

Publication Note: Pursuant to C.G.S. §7-191(d) THE CITY OF NEW HAVEN, CONNECTICUT hereby gives notice of the proposed charter revision approved by the Board of Alders on August 7, 2023. This notice sets forth the pertinent provisions of the Charter where substantive revisions were made.

The City and Town Clerk has been authorized to prepare an explanatory text that will afford the people of New Haven to have an article-by-article review of all the changes. More significantly we extend an invitation to review the proposed revised Charter: <https://www.newhavenct.org/charterrevisioncommission>. In order to clarify and establish an historical context please note that the proposed Charter published on the website includes annotations by the way of footnotes which will allow you to follow the development of this document.

PREAMBLE

No change.

ARTICLE I. CONSTRUCTION OF THE GENERAL PROVISIONS

- Sec. 1. **Title.** No change.
- Sec. 2. **Definitions and Titles Generally.** No change.
- Sec. 3. **Time of Appointments and Meetings Generally.** No change.
- Sec. 4. **Definitions.** No changes, with the exception of the new definition of "Contract in Sec. 4.H, as follows:

"Contract" means all contractual relations of the City, including, without limitation, agreements, purchase contracts, personnel contracts, lease contracts, and service contracts, including but not limited to, memoranda of understanding, memoranda of agreement, letters of understanding, letters of agreement, side letters and other agreements purporting to bind the City. It is the intent of this provision that all Contracts shall be in writing in accordance with the provisions of this Charter or any Ordinance adopted hereunder. It is the intent of this provision to include any written agreements documenting consensual settlements of any claims or allegations involving the City and any third parties, whether originating in a judicial or administrative proceedings under Law, this Charter or Ordinances or pursuant to or otherwise related to rights derived from any agreement, including collective bargaining agreements.

There were minor edits and errata corrections including (a) elimination of the term "of this Charter" in definition of the "Elected Official" (Sec. 4.L); (b) substituting the word "Article" for "Chapter" in the definition of "Public Official" (Sec. 4.S); and, (c) capitalizing the word contracts in the definition of "Order" (sec. 4.T).

ARTICLE II. INCORPORATION AND GENERAL POWERS

- Sec. 1. **Established.** No change.
- Sec. 2. **City Incorporated. Corporate Rights.** No change.
- Sec. 3. **Wards and Education Districts established.** No change.
- Sec. 4. **Reapportionment of the Wards.** No changes with the exception of the following minor edits and errata corrections including (a) capitalization of the word "Board" and substitution of the word "Article" for the word "Chapter" in Sec. 4.C(3) .
- Sec. 5. **Application of the General Statutes; qualification of Electors; polling hours; voting districts.** No change.
- Sec. 6. **Elected Officials specified; date of elections; term; vote required; special elections.**

A. Elected Officials. From and after the effective date of this Charter the following Public Officials of the City and town shall be elected, viz.: the Mayor, members of the Board of Alders, Registrars of Voters, City Clerk, and two (2) members of the Board of Education, elected by district.

B. Date of Elections; Term of Office.

(1) The Mayor, members of the Board of Alders, and the City Clerk shall be elected at the regular City election to be held on the first Tuesday after the first Monday of November 2025 for a term of two (2) years from the first (1st) day of January 2026, and, thereafter, on the first

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- Deleted: and, effective for the municipal election of 2015, the elected members of the Board of Education,
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Tuesday after the first Monday of November 2027 for a term of four (4) years from the first (1st) of January 2028 and quadrennially thereafter;

(2) The elected members of the Board of Education shall have a term of four (4) years, commencing on the first (1st) day of January 2028 and quadrennially thereafter; with the exception of the transitional two (2) year term for one member commencing on the first (1st) day of January 2026, as set forth in §3.A(3)(b) of Article VII.

(3) The Registrars of Voters shall be elected at the regular City election to be held under the provisions of this Charter on the first Tuesday after the first Monday of November, 1996, for a term of four (4) years from the first (1st) day of January next, and quadrennially thereafter.

- C. **Plurality Vote.** No change.
- D. **Special Elections.** No change.

- Sec. 7. **Vacancies in Elective Office.** No change with the exception of the exception of the capitalization of the word "Board" in two places (Sec. 7.A).
- Sec. 8. **Vacancies of Appointed Public Officials.** No changes.
- Sec. 9. **Resignation from Office.** No changes.
- Sec. 10. **Temporary Disability or Absence of Mayor.** No changes with the exception of the exception of the capitalization of the word "Board" (Sec. 10.A).
- Sec. 11. **Salaries of Elected Officials.** No changes.
- Sec. 12. **Elected Officials and Appointed Public Officials.** No changes with the exception of the following:

(Sec. 12.B) Appointed Public Officials. Every Appointed Public Official shall be an Elector of said City, unless (1) otherwise permitted by Law and provided for by Ordinance, as set forth in §12.C of this Article for Department Heads and Deputies or (2) as may be waived pursuant to §12.D of this Article.

(Sec. 12. C) Department Heads and Deputies to be Electors; Exception. Each of the several Department Heads and deputies or those second in command of all Departments and other City organizations enumerated in the Charter or created by Ordinance shall, within six (6) months following the effective date of said appointment, be required to be an Elector of the City, or reside outside the corporate boundaries of the City if such residence is on lands owned by the City of New Haven, unless otherwise provided for by Ordinance or waived in accordance with the provisions of §12.D of this Article. Moreover, each such Department Head and deputy or second in command of Departments and other City organizations shall be required to comply with the requirements of this section during the term of office, unless otherwise modified by Ordinance.

- (1) **Failure to Comply.** No change.
- (2) **Role of the Personnel Director.** No change.

(Sec. 12. D) Waiver. The Elector requirement for appointment of Department Heads (unless otherwise modified by Ordinance as set forth in §12.C of this Article) and members of Boards and Commissions may be waived, if permissible under Law, by requiring an appointee(s) to establish evidence of a bona fide residence (as set forth in the General Statutes) in the City. The waiver shall be granted by a majority vote of the entire membership of the Board of Alders then eligible to vote.

- Sec. 13. **General Provisions.** No changes, except as follows:

(Sec. 13.C) Bonds of Public Officials. The bonds of all Public Officials shall be taken to the City of New Haven, conditioned for the faithful performance of the duties of the office according to Law. The form and amount of each bond shall be to the satisfaction of the Controller, and no person or corporation shall be accepted by said Controller as surety on such bond except some corporation authorized by laws of this State to give bonds and become surety for bonds of municipal and other officials. The expense of all bonds required by this Charter shall be paid by the City. At the time of the adoption of this provision of the Charter the following officials are required to be covered by bonds: Controller; Assistant City Treasurer, upon assuming the duties of the City Treasurer; Collector of Taxes; and, Director of Parks and Public Works.

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- Sec. 14. **Conflict of Interest and Code of Ethics.** No changes, with the exception of eliminating the term “of this Charter” (Sec. 14.D(1)) and capitalization of the word “Board” (Sec. 14.D(2)).
- Sec. 15. **Removal of Elected and Appointed Officials.** No changes with the exception of an internal reference revision (Sec. 15.E).
- Sec. 16. **Recall of Mayor.** No changes.

ARTICLE III. THE MAYOR

- Sec. 1. **Declared chief executive; qualifications; holding other offices prohibited.** No changes.
- Sec. 2. **Powers and Duties.** No changes, with the exception of capitalization of the word “Board” (Sec. 2.B(2)(e)) and the following:

(Sec. 2.B(3) To sign (a) together with any other City official required to sign, all bonds and other instruments evidencing City indebtedness; (b) all deeds and all written Contracts of the City approved by the Board of Alders, (in accordance with this Charter and any Ordinance adopted hereunder), unless otherwise provided in this Charter; and (c) all deeds and Contracts of any Department, Board or Commission of the City in accordance with authority conferred upon them by this Charter or by the Ordinances, or otherwise by Law; provided, the facsimile signature of the Mayor is authorized on all bonds issued by the City.

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(Sec. 2.B(4)) To see that all Contracts in which the City is party are faithfully kept and performed.

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- Sec. 3. **Membership on Boards and Commissions.** No changes.
- Sec. 4. **Mayor's Staff and Council of Economic Advisors.** No changes.

ARTICLE IV. BOARD OF ALDERS

- Sec. 1. **Membership, qualifications; to exercise City powers.** No changes with the following exceptions

(Sec. 1.A(1)) Said Board shall, with the approval of the Mayor or over the Mayor's veto, where applicable and as hereinbefore provided in this Charter or by Law, exercise all of the legal authority and powers conferred upon said City, except as otherwise provided.

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(Sec. 1.A(2)) Said Board shall have power and authority to carry into effect and operation, by appropriate Ordinances with the approval of the Mayor, or over said Mayor's veto as provided in this Charter, all legal authority and powers of the legislative body of the City as provided in this Charter as well as other provisions of Law, including, but not limited to the General Statutes.

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(Sec. 1.A(3)) Said Board shall approve the following appointees of the Mayor:

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(a) Up to four (4) Coordinators, Chief of Police and Fire Chief, as set forth in §3.A (1) Article VI. Pending action by the Board, which shall be completed within thirty (30) days of the submission of the nomination, a proposed appointee to a position may perform the duties and exercise the powers of the position; although this provision shall not be applicable to appointees to Boards or Commissions. A rejected nominee may continue in office in an acting capacity pending resubmission of the candidate's name for approval at the Board's next regular meeting; however, a person's name may not be submitted more than two (2) times. Other than to membership on a Board or Commission, the Mayor may designate an individual to hold a position in an acting capacity pending the selection of a nominee, but no person may hold such a position for more than six (6) months without being submitted for confirmation by the Board.

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(b) Members of Boards and Commissions, as set forth in §1.A of Article VII. If a nomination to a position or to a Board or Commission has not been affirmed or rejected by vote of the Board of Alders within ninety (90)

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days of the submission of the nomination by the Mayor, it shall be deemed to have been approved.

Sec. 2. **Organization of the Board of Alders.** No changes, with the exception of (1) capitalization of the word "Board" (Sec. 2.A-E and G); "Board or Commission" (Sec. 2.A(2); Sec. 2. G); and "Contracts" (Sec. 2.C)); and, (2) addition of the words "Parks and" to the Director of Public Works (Sec. 2.G and 2.G(1)). The following substantive change was also made in Sec. 2.A(2):

The rules of the Board shall authorize...(2) the appointment of an officer elected under this section to serve in lieu of a representative of a minority party on any Board or Commission which requires said appointment; however, said appointment shall not circumvent the provisions of the General Statutes and this Charter pertaining to minority party representation. Party officers of the Board of Alders, including the third officer, if applicable, shall not serve ex officio on any Board or Commission.

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Sec. 3. **Procedure for enacting Ordinances, Resolutions, etc.; when Ordinances effective.** No changes, with the exception of adding the word "article" in Sec. 3.A(3).

Sec. 4. **Special Act Authority to Adopt Ordinances, Resolutions and Orders.** No changes, with the exception of adding the word "article" in Sec. 4.B(1).

To manage, regulate and control all City property; to authorize the purchase or sale of property in the name of the City; and to provide for the form and to regulate the manner of making all Contracts, as defined in §4.H of Article I in order to ensure that all such Contracts are approved and authorized in accordance with Law; to regulate the collection and enforcement of taxes and liens and the borrowing of money by the City for any purposes for which said Board is authorized to lay taxes; and to provide for the adjustment of claims against said City, and for the payment of the same.

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Sec. 5. **Special Act Authority of the Board of Alders.** No changes, with the exception of the capitalization of the words "Board" (Sec. 5.A, C and D); and "Contracts" (Sec. 5.D)).

Sec. 6. **Authority to abate taxes.** No changes.

Sec. 7. **Compensation of the Board of Alders.**

Each member of Board of Alders shall receive no less than the sum of Five Thousand (\$5,000.00) Dollars annually as compensation, including accumulated cost-of-living adjustments. The President of the Board of Alders shall receive no less than Six Thousand Five Hundred (\$6,500.00) Dollars annual as compensation, including accumulated cost of living adjustments. The Alders may review the amount of said compensation and enact revisions thereof by Ordinance. Any such Ordinance which provides for an increase in compensation or non-cash benefits for the Board of Alders shall become effective only upon approval of said Ordinance by the Electors of the City at a referendum held at the next regular municipal election. Any cost-of-living adjustments or revisions by Ordinance shall become effective prior to the third year of a four-year term of office or at the next term of the Alders in accordance with the State Constitution.

ARTICLE V. OTHER ELECTED OFFICIALS OF THE CITY

Sec. 1. **City Clerk.** No changes.

Sec. 2. **Registrars of Voters.** No changes.

Sec. 3. **Members of the Board of Education.**

~~Effective on January 1, 2016, t~~The Board of Education shall include two (2) members one each to be elected from two (2) education districts, as set forth in §3 of Article II and §3.A (2) of Article VII.

ARTICLE VI. THE CITY GOVERNMENT: DEPARTMENTS AND DEPARTMENT HEADS

Sec. 1. **The Authority to Establish the Departments of City Government.**

A. **Powers and Purposes.** No change.

B. **Creation of Departments.** No change.

C. Departmental Functions. The Department Head and Other Mayoral Departmental Appointees responsible for the Departments shall have charge of the City functions set forth in this Charter and Ordinances as well as the legal affairs of the City; budget and finance; oversight, testing and management of personnel; tax collection; property assessment; procurement; management and maintenance of infrastructure, parks and public works; engineering; police, fire and other emergency services; public information and technology; public libraries; public health; youth and recreation, economic development; city planning and zoning; transportation, traffic and parking; building inspection; and public education. These officials shall have direct reporting authority to the Mayor and, may be required, as directed by the Mayor, to conduct their functions under the administrative purview of a coordinator designated by the Mayor.

D. Reorganization Plans. No change.

Sec. 2. General Requirements Pertaining to All Department Heads and Mayoral Department Appointees. No changes, except as follows: Sec. G. and H entitled "Term of Four Years" and "Vacancy," respectively are recodifications of current Art. VI, Sec. 2.A.(3)(first and second sentences); Sec. I entitled "Succession" is a recodification of Art. VI, Sec. 3.A(10); and, Sec. J entitled "Inventory" is a recodification of Art. VI, Sec. 5.C(3).

Sec. 3. The Appointment of Coordinators, Department Heads, Deputy Department Heads and Other Mayoral Department Appointees.

A. Appointment. Except as otherwise provided by the General Statutes or this Charter, all Coordinators, Departments Heads and Other Mayoral Department Appointees, are subject to the authority and serve under the direction of the Mayor, as follows:

(1) Appointment Solely by the Mayor: Unless otherwise set forth in this Charter the Mayor is solely responsible for appointing the following:

(a) The Corporation Counsel. Subject to the authority of the Mayor for a term coterminous with the Mayor who appointed said official. The qualifications of the Corporation Counsel shall be established by Ordinance.

(b) Deputy Corporation Counsels and Assistant Corporation Counsels: Subject to a term of one (1) year from said appointment or until their successor shall be appointed and qualified. The qualifications of the Deputy and Assistant Corporation Counsels shall be established by Ordinance. The appointment of the Deputy Corporation Counsel is further subject to the requirements of §12.C of Article II.

(2) Appointed by the Mayor and Subject to Confirmation by the Board of Alders: Service Under the Direction of the Mayor: Unless otherwise set forth in the Charter the Mayor is responsible for appointing the following the following Appointed Public Officials the Mayor, subject to approval by the Board of Alders, as set forth in §1.A (3) of Article IV:

(a) The Coordinators as authorized by §2.A (2) of Article II, who shall serve under the direction of the Mayor and are removable at the pleasure of the Mayor;

(b) Chief of Police and Fire Chief, who shall serve subject to the authority of the Mayor for a term of office as set forth in §2.G of this Article. The person in office as Chief of Police and Fire Chief on the effective date of this Charter shall hold office until a successor has been duly appointed and qualified.

(3) Appointed by the Mayor and Serving Under the Direction of the Mayor Subject to a Term of Office as Set Forth in §2.G of this Article, unless otherwise set forth in this Charter: Unless otherwise set forth in the Charter the Mayor is responsible for appointing the following the following Department Heads and such other Department Heads as may be established by Ordinance:

- (a)** TheCity Controller;
- (b)** Director of Parks and Public Works;
- (c)** City Engineer;
- (d)** City Assessor;

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- (e) Director of Youth and Recreation;
- (f) Director of Traffic and Parking;
- (g) Planning Director

Said appointees shall serve under the direction and subject to the authority of the Mayor as the chief administrative and executive officer of the City; although may not be removed from office during their terms except for cause, which shall not be political.

(4) Appointment of the City Purchasing Agent by the Mayor. Whenever a vacancy exists in the office of City Purchasing Agent the Mayor shall designate a nonpartisan board of examiners, consisting of three (3) experienced citizens who have been Purchasing Agents or have employed Purchasing Agents in their business and are competent to determine and pass on qualifications of the candidates' eligibility for such office, which board after such examination of said candidates as it may consider necessary to determine their competency for the duties of such office, shall file with the Mayor a written report of its findings as to the relative proficiency and fitness of such candidates as in its judgment are qualified to receive such appointment, which report shall be signed by a majority of the members of said board. The Mayor shall appoint one of the three (3) highest ranking candidates, but in no event shall any person be appointed to the position of City Purchasing Agent unless such person shall have had at least three (3) consecutive years of full-time experience as a Purchasing Agent in commercial or governmental purchasing prior to appointment.

(5) Appointment of Building, Plumbing and Electrical Inspectors by the Mayor. The Mayor, before appointing said inspector shall designate, in the case of each appointment, a separate nonpartisan board of examiners, consisting of three (3) experienced citizens competent to determine the qualifications of the candidates for such office, which board, after such examination of said candidates as it may consider necessary to determine their competency for the duties of such office, shall file with the Mayor a written report of its findings as to the relative proficiency and fitness of such candidates as, in its judgment, are qualified to receive such appointment, which report shall be signed by a majority of the members of said board. Each of said inspectors shall be appointed from among the candidates who, in the judgment of said board, are properly qualified for the duties of the particular office to which appointment is to be made. They shall hold their respective offices until they vacate them or are removed for sufficient cause, duly shown, which cause shall not be political.

(6) Appointment of the Personnel Director by the Mayor. The Personnel Director shall be appointed by the Mayor from a list of three (3) persons with the highest ratings obtained in a civil service examination held to determine an eligible list for said position. The Personnel Director may not be removed from office without cause, which cause shall not be political. The appointment of Personnel Director is not subject to term limits.

(7) Appointment of the Director of Public Health by the Board of Public Health. The Director of Public Health shall be appointed by the Board of Public Health, for a term of years as set forth in §2.G of this Article. Notwithstanding any provisions of this Charter to the contrary, the director may not be removed from office during the term of office except for cause, which cause shall not be political.

(8) Appointment of the City Librarian by the Board of Library Directors. The City Librarian shall be appointed by the Board of Library Directors, for a term of years as provided in §2.G of this Article.

(9) The Superintendent of Schools. The Board of Education shall elect a Superintendent of Schools, in accordance with the General Statutes. Notwithstanding the provisions of §2.G of this Article the Superintendent may be elected to such term as may be permitted by the General Statutes. A written Contract shall be entered into between the Board of Education and the Superintendent with all provisions and conditions of employment stipulated therein. The Board of Education may remove said Superintendent in accordance with the standards set forth in §15 B, D and E of Article II, unless otherwise required by Law.

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Deleted: The General Rule. The following Department Heads shall be appointed in accordance with §3.A (2) of this Article: (a) The City Controller; (b) Director of Public Works; (c) City Engineer; (d) City Assessor; (e) Director of Parks and Recreation; (f) Director of Traffic and Parking; and, (g) Planning Director. The person in office as Director of Parks and Recreation, Planning Director and Director of Traffic and Parking on the effective date of this Charter shall hold office until a successor has been duly appointed and qualified.

Deleted: Corporation Counsel shall be appointed by and subject to the authority of the Mayor and serve a term coterminous with the Mayor who appointed said official.¶

¶ The following shall be appointed by the Mayor to hold office for the term of one (1) year from said appointment or until their successor shall be appointed and qualified: (a) Deputy Corporation Counsels; (b) Assistant Corporation Counsels.¶

¶ The following Department Heads and other officials shall be appointed by the Mayor.¶

¶ **The City Purchasing Agent.** Whenever a vacancy exists in the office of City Purchasing Agent the Mayor shall designate a nonpartisan board of examiners, consisting of three (3) experienced citizens who have been Purchasing Agents or have employed Purchasing Agents in their business and are competent to determine and pass on qualifications of the candidates' eligibility for such office, which board after such examination of said candidates as it may consider necessary to determine their competency for the duties of such office, shall file with the Mayor a written report of its findings as to the relative proficiency and fitness of such candidates as in its judgment are qualified to receive such appointment, which report shall be signed by a majority of the members of said board. The Mayor shall appoint one of the three (3) highest ranking candidates, but in no event shall any person be appointed to the position of City Purchasing Agent unless such person shall have had at least three (3) consecutive years of full

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A. Deputy Department Heads. Except as otherwise provided by the General Statutes, this Charter or other Law, each Department Head may, in consultation with the Mayor, employ one or more Deputy Department Heads, who, in addition to their own duties, shall have the authority to exercise the powers and duties of the Department Head and to act as the Department Head in the absence or incapacity of the Department Head, or under other circumstances as specified in the terms of employment. Said appointment shall be made in writing, filed in the Office of the City Clerk and record in the City records. Said appointment shall be valid unless and until revoked in writing by the Mayor and filed and recorded in the same manner as the appointment. In the case of multiple Deputies who report to one Department Head, their appointments shall describe the order in which each Deputy will be authorized to act for the Department Head in the event the Department Head is absent or incapacitated.

Deleted: <#>Historical Transition Provision. Except as otherwise provided by State law, after July 1, 1993, the terms of all present Department Heads whose appointments are subject to the four (4) year limitation shall end on January 31, 1994, or on such later date when their successors have been appointed and qualified, and the new terms of all such Department Heads appointed thereafter shall commence on February 1, 1994 and on February 1 of every fourth (4th) year thereafter. ¶

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Vacancy. In the event of a vacancy in the office of any such Department Head, a successor may be appointed for the balance of the four (4) year term, except that during the last two (2) months of the term of a Mayor who has not been reelected to office, the Mayor may not appoint any Department Head except on an acting basis for a temporary period ending not later than the succeeding January 31. ¶

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All Department Heads shall serve until their successors have been appointed and qualified. ¶
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Sec. 4. Office of the Corporation Counsel.

A. Department Head and Legal Staff.

(a) **The Corporation Counsel.** The Corporation Counsel, as the Department Head, shall be responsible for the efficiency, discipline and good conduct of the department responsible for providing legal services on behalf of the City. The Corporation Counsel shall be the chief legal advisor of and attorney for the City and of all Public Officials and Departments thereof in matters relating to their official duties.

Deleted: The Corporation Counsel shall appointed pursuant to the provisions of §3.A (4) of this Article. The Corporation Counsel shall be responsible for the efficiency, discipline and good conduct of the department responsible for providing legal services on behalf of the City.

(b) **The Deputy and Assistant Corporation Counsels.** Said deputy and assistant Corporation Counsels shall perform such service as the Corporation Counsel may direct.

Deleted: The Mayor shall appoint deputy and assistant Corporation Counsels, pursuant to the provisions of §3.A (5)(a) and (b) of this Article. The appointment of the Deputy Corporation Counsel is further subject to the requirements of §12.C of Article II of this Charter'. ¶

(c) **Additional Counsel.** The Mayor may, in said Mayor's opinion the interests of the City require it, appoint additional special assistant Corporation Counsel or counsels whose salary shall also be fixed by the budget.

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B. General Duties of the Corporation Counsel. No changes, with the exception of B.(3)(d), as follows: "Oversight responsibility for the administration of issues pertaining to labor relations, disability services and fair rent."

C. Litigation Settlement Committee. No change.

Sec. 5. Finance Administration and Functions.

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Appointment.¶
(1)

A. Generally. The functions under this provision are responsible for the administration of the fiscal policies of the City, including, but not limited to the: (1) keeping of accounts and financial records of the City; (2) assessment and collection of taxes, special assessments and other revenues; (3) the custody and disbursement of City funds and money; (4) control over expenditures; (5) purchase of services and materials, including insurance; (6) preparation of the Operating and Capital Budgets for submission to the Mayor, Board of Alders and other authorities otherwise provided in this Charter for the adoption of such budgets and for advising each of the authorities when requested as to fiscal matters; (7) information and technology; and, (8) such other powers and duties as may be required by the General Statutes, this Charter, Ordinance or Order or Motion of the Board of Alders.

B. Departments and Direct Reports to the Coordinator. The following Department Heads and Other Mayoral Departmental Appointees are required to report on their functions to the coordinator responsible for the finance administrative functions of the City: (a) Controller; (b) Collector of Taxes; (c) Purchasing Agent; (d) Assessor; and (e) administrator responsible for information and technology services.

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Deleted: be subject to the general direction of the Mayor in all matters relating to the financial affairs of the City, except as herein otherwise expressly provided. The City Controller shall appointed pursuant to the provisions of §3.A (2)

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(a) Bond

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C. Department of Finance: The City Controller. The City Controller shall be the Department Head of the Department of Finance responsible for the financial operations of the City. The Controller is required to perform the duties and responsibilities as set forth in this Charter and the Ordinances, under the authority of the Mayor and operational purview of the Coordinator responsible for the finance administrative functions of the City or such other official in the event of a reorganization in accordance with §8-1.D of this Article. The Controller may appoint a Deputy, Tax Collector and Treasurer or, in lieu of the appointment of a Treasurer, assign an employee of the department the functions of the treasurer.

C. General Functions of the Finance Department. The Coordinator responsible for the finance administrative functions of the City or, in the absence of such coordinator, the Controller ("Finance Officials") shall be responsible for the execution and administration of the following duties and functions (both Finance Officials shall be equally liable unless the function is specifically assigned to one or the other):

(1) **To prevent overdrawing, misapplication of appropriations; liability for payments exceeding appropriations.** The Finance Officials shall not suffer any appropriation or allotment thereof to be overdrawn, or the appropriation for one item of expense to be drawn upon for any other purpose, or by any department other than that for which the appropriation was specifically made, except in case of transfers made as hereinafter provided.

(2) **To certify the availability of sufficient funds.** No warrant shall be issued unless sufficient funds to pay the same shall actually be in the treasury. Said Finance Official(s) shall:

(a) Certify as to the availability of appropriated funds for the payment of every obligation arising by reason of the proposed purchases or contracts of each Budgeted Entity and officer of the City, and shall assure that purchase orders or contracts are valid obligations of the City of New Haven, bearing the certification of the Controller or other official designated by the Mayor, or by Ordinance.

(b) Refuse to approve any purchase order or contract when the available appropriation for that purpose is exhausted or, in the opinion of the Finance Officials will be so depleted that there will remain insufficient funds for the regular and ordinary expenditures of that appropriation.

If the Finance Official(s) shall certify any bill, contract or claim in excess of the appropriation properly applicable thereto, the City shall not be liable for such excess, but the coordinator responsible for the finance administrative functions of the City or Controller, as the case may be, shall be personally liable there, and said Finance Official's sureties shall also be liable to the amount of the bond.

(3) **To create a procedure for claims, accounts and payments.** The Finance Officials shall, administer procedures for the management of claims and accounts, including departmental accounts, appropriation accounts, forms, reports and public inspection protocols, and rules for payments of Public Officials and employees, as set forth by this Charter, Ordinance or by administrative action of the Mayor and Finance Officials.

(4) **To establish amount of Bond for Public Officials.** To determine and set the amount of bond required of all Public Officials and employees of the City who, in the opinion of the Controller or in accord with Law, this Charter or the Ordinances, should be bonded.

(5) **Audits of Accounts of Public Officials and Employees.** The Controller shall, at the end of each fiscal year, or oftener, if so required by the Mayor, and also upon the death, resignation, removal, or the expiration of the term of any Public Official or other employee, audit or cause to be audited, examine, and settle the accounts of such Public Official or employee, and if said person shall be found indebted to the City, the Controller shall state an account and file the same with the Corporation Counsel, together with a copy of the official bond of such Public Official or employee, if any, and give notice thereof to such official or a designated legal representative; and the Corporation Counsel shall proceed to collect such balance from such Public Official, employee or designated sureties within six (6) months from the receipt of such account. Notice of the audit shall be given by the Controller to the Public Official or a legal representative(s) designated by the official before the final statement of the account, and, if desired by such Public Official, employee or the legal representative(s) designated by the official, opportunity shall be given for a hearing. A copy of such notice, with an affidavit to the fact of service thereof, shall be filed, with the statement of account, as evidence of service of notice.

(6) **To establish procedures for the deposit and payment of City Funds.** The Finance Officials shall (a) deposit at such intervals and in such manner, including obtaining the highest rate of interest consistent with the safety of the deposits, (b) and pay City funds

Deleted: (2) The Deputy Controller. The Controller whenever absent or otherwise incapable of acting, may, by appointment in writing, filed in the office of the City Clerk and recorded in the records of the City, designate the deputy Controller in the Controller's office to act as Controller and when so appointed and acting thereunder, said deputy Controller shall have and exercise such of the powers, duties and authority of the Controller and only such, as may be specified in said appointment, unless and until revoked by the Controller, in writing, filed and recorded, as provided for said appointment. ¶

(3) **Appointment of Tax Collector and City Treasurer.** It shall be the duty of the Controller to appoint and have the power to remove, subject to the provisions of this Charter and such rules and regulations as may be adopted by the Civil Service Board, a Tax Collector and a City Treasurer; said Tax Collector and City Treasurer shall have the powers and duties imposed by Law on such offices and shall have such powers and duties as the Board of Alders may prescribe. ¶

Designation of Assistant Treasurer. The City Treasurer by appointment in writing, filed in the office of the City Clerk and recorded in the records of the City, may designate the assistant treasurer to act as treasurer whenever the said City Treasurer is absent or incapable of carrying on the duties of such office by reason of mental or physical incapacity, and when so appointed and acting hereunder the said assistant treasurer shall have and exercise such of the powers, duties and authority of the City Treasurer and only such as may be specified in said appointment, unless and until revoked by the City Treasurer in writing, filed and recorded as provided for in this Charter. ¶

Death, resignation or Removal of City Treasurer. In case of the death, resignation or removal of the City Treasurer, the said assistant treasurer shall have and exercise the full powers and authority of the City Treasurer until said City Treasurer's successor is appointed; ...

Moved down [3]

Moved down [4]

Moved down [5]

Deleted: audit immediately after the first (1st) day of each month the accounts of the several departments and all of said Public Officials and employees who receive, pay out or dispose of the money or other property of the City; to ...

Deleted: keep a separate account for each specific item of the appropriations, and to require all warrants to state specifically against which of said items the warrant is drawn. ¶ ...

Deleted: Duties of the City Controller. ¶ ...

Deleted: Controller

Moved down [6]

Deleted: If the Controller shall certify any bill, contract or claim in excess of the appropriation properly applicable thereto, the City shall not be liable for such excess, but the Controller shall be personally liable therefor, and said ...

Moved (insertion) [6]: No warrant shall be issued unless sufficient funds to pay the same shall actually be in the treasury.

Moved (insertion) [3]: ¶
To

Moved (insertion) [4]: ¶
To

Deleted: Procedure for claims, accounts. Each claim or account against the City shall be first verified by the oath or affirmation of the claimant or said claimant's authorized agent, then certified to be correct and justly ...

Deleted: Payment

Deleted: . All City funds

Deleted: be deposited

Deleted: bank or banks as shall be designated by the Controller, whose duty it shall be to obtain

Deleted: therefor

Deleted: . All interest upon said deposits shall belong to said City. ¶
¶
Payment

in accordance with requirements and protocols as may be set forth by his Charter, Ordinance or by administrative action of the Mayor and Finance Officials. The City Treasurer, or an employee of the Finance Department assigned the functions of the said treasurer, shall pay all orders drawn on said treasurer by the City Clerk and countersigned by the Controller, or drawn by the Board of Education in the order in which they shall be presented to the City Treasurer.

(7) Authority to discount taxes, borrow in anticipation of taxes or bond sales. The Controller may provide at any time for the discounts, at current rates of interest, of all sums assessed for taxes, and of all sums assessed for benefits on account of the construction of pavements, but not yet payable. The Controller shall have power, in the name of the City, to borrow such sums from time to time, as in its opinion may be needed for City purposes, in anticipation of such taxes as shall have been previously laid, and in anticipation of the sale of bonds which may have been ordered by the Board of Alders in accordance with Law, and for no other purpose; and the amount so borrowed shall be used only for the same purposes that the taxes, assessments or avails of bonds might have been used for, and shall be repaid from said taxes or assessments when collected, or from the sale of such bonds.

Historical Transition Provision. The historical powers and duties of the Department of Finance, including the Controller, as set forth in Article XV, §4.B shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) a legal opinion as set forth in Article XV, §4.A certifying that the functions of Article XV, §4.B have been addressed by the Ordinance, Article XV, §4.B shall expire and may be removed from the Charter; unless otherwise set forth in the Ordinance.

D. Role of the Collector of Taxes. The Collector of Taxes shall have all the authority to perform all the duties and assume all of the responsibilities entrusted to Tax Collectors by virtue of the General Statutes, this Charter and the Ordinances. The Collector shall have the same power as the Mayor to sign certificates of tax liens and certificates of their release and discharge. The Mayor shall have power to issue a warrant for the collection of any of said taxes or assessments.

Historical Transition Provision. The historical powers and duties of the Collector of Taxes as set forth in Article XV, §4.C shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) a legal opinion as set forth in Article XV, §4.A certifying that the functions of Article XV, §4.C have been addressed by the Ordinance, Article XV, §4.C shall expire and may be removed from the Charter; unless otherwise set forth in the Ordinance.

E. Role of the City Purchasing Agent. The City Purchasing Agent shall be the Department Head of the department responsible for the procurements of the City.

(1) General Duties. The City Purchasing Agent shall make all purchases of supplies, materials, equipment and contractual services for all Departments. Moreover, the City Purchasing Agent shall be responsible for the central purchasing system for the City covering the purchase of all supplies, materials, equipment and other commodities for the use and needs of all Departments, Boards and Commissions and Officials of the City, including the Board of Education. With regard to the Board of Education, the City Purchasing Agent shall be required to take advantage of incentives, cooperative agreements and consortiums generally available to boards of education in order to expedite the acquisition of goods and services for said Board to meet the curriculum and scheduling requirements of the Board. It shall be the duty of the Purchasing Agent:

(a) To establish, after consultation with the heads of the departments concerned, and to enforce, specifications for all supplies, materials and equipment required by the City government.

(b) To make, with the approval of the Controller, such regulations and prescribe such forms or requisitions for supplies, materials and equipment by departments for the City as considered reasonably necessary by the Purchasing Agent.

Deleted: City Funds. Orders drawn upon any bank or trust company which has been designated as a City depository by

Deleted: Controller, for payment of any claims, including those drawn to

Deleted: individual order of any person or persons whose names appear thereon as signer or signers thereof, may be signed or countersigned by

Deleted: facsimile signature or signatures

Deleted: City Clerk and Controller, and if such order or orders are so signed by means of a facsimile signature, any bank or trust company shall, acting in good faith, and without notice of any defect or invalidity, be authorized to pay and be protected in paying, any orders so drawn, bearing or purporting to bear the facsimile signature or signatures of the City Clerk or Controller regardless of the persons by whom, or the means by which the actual or purported facsimile signature or signatures thereon, may have been affixed thereto, if such facsimile signature, or signatures closely resemble the facsimile specimens from time to time filed with such banks or trust companies, upon whom such orders are drawn by the City Clerk and the Controller; provided, however, that nothing herein contained shall release such bank or trust company from any liability arising from any cause or fact, other than the fact that such facsimile signature is not a genuine facsimile signature affixed with appropriate authority.¶

¶ **Payment by City Treasurer.** The City Treasurer

Deleted: ¶ Authority to discount taxes, borrow in anticipation of taxes or bond sales. The Controller may provide at any time for the discounts, at current rates of interest, of all sums assessed for taxes, and of all sums assessed for benefits on account of the construction of pavements, but not yet payable. The Controller shall have power, in the name of the City, to borrow such sums from time to time, as in its opinion may be needed for City purposes, in anticipation of such taxes as shall have been previously laid, and in anticipation of the sale of bonds which may have been ordered by the Board of Alders in accordance with Law, and for no other purpose; and the amount so borrowed shall be used only for the same purposes that the taxes, assessments or avails of bonds might have been used for, and shall be repaid from said taxes or assessments when collected, or from the sale of such bonds.¶

¶ **Role of the Collector of Taxes.**

Deleted: power and be subject

Deleted: of the duties imposed by Law upon collectors of town, City and school district taxes. Said

Deleted: of Taxes

Deleted: :¶

¶ Receive and collect all taxes, assessments and, except where otherwise provided by Charter or Ordinance, all license fees due the City of New Haven, from all persons liable to pay the same. ¶

¶ Proceed forthwith to enforce payment of all taxes and assessments.¶

¶ Have the same power as the Mayor to sign certificates of tax liens and certificates of their release and discharge.¶

¶ Notify the Corporation Counsel to proceed to take such legal steps as may be necessary, in the event legal proceedings are necessary to enforce payment of said taxes or assessments and to protect liens of the same.¶

¶

Deleted: <#>Notice of Abatement. Whenever any tax due the said City is abated, the authority making the abatement shall cause notice thereof to be given forthwith to the collector. ¶

¶

Deleted: <#>Other Employees. There shall be such other employees under the Purchasing Agent as shall be recommended by the Purchasing Agent and provided for in the budget.¶

Deleted: <#>departments, offices, boards, institutions and other agencies of the City. Moreover, the City Purchasing Agent shall be responsible for the central purchasing system for the City covering the purchase of all supplies, materials, equipment and other commodities for the use and needs of all Departments, Boards and Commissions and Officials of the

(c) To assure that all supplies, materials and equipment purchased for the City conform to specifications and are of the quantity and quality contracted for.

(d) To transfer or to sell all personal property determined by the Controller, after consultation with the head of the department concerned, not to be needed by that department or any other Department, or which has become unsuitable for public use.

(e) To purchase at the expense of the City all surety bonds required by Law or by Ordinances for Public Officials and employees of the City.

(f) To purchase at the expense of the City any insurance against liability or the damage or loss of property on the part of the City.

(2) Deputy and Other Employees. There may be appointed Deputy Purchasing Agent and other employees, who shall devote full time service to the performance of the duties of office, as recommended by the Purchasing Agent and provided for in the budget.

Deleted: be a member of the classified service and who shall

Deleted: shall act

Deleted: place of the City Purchasing Agent in the absence or incapacity of the City Purchasing Agent, shall assist the City Purchasing Agent in the performance of the duties of said Purchasing Agent and shall perform such other tasks as the City Purchasing Agent shall direct

(3) Adoption of a Procurement Ordinance and Regulations. In order to advance the provisions of this Charter, the Board of Alders shall establish by Ordinance the rules and regulations governing the operation of a central purchasing system in a manner consistent with the General Statutes, this Charter, Ordinance and standards established by organizations such as the National Institute of Governmental Purchasing and the National Association of State Purchasing Officials as well as the Model Procurement Code and Ordinances prepared by the American Bar Association. Any provisions referring to purchasing inconsistent with the terms of this section referred to elsewhere in this Charter are hereby expressly repealed.

(a) The Board of Alders shall, by Ordinance, establish the rules and regulations governing the purchasing process for the City, including but not limited to, the role and responsibilities of the Purchasing Agent, competitive procurement and solicitation of goods and services for use by the City, advertising and solicitation of bids and proposals and action thereof, consultation with the effected Department or Departments, award and execution of Contracts, bonds, exclusions from competitive procurement, waiver of competitive procurement requirements, appeals from decisions of the City Purchasing Agent, disposition of surplus property and such other matters as are necessary to carry out the provisions of this provision of the Charter

Deleted: contracts

(b) The City Purchasing Agent may adopt procedural rules and regulations concerning the operation of the Department responsible for public purchases. No such rule shall be inconsistent with the Ordinances adopted pursuant to §6.F (1) of this Article.

(c) Nothing in this Charter shall prevent the City or any of its Departments from participating in any joint purchasing program administered by the State of Connecticut, the Regional Council of Governments, the Connecticut Conference of Municipalities, the Connecticut Association of Boards of Education or any other public agency, including another municipality or municipalities, or other nonprofit organization the members of which are public bodies.

F. Exemptions from §6.E of this Article Regarding the Board of Alders. The following Contracts shall be exempt from the provisions of §6.E:

(1) Contracts for architects, engineers, land surveyors, physicians, dentists, lawyers, accountants or artists, and such other professional or technical services as the Board of Alders may provide by Ordinance; and

(2) Contracts made by the Board of Alders pursuant to §2.F of Article IV.

G. Additional Exemptions from §6.E of this Article. The following contracts shall be exempt from the provisions of §6.E of this Article:

Moved (insertion) [5]: ¶

Additional

Deleted: City Assessor. ¶

¶ Appointment. The City Assessor Agent shall be the Department Head of the department responsible for exercising the powers and performing all the duties that now are, or hereafter may be conferred upon or required of tax assessors of cities and towns by the General Statutes, this Charter or the Ordinances and shall devote full time service to the performance of the duties of said office. The City Assessor shall be shall appointed by the Mayor in accordance with the provisions of §3.A (2) of this Article

(1) Contracts that can only be performed or provided by one party in the judgment of the City Purchasing Agent and the head of the department seeking the supplies, services or work;

(2) Contracts made through cooperative purchasing arrangements with other government entities when, in the judgment of the City Purchasing Agent, such contracts are in the best interests of the City and such arrangements involve competitive purchasing procedures;

(3) Contracts made in accordance with procedures approved by the Board of Alders applicable to cases of emergency involving a threat to the public health, safety or welfare; and

(4) Contracts made in a manner approved by the Board of Alders upon the recommendation of the City Purchasing Agent, where the City Purchasing Agent has advised and opined to the Board of Alders, that it would not be practicable or in the best interest of the City to proceed in the manner required by said §2.B of this Article, and where the Board of Alders shall find that making a Contract in such manner is in the best interest of the City.

F. Role of the City Assessor. The City Assessor Agent shall be the Department Head of the department responsible for exercising the powers and performing all the duties that now are, or hereafter may be conferred upon or required of tax assessors of cities and towns by the General Statutes, this Charter or the Ordinances and shall devote full time service to the performance of the duties of said office.

(1) **General Duties.** The City Assessor shall adopt such rules and regulations for the guidance of the deputies, assistants and other employees in the performance of their duties as will establish an equitable and scientific system of determining the present true and actual value of all assessable property for taxation. The rules and regulations so adopted and all amendments thereof shall be made available to any taxpayer of the City upon application to the City Assessor.

(2) **Other Employees.** The department shall be under the charge of the City Assessor who shall appoint and remove all deputies, assistants and other employees of the department, subject to the rules and regulations of the Civil Service Board.

Transition Provision. Nothing in this section shall be construed to reduce, eliminate or change in any fashion the Civil Service status of present employees of the **Board of Assessors.**

Sec. 6. Administrative, Operational and Infrastructure Functions

A. Generally. The functions of the Departments in this provision of the Charter pertain to the administration and management of policies and programs relating to the operation and infrastructural needs of the City as set forth in this Charter and the Ordinances.

(1) **Departments and Direct Reports to the Assigned Coordinator.** The following Department Heads and Other Mayoral Departmental Appointees are required to report on their functions to the coordinator responsible for the administrative, operational and infrastructural functions of the City: (a) Personnel or Human Resources Director; (b) Director of Parks and Public Works; (c) City Librarian; (d) City engineer; and (e) administrators responsible for emergency operations, information and technology services.

B. Personnel and Human Resources. The Personnel Director shall be the Department Head of the department responsible for personnel and the Civil Service System.

(1) **Generally.** The Personnel Director works with the Manager of Human Resources within the Department of Human Resources. The functions of this department involve the assistance to all Departments in the recruitment, selection, and training of new employees; conducting analyses of job classifications, developing and providing periodic employee training programs; aiding in establishing policies pertaining to the scope of federal and state laws pertaining to discrimination and harassment; and maintaining employee records.

(2) **Powers and Duties of Personnel Director.** The Personnel Director shall have the authority and duty to:

Deleted: <#>Other Employees. The department shall be under the charge of the City Assessor who shall appoint and remove all deputies, assistants and other employees of the department, subject to the rules and regulations of the Civil Service Board. ¶
Transition Provision. Nothing in this section shall be construed to reduce, eliminate or change in any fashion the Civil Service status of present employees of the board of assessors.¶
General Duties. The City Assessor shall adopt such rules and regulations for the guidance of the deputies, assistants and other employees in the performance of their duties as will establish an equitable and scientific system of determining the present true and actual value of all assessable property for taxation. The rules and regulations so adopted and all amendments thereof shall be made available to any taxpayer of the City upon application to the City Assessor.¶
¶
Director of Public Works. ¶
¶
Appointment. The Director of Public Works

Deleted: public works and infrastructure of the City.

(a) To furnish and recommend to the Civil Service Board job descriptions, qualifications and the compensation range relating to positions to be filled, including those of Department Heads;

Moved (insertion) [7]: ¶

To furnish and recommend to the Civil Service Board job descriptions, qualifications and the compensation range relating to positions to be filled

(b) to maintain a roster of all persons in the City's service, in which there shall be set forth as to each officer and employee, the class title of the position held, the salary or pay, any changes in class, title, pay or status; and such other data as may be deemed desirable or useful to produce significant facts pertaining to personnel administration;

(c) to advertise for candidates for examination for all positions, and to determine the eligibility of applicants for all positions in accordance with the rules established by the Civil Service Board, and the qualifications of the position. Public Notice of all job announcements for positions involving competitive examinations shall be given not less than fifteen (15) calendar Days prior to the date set for each such examination. The job announcement for competitive examinations shall be considered the notice of examination.

(d) to prepare, conduct and score examinations of qualified applicants for all positions in the classified service and to certify the results thereof to the Civil Service Board;

(e) to maintain records of all applicants, their qualifications, and scores. The records of successful candidates shall be public records with the exception of the content of examinations; and,

(f) such authority as may be further delineated by Ordinance.

Historical Transition Provision. The historical powers and duties of the Personnel Director, as set forth in Article XV, §4.D shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) a legal opinion as set forth in Article XV, §4.A certifying that the functions of Article XV, §4.D have been addressed by the Ordinance, Article XV, §4.D shall expire and may be removed from the Charter; unless otherwise set forth in the Ordinance.

C. Parks and Public Works. The Director of Parks and Public Works shall be the Department Head of the department responsible for the management, maintenance of the public works and parks of the City.

Deleted: shall appointed by the Mayor in accordance with the provisions of §3.A (2) of this Article

(1) General Duties of Director. Except as otherwise provided in this Charter, the Director of Parks and Public Works shall be responsible for the control, care and management:

Deleted: <#>Bond. Before taking office, the director shall be bonded in an amount set by the Controller.¶

Deleted: <#>¶

(a) of all streets, avenues, highways, alleys, bridges, sidewalks and public grounds of said City, and the opening, grading, improving, repairing and cleaning of the same;

Deleted: ¶
of all streets, avenues, highways, alleys, bridges, sidewalks and public grounds of said City, and the opening, grading, improving, repairing and cleaning of the same;¶

(b) of the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except such as are by the express terms of this Charter under the control of some other Public Official, Department or Board or Commission;

¶
of the construction, protection, repair, furnishing, cleaning, heating, lighting and general care of all public buildings, except such as are by the express terms of this Charter under the control of some other Public Official, Department or Board or Commission;¶

(c) of the construction, repair, cleaning and general care of all sewers, drains, culverts, sluiceways and catch basins, and the collection and disposing of sewage, ashes, garbage and refuse.

¶
of the construction, repair, cleaning and general care of all sewers, drains, culverts, sluiceways and catch basins, and the collection and disposing of sewage, ashes, garbage and refuse. ¶

(d) use of all public parks, squares and open places which are currently included in the park system of the City, including the use of said parks, and which may hereafter be acquired or dedicated to public use, as parts of or additions to the public park system of the City or Town of New Haven, whether within or without the limits of said City, but not including streets in parks within the City limits.

¶
cause all Orders of the Board of Alders concerning any of said subjects to be executed. ¶

¶
make all suitable rules and regulations in regard to said department and the conduct of its business.¶

¶
have the same powers and duties in regard to fence viewing as were formerly vested in the board of selectmen of the Town of New Haven.

(e) of the selection, cultivation, procuring, planting, spraying, trimming, preservation and removal of all trees in the streets of the City of New Haven and in parks and public places of said City.

(f) of the preservation, development and adornment of said parks and places

(2) Other duties of the Director. The Director shall have charge to: (a) cause all Orders of the Board of Alders concerning any of said subjects to be executed; (b) make all suitable rules and regulations in regard to said department and the conduct of its business; (c) have the same powers and duties in regard to fence viewing as were formerly vested in the board of selectmen of the Town of New Haven; and such duties as may be prescribed by Ordinance.

(3) Other Employees. Role of the City Engineer. Said director shall have power to appoint or employ such superintendents, engineers and other officers and employees as said director may deem necessary, under the direction and in accordance with the rules of the department responsible for personnel and the Civil Service System. Said director may call on the City Engineer for such services as may be deemed necessary.

D. City Engineer. The City Engineer shall be the Department Head of the department responsible for the engineering functions of the City.

(1) General Duties. The Engineering Department is responsible for the engineering functions of the City including the scoping, design, construction, inspection, cost estimation, analysis, review, approval, and technical maintenance practices of the City's public infrastructure, facilities, and property, including but not limited to bridges, roads, sidewalks, buildings, lighting, open spaces, drainage, utility infrastructure, environment, and coastal infrastructure. The Engineering Department is responsible for creating and promulgating engineering standards for design and construction of public infrastructure such as improvements to public rights-of-way. In addition, the Engineering Department provides technical advisement and oversight to the Mayor, Corporation Counsel, the Board of Alders, and other Departments on engineering and technical matters, including as technical advisor in the City's land use processes and during emergency events such as natural disasters. The Engineering Department is also responsible for the maps and records of the public infrastructure of the City and any other responsibilities as may be set forth by Ordinance.

(2) Other Employees. The City Engineer shall hire such professional and clerical staff as the City budget may provide and retain the services of consultants, professionals, contractors, and others as necessary to carry out the work of the Department.

E. New Haven Free Public Library: City Librarian. The City Librarian shall be the Department Head of the department responsible for the operation and management of the public library facilities for the City. The function within this division of government pertains to the administration and management of the public library facilities for the City. The library provides resources for the interest, information, education and enlightenment of all people in the community it serves. The Library collaborates with local agencies, nonprofits, educational institutions, and cultural organizations to expand resources, provide enrichment programs, and address community needs.

(1) Other Employees: Compensation, Appointment and Promotion. Said Board shall recommend the compensation of such officers and employees to be established in the budget. Appointments and promotions to the positions of librarian, assistant librarians, and superintendents of the different departments may be made by said Board subject to the provisions of this Charter.

(2) Library Appropriations. The Board of Alders of the City shall annually appropriate a sum of money for the purpose aforesaid, and may from time to time appropriate, in addition thereto, sums of money for building sites, repairs, improvements in real estate or new buildings. All moneys which have been or shall be appropriated, and all moneys received from any other source for such purposes, shall be kept by the City Treasurer as a separate fund to be paid out only on the order of the Board of Library Directors herein provided for.

Sec. 7. Administrative, Operational and Public Safety Functions

A. The Police Department: the Chief of Police. The Chief of Police shall be the Department Head of the department providing police services. Said Chief of Police shall be

Deleted: <#>City Engineer¶
Appointment.

Deleted: . The Director of Public Works shall be shall appointed by the Mayor in accordance with the provisions of §3.A (2) of this Article.¶
General Duties. The City Engineer shall make all surveys, maps, plans, drawings, specifications and estimates relating to work of said department and the Department of Public Works; shall superintend the construction and repair of sewers, bridges and new pavements, and do any other engineering work which said Department of Public Works may require; shall care for and preserve all maps, papers and books of said department, and perform such other duties as may be by Ordinance prescribed.

Deleted: Other Employees.

Moved (insertion) [8]: ¶
Other Employees: Compensation,

Deleted: Chief of Police.¶
¶

Deleted: . The Chief of Police shall be the Department Head of the department providing police services. The Mayor shall appoint the Chief of Police in accordance with the provisions of §3.A (1) of this Article and the Chief shall be subject to the authority of the Mayor. ¶
¶
Duties.

responsible for the efficiency, discipline and good conduct of the Police Department as further set forth in §4 of Article XIII and the Ordinances.

B. The Fire Department; Fire Chief. The Fire Chief shall be the Department Head of the department providing fire services. Said chief shall be responsible for the efficiency, discipline and good conduct of the Fire Department as further set forth in §4 of Article XIII and the Ordinances. The Fire Chief shall be knowledgeable in all matters related to the effective and efficient governing of all hazard responses related to Fire and Emergency Services. In the absence of the Fire Chief the Assistant Chief of Administration (Executive Officer) shall act as the Fire Chief. In the event the Assistant Chief of Administration is absent, the Assistant Chief of Operations shall act as the Fire Chief.

(1) Responsibilities for the Fire Chief. The Chief is responsible for: (a) the organization, financial management, general administration, and efficient operation of the Fire Department; (b) sole command over all persons connected with the Department and all apparatus and appurtenances belonging to same; (c) issuing such orders for the government of the Department and make all assignments, transfers and details as, to the Chief, may seem to be for the best interests of the Department; (d) establishing Department policy and developing new ideas and techniques for firefighting and administration; (e) evaluating Departmental procedures, organization and staffing; recommending and implementing changes in operation; and overseeing the placement of stations, distribution of personnel and distribution and types of equipment required to efficiently run the Department; and, (f) ensuring that the Charter and Ordinances of the City applicable to the Department are faithfully observed and shall promulgate and enforce all orders of the Board. The Chief shall report to the Board of Fire Commissioners any suggestions and/or recommendations as may be deemed to be in the best interest of the Department. The Chief shall promptly report to the Board of Fire Commissioners any officer or member of the Department who, by means of age, disease, accident or other incompetence, does not or cannot fully, promptly and properly perform full duty.

(2) Duties of the Fire Marshal. One of the officers of said Department of Fire Service shall be a Fire Marshal whose duty it shall be to inspect from time to time all schoolhouses and other public buildings, and all buildings in which any public assemblies, exhibitions, entertainments or shows are held, for the purpose of ascertaining whether such buildings are in danger of damage or destruction from fire, and whether the Ordinances concerning means of exit from such buildings are obeyed. It shall also be said Marshal's duty to inspect, whenever deemed necessary in the discretion of the marshal, any building in the City, with a view of ascertaining whether the Ordinances and the General Statutes relating to the use and condition of buildings are obeyed, and the marshal shall perform all other duties required by Law in regard to the inspection of buildings. It shall be the Marshal's duty whenever deemed necessary in the discretion of the marshal to report all unsafe buildings and all violations of such laws to the Fire Chief, Building Official and the State's Attorney for New Haven County.

(3) Acting Fire Marshal. In the absence of a Fire Marshal the Deputy Fire Marshal shall act as Fire Marshal. In the absence of the Fire Marshal and Deputy Fire Marshal, the Fire Chief shall act as Fire Marshal.

(1)

C. Public Safety Communications. The Chief Administrative Office (or equivalent position) or designee shall be the Department Head. The Department shall be responsible for all aspects of the department including development and enforcement of procedures, hiring and scheduling and training staff, budgeting, reporting, quality assurance and maintaining and upgrading communications and related equipment.

Sec. 8. Community Services Functions.

A. Generally. The functions of the Departments in this provision of the Charter pertain to the administration and management of policies and programs relating to the community service needs and functions of the City as set forth in this Charter and the Ordinances.

(1) Departments and Direct Reports to the Assigned Coordinator. The following Department Heads and Other Mayoral Departmental Appointees are required to report on their functions to the coordinator responsible for the community services functions of the City, as defined by this Charter and the Ordinances: (a) CSA Administration; (b) Social Services; (c) Health; (d) Youth and

Deleted: Police Service.

Deleted: <#>Fire Chief.¶

¶ **Appointment.** The Fire Chief shall be the Department Head of the department providing fire services. The Mayor shall appoint the Fire Chief in accordance with the provisions of §3.A (1) of this Article and the Chief shall be subject to the authority of the Mayor.¶

¶ **Duties.**

Deleted: <#>Department of Fire Service.

Deleted: <#>Fire Marshal. ¶

¶ **Deleted:** school houses

Deleted: marshal's duty to inspect, whenever deemed necessary in the discretion of the marshal, any building in the City, with a view of ascertaining whether the Ordinances and the General Statutes relating to the use and condition of buildings are obeyed, and the marshal shall perform all other duties required by Law in regard to the inspection of buildings.

Deleted: marshal's

Deleted: building official and the State's Attorney for New Haven County. ¶

Deleted: Chief

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¶ General Provisions Concerning

Deleted: Police and Fire Services.

Deleted: <#>Duties of Chief of Police and Fire Chief. ¶

¶ The chief of each of the departments responsible for police and fire services, respectively, shall be the chief executive officer of the department and shall be chargeable for its efficiency and responsible for the execution of all laws and rules and regulations of the department.¶

¶ Each chief shall have control of all the property of said City used for and by said departments and shall provide for heating, lighting and repairs of the buildings used by such departments. ¶

¶ The chief of each department respectively shall assign to duty all the members of the department, making such changes from time to time as in their respective judgment the efficiency of the department may require.¶

¶ Each chief shall have the power to suspend, without pay, any member of the regular force; provided, however, that no such suspension shall be continued for a period of not more than fifteen (15) Days without affirmative action by the commissioners of the department which action shall not be taken until after a hearing upon charges preferred in writing; a copy of such charges shall be left with said member of the regular force at least forty-eight (48) hours prior to the time fixed for such hearings. ¶

¶ Each chief shall have power to grant leaves of absence to members of the force for a period not exceeding five (5) Days, reporting to the board of commissioners all changes or assignments of office and absence granted.

Deleted: <#>Effect of Charter on existing police, fire personnel. When this Charter takes effect all officers and employees of said departments shall continue to hold their respective positions subject to the provisions thereof.¶

Existing Ordinances continued in effect. All lawful City Ordinances relating to either of said departments and to any officer thereof and all of the regulations of either of said departments in force at the time fixed for the taking effect of this Charter and not inconsistent herewith, are hereby continued in effect until the same shall be duly amended by competent authority. ¶

Director of Parks and Recreation. ¶

¶ **Appointment.** The Director of Parks and Recreation shall be the Department Head of the department responsible for parks and recreation. The Mayor shall appoint the Director of Parks and Recreation in accordance with the provisions of §3. (...)

Deleted: <#> ¶

¶ **Other Employees. Role of the City Engineer.** Said director shall have power to appoint or employ such superintendents, engineers and other officers and employees as said director (...)

Recreation; (e) Homeless Coordination; (f) Food Systems Policy; (g) Elderly Services; (h) Elm City Compass; (i) Dixwell Q-House; (j) Community Resilience; and, (k) such other functions as may be set forth by Ordinance.

B. Health Functions: Director of Public Health. The Director of Health shall be the Department Head of the department responsible for the administration and management of public health services that promotes the welfare of the entire population, ensures its security, and protects it from the spread of infectious disease and environmental hazards, and helps to ensure access to safe and quality care to benefit the population. The areas of public health responsibility include: (1) assuring an adequate local public health infrastructure, (2) promoting healthy communities and healthy behaviors, (3) preventing the spread of communicable disease, (4) protecting against environmental health hazards, (5) preparing for and responding to emergencies, and (6) assuring health services. The responsibilities of the department shall be carried out in a manner that fulfills the legal authority set forth in General Statutes, Ordinances and as otherwise required by Law. The Director of Health shall have the general authority and administration of the functions set forth in this Charter and the Ordinances on the basis of experience and qualifications pursuant to Connecticut General Statutes. The Director of Public Health shall be on the unclassified service.

Historical Transition Provision. The historical powers and duties of the Health Director, as set forth in Article XV, §4.E shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) a legal opinion as set forth in Article XV, §4.A certifying that the functions of Article XV, §4.E have been addressed by the Ordinance, Article XV, §4.E shall expire and may be removed from the Charter; unless otherwise set forth in the Ordinance.

C. Youth and Recreation: Director. The Director of Youth and Recreation shall be the Department Head of the department responsible for providing access to and assessing programs designed to develop beneficial outcomes for young residents of the City pertaining to academic success, health, character, decision-making skills, civic engagement, job readiness, developmentally appropriate levels of independence, culture awareness and sensitivity and other outcomes that may be established by Ordinance or the policies of the City, the management, maintenance of the public works and parks of the City. Said director shall provide for a division of recreation which shall be under the supervision of the Director of Parks and Recreation, who shall have charge of all municipal recreation, supervising and organizing recreation activities in this City.

Sec. 9. Economic Development Functions

A. Generally. The functions of this division relate to neighborhood, community and economic development planning and programs, planning and zoning, code enforcement, blight enforcement, business development and tourism, transportation, mobility and parking and such other related activities as may be assigned to the Chief from time to time by the Mayor or by Ordinance.

(1) Departments and Direct Reports to the Assigned Coordinator. The following Department Heads and Other Mayoral Departmental Appointees are required to report on their functions to the coordinator responsible for the economic development functions of the City, as defined by this Charter and the Ordinances: (a) Development Administration; (b) City Plan; (c) Transportation, Traffic and Parking; (d) Commission on Equal Opportunity; (e) Office Building Inspection and enforcement; (f) Livable City Initiative; (g) Office of Cultural Affairs; (h) Small Business Initiative; and, (i) such other functions as may be set forth by Ordinance.

B. City Plan Functions: Planning Director. The Planning Director shall be the Department Head of the department responsible for all matters pertaining to the planning functions of the City, as required by the General Statutes, this Charter and the Ordinances.

(1) Duties of the Planning Director. The Planning Director shall be the technical advisor of the City Planning Commission and, subject to the provisions of this Charter and the rules and regulations hereunder, shall appoint and remove such assistants and employees and within the limits of the appropriation therefor, employ planners, engineers, architects or other technical assistants, with the approval of the City Planning Commission.

(2) Functions of the Planning Department. Departmental responsibilities overseen by the Planning Director include: writing and updating neighborhood, city-wide and regional plans as well as the Plan of Conservation and

Moved (insertion) [9]: The Planning Director shall be the technical advisor of the City Planning Commission and, subject to the provisions of this Charter and the rules and regulations hereunder, shall appoint and remove such assistants and employees and within the limits of the appropriation therefor, employ planners, engineers, architects or other technical assistants, with the approval of the City Planning Commission. ¶

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Development required by state statute; ensuring compliance of development applications with zoning standards; overseeing the City Plan Commission's function as the Municipal Inland Wetlands Agency, administering Coastal Area Management regulations; maintaining and updating the zoning ordinance; providing NEPA compliance review and maintaining an environmental clearance record; maintaining records of regulatory land use approvals, maps, land use projects, and historic districts; facilitating community engagement in planning processes and managing infrastructure projects as needed. The Department provides technical review and advice on a wide variety of land use related functions.

C. Transportation, Traffic and Parking Functions: The Director. The Director of Transportation, Traffic and Parking shall be the Department Head of the department responsible for all matters pertaining to the transportation, traffic and parking functions of the City, as required by the General Statutes, this Charter and the Ordinances.

(1) Administrative Responsibilities. The functions of this Department are related to administration of all aspects of Traffic Safety, Operations and Controls; Transportation Planning and Traffic Engineering projects; and all On-street Parking related operations in the City; Planning, executing, and implementing transportation planning and traffic engineering projects and initiatives including, but not limited to traffic signal design, traffic operations analysis, traffic safety, traffic calming, complete streets, active transportation, public transportation; Installation and maintenance of traffic control devices, sign, signals, streetlights, and markings; parking planning, management, enforcement, meter distribution and revenue collection and management; Development and implementation of transportation policies and initiatives related to programs such as Open Streets, Safe Routes to School and Safe Routes for All and such other related activities as may be assigned to the Director from time to time by the Mayor or by Ordinance.

(2) General Duties. The Director shall have such responsibilities as set forth in this Charter and the Ordinances.

Historical Transition Provision. The historical powers and duties of the Director of Transportation, Traffic and Parking, as set forth in Article XV, §4.F shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance and (2) a legal opinion as set forth in Article XV, §4.A certifying that the functions of Article XV, §4.F have been addressed by the Ordinance, Article XV, §4.F shall expire and may be removed from the Charter, unless otherwise set forth in the Ordinance.

D. Building Inspection and Enforcement: Director. The Director of Building Inspection and Enforcement shall be the Department Head of the department responsible for building, plumbing and electrical inspection as well as the regulation of buildings and construction. The department shall also include the following inspectors: Building Official, Plumbing Inspector and Electrical Inspector. The Director of the Office of Building Inspection and Enforcement shall appoint and remove such other employees in the office subject to the provisions of this Charter.

(1) Administrative Responsibilities. The building division is authorized to engage in services related to building inspection and enforcement of the city as it pertains to the State Building Code including, but not limited to, the following: (a) inspection services, administration and enforcement activities related to the building code, including plumbing, electrical and heating; (b) administration of zoning ordinances; (c) permit administration; (d) performance of all other functions concerning property inspection and enforcement as they relate to construction or reconstruction, except for those functions exercised by the director of public health or fire marshal under federal, state or local laws or regulations; and, (e) such other functions as may be set forth by the Ordinances.

(2) Restrictions. No building official or inspector shall, during such term of office, engage in any other business, or be interested, directly or indirectly, in the doing of any work or the furnishing of any materials or supplies for the construction, maintenance or repair of any building, or for any plumbing work or electrical work, or in the making of plans for specifications therefor.

(3) General Powers.

(a) Building Inspection. With regard to the building inspection function the duty of the Building Official shall be to inspect, or cause to be

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¶

Appointment

Deleted: The Director of Building Inspection and Enforcement shall be the Department Head of the department responsible for building, plumbing and electrical inspection as well as the regulation of buildings and construction.¶

¶

The department shall also include the following inspectors: Building Official, Plumbing Inspector and Electrical Inspector.¶

¶

The Mayor shall appoint the Director of Building Inspection and Enforcement, Building Official, Plumbing Inspector and Electrical Inspector in accordance with the provisions of §3.A (6) of this Article and the Director shall be subject to the authority of the Mayor.¶

¶

Salary. Said Mayoral appointees shall receive for their services such salaries as shall be determined by the budget.¶

¶

Term. They shall hold their respective offices until they vacate them or are removed for sufficient cause, duly shown, which cause shall not be political. ¶

¶

Other Employees.

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Restrictions. No building official or inspector shall, during such term of office, engage in any other business, or be interested, directly or indirectly, in the doing of any work or the furnishing of any materials or supplies for the construction, maintenance or repair of any building, or for any plumbing work or electrical work, or in the making of plans for specifications therefor. ¶

¶

Deleted: and Duties of the Building Official and Inspectors.

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Building Inspection. With regard to the building inspection function the duty of the Building Official shall be to inspect, or cause to be inspected, buildings and other structures within said City, to secure the enforcement of all Ordinances of said City concerning the use, construction, alteration and repair of buildings and other structures, and to perform such other duties as may be by Ordinance prescribed.¶

¶

Plumbing Inspection. With regard to the plumbing inspection function the duty of the plumbing inspector shall be, under the direction of said Director, to inspect, or cause to be inspected, plumbing and piping work within said City, to secure the enforcement of all Ordinances of said City concerning the use, construction, alteration and repair of plumbing and piping work, and to perform such other duties as may be by Ordinances prescribed. ¶

¶

Electrical Inspection. With regard to the electrical inspection function the duty of the electrical inspector shall be, under the direction of said Director, to inspect, or cause to be inspected, electrical plants and wires on which electricity is conducted within said City, to secure the enforcement of all Ordinances of said City concerning such plants and wires, and to perform such other duties as may be by Ordinance prescribed. ¶

¶

Director of Public Health. ¶

¶

Appointment. The Director of Health shall be the Department Head of the department responsible for public health. The Board of Public Health shall appoint the Director of Health in accordance with the provisions of §3.A (7) of this Article. The Director of Public Health shall be on the unclassified service.¶

¶

Other Employees. ¶

¶

Generally. With the approval and consent of the Board of Health, and subject to the articles of this Charter pertaining to personnel, the Director of Public Health shall appoint and remove all assistants and employees of the department, shall be responsible for the efficiency, discipline and good conduct of same, and for the care and custody of all property of the City belonging to or used by said department.¶

¶

Registrar of Vital Statistics. The Registrar of Vital Statistics shall be appointed by the Director of Public Health and shall be under the supervision of said director as shall be all assistants and employees of the department. The Registrar of Vital Statistics shall perform those duties imposed by Law upon Registrars of Vital Statistics and shall reside in said City during such term of office.¶

...

inspected, buildings and other structures within said City, to secure the enforcement of all Ordinances of said City concerning the use, construction, alteration and repair of buildings and other structures, and to perform such other duties as may be by Ordinance prescribed.

(b) Plumbing Inspection. With regard to the plumbing inspection function the duty of the plumbing inspector shall be, under the direction of said Director, to inspect, or cause to be inspected, plumbing and piping work within said City, to secure the enforcement of all Ordinances of said City concerning the use, construction, alteration and repair of plumbing and piping work, and to perform such other duties as may be by Ordinances prescribed.

(c) Electrical Inspection. With regard to the electrical inspection function the duty of the electrical inspector shall be, under the direction of said Director, to inspect, or cause to be inspected, electrical plants and wires on which electricity is conducted within said City, to secure the enforcement of all Ordinances of said City concerning such plants and wires, and to perform such other duties as may be by Ordinance prescribed.

Sec. 10. Education Functions.

A. Department of Education: Superintendent of Schools. The Superintendent of Schools shall be the Department Head of the public school system for the City.

B. Administrative Responsibilities. The Superintendent is the representative of the Department for all matters relating to the education function, and is responsible for administering all day-to-day departmental operations, as well as facilitating the planning and implementation of long-range goals. In addition to duties assigned by the Board of Education, the Superintendent will be responsible for, and the direction of: (1) the academic achievement of students; (2) long-range planning of the school district; (3) the selection, supervision, training, and evaluation of all Board of Education personnel; (4) conduct specific duties related to teacher tenure and employment; (5) overseeing Board of Education personnel matters including recommendations for termination; (6) planning, implementation and evaluation of the district's academic curriculum, and instruction of the district student body; and, (7) Communication of the district's goals and objectives to the schools, the Board of Education, and the community. In addition to such duties and responsibilities assigned by the Board of Education, the Superintendent shall be responsible for effectuating and facilitating the administration of the provisions of this Charter pertaining to student representation on the Board of Education, as set forth in §3.A (2) of Article VII. In that regard, the Superintendent shall be responsible for promoting student engagement; establishing programs facilitating the recruitment and involvement of students; mentoring and supporting the student representatives; and, providing such assistance as may be required.

C. Other Employees: Compensation, Appointment and Promotion. The appointments made by the Superintendent of Schools of all certified and qualified personnel and all other employees are subject to the approval of the Board of Education. The Superintendent of Schools with the approval of the Board of Education shall have the power to discharge any employee for cause after due notice and hearing by the Board of Education. Subject to the provisions of this Charter and the rules and regulations thereunder, the Board may establish such positions, the conditions and terms of employment and salaries as it deems necessary for the proper functioning of the department.

ARTICLE VII. BOARDS AND COMMISSIONS

Sec. 1. General Requirements Concerning Membership on Appointive Boards and Commissions. No changes with the exception that the Alders may fill vacancies within sixty (60) rather than ninety (90) days [Sec. 1.A] and the following:

C. Minimum Qualification for Membership. No person may serve on a Board or Commission unless such person is an Elector of the City, unless otherwise waived under §12.D of Article II, if permissible under Law. If any such person who is a member of a Board or Commission shall move from the City, such person's membership on such Board or Commission shall be immediately terminated.

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Deleted: Appointment and Promotion. Said board shall recommend the compensation of such officers and employees to be established in the budget. Appointments and promotions to the positions of librarian, assistant librarians, and superintendents of the different departments may be made by said board subject to the provisions of this Charter.¶

¶ **Library Appropriations.** The Board of Alders of the City shall annually appropriate a sum of money for the purpose aforesaid, and may from time to time appropriate, in addition thereto, sums of money for building sites, repairs, improvements in real estate or new buildings. All moneys which have been or shall be appropriated, and all moneys received from any other source for such purposes, shall be kept by the City Treasurer as a separate fund to be paid out only on the order of the board of directors herein provided for.¶

¶ **Superintendent of Schools.** ¶

¶ **Appointment.** The Superintendent of Schools shall be the Department Head of the public school system for the City. The Board of Education shall appoint the Superintendent of Schools **in accordance with the provisions of §3.A (7) of this Article and in conformity to the requirements of the General Statutes and may remove said Superintendent in accordance with the provisions accorded to the Mayor in §15 B, D and E of Article II of this Charter or as may otherwise be required by Law.** ¶

¶ **Other Employees: Compensation, Appointment and Promotion.** The appointments made by the Superintendent of Schools of all certified and qualified personnel and all other employees are subject to the approval of the Board of Education. The Superintendent of Schools with the approval of the Board of Education shall have the power to discharge any employee for cause after due notice and hearing by the Board of Education.

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Deleted: <#>Duties. In addition to such duties and responsibilities assigned by the Board of Education, the Superintendent shall be responsible for effectuating and facilitating the administration of the provisions of this Charter pertaining to student representation on the Board of Education, as set forth in §3.A (2) of Article VII. In that regard, the Superintendent shall be responsible for promoting student engagement; establishing programs facilitating the recruitment and involvement of students; mentoring and supporting the student representatives; and, providing such assistance as may be required. ¶

¶ **Personnel Director.** ¶

¶ **Appointment.** The Personnel Director shall be the Department Head of the department responsible for personnel and the Civil Service System. The Mayor shall appoint the Personnel Director **in accordance with the provisions of §3.A (6) of this Article.**¶

¶ **Powers and Duties of Personnel Director.** The Personnel Director shall have the power and the duty: ¶

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¶ To prepare in accordance with nationally accepted professional standards and recommend to the Civil Service Board qualifications for each department head, whether or not a member of the classified service, which standards shall be reviewed and updated every five (5) years and when a vacancy occurs in the position. ¶

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¶ **Director of Traffic and Parking.** ¶

¶ **Appointment.** The Director of Traffic and Parking shall be the Department Head of the department responsible for all matters pertaining to the traffic functions of the City. The Mayor shall appoint the Planning Director **in accordance with the provisions of §3.A (2) of this Article.**¶

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Sec. 2. Required Provisions for All Appointive Boards and Commissions. No changes with the exception of the following minor edits and errata corrections including substitution of the word "Article" for the word "Chapter" in Sec. 2.A(1) .

Sec. 3. Boards and Commissions Established by the Charter No changes with the exception of the following minor edits and errata corrections including elimination of the term "of this Charter" following citations; substitution of the word "Article" for the word "Chapter" in Sec. 2.A(1) . and the following changes:

A. The Board of Education.

(1) Establishment. There shall be a Board of Education which shall be responsible for the management and control of the department responsible for public education in the City.

(2) Composition. The Board of Education shall consist of seven (7) members as follows: (a) the Mayor; (b) four (4) members appointed by the Mayor, subject to approval by the Board of Alders; and, (c) two (2) elected by district, which districts shall be established as set forth in §3 of Article II.

(3) Term of Office.

(a) Appointed Members. On or before the first (1st) day of September, 2014 and in every year thereafter, where applicable, the Mayor shall submit, to the Board of Alders, nominees for appointment to fill the vacancies about to occur in positions on the Board of Education by appointing one or two members, as the case may be, to serve for four (4) years commencing on January 1 of the year following said submission, as follows: (i) one member for a term commencing on January 1, 2025; (ii) two members for a term commencing on January 1, 2026; and (iii) one member for a term commencing on January 1, 2027; and thereafter, in this order as the term may fall.

(b) Elected Members. Two (2) members elected, by Education District (as set forth in §§3 and 4 of Article II. One shall be elected on the first Tuesday after the first Monday in November, 2023 shall serve for a term of four (4) years and shall be elected quadrennially thereafter. The other member, elected on the first Monday in November 2025, shall serve for a term of two (2) years; and, thereafter, shall be elected on the first Tuesday after the first Monday in November 2027 to serve a term of four (4) years and shall be elected quadrennially thereafter.

(4) Student Representation. There shall be two (2) non-voting positions on the Board of Education for students of the City's public high schools, to be elected to serve following the completion of their sophomore year and serve through the completion of their senior year for a two (2) year term, which terms shall be staggered. The Board of Alders shall establish a process (i) establishing the staggered terms and (ii) for the election of such representatives through direct election by public high school students or through a citywide student assembly such as the citywide student council. The non-voting members shall be exempted from the provisions of this Charter pertaining to qualifications; however, they shall be residents of the City.

(5) Vacancies. The Mayor shall fill all vacancies caused by death, resignation or otherwise, by appointment, for the unexpired term of Appointed members of the Board of Education. The vacancies of the elected members shall be filled in accordance with §7.D of Article II.

(6) General Duties and Powers of the Board of Education. The Board of Education shall:

(a) have the entire charge, control and management of all the public schools in the City, and of the expenditure of all moneys appropriated for the support and maintenance of the same unless otherwise provided herein;

(b) have charge and control of the construction, repair and maintenance of all school buildings, grounds and equipment, and shall

Deleted: of Education which shall be responsible for the management and control of the department responsible for public education in the City. ¶

¶ Composition. Effective on January 1, 2016, the

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Student Representation. There shall be two (2) non-voting positions on the Board of Education for students of the City's public high schools, to be elected to serve following the completion of their sophomore year and serve through the completion of their senior year for a two (2) year term, which terms shall be staggered. The Board of Alders shall establish a process (i) establishing the staggered terms and (ii) for the election of such representatives through direct election by public high school students or through a citywide student assembly such as the citywide student council. The non-voting members shall be exempted from the provisions of this Charter pertaining to qualifications; however, they shall be residents of the City.¶

¶ Term of Office.¶

Appointed Members. Effective on January 1, 2014, on or before the first (1st) day of September, 2014 and in every year thereafter the Mayor shall submit, to the Board of Alders, nominees for appointment to fill the vacancies about to occur in positions on said board by appointing one or two members, as the case may be, to serve for four (4) years commencing on January 1 of the year following said submission. ¶

Transition Provision regarding the terms of Appointed Members of the Board of Education. Until 11:59:59 P.M. on December 31, 2015 the Board of Education shall consist of the Mayor and seven (7) members appointed by the Mayor, subject to the provisions of this Charter and said appointed members shall remain in office subject to their term of four (4) years; however, said terms shall be extended until 11:59:59 PM on December 31st of the final year of the respective term. Notwithstanding the provisions of this Charter to the contrary, the Mayor shall not reappoint, the two (2) members whose terms will end on December 31, 2015, for the express purpose of establishing two (2) vacant seats to be filled by the election of members, by district, in the municipal election to be held on the first (1st) Tuesday after the first (1st) Monday of November, 2015. ¶

Elected Members. The members elected, by Education District (as set forth in §§3 and 4 of Article II of this Charter), on the first Tuesday after the first Monday in November, 2015 shall serve for a term of four (4) years and two (2) years, respectively. The seat of the member subject to the two (2) year term shall subject to election on the first (1st) Tuesday after the first (1st) Monday in November, 2017 and the member then elected shall serve for a term of four (4) years. The members elected to four (4) year terms shall be elected quadrennially thereafter and shall serve a term of four (4) years. ¶

Transition Provision regarding the terms of the Elected Members of the Board of Education. The Board of Alders shall designate the Education District subject to the transitional two (2) term upon adoption of two (2) districts required by this Charter, subject to the provisions of §§3 and 4 of Article II of this Charter. ¶

Vacancies. The Mayor shall fill all vacancies caused by death, resignation or otherwise, by appointment, for the unexpired term of Appointed members of the Board of Education. The vacancies of the elected members shall be filled in accordance with §7.D of Article I of this Charter

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General Duties and Powers of the Board of Education. The Board of Education shall:¶

¶ have the entire charge, control and management of all the public schools in the City, and of the expenditure of all moneys appropriated for the support and maintenance of the same unless otherwise provided herein; ¶

¶ have charge and control of the construction, repair and maintenance of all school buildings, grounds and equipment, and shall possess all other powers and be subject to all other duties of boards of education, school committees, and school visitors in this State, so far as the same are consistent with the provisions of this Charter ¶

¶ annually choose a President and Vice President from among its own members, make its own bylaws, keep a journal of its proceedings of which a suitable number shall be printed for (...)

possess all other powers and be subject to all other duties of boards of education, school committees, and school visitors in this State, so far as the same are consistent with the provisions of this Charter.

(c) annually choose a President and Vice President from among its own members, make its own bylaws, keep a journal of its proceedings of which a suitable number shall be printed for public distribution, define the duties of its officers and committees, and prescribe such rules and regulations for the proper operation of the public schools of the City as are not inconsistent with the General Statutes;

(d) Annually, on or before the fifteenth (15th) day of January, prepare and submit to the Mayor a report of the Department of Education for the preceding fiscal year of which a reasonable number shall be printed for public distribution;

(e) Have the authority to determine all school boundaries of the City of New Haven is hereby expressly granted to this Board; and,

(f) Identify and adopt nationally-recognized best practices for engaging the public in the education system.

(7) Budgets for department. Estimates of the receipts and expenditures of the Department of Education shall be included in the annual City budget, and the Board of Education shall supply the Mayor and the Controller with information for the preparation of the annual budget as fully and in like detail as shall be required of other departments, offices, and agencies of the City government. The action of the Mayor and the Board of Alders on the requests of the Board shall relate to their total only (unless otherwise permitted by the General Statutes or Law); and if the Board shall receive an appropriation greater or less than its original request, it shall forthwith revise its detailed estimate of its expenditures in accordance therewith.

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(8) Purchases for department. The department shall purchase supplies and materials for the schools through the Purchasing Agent. However, the Purchasing Agent shall not vary the specifications as to standards or quantity contained in the requisitions of the department for such supplies and materials.

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Purchases for department. The department shall purchase supplies and materials for the schools through the Purchasing Agent. However, the Purchasing Agent shall not vary the specifications as to standards or quantity contained in the requisitions of the department for such supplies and materials.¶
¶
Power to take property for schools.

(9) Power to take property for schools. The City of New Haven, upon the recommendation of the Board of Education, shall have power to take sites for school houses, or for the enlargement of sites already acquired, in the manner provided by Law for the taking of land for public parks.

- B. The Board of Ethics.** No Changes.
Current Sec. 3.C. The Financial Review and Audit Commission. Moved to Article VII, Sec. 4.A and Article XV Sec. 3.B to be transferred to the Code of Ordinances.
- C.**
Current Sec. 3.D. Board of Assessment Appeals. No changes.
Current Sec. 3.E. Board of Police Commissioners. Moved to Article VII, Sec. 4.B and Article XV Sec. 3.C to be transferred to the Code of Ordinances.
Current Sec. 3.F. Board of Fire Commissioners. Moved to Article VII, Sec. 4.C and Article XV Sec. 3.D to be transferred to the Code of Ordinances.
Current Sec. 3.G. General Provisions Concerning the Police and Fire Commissioners. Moved to Article XV Sec. 3.E to be transferred to the Code of Ordinances.
Current Sec. 3.H. Board of Park Commissioners. Moved to Article VII, Sec. 4.D and Article XV Sec. 3.F to be transferred to the Code of Ordinances.
Current Sec. 3.I. Board of Public Health. Moved to Article VII, Sec. 4.E and Article XV Sec. 3.G to be transferred to the Code of Ordinances.
Current Sec. 3.J. Board of Library Directors. Moved to Article VII, Sec. 4.F and Article XV Sec. 3.H to be transferred to the Code of Ordinances.
- D. Civil Service Board.** No changes; except moved from current Sec. 3.K.
- E. City Planning Commission.** No changes; except moved from current Sec. 3.L.
- F. Board of Zoning Appeals.** No changes; except moved from current Sec. 4.A

Sec. 4.

Boards and Commissions Required by the Charter.
The Board of Alders is required to adopt Ordinances setting forth the organizational structures, terms, powers, duties and responsibilities of the following Boards and Commissions or replacement entities, in name or composition, which assume the

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functions required by this Charter, subject to the requirements of Law, including but not limited to §1 and 2 of Article VII:

- A. The Financial Review and Audit Commission;
- B. Board of Police Commissioners;
- C. Board of Fire Commissioners;
- D. Board of Parks Commissioners;
- E. Board of Public Health;
- F. Board of Library Directors; and,
- G. Civilian Review Board.

Historical Transition Provisions. The historical powers and duties of the Financial Review and Audit Commission; Board of Police Commissioners; Board of Fire Commissioners; Board of Park Commissioners; Board of Public Health; Board of Library Directors; and Civilian Review Board as set forth in §3.B – D and F - I as well as §3.E, each of Article XV (each the “pertinent provision”) shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance accompanied by (2) an opinion of an attorney, designated by the Board of Alders, certifying that (a) the functions of the pertinent section pertaining to the Board or Commission have been addressed by the Ordinance; and (b) the Ordinance complies with the administrative requirements of this Charter in particular, §1 and 2 of this Article, the pertinent provision or provisions of the Charter shall expire and may be removed from the Charter.

Sec. 5. Appointed Boards and Commissions Established by Ordinance or As Otherwise Required by the General Statutes.

The Board of Alders may establish, by Ordinance or as otherwise may be prescribed by the General Statutes, such additional Boards and Commissions as are necessary to effectuate the powers and purposes of the City as enumerated in the General Statutes, Special Acts and this Charter in accordance with the provisions of §1 and 2 of this Article.

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Deleted: duties of the Board. The City shall provide for the requisite staff assistance, supplies, equipment

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Sec. 6. Consolidation or Merger.

The functions of any Board or Commission established or required under this Article may be merged or consolidated with another by Ordinance, as long as the legislative record includes an opinion of the Corporation Counsel verifying that the functional requirements of the Charter will be maintained in such consolidation or merger And that the requirements of §1 and 2 of this Article have been complied with.

ARTICLE VIII. BUDGETARY PROCEDURES; REPORTING; FINANCIAL REVIEW AND AUDIT COMMISSION

- Sec. 1. Budgetary procedures; duties of the Mayor, City Clerk, Board of Alders.** No change.
- Sec. 2. Allotments.** No change.
- Sec. 3. Transfers During Fiscal Year.** No change.
- Sec. 4. Emergency/Special Appropriations.** No change.
- Sec. 5. Monthly Financial Report.** No change.

ARTICLE IX. IMPROVEMENT BONDS

- Sec. 1. Issuance Authorized.** No change.
- Sec. 2. Approval by Alders, Mayor.** No change.
- Sec. 3. Petition for Referendum on Issuance.** No change.
- Sec. 4. Signatures required on referendum petition when Alders approve issues unanimously.** No change.
- Sec. 5. Authorization to be specific; relationship of term to life of project.** No change.

ARTICLE X. CAPITAL PROJECTS COMMITTEE AND CAPITAL BUDGET

- Sec. 1. **Created; Membership.** No change.
- Sec. 2. **Capital projected defined; contents of capital budget.** No change.
- Sec. 3. **Preparation, submission of capital projects program, budget.** No change.

ARTICLE XI. RETIREMENT AND PENSION SYSTEMS

- Sec. 1. **Retirement and pensions.** No change.

ARTICLE XII. CERTAIN LAWS INCLUDED BY REFERENCE

- Sec. 1. **Taxes, liens.** No change.
- Sec. 2. **Water company.** No change.

ARTICLE XIII. HISTORIC AND SPECIAL ACT PROVISIONS OF THE CHARTER

- Sec. 1. **Personnel and Civil Service.** No change; with the exception of changing the word “certification” to “notification” and deleting the phrase “supernumerary police and substitute fire personnel” [Sec. 1.B(1)]; replacing “superintendents” with “librarians throughout”; adding “paraprofessionals, laborers and custodians and security officers” and “mechanics” in lieu of “laborers” [Sec. 1.E]; and, adding ninety calendar days to the authority of the Personnel Director to extend a temporary appointment [Sec. 1.M]
- Sec. 2. **Planning and Zoning.** No changes.
- Sec. 3. **Assessment of Benefits and Damages.** No changes.
- Sec. 4. **General Provisions Concerning the Police and Fire Services.** M Inor edits and changes.

ARTICLE XIV. ADMINISTRATIVE PROVISIONS

- Sec. 1. **Mandatory Decennial Charter Review.** No changes.
- Sec. 2. **Severability.** No changes.
- Sec. 3. **Effective date.** January 1, 2024.

ARTICLE XV. HISTORIC PURCHASING AND DEPARTMENT HEAD QUALIFICATION PROVISIONS SUBJECT TO SUNSET AS AUTHORIZED BY THIS CHARTER

- Sec. 1. **Purchasing Provisions.** No changes.
- Sec. 2. **Department Head Qualifications.** No changes; except 2023 reaffirmation.
- Sec. 3. **Transition Provisions for Boards and Commission Required by Charter and Created by Ordinance.**
 - A. Historical Transition Provisions. The historical powers and duties of The Financial Review and Audit Commission; Board of Police Commissioners; Board of Fire Commissioners; Board of Park Commissioners; Board of Public Health; Board of Library Directors; and Civilian Review Board as set forth in this section shall remain in full force and effect until replaced by an Ordinance. Upon (1) the effective date of the approved Ordinance accompanied by (2) an opinion of an attorney, designated by the Board of Alders, certifying that (a) the functions of the pertinent section pertaining to the Board or Commission have been addressed by the Ordinance; and (b) the Ordinance complies with the administrative requirements of this Charter in particular, §1 and 2 of this Article, the pertinent provision or provisions of the Charter shall expire and may be removed from the Charter; unless otherwise specifically set forth in the Ordinance.
 - B. **The Financial Review and Audit Commission.** Current Article VII, Sec. 3.C – no change.
 - C. **Board of Police Commissioners.** Current Article VII, Sec. 3.E – No change.
 - D. **Board of Fire Commissioners.** Current Article VII, Sec. 3.F – No change.
 - E. **General Provisions Concerning the Police and Fire Commissioners.** Current Article VII, Sec. 3.G – Minor edits.
 - F. **Board of Park Commissioners.** Current Article VII, Sec. 3.H. No change; except the intent of the Commission and Board of Alders was strict compliance with the appointment methodology as set forth in the Charter; in particular finite terms of office.
 - G. **Board of Public Health.** Current Article VII, Sec. 3.I. No change with the exception of the following modification in “Qualifications” (Sec. 3.G(2)(b): “At least two (2) of the members shall be doctors of medicine, ~~from an accredited~~

~~school of medicine, and who shall each have not less than five (5) years of experience in any or all of the following: Clinical medicine, public health administration, or college or university teaching in any of the branches of medical sciences.”~~

- H. **Board of Library Directors.** Current Article VII, Sec. 3.J. No changes.
- I. **Civilian Review Board.** Current Article VII, Sec. 4.B. No changes.

Sec. 4. Transition Provisions for Departments and Department Heads Required by Charter and Created by Ordinance.

- A. **Historical Transition Provisions.** The historical powers and duties of following departments as set forth in this section shall remain in full force and effect until replaced by an Ordinance. If not replaced the provision shall remain in the Charter. Upon (1) the effective date of the approved Ordinance accompanied by (2) an opinion of an attorney, designated by the Board of Alders, certifying that (a) the functions of the pertinent section pertaining to the Board or Commission have been addressed by the Ordinance; and (b) the Ordinance complies with the administrative requirements of this Charter in particular, §1 and 2 of this Article, the pertinent provision or provisions of the Charter shall expire and may be removed from the Charter; unless otherwise set forth in the Ordinance³.
- B. **Role of the Finance Department.** Recodification and minor edits of Art. VI, Sec. 5.C(2) to be transferred to the Code of Ordinances.
- C. **Role of the Collector of Taxes.** Recodification and minor edits of Art. VI, Sec. 5.D to be transferred to the Code of Ordinances.
- D. **Powers and Duties of the Personnel Director.** Recodification and minor edits of Art. VI Sec. 18.B to be transferred to the Code of Ordinances.
- E. **Powers and Duties of the Director of Health.** Recodification and minor edits of Art. VI, Sec. 15.B to be transferred to the Code of Ordinances.
- F. **Powers and Duties of the Director of Transportation, Traffic and Parking.** Recodification of Art. VI., Sec. 20.B to be transferred to the Code of Ordinances.

Sec. 5. Historical Transition Provisions.

Except as otherwise provided by State law, after July 1, 1993, the terms of all present Department Heads whose appointments are subject to the four (4) year limitation shall end on January 31, 1994, or on such later date when their successors have been appointed and qualified, and the new terms of all such Department Heads appointed thereafter shall commence on February 1, 1994 and on February 1 of every fourth (4th) year thereafter.

³ **Comment of the 2023 Charter Revision Commission.** The intent of this provision is to provide the Mayor and Board of Alders with administrative flexibility without ignoring critical functions performed by Departments. The names of the Departments may change or they may remain the same, the same is true of the composition. The critical point is that the foundational functions set forth in the Charter are fulfilled.