
ARTICLE V

THE MAYOR

§5-1 The Authority of the Mayor³⁶.

(a) There shall be a Mayor of the City who shall be its Chief Executive and Administrative Officer and all such executive and administrative powers of the City are vested in the Mayor, except as otherwise provided in this Charter or by law.

§5-2 Powers³⁷.

The Mayor shall have the power:

(a) to have and exercise all other executive and administrative powers conferred by the laws of the State of Connecticut upon any municipal Chief Executive Officer except as otherwise provided in this Charter³⁸.

(b) to exercise within the limits of the City all the emergency powers given to the Chief Executive Officer under the General Statutes of the State of Connecticut.

(c) to appoint any special assistants that the Mayor may deem necessary for the administration of official duties. All such assistants shall serve at the pleasure of the Mayor.

(d) to appoint all officers, department heads and employees of the City with the exception of the employees, experts or professional consultants of the Common Council and as otherwise provided by this Charter, the provisions of the Ordinance and regulations governing civil service and collective bargaining agreements, if applicable, and to fill, by appointment, a vacancy in any office for which the Mayor shall be given the power to appoint the incumbent to such office.

(e) to appoint all members of Boards and Commissions, except as otherwise designated by the General Statutes, including vacancies; however, if the Mayor fails to fill a vacancy on said Board or Commission within one hundred-twenty days following the effective date of that vacancy, then the Common Council shall fill the vacancy within sixty days thereafter by a majority vote of those present. If the Common Council fails to fill the vacancy, then the remaining members of the Commission or Board for which the vacancy exists shall fill the vacancy by appointment. Said appointments are subject to the provisions of the General Statutes governing minority party representation. Moreover, said party enrollment shall be determined in the same manner as the General Statutes delineate entitlement to participation in party caucuses and primaries by electors who transfer from the enrollment list of one party to another³⁹.

(f) to preside at all meetings of the Common Council but shall not be a member thereof and shall vote only in the case of a tie⁴⁰.

(g) to approve or veto all actions of the Common Council as enumerated in this Charter.

(h) to call special meetings of the Common Council or any Board or Commission of the City government when deemed expedient and to enforce the attendance of members of the same thereat in the manner herein provided.

(i) to assign any employee of one department to the temporary performance of similar duties in another department whenever the interests of the City require, with the exception of employees of the Common Council.

(j) to administer oaths⁴¹.

§5-3

Duties.

It shall be the duty of the Mayor to:

(a) cause laws and Ordinances to be executed and enforced and to conserve the peace within the City and to be responsible for the good order of efficient government of the City⁴².

(b) to sign all deeds and all written contracts of the City approved by the Common Council, except as otherwise provided in this Charter, or any department or any office 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, electronic authorization or other approved form of signature, as approved by the Common Council, of the Mayor or the Treasurer is authorized on all bonds issued by the City.

(c) to sign together with the City Treasurer all bonds and other instruments evidencing City indebtedness.

(d) to see that all contracts and agreements with the City are faithfully kept and performed.

(e) as chief executive officer of the City, to negotiate and enter into such contractual agreements with the employees of the City in a manner governed by the General Statutes.

(f) to submit to the Common Council, at the first regularly scheduled meeting in the month of March in each year, a general statement of the condition, state and situation of the City in relation to its government, finances and improvements, which statement shall be entered on the records of the Common Council and published in such manner as the Common Council may order⁴³.

(g) to serve as a member so long as there is no conflict with State law, of all Boards and Commissions established pursuant to State law, this Charter, City Ordinance, or executive order in said City of an executive or administrative nature, but excluding the Civil Service Board, all acts or provisions of the Charter of said City to the contrary notwithstanding. The Mayor's membership is *ex officio*⁴⁴.

§5-4

Reorganization Plan.

The Mayor may prepare a reorganization plan which provides for the enactment of an Ordinance to alter the organization of any and all of the departments, Boards, Commissions or agencies provided for in this Charter, which plan may provide for the combining or separating of the duties of each, unless specifically prohibited from making such alteration by the Constitution or the General Statutes of the State of Connecticut. The Common Council, upon receipt of a reorganization plan, shall conduct a public hearing, and following said public hearing, may vote to adopt an Ordinance implementing said plan. A two-thirds (2/3) vote of the entire membership shall be required for adoption. The Mayor may recommend amendments or modifications to said Ordinance at any time prior to adoption by the Common Council⁴⁵.

§5-5

Requirements.

The Mayor shall devote the full time necessary to the duties of the office and shall have no other occupation during the term of office and shall keep the office open during such hours of each business day as the Ordinances of the City shall direct⁴⁶.

§5-6 Removal and Discipline of Officials and Employees⁴⁷.

(a) Appointees of the Mayor. The Mayor is authorized, except as may be otherwise provided, to remove, for cause, and discipline any officer appointed by the Mayor, and the Mayor shall be sole judge of such cause of removal and said order of removal shall state the reason therefore. Officers shall include but not be limited to department heads⁴⁸.

(b) Employees of the City. The Mayor or designee may terminate the employment of and discipline any employee of the City except as otherwise provided by the General Statutes, this Charter or collective bargaining agreement, where applicable.

(c) Procedures. Rules of Procedure for the removal of said officials and employees shall be prescribed by Ordinance.

§5-7 Penalty for Hindering the Mayor.

If any person shall hinder or obstruct the Mayor in the execution of the duties of office, or, when commanded to assist herein, shall refuse or unreasonably neglect to do so, such offender shall pay a fine not to exceed the amount permitted by the General Statutes, or be imprisoned in a jail not more than the time permitted by the General Statutes, or both⁴⁹.

§5-8 Acting Mayor, during Temporary Disability or Absence, to Discharge Duties.

Whenever the Mayor shall be absent from the City or prevented by sickness or other cause from attending to the duties of office, the President Pro Tempore of the Common Council, and, in the absence of said President Pro Tempore, the following members of the Common Council (in descending order) shall serve as Acting Mayor: the party leader of the Mayor's political party, the leader of the political party having the greatest representation on the Common Council (other than the Mayor's political party) and then to the senior member of said Common Council of the Mayor's party, being the member who has occupied such office for the greatest number of years. In the case of equal seniority the Common Council shall select said Acting Mayor from among those members of equal seniority. The Acting Mayor shall act as Mayor, and shall possess, exercise, and enjoy all the rights, powers, and duties of the Mayor during the continuance of such absence or inability⁵⁰.

§5-9 Removal for Total Incapacitation.

In case the Mayor of the City shall, by any cause whatsoever, be totally incapacitated physically or mentally for a period exceeding sixty days from performing the duties of Mayor, the Common Council may, after summons and hearing in the same matter concerning officers and employees of the Mayor, remove the Mayor and declare the office of Mayor to be vacant on account of such incapacity for said period, and the person so removed may appeal from the order of removal in the manner provided by Ordinance.

§5-10 Vacancies in offices of Mayor, Mayor-elect.

(a) Acting Mayor and Successor Election; Term of Office. Whenever a vacancy occurs in the office of Mayor when there is greater than six months remaining in the term of office, the President Pro Tempore of the Common Council

shall serve as Acting Mayor until a successor is elected at a special election. Said special election shall be called forthwith to fill the vacancy and shall be held no later than forty-five days from the effective date of the vacancy. The person so elected shall assume the office of Mayor on the date of election and serve for the unexpired term. Such successor shall have the rights, powers and duties of Mayor and shall receive the same compensation otherwise due the Mayor. In the event the President Pro Tempore shall serve as Acting Mayor the office of President Pro Tempore of the Common Council and a member of the Common Council shall not be deemed vacant although the Acting Mayor may only participate in Common Council proceedings in accordance with the functions and duties of the Mayor. During the absence of the President Pro Tempore for the purposes of this provision the Common Council may thereupon designate an acting President Pro Tempore.

(b) Final Six Months of the Term of Office: Succession. Whenever a vacancy occurs in the office of Mayor, the President Pro Tempore of the Common Council shall at once become Mayor for the unexpired term and shall assume office on the date of vacancy and serve for the unexpired term. Such successor shall have the rights, powers and duties of Mayor and shall receive the same compensation otherwise due the Mayor. In the event the President Pro Tempore shall serve for the remainder of the term of Mayor, the office of the President Pro Tempore of the Common Council and a seat on the Common Council shall become vacant whenever the person holding them shall become Mayor and the Council shall thereupon designate a new or acting President Pro Tempore.

(c) Death or Incapacity of the Mayor-Elect. Whenever the Mayor-elect shall die or become permanently incapable of performing the duties of said office between the date of election and the first day of the term for which elected, the Mayor of the City then in office shall continue therein, until the first Tuesday following the election, with all the powers and duties thereto. Thereupon, succession to the Mayoralty shall proceed in the manner provided for in §5-10(a), above.