



60 West Main Street
Hyrum, Utah 84319
Ph. (435) 245-6033
www.hyumcity.gov

City Council Agenda Information

To: Mayor Steve Miller and City Council
From: Stephanie Fricke, City Recorder
Date: January 30, 2026
Subject: Ordinance 26-08 – An ordinance creating Chapters 2.09 City Administrator and 2.10 City Engineer of the Hyrum City Municipal Code.

Summary: **This ordinance creates the City Administrator and the City Engineer position. Both of these positions are appointed positions and should be created and defined in the Hyrum City Municipal Code.**

CITY ADMINISTRATOR:

Mayor Miller is recommending hiring a City Administrator rather than creating the City Manager position. Hyrum City has not been operating under a City Manager form of government, and has been operating with a City Administrator position since 1997.

The main differences between a City Administrator and a City Manager are:

A City Manager is appointed by and works for the City Council and is the Chief Executive of the City, not the Mayor. They manage day-to-day city operations; implements policies set by the City Council; prepares the budget; oversees Department Heads and all employees; has authority to hire and fire staff. A City Manager form of government significantly reduces the Mayor's administrative power and can leave them with a ceremonial, legislative, or presiding role rather than executive control.

A City Administrator is appointed by advice of the Mayor and consent of the City Council. The Mayor retains its legislative responsibility as the Chief Executive and Administrative Officer of the City. A City Administrator works under the direction and guidance of the Mayor and secondarily the City Council. A City Administrator oversees specific duties as set forth in a job description and by the Mayor.

A City Manager can only exist if the city council adopts an ordinance establishing that position. The council cannot delegate the mayor's legislative or judicial powers, or the mayor's position as chair of the council, to the manager.

Unlike "City Manager," the term "City Administrator" is not directly defined in Utah's statewide municipal code (Title 10 of the Utah Code). Utah's statutes do not contain a section like § 10-3-830 for administrators. In other words: there is no statewide, statutory definition or role for "City Administrator" in general Utah law.

The City Manager is defined as the chief administrative officer of the city. They manage administrative affairs, operations and often supervise department heads. Specific powers, such as hiring, supervising staff, preparing budgets, and implementing policies that are spelled out in the city's own municipal code or ordinance.

A City Administrator acts as an assistant to the Mayor. The specific powers, reporting structure, duties, and authority of a City Administrator are set in the job description for a City Administrator and are not set by state statute.

Feature	City Manager	City Administrator
Defined by state statute	Yes — authorized under Utah Code § 10-3-830	No — not defined in state code
Existence depends on local ordinance	Yes	Yes
Appointing authority	City Council (in manager form) from City Council	Recommended by Mayor with consent City Council
Duties and authority	Set by ordinance after council-form is adopted City Council (and sometimes mayor, per ordinance)	Entirely set by city’s local manager ordinance/job description
Reports to		Mayor first and then City Council

CITY ENGINEER:

Utah State Code Section 10-3-917 establishes the framework for the Office of Municipal Engineer and prescribes the duties and obligations of a City Engineer. Hyrum City previously repealed the City Engineer position through Resolution 24-06, however, the City Council did not intend to eliminate the position. The City has determined that appointment of a qualified City Engineer remains necessary to protect the public health, safety, and welfare by ensuring that public and private development projects are properly designed, reviewed, inspected, and constructed.

Accordingly, the Mayor and City Council of Hyrum City find it necessary to formally create and codify the positions of City Administrator and City Engineer within the Hyrum City Municipal Code. This ordinance establishes Chapters 2.09 and 2.10 of Title 2, defining the offices, appointment processes, terms, duties, and compensation provisions for each position, thereby promoting effective administration, professional oversight, and sound governance for the City.

ORDINANCE 26-08

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 2 of the Hyrum City Municipal Code sets forth certain regulations pertaining to administration and personnel, including the establishment of several positions within the City; and

WHEREAS, Utah State Code Title 10 authorizes municipalities to employ administrative officers necessary for the proper administration of City affairs; and

WHEREAS, due to growth, complexity, and operational demands of Hyrum City, the City requires a professional City Administrator to ensure efficient, effective, and accountable municipal services; and

WHEREAS, effective coordination among City departments is essential to avoid duplication of effort, reduce operational costs, ensure timely implementation of policies adopted by the Mayor and City Council, enhance fiscal responsibility and long-term strategic planning for the City; and

WHEREAS, the City is subject to increasing state and federal mandates, budgeting requirements, and reporting obligations that require dedicated administrative oversight and expertise; and

WHEREAS, the City Administrator shall serve under the direction of the Mayor of Hyrum and serve as a point of communication between the Mayor, City Council, City staff, and the public, improving transparency and responsiveness in municipal governance; and

WHEREAS, Utah State Code 10-3-917 permits the city to establish the Office of Municipal Engineer and prescribes duties consistent therewith; and

WHEREAS, the appointment of a City Engineer promotes the protection of public health, safety, and welfare by ensuring that public and private development projects within the City are properly designed and constructed; and

WHEREAS, a City Engineer shall serve as the City's designated professional engineer for purposes of plan review, inspections,

certifications, and other engineering functions as required by law or assigned by the governing body;

WHEREAS, the Mayor and City Council of Hyrum City have found it necessary to create the positions of City Administrator to promote and enhance coordination among departments, and City Engineer to ensure that public and private development projects within the City are properly designed and constructed.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE CREATING CHAPTERS 2.09 CITY ADMINISTRATOR AND 2.10 CITY ENGINEER OF THE HYRUM CITY MUNICIPAL CODE.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Chapter 2.09 City Administrator of Title 2 of the Hyrum City Municipal Code is hereby added as follows:

- Chapter 2.09 City Administrator**
- 2.09.010 Office Created**
- 2.09.020 Appointment**
- 2.09.030 Term of Office**
- 2.09.040 Duties**
- 2.09.050 Office**
- 2.09.060 Other Employment**
- 2.09.070 Compensation**

2.09.010 Office Created.

The office of City Administrator has heretofore been established and shall continue in force and effect as an appointed office of the City.

2.09.020 Appointment.

The Mayor of Hyrum City, by and with the consent of the City Council, shall appoint a qualified person to the office of City Administrator. If the Mayor deems an employment contract is necessary the salary, benefits, duties and termination of the City Administrator shall be set out in such written contract prior to the time of appointment, which contract shall be negotiated and approved by written resolution of the City Council.

2.09.030 Term of Office.

After initial hiring by the Mayor with the advice, consent, and appointment of the City Council, the individual is appointed to the position and serves in that position, with no specific term, and until replaced by the Mayor with the advice and consent of the City Council. The City Administrator may be removed and the employment contract terminated with or without cause by the recommendation of the Mayor, and a majority vote of the City Council.

2.09.040 Duties.

The City Administrator performs duties specified by ordinance, position description, and as delegated by the Mayor, and shall serve as an assistant to the Mayor. The City Administrator reports directly to and is evaluated by the Mayor, and performs the duties assigned consistent with Utah State Law, city ordinance, by the Mayor, by position description and as otherwise determined necessary.

2.09.050 Office.

The City Administrator shall maintain an office in City Hall and shall spend such time in the performance of his/her duties as is necessary or as may be required from time to time by the Mayor, but not less than forty (40) hours per week.

2.09.060 Other Employment.

The City Administrator shall not accept any outside employment in addition to employment by the City without prior annual written approval of the Mayor and City Council.

2.09.070 Compensation.

The salary, benefits, and other compensation of the City Administrator shall be set from time to time by the City Council in accordance with Utah Code 10-3-818.

2. Chapter 2.10 City Engineer of Title 2 of the Hyrum City Municipal Code is hereby added as follows:

- Chapter 2.10 City Engineer**
- 2.10.010 Office Created**
- 2.10.020 Appointment**
- 2.10.030 Duties**
- 2.10.040 Records**
- 2.10.050 Recording**
- 2.10.060 Fees**

2.10.070 Seal

2.10.080 Additional Duties

2.10.010 Office Created.

The office of City Engineer has been heretofore established and shall continue in force and effect as an appointed office of the City.

2.10.020 Appointment.

The Mayor of Hyrum City, by and with the consent of the City Council, shall contract with, retain, or appoint a qualified person to the office of City Engineer. Any person appointed or retained as a City Engineer shall be a registered professional engineer under Title 58, Chapter 22 of the Utah State Code, as amended and with sufficient experience to perform municipal engineering duties. If the City hires or appoints a person to act as City Engineer, such position is deemed an at will position and is exempt from the protections of Utah Code Annotated section 10-3-1105(1)(a), as amended. As such, any person hired or appointed to act as the City Engineer may be terminated with or without cause and shall not be entitled to due process appeal procedures as set forth in Utah Code Annotated section 10-3-1106, as amended.

2.10.030 Duties.

The City Engineer shall perform such duties and have such responsibilities as are provided in the City Engineer Job Description and perform the duties prescribed by Utah State Code.

2.10.040 Records.

The city and/or the City Engineer shall maintain all maps, plans, plats, profiles, drawings, final estimates, specifications and contracts which in any way relate to the public improvements and engineering affairs of the City and the holder of such records shall ensure public accessibility to the same as required by law.

2.10.050 Recording.

The City Engineer shall record and file all drawings and documents pertaining to public lands and improvements of the City, and shall maintain such records and files in good condition allowing no alteration, mutilation or changes to be made. The recording or filing of any drawing or instrument with the City shall not conflict in any way with the recording or filing of the same in other offices of record.

2.10.060 Fees.

The City Engineer shall not record any drawings or instruments, file any papers or notices, furnish any copies, or render any service connected with his or her official duties, until the required fees for the same are paid or tendered as required by law or city ordinance.

2.10.070 Seal.

The City Engineer shall have a seal, which seal shall be affixed to every certification approval.

2.10.080 Additional Duties.

The City Engineer shall perform such other and further duties as the City Council may provide by ordinance, resolution, regulation or directive.

3. REPEALER. All ordinances, and resolutions of the City, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 5th day of February, 2026.

HYRUM CITY

BY: _____
Steve J. Miller

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Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____