

Legal Analysis of Elected Officials' Roles in City Government

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Separation of Powers in Municipal Government

Constitutional Framework:

Idaho municipal governments follow the same separation of powers as state and federal governments

Creates division of responsibility between legislative, executive, and judicial branches

Critical Functions of Separation of Powers:

Ensures accountability through mutual oversight

Prevents arbitrary exercise of power by any single official or entity

Promotes transparency in decision-making

Creates system where branches can check potential overreach

Mayoral Authority

Idaho Code §§ 50-601 *et. seq.*

Mayoral Responsibilities Include:

Implementation and oversight of laws and policies adopted by city council

Management of city operations, officers, directors and staff

Authority to break tie votes of city council

Veto power over ordinances

CITY COUNCIL LEGISLATIVE AUTHORITY

Idaho Code §§ 50-701 *et. seq.*

Legislative authority and policy-making

Oversight of key administrative officer appointments

Passing ordinances and policies

Decisions on zoning, permitting, code violations, variances

Overseeing funding of government operations

BIDIRECTIONAL CHECKS AND BALANCES

Mayor Checking Council Power:

Veto Power: Can reject impractical or inconsistent legislation

Tie-Breaking Authority: Resolves council deadlocks

Operational Input: Provides input on implementation feasibility

Administrative Control: Daily management and operational efficiency

Council Checking Mayoral Power:

Veto Override: Can override mayoral vetoes with majority vote

Appointment Consent: Must approve key administrative positions and can adopt roles and responsibilities of those positions.

Budget Control: Controls funding and resource allocation

Rule-Making Authority: Can prescribe rules for mayoral powers (I.C. § 50-602)

SHARED APPOINTMENT AUTHORITY

Collaborative Process: Mayor (Proposes Appointments, Daily Oversight) and Council (Consent Required, Define Duties).

Key Positions Requiring Council Consent:

Clerk, Treasurer, Attorney, Other officers deemed necessary for efficient operations. Idaho Code §§ 50-207, 50-208 & 50-208A.

Police Chief, Fire Chief, Public Works Director, Community Planning and Development Director, Central Services Director. SCC § 1-6-1.

Council may determine duties and responsibilities of appointed officers.

Balance Achieved: Prevents either branch from unilaterally controlling administrative apparatus while respecting operational needs.

BUDGETARY AUTHORITY

Council's Financial Oversight:

Annual budget preparation (I.C. § 50-1002)

Approval of all claims against the city

Maintenance of internal accounting controls (I.C. § 50-1017)

Resource allocation decisions

Mayor's Operational Input:

Practical input on implementation costs

Operational efficiency recommendations

Implementation within allocated resources

MUNICIPAL STAFF - SERVING BOTH BRANCHES

Unique Municipal Challenge: Unlike state or federal governments, cities operate through officers, directors and staff who simultaneously support both legislative and executive branches.

Mayor exercises managerial/operational oversight.

Council prescribes roles and duties of appointed officials, personnel policies, budget etc.

STAFF COMMUNICATION PROTOCOLS

Information Flow: Staff and department heads may communicate with individual council members to provide information and answer questions.

Direction and Authority: Important Distinction: City council can only provide official direction to staff through majority vote as a collective body.

This Framework:

Ensures individual council members cannot unilaterally direct city operations

Allows free flow of information for informed legislative decision-making

Maintains mayor's administrative authority

Preserves council's legislative oversight function

LEGAL STANDARDS AND BURDEN OF PROOF

Presumption of Validity: A properly enacted municipal ordinance is presumed valid, and the burden of proving otherwise is upon the party attacking the ordinance. *Oregon Shortline Railroad v. City of Chubbuck*, 93 Idaho 815, 474 P.2d 244 (1970).

Dillon's Rule Application: Municipal powers are limited to: (1) those granted expressly, (2) those necessarily or fairly implied, and (3) those essential to declared purposes - not simply convenient, but indispensable.

Implication: Any restrictions on established municipal communication processes would need to overcome strong presumption of validity and demonstrate clear statutory authorization.

CONCLUSION

Balanced System Design:

Idaho's municipal structure intentionally creates mutual checks and collaborative decision-making

No single branch can control all aspects of municipal operations

System depends on open communication channels between branches