

**CHAPTER 16**

**CITY CLERK**

16.01 APPOINTMENT. The City Administrator shall serve ex-officio as City Clerk at the pleasure of the Council.

(Code of Iowa, 1995, Sec. 372.13 [3])

16.02 POWERS AND DUTIES: GENERAL. The Clerk, or in the absence or inability of the Clerk to act, the Deputy Clerk, shall have the powers and duties as provided law and this Code.

16.03 RECORDING AND PUBLICATION OF MEETING MINUTES. The Clerk shall, within fifteen (15) days following a regular or special meeting, cause the minutes of the proceedings thereof to be published. Such publication shall include a list of all claims allowed, the total expenditure from each City fund, a summary of all receipts and the gross amount of each claim.

(Code of Iowa, 1995, Sec. 372.13 [6])

16.04 RECORDING MEASURES CONSIDERED. The Clerk shall promptly record each measure considered by the Council, with a statement where applicable indicating whether the Mayor signed, vetoed or took no action on the measure, and whether the measure was repassed after the Mayor's veto.

(Code of Iowa, 1995, Sec. 380.7 [1])

16.05 PUBLICATION. The Clerk shall cause to be published all ordinances, enactments, proceedings and official notices requiring publication as follows:

1. Time. If notice of an election, hearing, or other official action is required by law or this Code, the notice must be published at least once, not less than four (4) nor more than twenty (20) days before the date of the election, hearing or other action, unless otherwise provided by law.

(Code of Iowa, 1995, Sec. 362.3 [1])

2. Manner of Publication. A publication required by law or this Code must be in a newspaper circulated in the City, except that ordinances and amendments may be published by posting in the following places:

- A. Windsor Heights City Hall  
1133 66th Street  
Windsor Heights, Iowa
- B. Bankers Trust  
70th & University Avenue  
Windsor Heights, Iowa
- C. Hy-Vee Food Store  
7101 University Avenue  
Windsor Heights, Iowa

The City Clerk is directed to post, as soon as practical after the passage, approval and recording thereof, such ordinances and amendments, and to leave them so posted for not less than thirty (30) days after the first date of posting. The Clerk shall note the first date of such posting on the official copy of the ordinance and in the official ordinance book immediately following the ordinance.

Whenever any ordinance, resolution, notice, report or other matter pertaining to City affairs is required by law, ordinance or resolution to be published in newspapers, a printed copy thereof with proof of publication in the form required by law in case of original notices shall be filed with the officer or person causing publication thereof to be made. A like copy with like proof of publication shall be filed with the Clerk, and be preserved by him or her as a part of the records of the Clerk's office. No bill or account for such publication shall in any case be allowed or paid until such copies and proofs of publication have been filed. The fact that they have been filed shall be noted on such bill or account before it is allowed or paid.

(Code of Iowa, 1995, Sec. 362.3 [2])

16.06 AUTHENTICATION. The Clerk shall authenticate all measures, except motions, with the Clerk's signature, certifying the time and manner of publication, when required.

The Clerk shall ascertain that all ordinances are properly signed, and immediately following the record of every ordinance, shall append a certification of passage and publication, which certification shall be in the following form:

"I \_\_\_\_\_ Clerk, of the City of Windsor Heights hereby certify that the above and foregoing is a true copy of an ordinance passed by the City Council of said City at a meeting \_\_\_\_\_ 19\_\_\_, signed by the \_\_\_\_\_ Mayor, \_\_\_\_\_ 19\_\_\_ and published as provided by law in the \_\_\_\_\_, 19\_\_\_.  
\_\_\_\_\_ Clerk."

(Code of Iowa, 1995, Sec. 380.7 [3])

16.07 CERTIFY MEASURES. The Clerk shall certify all measures establishing any zoning district, building lines, or fire limits and a plat showing the district, lines, or limits to the recorder of the county containing the affected parts of the City.

(Code of Iowa, 1995, Sec. 380.11)

16.08 RECORDS. The Clerk shall maintain the specified City records in the following manner:

1. Ordinances and Codes. The Clerk shall maintain copies of all effective City ordinances and codes for public use.

(Code of Iowa, 1995, Sec. 380.7 [4])

2. Custody. The Clerk shall have custody and be responsible for the safekeeping of all writings or documents in which the City is a party in interest unless otherwise specifically directed by law or ordinance.

(Code of Iowa, 1995, Sec. 372.13 [4])

3. Maintenance. The Clerk shall maintain all City records and documents, or accurate reproductions, for at least five (5) years, except that ordinances, resolutions, Council proceedings and records and documents relating to real property transactions or bond issues or accurate reproductions of such ordinances, resolutions, Council proceedings, and records and documents relating to real property transactions or bond issues must be maintained permanently.

(Code of Iowa, 1995, Sec. 372.13 [3 & 5])

4. Copies. The Clerk shall furnish upon request to any municipal officer, a copy of any record, paper or public document under the Clerk's control when it may be necessary to such officer in the discharge of that officer's duty. The Clerk shall furnish a copy to any citizen when requested upon payment of the fee set by Council resolution. The Clerk shall, under the direction of the Mayor or other authorized officer, affix the seal of the corporation to those public documents or instruments

which by ordinance or this Code are required to be attested by the affixing of the seal.

(Code of Iowa, 1995, Sec. 372.13 [4 & 5]  
and 380.7 [4])

5. Filing of Communications. The Clerk shall keep and file all communications and petitions directed to the Council or to the City generally. The Clerk shall endorse thereon the action of the Council taken upon matters considered in such communications and petitions.

(Code of Iowa, 1995, Sec. 372.13 [4])

16.09 ATTENDANCE AT MEETINGS. The Clerk shall attend all regular and special Council meetings and, at the direction of the Council, the Clerk shall attend meetings of committees, boards and commissions. The Clerk shall record and preserve a correct record of the proceedings of such meetings.

(Code of Iowa, 1995, Sec. 372.13 [4])

16.10 ISSUE LICENSES AND PERMITS. The Clerk shall issue or revoke licenses and permits when authorized by this Code, and keep a record of licenses and permits issued which shall show date of issuance, license or permit number, official receipt number, name of person to whom issued, term of license or permit and purpose for which issued.

(Code of Iowa, 1995, Sec. 372.13 [4])

16.11 NOTIFY APPOINTEES. The Clerk shall inform all persons appointed by the Mayor or Council to offices in the City government of their positions and the time at which they shall assume the duties of their offices.

(Code of Iowa, 1995, Sec. 372.13 [4])

16.12 ELECTIONS. The Clerk shall accept the nomination petition of a candidate for a City office for filing if on its face it appears to have the requisite number of signatures and it is timely filed. The Clerk shall note upon each petition and affidavit accepted for filing the date and time that they were filed. The Clerk shall deliver all nomination petitions together with the text of any public measure being submitted by the City Council to the electorate to the county commissioner of elections not later than five (5) o'clock p.m. on the day following the last day on which nomination petitions can be filed.

(Code of Iowa, 1995, Sec. 376.4)

16.13 CITY SEAL. The City seal shall be in the custody of the Clerk and shall be attached by the Clerk to all transcripts, orders and certificates which it may be necessary or proper to authenticate. The City seal shall be circular in form, in the center of which shall be the words "WINDSOR HEIGHTS, IOWA" and around the margin the words "CITY SEAL".