
ARTICLE VIII

THE GENERAL GOVERNMENT: DEPARTMENTS AND DEPARTMENT HEADS

§8-1 Authority to Establish the Departments of Government.

(a) **Powers and Purposes.** The City acting within the powers and duties enumerated in the General Statutes, special laws applicable thereto and this Charter, may establish, by Ordinance, such departments necessary to carry out and organize the functions of government. The express intent of this Charter is to allow the Mayor and Common Council the ability to organize the government in order to achieve a balance of efficiency and service to the people of the City. The delineation of departmental categories in this Charter are advisory and may be altered pursuant to a reorganization plan adopted in accordance with the provisions of this Charter. However, the powers, duties and functions defined in this Charter shall be assigned to officials of the City.

(b) **Special Provisions Regarding Reorganization.** Any departments and department heads established, by Ordinance, under the authority of this Charter are subject to the power of the Mayor to propose a reorganization plan in accordance with the terms of this Charter⁷⁸.

§8-2 Appointment of Department Heads; General Requirements.

(a) **Creation of Departments.** The Common Council shall by Ordinance establish the departments and agencies of the City. Each of these departments shall be constituted to perform such functions and have such powers and duties as are imposed by the General Statutes, this Charter and Ordinance. Moreover, the directors of each department established by Ordinance shall be subject to the provisions of this Charter generally applicable to department heads.

(b) **Appointment.** Except as otherwise provided by State law or this Charter, all department heads shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council, and may not be removed from office except for cause, which shall not be political. In the event of a vacancy in the office of any department head, a successor may be appointed, except that during the last month of the term of a Mayor who has not been re-elected to office, the Mayor may not appoint any department head except on an acting basis for a temporary period ending not later than sixty days following the commencement of the term of office of the new Mayor.

(1) **Terms for Department Heads. Common Council Discretion.** The Common Council may in its discretion establish, by Ordinance, a uniform term of office for all department heads, which term shall be for a period of no less than four years⁷⁹. Said power is subject to the provisions of the General Statutes and collective bargaining agreements, if applicable.

(c) **Effect of Charter on Department Heads.** Unless otherwise terminated pursuant to law, the status of department heads holding office subject to permanent appointments on the effective date of this Charter shall continue.

(d) **Authority of Department Heads.** Once appointed as described in §8-2(b) of this Charter, the department head shall appoint, hire, discipline and remove

all deputies, assistant and other employees of the department as provided for in the budget and subject to the authority of the Mayor or designee, and to the rules and regulations of the Civil Service Commission and collective bargaining agreements, where applicable.

(e) Qualifications of Department Heads. The job qualifications of all department heads, in addition to those enumerated in this Charter, by General Statutes or Special Act, shall be established by Ordinance⁸⁰ following the recommendation of the Personnel Director. Said job qualifications shall be prepared in accordance with nationally accepted professional standards and shall be reviewed and updated every four years and whenever a vacancy occurs in the position.

(f) Compensation. The salaries and compensation of all officials, department heads, agents and employees of the City shall be set by Ordinance⁸¹, except where otherwise fixed by the General Assembly or as otherwise covered by civil service and collective bargaining agreement.

(g) Surety Bonds of Certain City Officials. The following employees of the City, shall severally give bonds, with surety, to said City in such manner and form as the General Statutes or Ordinances shall prescribe, for the faithful performance of the duties of their respective offices: the Director of Finance, Purchasing Agent, Treasurer, Tax Collector, Constables, and any and all officers and employees of said City in any department thereof, charged with the custody and control of property, monies, or goods of said City, or the collection or disbursement of the same, as determined by the Director of Finance or otherwise required by the General Statutes, this Charter or Ordinance. The premiums for said bonds shall be paid by the City.

The bonds of Constables shall be to such amount and in such form as required by the General Statutes and shall be payable to the City. All bonds, except that of the Director of Finance, shall be set by and lodged with the Director of Finance of said City. The Director of Finance's bond shall be set by and lodged with the Mayor. In case of the refusal or neglect of any officer or employee to give the bond so required, such office shall be deemed vacant by reason of such refusal or neglect, and, on a declaration being made to the Common Council by the Director of Finance to that effect, such vacancy shall be filled in the manner provided by this Charter⁸².

(h) Residency for Department Heads. The Common Council may, in its discretion, establish by Ordinance a residency requirement for all department heads, to the extent permitted by law and subject to the provisions of applicable collective bargaining agreements.

§8-3 The Law Department. The Corporation Counsel⁸³.

(a) Appointment⁸⁴. The Mayor shall appoint a Corporation Counsel who shall serve at the pleasure of the Mayor. The Corporation Counsel shall be an attorney and a member of the Connecticut bar of at least five years' standing and an elector of the City for at least one year prior to appointment. Said Corporation Counsel shall be sworn to the faithful discharge of the duties of office.

(b) Assistants⁸⁵ and Additional Counsel⁸⁶.

(1) The Corporation Counsel shall, subject to the provisions of civil service, appoint to the legal staff such Assistant Corporation Counsel(s) and other attorneys, as necessary. Said Assistant Corporation Counsel(s) shall be member(s) of the Connecticut bar of at least five years' standing. All other attorneys shall be member(s), in good standing of the Connecticut

bar. The Assistant Corporation Counsel(s) and legal staff shall devote full time to the duties of their office⁸⁷.

(2) Additional counsel to assist the Corporation Counsel may be employed only by the consent of the Mayor and said Corporation Counsel, Assistant Corporation Counsel(s) and other counsel shall be the legal advisers of all Commissioners, Boards, committees, and executive officers and of the Common Council of the said City⁸⁸.

(c) **Duties⁸⁹.** The members of the Office of the Corporation Counsel or such additional counsel as permitted by §8-3(b)(2) shall conduct all civil cases and matters of every description in which the City is interested, and shall bring civil actions and defend civil actions and proceedings of every name and nature in the name of the City before all courts, and shall appear in all civil actions brought for or against said City.

§8-4

Public Safety, Health and Human Services.

(a) **The Police Department.** The department shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of the rights of persons and property and enforcement of the laws of the State and the provisions of this Charter and Ordinances of the City and all rules and regulations made in accordance therewith. All sworn officers within the department shall have the powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the General Statutes.

(1) **Chief of Police⁹⁰.** The head of the department shall be the Chief of Police. The Chief shall be responsible for the efficiency, discipline and good conduct of the department.

(b) **The Fire Department.** The department shall be responsible for the protection of life and property in the City from fire and other like disasters and emergencies, and for the enforcement of all laws, Ordinances and regulations relating to fire prevention and fire safety.

(1) **The Fire Chief⁹¹.** The head of the department shall be the Fire Chief. The Chief shall be responsible for the efficiency, discipline and good conduct of the department.

(2) **The Fire Marshal.** There shall be a Fire Marshal who shall be appointed in the same manner as a department head. The fire marshal's duties shall be governed by the provisions of the General Statutes pertaining to fire hazards and the fire safety code, the provisions of this Charter and Ordinance. Said marshal may be assigned to other responsibilities within the department. The Fire Chief shall not serve as the Fire Marshal.

(c) **Other Governmental Responsibilities.** There may be departments responsible for the preservation and promotion of the public health⁹², welfare, human services⁹³ and building safety and inspection⁹⁴ for the City.

§8-5

Government Administration.

There shall be established a centralized system of government administration specifically designed to reduce duplication of services and efficiently foster the delivery of services to the City. The City shall effectuate such centralized system upon the general government and shall endeavor, by mutual agreement, to confer such benefits upon the Department of Education.

(a) The Department of Finance⁹⁵. The department shall be responsible for the keeping of accounts and financial records, the custody and disbursement of City funds and money, control over expenditures and such other duties and powers as may be required by the General Statutes, this Charter or Ordinance.

(1) The Director of Finance⁹⁶. The head of the department shall be the Director of Finance. The director shall be responsible for the efficiency, discipline and good conduct of the department. The Director of Finance shall have a fiduciary responsibility to the City and shall, at all times, be required to accurately report information to the Mayor, Common Council and the Board of Finance and Taxation.

(b) The Office of the City Assessor⁹⁷. The City Assessor shall have the powers and shall perform all duties prescribed for assessors in the General Statutes, together with such other powers and duties as may be prescribed by this Charter or the Ordinances of the City.

(1) The City Assessor⁹⁸. The City Assessor shall be head of the department. The City Assessor shall be responsible for the efficiency, discipline and good conduct of the department. The City Assessor shall be chosen on the basis of training and full-time professional experience in the field of property appraisal and assessment law administration prior to appointment and shall be a certified municipal assessor pursuant to the provisions of the General Statutes⁹⁹.

(c) The Personnel Department. Labor Relations¹⁰⁰. The department shall be responsible for the administration of the civil service system and all other matters affecting civil service employment, collective bargaining and all the employees of the City. In order to advance the purpose of this Charter, the Common Council, upon recommendation of the Civil Service Commission, shall establish all rules and regulations relating to employees of the City.

(1) The Personnel Director¹⁰¹. The head of the department shall be the Personnel Director. The Personnel Director shall be responsible for the efficiency, discipline and good conduct of the department.

(2) Equal employment opportunity and affirmative action¹⁰². It shall be the policy of the City to guarantee equal opportunity to all qualified applicants and to all employees with respect to initial employment, advancement and general working conditions, without respect to age, race, creed, color, sex, or national origin. The Personnel Director, in consultation with the Civil Service Commission, shall develop and maintain a comprehensive and systematic affirmative action plan which will assure equal opportunity in recruitment and selection, job structure, promotion policies, training to improve job performance and upward mobility, and all other related procedures and practices. Said Affirmative Action Plan shall be effective upon approval by the Common Council.

(d) The Centralized Purchasing System¹⁰³. There shall be a central purchasing system for the City covering the purchase of all supplies, materials, equipment and other commodities required. In order to advance the provisions of this Charter, the Common Council shall establish by Ordinance the rules and regulations governing the operation of said 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.

(1) The Purchasing Agent¹⁰⁴. The head of the system shall be the Purchasing Agent and shall be appointed or designated by the Mayor. The Purchasing Agent shall make all purchases of supplies, materials, equipment, and contractual services for all departments, offices, Boards, Commissions, institutions and other agencies of the City, in a manner consistent with this Charter. The Purchasing Agent shall be responsible for the efficiency, discipline and good conduct of the system.

§8-6 Government Operations.

(a) The Parks and Recreation Department¹⁰⁵. The department shall be responsible for the control, development, operation and management of all public grounds, buildings, equipment and facilities provided by the City for park and recreational purposes. These responsibilities shall include, but not be limited to, the adoption of such rules and regulations not inconsistent with the General Statutes, the provisions of this Charter or Ordinance or applicable provisions of trusts and wills, related to the use, preservation and enjoyment of all public parks and recreation areas of the City.

(1) Director. The head of the department shall be the director. The director shall be responsible for the efficiency, discipline and good conduct of the department.

(b) Other Governmental Responsibilities. There may be departments responsible for the preservation and promotion of public works¹⁰⁶, engineering¹⁰⁷, parking garages, buildings, including, but not limited to school buildings and additions thereto¹⁰⁸, public trees, cemetery or burial grounds and other city property.

§8-7 City Planning, Zoning Enforcement and Economic Development.

(a) City Plan and Zoning Enforcement Departments. There shall be department(s) responsible for the coordination of the planning and zoning functions, including but not limited to, the development of a master plan or plan of development¹⁰⁹, building code inspection and enforcement, building zone regulations¹¹⁰, subdivision regulation¹¹¹, the renewal activities and the capital planning activities of the City. Each of these departments shall be constituted to perform such functions and have such powers and duties as are imposed by the General Statutes, Special Acts, this Charter and Ordinance. The directors of each department established by Ordinance shall be subject to the provisions of this Charter generally applicable to department heads.

(g) Other Governmental Responsibilities. There may be departments responsible for the economic development of the City.