council.

- **Section 8.03. - Acting city administrator.**

By letter filed with the council, the city administrator shall designate, subject to approval of the council, a qualified city employee to exercise the powers and perform the duties of the administrator during the administrator's temporary absence or disability. During such absence or disability, the council may revoke such designation at any time and appoint another individual to serve until the city administrator shall return or the disability shall cease.

UMATILLA

- **ARTICLE V. - CITY MANAGER**
- **Section 1. - City Manager.**

There shall be a City Manager who shall be the chief administrative officer of the City. A council member may apply for the position of City Manager as long as a resignation from the council position is received prior to the submission of the application. The City Manager shall be responsible to the City Council for the administration of all City affairs placed in his charge by or under this Charter.

(Ord. No. 2005-I, Exh. A, 9-6-05)

- **Section 2. - Appointment; Qualifications.**

The City Manager shall be appointed by the council and shall serve at the pleasure of the council subject to the provisions of Section 4 of this Article. The City Council shall choose a City Manager solely on the basis of his executive and administrative qualifications with special attention to his actual experience in, or his knowledge of, accepted practices with respect to the duties of the City Manager's office as hereinafter set forth. At the time of his appointment, he need not be a resident of the City or state but during his tenure of office, he shall reside within a 15-mile radius of the City.

(Ord. No. 2005-I, Exh. A, 9-6-05)

- **Section 3. - Compensation; Evaluation; Contract.**

The compensation of the City Manager shall be fixed by the City Council. The City Council shall evaluate the performance of the City Manager every twelve (12) months and shall cause a written report of the City Council's finding to be placed in the City Manager's personnel file and record. The City Council and the City Manager may enter into a contract with regard to the terms and conditions of the City Manager's employment, in which case, additional provisions may be included regarding performance evaluations.

(Ord. No. 2005-I, Exh. A, 9-6-05)

- **Section 4. - Removal.**

To remove the City Manager, the council shall adopt a preliminary resolution stating the reasons for the intended removal and shall offer the City Manager an opportunity for a public hearing before the council on the matters raised by the resolution. This preliminary resolution may also suspend the City Manager from duty immediately with pay. The City

Manager must accept the offer of a public hearing or file a written response within ten days of the adoption of the preliminary resolution or the resolution becomes final on that date. If the public hearing is requested it shall be held not earlier than 20 days but not later than 30 days after the adoption of the preliminary resolution. After any such public hearing, or after consideration of any written response, the council shall adopt a final resolution of removal or let the preliminary resolution lapse. Notwithstanding the foregoing, the City Council and the City Manager may enter into a contract with regard to the terms and conditions of the City Manager's employment, in which case, the provisions therein regarding removal shall govern.

(Ord. No. 2005-I, Exh. A, 9-6-05)

- **Section 5. - Powers and Duties.**

(a) Direct and supervise the administration of all departments of the City except the office of City Attorney. The City Clerk is to be appointed and removed by the City Council but would work for the City Manager on a day to day basis.

(b) Appoint, suspend, or remove city employees, except as otherwise provided by law, this Charter or under personnel rules adopted by the City Council, and authorize any department head to exercise these powers with respect to subordinates in that department.

(c) Attend all City Council meetings and shall have the right to take part in discussions, but not to vote.

(d) Assure that all laws, provisions of this Charter and acts of the City Council, subject by enforcement of him are faithfully executed.

(e) Submit the annual budget and capital programs to the City Council, and shall keep the City Council fully advised as to the financial condition and future needs of the City.

(f) Make such recommendations to the City Council concerning the affairs of the City as he deems desirable.

(g) Make such other reports as requested by the City Council concerning the operations of City departments, offices and agencies subject to his direction and supervision.

(h) Sign contracts on behalf of the City pursuant to authority of the City Council.

(i) Perform such other duties as are specified in this Charter, the laws of the State of Florida, or required by the City Council.

(j) Perform such duties, obligations and requirements as are ordinarily performed by City Managers, Administrators, Treasurers, Tax Collectors, Tax Assessors and Directors of Finance.

(k) Designate a qualified City employee to exercise the powers and perform the duties of City Manager during any temporary absence or disability of the City Manager, provided, that the City Council may revoke such designation at any time and appoint another eligible person, other than a currently sitting councilmember, to serve as acting City Manager.

(Ord. No. 2005-I, Exh. A, 9-6-05)

- **Section 6. - Management and Control of Public Utilities.**

The City Manager shall manage and control all City-owned utilities operated and managed by the City, and the office of the City Manager shall be charged with the management and operation of public works, charitable and correctional institutions and agencies of the City, subject to regulations prescribed by ordinance; shall enforce all laws, ordinances and regulations relative to the preservation and promotion of public health; shall manage and control the use, construction, improvement, repair and maintenance facilities of the City, including parks, playgrounds and public gymnasiums, and social centers. The City Manager shall manage and supervise all public improvements, works, and undertakings of the City except as otherwise provided in this Charter.

(Ord. No. 2005-I, Exh. A, 9-6-05)

- **Section 7. - Administrative Departments.**

The City Council may establish by ordinance such departments as deemed necessary for the efficient operation of the City upon the recommendation of the City Manager. At the head of each department so created, there shall be a director who shall have supervision and control of the department subject to the City Manager.

(Ord. No. 1978-A, § 1, 2-7-78; Ord. No. 1995-G, § 1, 9-19-95; Ord. No. 2005-I, Exh. A, 9-6-05)