

**PROPOSED AMENDMENT TO THE**

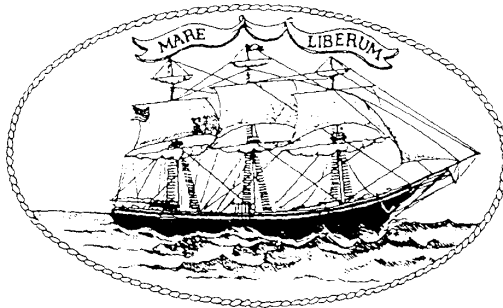
**CHARTER**

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**CITY OF**

**NEW LONDON, CONNECTICUT**

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This publication contains the Charter of the City of New London, Connecticut,  
published by order of the City Council.

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MUNICIPAL CODE CORPORATION

Tallahassee, Florida

1996

PREAMBLE

We, the people of the City of New London, Connecticut, trusting in God and grateful for the freedoms we enjoy, do ordain, establish, approve, and adopt this Home Rule Charter through which the City of New London intends to possess and exercise the broadest rights, powers, privileges and authority of self-government permitted under the Constitution and Laws of the State of Connecticut.

**Comment [A1]:** TECHNICAL CHANGES: This will be added as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Sec. 3. Powers in general.**

The City of New London shall have power: To acquire real or personal property, within or without the city, in furtherance of any power granted by this charter or the laws of the state, by purchase, gift, devise, condemnation, lease or lease with privilege to purchase, and to hold, lease, sell, manage, improve and control such property as fully as though a natural person; to provide for the due execution, authentication and delivery of deeds, grants and releases of city

**Comment [A2]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**\*Editor's note**—Printed herein is Special Act No. 330 of 1921, as amended. Amendments are indicated by history notes appearing in parentheses ( ) at the end of the amended section. Catchlines, article numbers, and headings have been added to facilitate usage. Other additions are indicated by brackets [ ]. Editor's notes have also been added at the end of certain sections.

property, or contracts, and evidences of indebtedness issued by the city; to assess, levy and collect taxes for general or special purposes on all property, subjects and objects which the city may lawfully tax; to regulate the methods of assessing and collecting taxes for city purposes, and to regulate the method of borrowing money for any purpose for which taxes may be levied; to borrow money on the faith and credit of the city, by the issue and sale of bonds or notes of the city, for such general or special purposes, and to the extent, authorized by law; to provide for the manner of keeping and auditing the accounts of the city and of adjusting and paying claims of the city; to levy and collect assessments for local improvements upon property benefited thereby; to appropriate the moneys of the city for all lawful purposes and to provide for the management, regulation and control of the finances and accounts of the city; to establish, maintain and prescribe the duties of a city watch and a city police force, with jurisdiction within the city and over all property of the city outside the limits thereof, and to confer upon watchmen and policemen the ordinary powers of constables of towns; to make and enforce police, sanitary and other similar regulations applicable within the city and to all property of the city outside the limits thereof; to define, prohibit, abate, suppress and prevent, within the city, all nuisances and causes thereof and all things detrimental to the health, morals, safety, convenience and welfare of its inhabitants, and to cause the abatement of any nuisance at the expense of the owner or owners of the premises upon which such nuisance exists; to punish resistance, hindrance or obstruction of public officers in the discharge of their duties; to preserve the public peace and good order and to prevent and quell riots and disorderly assemblages; to prevent vice, suppress gambling houses, houses of ill fame and disorderly houses and to punish gambling and policy playing; to provide for such inspection service within and without the city, and to make such regulations as may be necessary to insure the purity and wholesomeness of food products sold within the city; to do all things necessary or desirable to secure and promote the public health; to provide for the appointment of inspectors and for the inspection of lumber, timber and produce of all kinds brought to the city for sale or exportation; to regulate weights and measures in accordance with the lawful standards thereof; to regulate the measuring, inspecting and manner of selling wood, coal and the sale of goods by public auction in the city; to license, require license fees for, prohibit or regulate the peddling or vending of merchandise or any article of trade within the streets and other public places of the city, and to regulate, license and require license fees of persons who desire to sell any kind of goods or wares for short spaces of time and who only temporarily occupy storerooms; but such ordinances shall not hinder or interfere with the sale within the city of the produce of the farms and gardens of the state; to regulate and prohibit the going at large of dogs and other animals in the streets and public places of the city and to prevent cruelty to animals and all inhuman sports; to prohibit, restrain, license or regulate all sports, exhibitions, public amusements and performances, and all places where games may be played for pay; to regulate or prohibit games, coasting and sliding on the streets and sidewalks of the city; to provide for and regulate the burial of the dead, to provide for the care of burial grounds in or within the jurisdiction of the city; to prohibit interments in such grounds when it may be deemed expedient for the public health and to provide for the protection and preservation of the fences, posts, railings, monuments, trees or shrubbery within or around burial grounds, streets or public places of the city; to regulate the speed of animals, vehicles and cars, and the

driving or leading of animals through the streets; to license or regulate all public vehicles, regulate the charges of hackmen, cartmen, truckmen, expressmen, public drivers and other carriers and to regulate all public conveyances in their use of the streets; and provide public stands therefore; to keep the streets and public places free from undue noise and to prevent tumultuous or disorderly noises or disturbances in the night season and on Sundays; to regulate or prohibit the erection or use, and to require the removal of sinks, cesspools, styes, drains, sewers, privies, barns and outhouses; to prevent illegal voting; to protect from defacement or injury all public buildings; public monuments and other public property in the city, and the fences by which any lands are enclosed, and to provide for the care of grounds upon which monuments are or may be erected; to organize, maintain and regulate a fire department, provide the necessary apparatus for extinguishing fires and do all other things necessary or desirable to protect the city from fire; to license, regulate or prohibit the keeping, storing, selling or use of any explosive or inflammable substances or materials within the city or their conveyance into, through and out of the city; to regulate the construction, reconstruction, materials, location, height, maintenance, use and occupancy of buildings; to provide for the care and support of the poor and to devise and employ means for the relief and prevention of poverty and destitution; and the powers and duties of selectmen of the Town of New London relative to paupers as now provided or as may hereafter be provided by law shall, unless otherwise expressly provided, be exercised by the City of New London in conformity with this act; to provide public entertainments and amusements for the people of the city; to establish, lay out, construct, widen, straighten, extend, grade, improve, maintain and vacate streets, alleys and other public ways, and to establish, improve, maintain and vacate parks, public places and grounds of all kinds; to establish building lines on the lands abutting on any street, highway or public place, between which lines and any such street, highway or public place no building or part thereof shall be erected; to create, provide for, construct, regulate and maintain all things in the nature of public works and improvements; to regulate and control the use, for whatever purposes, of the streets and other public places of the city; to provide a public water supply, and to establish, maintain, extend and control water works; and said city shall have all the powers conferred by the provisions of an act to provide the City of New London with a supply of pure and wholesome water, approved July 5, 1871, and acts amendatory thereof; and, except as otherwise provided in this charter, such powers conferred by said act of July 5, 1871, and acts amendatory thereof, upon the city, the board of water commissioners and the board of water and sewer commissioners, shall be exercised in behalf of said city by such officers and boards and in such manner as the council may prescribe by ordinance; to adopt plans for the construction or extension of the sewerage system of the city; and may lay out, contract for, construct, maintain and repair sewers and surface drains with lateral branches to street lines in, through, under, over, into and along any highway, watercourse, river, cove, wharf, harbor or any other place or property, public or private, as it may find expedient and necessary and may enter upon, take, occupy and appropriate any such place or property, real or personal, or any rights, privileges or easements therein; and shall have all the powers and authority conferred by the laws of this state for such purposes, and such other powers as shall be necessary for the performance of its duties; to provide for lighting the streets, highways, avenues and other public places of the city and for the care and

preservation of public lamps, lamp posts and fixtures; to make regulations relative to wharves, channels and docks, wharf lines, bulkhead lines for coves, and the anchorage and mooring of vessels; to provide that wharves and docks shall be kept in such manner as not to endanger the health of inhabitants of the city or interfere with or obstruct the entrance of vessels to any wharf or dock or their departure therefrom; to provide for putting any wharf or dock into a sanitary and orderly condition and for assessing the expense thereof in whole or in part against the proprietor thereof; and to provide for and regulate the quarantining of vessels; to locate, build, equip, maintain, operate and lease public docks, wharves and landings upon the westerly bank of the Thames river, within the limits of the city, and to make such docks, wharves and landings easy of access to vessels by building and maintaining along said river, within the same limits, embankments, dykes and other structures and obtaining a suitable depth of water by dredging, excavating or otherwise removing, sand, earth and other deposits from the bed of such river within the limits aforesaid; to maintain and operate a ferry across the Thames river between New London and the Town of Groton and to determine the service thereof and fix the charges therefore subject to control by the public utilities commission of the state; to establish public bath houses and bathing beaches and to regulate or prohibit swimming or bathing in public or exposed places within the city; to prevent and punish trespassers in gardens, cemeteries and enclosures; to regulate or prohibit the excavation, altering or opening of streets, sidewalks, highways, public places and grounds and the leaving upon, above or under the surface thereof, whether temporarily or permanently, of any work, material or thing, and to regulate or prohibit the removal of buildings upon or through the streets or other public places of the city; to regulate or prohibit the placing, erecting or keeping of signs, awnings or other things upon or over the sidewalks, streets and public places of the city; to regulate or prohibit the laying of gas pipes, drains, sewers and other structures and fixtures in the streets and public places of the city; to control the distribution of space, for whatever purpose, in, over, under or across all streets and public places of the city; to prohibit the discharge of drains from roofs of buildings over or upon the sidewalks; to require owners of land adjacent to any sidewalk or public walk to remove snow, ice and sleet therefrom, and upon their failure to do so to cause such snow, ice or sleet to be removed and the expense thereof to be made a debt due the city and added to the tax bill of the owner of such land next to be made out, and to hold such land for the payment thereof in the same manner as for the remainder of such tax bill; to purchase, harvest, manufacture and sell ice, to establish a plant for the manufacture of ice and to do all other acts incident to harvesting, housing, manufacturing or selling of ice; to provide by ordinance for regulating the emission of smoke from any chimney, smoke stack or other source within the limits of the city, prescribe penalties for the violation of any such ordinance and provide for the enforcement thereof through inspectors or otherwise; to provide for the collection of city taxes and for regulating the duties of the city tax collector; to establish and maintain a system of public schools, and to appropriate the money of the city in aid of, and otherwise co-operate with, local schools supported in part by income from endowments and not under the control of the board of education; to enter into or upon any land for the purpose of making necessary surveys in connection with any public improvements or proposed public improvement authorized by this act; and shall have power to take by eminent domain any lands, rights, easements, privileges, franchises or construction which may

Deleted: school visitors

be necessary in the judgment of the council for the purpose of establishing, constructing or maintaining a system or systems of water supply; a system or systems of sewerage and drainage; schools and school purposes; wharves, highways, public places and grounds, parks and all things in the nature of public works and improvements and to establish building lines, and said city may, through its mayor with the approval of the council and the board of compensation, agree with the owner or owners of any such land, rights, easements, privileges, franchises or construction as to the amount of compensation to be paid to such owner or owners for the same; and in case of disagreement between said mayor and the owner or owners as to such compensation or as to the amount of damages to be awarded to any person claiming to be injured by the doings of said city or in case the owner shall be an infant, or insane or absent from the state, or unknown, or the owner of an uncertain or contingent interest, then such land, rights, easements, privileges, franchises or construction may be condemned and taken and compensation fixed or benefits and damages ascertained by the board of compensation as hereinafter provided; to prescribe the form and amount of bonds to be given by the treasurer and other officers of the city and the forms of oaths or affirmations required of officers and employees; to establish, combine and abolish departments and offices within the limits prescribed by this act and to prescribe the duties and fix the compensation of officers and employees when not prescribed or fixed herein; to prescribe penalties and forfeitures for the violation of any ordinance made in pursuance of the provisions of this act; to pass such ordinances, in pursuance of the powers granted by this act or by any law, as may be deemed expedient for maintaining and promoting the peace, safety, good government and welfare of the city and for the performance of the functions thereof.

Deleted: city manager

Deleted: city manager

### Sec. 3a. Water and water pollution authority.

The mayor shall appoint with the approval of council, a water and water pollution authority consisting of seven members who shall be electors of the City of New London. The authority shall have all the powers and duties conferred upon it by law and specifically by Chapters 102 and 103 of the Connecticut General Statutes, Revision of 1958 as amended. The members shall serve without compensation. Each appointment to the water and water pollution control authority shall be for a term of five years, except that initially two electors shall be appointed for a term of five years, two electors shall be appointed for a term of four years, two electors shall be appointed for a term of three years and one elector shall be appointed for a term of two years, and thereafter all appointments shall be for terms of five years unless such appointment is to fill a vacancy in an unexpired term. There shall be no more than four members from any one political party appointed to any regular or unexpired term on the authority. The mayor may remove for improper performance of duties, malfeasance or misfeasance in office, a violation of any Code of Ethics of the City of New London or for any other proper cause, any member of the water and water pollution control authority appointed by it, provided that the member shall have been served with a written notice of intention to remove the member, containing a clear statement of grounds for such removal and of the time and place, not less than ten nor more than thirty days after service of such notice, at which the member shall be given an opportunity to be heard thereon. Such hearing shall be public at the option of the member who may be

**Comment [A3]: ELECTED MAYOR CHANGES:** Identified changes to this sub-section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

Deleted: .

Deleted: Water and water pollution authority.

Deleted: city council

Deleted: Appointments to and removal from the authority shall be by the affirmative vote of at least four members of the city council of the City of New London.

Deleted: city council

Deleted: of the city council

represented by counsel. Absenteeism in excess of sixty per cent of all of the meetings in any one year may be considered just cause for removal of any member who has been so absent. The action of the mayor shall be final. All charter provisions, ordinances, and regulations of the City of New London shall remain in full force and effect except as they are inconsistent with this charter provision.

(Referendum of 11-3-81, § II)

Deleted: city council

**Sec. 9. Qualifications of elected officers; Dual candidacy prohibited.**

Any elector of the City of New London, who has been a resident for at least one year prior to his or her election, shall be eligible for any elective office. No person shall accept nomination for more than one municipal office to be voted for at a municipal election.

**Comment [A4]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** .

**Deleted:** for the year next preceding his election a resident thereof

**Deleted:** to

**Deleted:** provided for by this act



**Sec. 22. Meetings.**

At seven o'clock p.m. on the first Monday in December next following a regular city election, the council shall meet at the usual place for holding such meetings, at which time the newly elected members shall assume the duties of office. Thereafter, they shall meet at such time and place as may be prescribed by ordinance, but not less frequently than twice each month. Special meetings of the council may be called by the mayor and or council president, and shall be called by the city clerk upon written request of five members of the council. All meetings of the council and of committees thereof shall be open to the public. The council and any committees thereof may hold executive sessions when deemed necessary and as allowed by state statutes. The council shall provide by its rules that citizens shall have a reasonable

**Comment [A6]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Deleted:** eight

opportunity to be heard at any meeting other than an executive session in regard to any matter considered or to be considered thereat, and any elector may present a measure in writing to the council and it shall be voted upon by council for final passage within sixty days of its receipt. (S.A. No. 481 of 1927, § 5; S.A. No. 378 of 1965, § 8; Referendum of 11-2-93)

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#### Sec. 24. Council officers.

The council shall annually on the first Monday of December elect one of its members as council president. The council president shall preside at meetings of the council and perform such other duties consistent with his office as may be imposed by the council. The council shall also annually on the first Monday of December elect one of its members as president pro tempore. During the absence or disability of the council president, the president pro tempore may perform any or all of the duties of the council president. During the absence or disability of both the council president and the president pro tempore, the council shall appoint another of its members as president pro tempore with the same duties and powers during such absence or disability.

(S.A. No. 481 of 1927, § 6; S.A. No. 355 of 1931, § 2; S.A. No. 447 of 1933, § 1; S.A. No. 378 of 1965, § 9; S.A. No. 239 of 1967)

**Comment [A7]: ELECTED MAYOR CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

Deleted: Mayor; deputy mayor; mayor pro tempore

Deleted: chairman who shall have the title of mayor

Deleted: mayor

Deleted: He shall be the official officer of the city for ceremonials. In time of emergency he may, with consent of a majority of the council, take command of the police, maintain order and enforce laws.

Deleted: deputy mayor

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#### Sec. 25. Appointment of city clerk; assistant.

The city clerk shall be an unaffiliated city employee in the merit system of the city, shall be clerk of the council and, ex-officio, clerk of the Town of New London. The city clerk shall perform the duties imposed upon him by this act, the duties not inconsistent therewith imposed upon city clerks by law, the duties imposed by law upon town clerks, and such other duties as may be required by the council and mayor. All records of the city clerk shall have the same validity as records of town clerks and shall be, either by themselves or by certified copies thereof under the hand of the clerk and the seal of the city, evidence in all courts of the truth of the matters contained therein. The assistant city clerk shall be an unaffiliated city employee in the merit system of the city that, having duly qualified, may perform any or all of the duties of the city clerk, and all records and acts of the assistant city clerk shall have the same validity as the records and acts of the city clerk. The position and salary of the city clerk and assistant city clerk shall be established in the same manner as other unaffiliated city employees.

**Comment [A8]: CITY CLERK / FIRE DEPARTMENT CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 2. Voting "No" results in no change.

Deleted: The council shall, by a majority vote of all its members, appoint a city clerk who shall also be clerk of the council and, ex-officio, clerk of the Town of New London. The clerk shall not be appointed for a definite term but shall be removable at the pleasure of the council. He shall perform the duties imposed upon him by this act, the duties not inconsistent therewith imposed upon city clerks by law, the duties imposed by law upon town clerks, and such other duties as may be required by the council. All records of the city clerk shall have the same validity as records of town clerks and shall be, either by themselves or by certified copies thereof under the hand of the clerk and the seal of the city, evidence in all courts of the truth of the matters contained therein. The council may appoint an assistant city clerk who, having duly qualified, may perform any or all of the duties of the city clerk, and all records and acts of the assistant city clerk shall have the same validity as the records and acts of the city clerk.

**Sec. 27. Submission of ordinances to the mayor.**

Before any ordinance takes effect, council shall certify the ordinance to the mayor for his approval, who shall either (a) sign the ordinance, whereupon it shall be recorded by the city clerk and become law pursuant to this charter or (2) veto the ordinance, returning it to council within 10 days of council certification, with reasons of disapproval. If, within fifteen days of veto, six councilors vote to override the veto, the ordinance shall become law without mayoral approval and the city clerk shall certify it as such. If the mayor does not return an ordinance within ten days, the ordinance shall become law pursuant with this charter, without mayoral approval. The mayor may disapprove or reduce any item or items of any ordinance making appropriations, except the items in the annual operating budget ordinance making appropriations for (a) board of finance (b) referendum expenses (c) council legal counsel. Subject only to the foregoing exceptions, the approved part or parts of any ordinance making an appropriation shall become law, and the part or parts disapproved shall not become law unless passed by the council over the mayor's veto by a six-sevenths vote of all its members.

**Comment [A9]: ELECTED MAYOR CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted: Same—Signing; recording; publication**

**Deleted:** Upon final passage every ordinance or resolution shall be signed by the mayor or other presiding officer of the council, countersigned by the city clerk and recorded in a book kept by the clerk for that purpose. Every ordinance prescribing a penalty for the violation thereof shall, within ten days after its passage, be published in at least one daily newspaper of general circulation in the city, to be designated by the council. Other ordinances may also be published if the council considers it advisable.

**Deleted:** (S.A. No. 95 of 1967)¶

**Comment [A10]: TECHNICAL CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Deleted:** fifteen

**Comment [A11]: TECHNICAL CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Deleted:** mayor

**Deleted:** The annual compensation commencing the first Monday of December next following the adoption of this charter revision shall be one thousand and no/100 dollars (\$1,000.00) for each member of the city council and one thousand five hundred and no/100 dollars (\$1,500.00) for the mayor. Thereafter, such compensation shall be set by ordinance of the city council to be effective on the first Monday of December next following the regular city election to be held subsequent to such vote.

**Sec. 28. Same—Emergency.**

No ordinance shall go into effect sooner than thirty days after its passage by the council unless it be declared an emergency measure on the ground of urgent public need for the preservation of the public peace, health, safety or property, the facts showing such emergency and need being specifically stated in the measure itself. No ordinance shall be passed as an emergency measure except by the affirmative vote of not less than six-sevenths of the members of the council, and no ordinance or resolution granting, amending, renewing or extending any public utility franchise or other special privilege or permitting the leasing or sale of any real property of the city, or regulating or fixing rates to be charged for public utility services or creating bonds shall ever be so passed.

**Sec. 29. Compensation.**

The council may by ordinance provide for compensation of its members to be paid in equal monthly installments. The council president may be granted an additional compensation. (S.A. No. 481 of 1927, § 7; S.A. No. 378 of 1965, § 10; Referendum of 11-2-93)

**Sec. 30. Filing of petition permitted.**

If, within fifteen days after the final passage of a measure by the council or the city clerk's certification of a new ordinance per Sec. 27, a petition signed by electors of the city equal in number to at least ten per centum of those who voted at the last preceding regular city election be filed with the city clerk requesting that such measure, or any part thereof, be either repealed or submitted to a vote of the electors, it shall not, unless it be an emergency measure, become operative until the steps indicated herein have been taken. Such petition shall be known as a referendum petition.

**Comment [A12]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.



**Sec. 39. The mayor.**

There shall be a mayor who shall be the chief executive officer of the city and shall be responsible for the conduct of the executive and administrative work of the city and shall devote full time to the duties of that office. No person shall be eligible for or continue to hold the office of mayor, either by election or appointment, unless he is a citizen of the United States, and a qualified elector.

**Sec. 39a. Powers of the mayor.**

The mayor shall have the power to: \_\_\_\_\_ Approve or veto any ordinance in whole or in part adopted by council; appoint officers and employees, with the approval of the council, except as otherwise provided in this charter; exercise within the limits of the city all the emergency powers given to the chief executive officer of a municipality under the general statutes; call special meetings of the council when required by public necessity; supervise and administer all phases of the budgetary process; examine at any time all data and property of the city in the possession of any officer, agency, department, commission, board, authority employee or any

**Comment [A14]: ELECTED**  
MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted: Appointment of city manager**

**Deleted:** The council shall appoint a city manager who shall be the chief executive officer of the city. The city manager shall be chosen solely on the basis of executive and administrative qualifications and need not, when appointed, be a resident of the city or state. No member of the council shall be chosen as city manager.¶  
The city manager shall be removable at the pleasure of the council. Such removal by the council shall be by the affirmative vote of not less than five votes. The city manager shall be appointed for a definite term. Nothing in this section shall preclude the city council from renewing any contract with the city manager provided that no such renewal contract term shall exceed five (5) years.¶  
If removed at any time after serving six months, the city manager may demand written charges and the right to be heard thereon at a public meeting of the council prior to the date on which final removal would take effect, but pending and during such hearing the council may suspend the city manager from office. The action of the council in suspending or removing the city manager shall be final, it being the intention of this act to vest all authority and fix all responsibility for any such suspension or removal in the council. In case of the absence or disability of the city manager, the council shall designate some qualified person to perform the duties of the office. The city manager shall receive such compensation as may be fixed by the council.

**Deleted:** (Referendum of 11-2-93)¶

**Comment [A15]: ELECTED**  
MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted: Repealed**

other member of the municipal of the council; negotiate contracts for the city, subject to council approval; sign all contracts, bonds or other instruments requiring the consent of the municipality; exercise such other powers and perform such other duties as may be prescribed by this charter, ordinances, resolutions and applicable laws: shall be an ex-officio member of the board of education and all other boards, agencies, committees, authorizes, and commissions without vote.

**Sec. 39b. Duties and responsibilities of the mayor.**

**Deleted:** (S.A. No. 483 of 1933, § 6; Referendum of 11-2-93)¶

**Comment [A16]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

The mayor shall: Enforce the provisions of this charter, city ordinances and all general laws applicable thereto; report annually to the council and to the public a statement of the finances and general conditions of the affairs of the city; submit to the council for its consideration and adoption not later than ninety days before the end of the fiscal year an annual operating budget and a capital budget; see to it that the city does not, except in case of unforeseeable emergency, incur a deficit in any fiscal year; establish schedules and procedures to be followed by all municipal departments, offices and agencies in connection therewith; direct and control all departments of the municipal government and require each department to make an annual and such other reports on its work to council; supervise the care and custody of all municipal property, institutions and agencies; make recommendations concerning the nature and location of municipal improvements and execute improvements determined by the council.

**Sec. 39c. Compensation.**

**Comment [A17]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

The salary shall be set by the city council by ordinance, in the year preceding the mayoral election and shall not be increased or diminished during the mayor's term of office.

**Sec. 39d. Organization of the office of the mayor.**

**Comment [A18]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

- (a) The mayor may appoint a personal secretary or equivalent positions. In addition, the mayor may employ such other staff necessary for the administration of official duties as the council may provide. All such assistants and staff shall be appointed by the mayor and shall serve at the pleasure of the mayor.
- (b) The budget shall provide for a chief administrative officer who shall be the principal managerial aide to the mayor. The chief administrative officer shall be unclassified employee of the city and shall be appointed by and serve at the pleasure of the mayor. Said chief administrative officer shall be appointed on the basis of substantial executive and administrative experience, qualifications and knowledge.

**Sec. 39e. Reserved.**

**Comment [A19]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Sec. 39f. Temporary absence, disability or vacancy.**

**Comment [A20]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

In the event that the mayor is temporarily absent or disabled and is, because of such absence or disability, unable to perform the duties of the mayor's office, the council president, or in the president's absence or disability, such member as the council shall designate, shall exercise the power of the mayor, except that until such absence of disability of the mayor has continued for thirty (30) days, the acting mayor shall not have power to appoint or remove officers or employees. The compensation for the acting mayor shall be determined by the council but shall in no event exceed in proportion the salary of the mayor. Absence from the city shall not constitute temporary absence in the event the mayor is in contact with the chief administrative officer by electronic or voice communications. The council shall provide by ordinance a procedure for determining said absence or disability. The office of mayor shall be deemed vacant if the mayor dies, retires, resigns, becomes ineligible to serve, or removes from the city. In any such event, an election to fill a vacancy for the unexpired term in the office of mayor shall be held at the next municipal or general election occurring more than thirty days after the vacancy occurs, unless the vacancy occurs in the last year of the term, in which event a mayor shall be chosen by the council by a majority vote of all its members. Any person so chosen to fill a vacancy shall continue in office until a successor is elected and has qualified. Any place held, or which might be held, by a person so chosen to fill a vacancy shall be regarded as a place to be filled at the next municipal or general election next held after such vacancy occurs.

**Sec.39g. Election and term.**

**Comment [A21]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

The mayor shall be elected at-large, by a plurality of the electors of the city and shall serve for a term of four years. Upon adoption of this charter, a city election shall be held on the first Tuesday after the first Monday of November. Thereafter, the mayor shall be elected quadrennially.

**Sec. 40. Administration of city affairs by mayor and merit system.**

**Comment [A22]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

The mayor shall be responsible for the proper administration of the affairs of the city and to that end shall make all appointments in the administrative service of the city, except as otherwise provided in this act and except in such cases as the mayor may authorize the head of a department or office to appoint subordinates in such department or office. Said appointments and promotions in the administrative service of the city shall be made in accordance with procedures prescribed by the city's personnel board, established by ordinance, on the basis of merit and shall include, but not be limited by, considerations of education, training, competitive examination, experience and the recommendation of the immediate supervisor, and shall give some weight to seniority or tenure with the city, and shall be made without regard to disability, sexual orientation, race, color, religion, marital status, national origin, citizenship, sex, age or political affiliation. Neither the council nor any of its committees or members shall dictate, or attempt to dictate, the appointment of any person to office or employment by the mayor, or in any manner interfere with the mayor or prevent the mayor from exercising the mayor's own judgement in the appointment and removal of officers or employees in the administrative

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- Deleted:** The city manager shall see that the laws of the state and the ordinances of the city and the articles of the city charter are enforced.
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service of the city. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the mayor's office, and neither the council nor any member thereof shall give orders to any subordinate of the mayor either publicly or privately.

(Referendum of 11-8-77; Referendum of 11-2-92)

Deleted: city manager

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**Sec. 41. Mayor or his delegate may appear before council.**

Any administrative officer of the city in matters relating to the functions of their office and the mayor at any time shall have the right to appear before the council or any of its committees for the purpose of expressing their views on matters pending before it.

**Comment [A23]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

Deleted: Presence of manager at council meetings; recommendation of budget.

**Sec. 42. Appointment of health officer.**

The mayor shall appoint a health officer and shall prescribe the duties to be performed by such officer, and subject to the approval of the council, shall fix his compensation. Said health officer shall have and perform all the duties required by the general statutes to be performed by city health officers, and shall perform such other duties as the council has prescribed by ordinance. Said health officer shall hold office at the will of the mayor and may be removed by him.

Deleted: The city manager shall have the right to be present at all meetings of the council and of its committees and to take part in their discussions. He shall prepare and submit the annual budget estimate and make such other recommendations to the council concerning the affairs of the city as may seem to him desirable.

**Comment [A24]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Sec. 43. Establishment of departments.**

There shall be a department of law, a department of finance and such other departments and offices as may be established by ordinance. The council may discontinue any department or office established by ordinance, and may determine, combine, distribute or abolish the functions and duties of departments and offices so established; but no function or duty assigned by this charter to the department of law or the department of finance shall be abolished or assigned to any other department or office. No administrative department or office shall be established or discontinued until the recommendation of the mayor thereon shall have been heard by the council.

**Comment [A25]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

Deleted: city manager

**Sec. 44. Appointment of directors and department heads.**

A director of law shall be appointed by the mayor, with council approval, without definite term and may be removed at the pleasure thereof. He shall appoint and may remove such assistants and subordinates as the council may authorize him to employ. All other directors and heads of administrative departments and offices shall be appointed by the mayor on the basis of executive and administrative ability and of training and experience in the work which they are to administer. All such officers shall be responsible to the mayor.

**Comment [A26]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Sec. 47. Investigations of department conduct.**

The council, the mayor or any person or committee authorized by either of them shall have power to inquire into the' conduct of any department or office of the city and to make investigations as to the city affairs, and for that purpose may subpoena witnesses, administer oaths and compel the production of books and papers. The council and or mayor shall designate a police officer to serve such subpoenas. Any person who, being sworn as a witness in any such inquiry or investigation, shall be guilty of wilful false swearing, shall be deemed to have committed the crime of perjury and shall be prosecuted and punished therefor.

**Comment [A27]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

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**Sec. 48. Director of law.**

The director of law shall have practiced as an attorney at law in the state of Connecticut for at least five years. He shall be head of the department of law and as such shall be the chief legal advisor of and attorney for the city and of all officers and departments thereof in matters relating to their official duties. When so requested he shall give advice in writing to the council,

**Comment [A28]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

the mayor or any head of a department or office of the city upon any question of law involving their respective powers or duties. He shall prosecute or defend all suits for and in behalf of the city and shall prepare all contracts, surety bonds and instruments, in writing, in which the city is concerned, and endorse on each his approval of the form and correctness thereof. No such surety bond, contract or instrument shall become effective without such endorsement of the director of law thereon. During the absence or disability of the director of law, an assistant director of law appointed under the provisions of section forty-four of this charter shall have full authority to perform all the duties of the director of law.  
(S.A. No. 440 of 1941)

Deleted: city manager

#### Sec. 49. Director of finance.

The mayor shall appoint a director of finance who shall be a qualified accountant of at least five years' experience, who shall have charge of the department of finance and the administration of the financial affairs of the city, including the keeping and supervision of all accounts; the collection of taxes; the custody and disbursement of city funds and money; the making and collection of special assessments; the assessment of property for taxation; the issuance of licenses; the collection of license fees; the control over expenditures; the purchase, storage and distribution of supplies needed by the city; and such other duties as the council may by ordinance require.

Comment [A29]: ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

Deleted: city manager

#### Sec. 50. Keeping of accounts for all departments and offices; financial reports.

Accounts shall be kept by the department of finance for all departments and offices of the city. The forms of all such accounts and of the financial reports rendered to or by the department of finance shall be prescribed by the director of finance. The accounts and accounting procedure of the city shall be adequate to record all cash receipts and disbursements, all revenues accrued and liabilities incurred and all transactions affecting the acquisition, custody and disposition of values, and for making such reports of the financial transactions and condition of the city as may be required by law or ordinance. Financial reports shall be prepared for each quarter and fiscal year and for such other periods as may be required by the mayor or the council.

Comment [A30]: ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

Deleted: with the approval of the city manager and the council

Deleted: city manager

**Sec. 52a. Appropriating board.**

There shall be in said city an appropriating board consisting of the members of the council and the members of the board of finance. The president of the council shall be the chairman of said board and the city clerk shall be clerk of said board and keep the records thereof. Meetings of said board shall be called in the manner provided for the calling of special meetings of the council.

(S.A. No. 479 of 1933, § 2)

**Editor's note**—Section number added by editor.

**Comment [A31]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** chairman

**Sec. 52c. Mayor to submit annual estimate of expenditures and revenues for ensuing fiscal year.**

Not later than ninety days before the commencement of each fiscal year the mayor shall prepare and submit to the council and to the board of finance an estimate of the expenditures and revenues of all city departments, divisions and offices for the ensuing fiscal year. Such estimate shall be compiled from detailed information obtained from the several departments,

**\*Editor's note**—Section number added by editor.

**†Editor's note**—Sections 3 to 6 have been designated by the editor as sections 52c, 52d, 53a and 53b respectively.

**Deleted:** Manager

**Comment [A32]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

divisions and offices on uniform blanks furnished by the finance director. The classification of the estimate of the mayor shall be as nearly uniform as possible for all departments, divisions and offices, and shall give the following information: (a) A detailed estimate of the expense of conducting each department, division and office of the city for the ensuing fiscal year; (b) expenditures for corresponding items for the current-and last preceding fiscal years, with reasons for increases or decreases recommended as compared with the appropriations for the current year; (c) the value of supplies and materials on hand at the date of the preparation of the estimate; (d) the total amount of city debt outstanding, with a schedule of maturities of bond issues; (e) the amount required for interest on city debt, for sinking funds and for maturing serial bonds; (f) an itemization of all anticipated revenue of the city from sources other than taxes; (g) an estimate of the amount of money required to be raised from taxes which, with revenue from other sources, would be necessary to meet the expenditures proposed; (h) such other information as the mayor may think desirable or as may be required by the council. (S.A. No. 479 of 1933, § 3; S.A. No. 409 of 1967, § 3; Referendum of 11-8-77)

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**Editor's note**—Section number added by editor.

#### Sec. 52d. Annual appropriations ordinance—Submitted to the board of finance.

Not later than sixty days before the commencement of each fiscal year the council shall submit to the board of finance an ordinance for all city proposed appropriations and a separate ordinance for all board of education proposed appropriations for the ensuing fiscal year. (S.A. No. 479 of 1933, § 4; S.A. No. 409 of 1967, § 4; Referendum of 11-8-77)

**Comment [A33]: APPROPRIATION ORDINANCE CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 4. Voting "No" results in no change.

Deleted: appropriations proposed by it for the ensuing fiscal year, including the appropriations proposed by it for the endowed high schools of the city

**Editor's note**—Section number added by editor.

#### Sec. 53. Same—Public hearing; publication.

Immediately after the submission of the proposed appropriation ordinances to the board of finance, the council shall make provision for a public hearing thereon before the appropriating board and shall cause such proposed ordinances to be published at least once in a daily newspaper of said city, to be designated by the council, together with the date of the public hearing thereon. The council shall also provide for the printing of a reasonable number of copies of such proposed ordinances for distribution to citizens. (S.A. No. 479 of 1933, § 5)

**Comment [A34]: TECHNICAL CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

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**Sec. 53b. Same—Passage; limitation.**

Not later than thirty days before the commencement of each fiscal year the council shall pass the appropriation ordinances for such fiscal year and by ordinance lay such taxes upon the assessment list of the city last completed as together with estimated revenue from other sources will meet the appropriations made. The money appropriated by any appropriation ordinance passed by the council shall not exceed the amount recommended or approved by the board of finance except upon the approval of at least eight members of the appropriating board at a meeting of said board.

(S.A. No. 479 of 1933, § 7; S.A. No. 409 of 1967, § 6)

**Editor's note**—Section number added by editor.

**Comment [A35]:** APPROPRIATION ORDINANCE CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 4. Voting "No" results in no change.

**Deleted:** ordinance

**Sec. 53c. Fiscal year.**

Until otherwise provided by ordinance or statute, the fiscal year of the city shall begin on the first day of July of each year and shall end with the last day of June.

(S.A. No. 479 of 1933, § 8)

**Editor's note**—Section number added by editor.

**Comment [A36]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Deleted:** with the first Monday in October

**Deleted:** Sunday preceding the first Monday in October of the next succeeding year

**Sec. 53d. Payment of tax levy in installments to support appropriations ordinance.**

The city's tax levy to meet the appropriation ordinances for each fiscal year shall be due and payable in two installments, the first of which shall be due and payable on the first day of such fiscal year and the second of which shall be due and payable on the succeeding January first.

(S.A. No. 409 of 1967, § 7)

**Editor's note**—Section number added by editor; ordinance accepting the act which created this section is printed in section 19-3 of the Code of Ordinances.

**Comment [A37]:** APPROPRIATION ORDINANCE CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 4. Voting "No" results in no change.

**Deleted:** ordinance

**Sec. 54. Appropriations for current expenses prior to effective date of annual appropriation ordinance.**

Before the annual appropriation ordinances have become effective, the council, upon the recommendation in writing of the mayor, may make appropriations for the current expenses of the city, chargeable to the appropriation for the year when effective, to an amount not to exceed for any item twenty-five per cent of the amount appropriated for a similar item for the previous year. No other liabilities shall be incurred by any officer or employee of the city; except in accordance with the provisions of the annual appropriation ordinances.

(S.A. No. 479 of 1933, § 9)

**Comment [A38]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Sec. 56. Transfer of unencumbered balances.**

Upon request of the mayor the council may transfer any part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation for the current year has proved insufficient, or may authorize a transfer to be made between items appropriated to the same office, department or division, but appropriations made for school purposes shall not be transferred to any other department or purpose, and transfers between items of school appropriations shall be made by the council only upon request of the board of education.

**Comment [A39]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

**Deleted:** school visitors

**Sec. 61. Claims paid upon certified voucher and warrant.**

No claim against the city shall be paid except upon a voucher certified by the head of the appropriate department or other division of the city government, and by means of a warrant on the city treasury issued and signed by the director of finance and countersigned by the mayor or other officer of the city authorized by the council to countersign warrants. The director of finance shall examine all pay rolls, bills and other claims and demands against the city, and shall issue no warrant for payment unless he finds that the claim is in proper form, correctly computed and duly certified; that it is justly and legally due and payable; that an appropriation has been made therefor which has not been exhausted or that the payment has otherwise been legally authorized; and that there is money in the city treasury to make payment. He may require any claimant to make oath to the validity of a claim. He may investigate any claim, and for that purpose may administer oaths and examine witnesses, and if he finds a claim to be fraudulent, erroneous or otherwise invalid, he shall not issue a warrant therefor.

**Comment [A40]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

#### Sec. 64. Treasurer.

The mayor shall appoint a treasurer who shall be an officer in the department of finance subordinate to the director thereof. The city treasurer shall be the custodian of all public money of the city and of all other public money coming into that person's hands as city treasurer. All money received by any officer or employee of the city for or in connection with the business of the city shall be paid promptly into the city treasury and shall be deposited with such responsible banking institutions located within the State of Connecticut or other depositories pursuant to Connecticut General Statutes Sections 7-400 through 7-402 or as shall agree to pay the highest rate of interest. All interest on money so deposited shall accrue to the benefit of the city. The council shall provide, by ordinance for the prompt and regular payment and deposit of all city money as required by this section. Public money, other than that of the city, coming into the hands of the city treasurer shall be preserved and kept in the place or places provided by any law applicable thereto. The city treasurer shall disburse the public money of the city only upon warrant issued by the director of finance as hereinbefore provided, and the city treasurer shall disburse all other public money coming into his hands as city treasurer, in pursuance of the provisions of any law applicable thereto. The city treasurer shall be treasurer of the school fund and of the town deposit fund, and shall have the powers and perform the duties conferred upon and required of town treasurers by any law not inconsistent with this act.  
(Referendum of 11-2-93)

**Comment [A41]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

#### Sec. 65. Assessor.

The mayor shall appoint an assessor who shall be an officer in the department of finance subordinate to the director thereof. The assessor shall have the powers and perform the duties that now are, or hereafter may be, conferred upon or required of town assessors by law. He shall have such number of assistants, clerical and otherwise, as may be authorized by the council. It shall be the duty of the assessor to recommend to the council, and with their approval to install, a scientific and equitable system for the assessment of property within the city. Any such system so installed shall provide, among other things, for tax maps and land value maps, and for recording separately the value of each parcel of land and the value of any building or structure thereon. The tax maps shall show the dimensions of each separately assessed parcel of land within the city, and the land value maps shall show the value per front foot, according to a standard unit of depth, of all land abutting on any street, public way or place of the city; but as to acreage tracts, the land value maps shall show the value per acre. All such maps and other records of the assessor shall be open to public inspection at all reasonable times. The assessor and his assistants, or any of them, shall have power and authority to administer oaths in connection with the valuation of property for city taxation.

**Comment [A42]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

**Sec. 66. Board of Assessment Appeals.**

The mayor shall appoint three electors of the city as a board of assessment appeals for the purpose of equalizing assessments upon all property assessed for city purposes. The members of said board shall hold office until their successors are chosen by the mayor. It shall be the duty of the full board to examine, and if necessary revise, assessments as returned by the assessor to the end that all property within the city shall be assessed as nearly as may be at its present true and accurate value and in all other respects perform the duties of tax review as prescribed by the laws of this state. The board shall have power to summon any property owner of the city before them, to take testimony under oath, and to require the production of books, papers,

**Comment [A43]: ELECTED MAYOR CHANGES:** Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** tax review

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\***Editor's note**—Section number added by editor.

†**Editor's note**—Section 3 is designated as section 65c.

accounts and other evidence of the ownership and value of property within the city. Any person failing to appear before the board when summoned, or failing to give or produce such testimony or evidence, shall be guilty of contempt and may be punished by the board by a fine not exceeding five hundred dollars.

(1939 Cumm. Supp. to Gen. Stats, of 1930, § 108e)

**Editor's note**—1939 Cumm. Supp. to Gen. Stat. of 1930, not included in 1949 or 1958 revisions of general statutes.

**Sec. 67. Collector of taxes.**

The mayor shall appoint a collector of taxes, who shall be an officer in the department of finance, subject to the director thereof. The mayor may in his discretion appoint either the city treasurer or the assessor to be collector of taxes. The collector of taxes having been duly qualified, and having received a warrant for that purpose, signed by the mayor, shall have the same duties and powers in the premises as the collectors of town taxes have under the provisions of the general statutes and shall be accountable to the mayor in the same manner as the collectors of town taxes are to the selectmen. In case the said collector of taxes shall not perform his duties, then the mayor shall issue his warrant, directed to any proper officer, to collect out of the estate of the negligent collector, the sums due him, or that have not been collected by reason of his negligence; said city may pursue any, or all remedies available in law for such negligence, and to make good to said city any loss or damage, by reason of the same. Said collector of taxes shall have power, and it shall be his duty to collect all taxes, assessments and liens, whether made before or after his appointment; and upon his death, resignation, removal or inability to serve, or upon the appointment of his successor, all books, rate bills, vouchers and papers under his control relating to said taxes, assessments and liens, shall be immediately delivered to his successor in said office or duty, who shall then have a right to the possession of the same, and who shall be deputed by a proper warrant, signed by the mayor to collect all such taxes, assessments and liens remaining due; it shall also be the duty of said collector of taxes to collect the personal tax, provided for by the statutes of this state and he shall be the person to whom the mayor shall deliver the rate bill for said personal tax and the warrant therefor, as provided by section 1298 of the general statutes; and said collector of taxes shall have all the powers and duties in relation to such personal tax as are provided for by the statutes of this state relating to the collection of such tax; in addition to the duties prescribed by statute, the collector of taxes shall perform such other duties as shall be prescribed by ordinance, relating to the collection of such tax.

**Comment [A44]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Sec. 68. Purchasing agent.**

The mayor shall appoint a purchasing agent who shall be an officer in the department of finance subordinate to the director. The purchasing agent shall make all purchases for the city under such regulations as may be prescribed by ordinance and shall, under regulations prescribed by ordinance, sell all real and personal property of the city not needed for public use or that may have become unsuitable for use. The purchasing agent shall have charge of such storerooms and warehouses of the city as the council may by ordinance provide. Before making any purchase or sale, the purchasing agent shall give opportunity for competition under such

**Comment [A45]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

rules and regulations as may be established by ordinance. Supplies required by any department, division or office may be furnished upon requisition from the stores under the control of the purchasing agent, and whenever so furnished shall be paid for by the department, division or office to which furnished by warrant made payable to the credit of the store's account. The purchasing agent shall not furnish any supplies to any department, division or office unless there be to the credit of such department, division or office an available appropriation balance in excess of all unpaid obligations sufficient to pay for such supplies.  
(Referendum of 11-2-93)

**Sec. 69. Public work or improvement—Contract or direct labor.**

Any public work or improvement may be executed by contract as may be determined by the city council or by direct labor of the city as may be determined by the mayor. All contracts for more than an amount that has been established by ordinance shall be awarded to the lowest responsible bidder after public advertisement and competition as may be prescribed by ordinance, but the mayor shall have power to reject all bids and readvertise. All advertisements as to contracts shall contain a reservation of the foregoing right. Contracts for public work shall be signed by the mayor after approval thereof by the council.  
(S.A. No. 40 of 1967; Referendum of 11-2-93)

**Comment [A46]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Sec. 70. Same—Modification of contracts.**

When it becomes necessary in the opinion of the mayor to make alterations or modifications in a contract for any public work or improvement such alterations or modifications shall be made only when authorized by the council upon the written recommendation of the mayor. No such alteration shall be valid unless the price to be paid for the work or material, or both, under the altered or modified contract shall have been agreed upon in writing and signed by the contractor and the mayor prior to such authorization by the council.

**Comment [A47]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

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**Sec. 71. Audit of officer's accounts.**

Upon the death, resignation, removal or expiration of the term of any officer of the city, other than the director of finance, the director of finance shall cause an audit and investigation of the accounts of such officer to be made and shall report to the mayor and the council. The council may at any time provide for an examination or audit of the accounts of any officer or department of the city government. As soon as practicable after the close of each fiscal year an audit shall be made of the accounts of all city officers; and upon the death, resignation or removal of the director of finance an audit shall be made of his accounts. Such annual audits shall be made by qualified public accountants, selected by the council, who have no personal interest, direct or indirect, in the financial affairs of the city or of any of its officers or employees. In lieu of the annual audit provided for above, the council may provide, during any fiscal year, for an audit of the accounts of all city officers to be made monthly during such fiscal

**Comment [A48]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

year or at any other intervals as determined by the council, provided a final report, showing the results of the monthly or other periodic audits for the entire fiscal year, be submitted to the council as soon as practicable after the close of each fiscal year.  
(S.A. No. 203 of 1937)

### Sec. 73. Composition of police force.

The police force of the city shall consist of a chief of police and such number of other officers and patrolmen as the council may, by ordinance, prescribe. The mayor shall appoint the chief of police and the services of the chief of police and the other officers, members and employees of the police force shall be under his control in the performance of his duties as chief executive of the city.

(S.A. No. 384 of 1955, § 1)

**Comment [A49]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

### Sec. 74. Veteran reserve.

In addition to the regular police force there shall be an honorary grade, known as the veteran reserve, to which the council, upon recommendation by the mayor, may transfer any member of the regular force who, through age, or physical disability incurred in the discharge of duty, or through long and faithful service, shall become permanently disqualified for the more active duties of the regular grade. The pay of members of the veteran reserve shall be fixed by the council in accordance with the amount of duty performed, and shall not be more

**Comment [A50]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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than one-half or less than one-fourth of the rate of compensation received by such members at the time of their transfer from the regular grade. Any member of the veteran reserve may be removed in the same manner as a member of the regular force.

**Sec. 76. City sheriffs—Appointment; fees.**

The mayor may appoint as city sheriffs two or more persons, one of whom shall be either a member of the regular police force or of the veteran reserve. In addition to his powers and duties as a member of the police force or veteran reserve, the person so appointed, as well as the other persons appointed as city sheriffs, shall have, within the limits of the city, the same power and authority as state marshalls and shall be liable to the same penalties for neglect of duty. All fees collected by the city sheriff, who is not a member of the city police force or veteran reserve, shall be retained by him in lieu of salary.  
(S.A. No. 509 of 1939)

**Comment [A51]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

**Deleted:** county sheriffs

**Sec. 77a. Fire department.**

The paid fire forces of the City of New London shall consist of one chief and such other officers as the council may from time to time designate, and such number of regular and substitute firemen and other employees as the mayor, with the approval of the council, may from time to time determine. The chief shall be appointed by the mayor.

**Comment [A52]:** CITY CLERK / FIRE DEPARTMENT CHANGES: This section will be added as a result of a "Yes" vote on Question 2. Voting "No" results in no change.

**Sec. 80. Board of education—Election.**

There shall be in the City of New London a board of education who is to be elected by the city at large at the regular city elections to be held on the first Tuesday after the first Monday in November, 1967 - The nomination of members to the board shall be made in the same manner as nominations are made for the city council. The seven candidates receiving the highest number of votes at the regular city election shall be declared to be elected for a term of two years from the first Monday of December next following the regular city election. The entire board of seven members shall be so elected at each biennial election hereafter. Members of the board of education holding office at the time this act takes effect shall continue to hold office until their successors have been duly nominated, elected and qualified under provisions of this act.  
(S.A. No. 482 of 1933, § 1; S.A. No. 378 of 1965, § 13)

**Comment [A53]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Deleted:** and the board of selectmen

**\*Editor's note**—Charter amendments approved by the voters on November 2, 1995, deleted selectmen from the charter; hence, § 78, election of selectmen as amended by S.A. No. 483 of 1933, § 8 and S.A. No. 378 of 1965, § 11; and § 79, powers and duties of selectmen, were deleted at the city's instruction. Prior to deletion, § 79 bore no history note.

**Sec. 82. Same—In charge of schools.**

The board of education shall be in charge of the city schools and shall be responsible for conducting such schools as an educational system. It shall determine all educational policies including the establishment of courses of study, the fixing and maintenance of educational standards, the choice of all books and material used in instruction, the establishment and maintenance of discipline in the schools and the location, type, design, repair and equipment of school buildings.

**Comment [A54]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

**Deleted:** school visitors [education]

**Sec. 83. Same—Choosing of superintendent, teachers, officers and employees; compensation.**

The board of education shall choose a superintendent of schools who shall be responsible to the board for the execution of its policies and for conducting the schools under its control in conformity with the rules of the board and the laws of this state. The board shall also choose such teachers and other officers and employees as may be required to conduct the city schools. The compensation of the superintendent of schools and of all teachers, officers of instruction and supervision and employees shall be fixed by the board of education.

**Comment [A55]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

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**Sec. 85. Appropriations and purchases.**

Estimates of the expense of conducting all schools, exclusive of the endowed high schools of the city, for which appropriations are sought shall be prepared and submitted to the council by inclusion in the annual budget estimate of the mayor not later than ninety days before the end of each fiscal year, but shall be in such amount for each item and purpose as may be specified by the board of education. Upon receipt of the budget estimate and in preparation of the annual appropriation ordinance as provided in the charter of the City of New London, the council shall use the itemized budget submitted by the board of education as a basis for the appropriation for school purposes. After the passage of the appropriation ordinance, the money appropriated by the city for school purposes shall be expended in the discretion of the board of education, provided nothing herein shall be construed to make any other person than the city

**Comment [A56]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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treasurer the custodian of public money of the city appropriated for schools. All purchases by and for the city schools shall be made through the purchasing agent of the city, on detailed requisitions authorized by the board of education, and in accordance with such regulations for public advertisement and bidding as may be prescribed by ordinance in the case of purchases by and for other city departments and offices. Accounts for schools shall be kept by the department of finance as for all other departments of the city, and expenditures authorized by the board of education shall be paid only upon vouchers certified by the superintendent of schools as authorized by the board of education, and by means of a warrant on the city treasury issued and signed by the director of finance and countersigned by the mayor. Expenditures by the board of education shall not exceed the appropriations made by the council for school purposes. The board of education may transfer any unexpended or uncontracted for portion of any appropriation for school purposes to any other item of such itemized appropriation, and the secretary of the board of education shall forthwith notify the director of finance of any such transfer. At the close of each fiscal year the unencumbered balance of each appropriation for schools shall revert to the city treasury and shall be subject to future appropriation by the council. The construction, repair and maintenance of school buildings and grounds shall continue to be in charge of such department or departments or of such office or offices, subject to the mayor, as the council may by ordinance provide, and in order that the electors of the city may have the right to a referendum thereon as in other cases, any resolution or vote of the board of education authorizing the sale or purchase of land, or the lease of any real property, shall be subject to the approval of the council. The members of the board of education and of other boards requesting appropriations for school purposes, or committees thereof appointed for that purpose, shall attend all public hearings on the annual appropriation ordinance when appropriations for school purposes are being considered.

(S.A. No. 392 of 1931, § 1; S.A. No. 479 of 1933, § 3)

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**Sec. 87. Powers and duties of city.**

The City of New London shall be substituted for and take the place of the Town of New London in all matters concerning education. All rights, powers and duties relative to education, schools, school districts, school houses, school lands, playgrounds, school property and school offices heretofore conferred or imposed, or hereafter to be conferred or imposed, upon towns are hereby conferred and imposed upon the City of New London. All the powers, obligatory duties, rights and property of the City of New London in respect to education and schools, whether as such city or as a union school district, shall be vested in and belong to the City of New London which shall, for all intents and purposes, be a union school district. The board of education shall be charged with and perform the duties of a school committee and shall have all the powers and act in the place and stead of such committee in all things. The powers and duties of the City of New London specified in this section shall be exercised and performed by the board of education except as otherwise provided in this act or unless otherwise ordered by the city.

**Comment [A57]: TECHNICAL CHANGES:** Identified changes to this section will be approved as a result of a “Yes” vote on Question 3. Voting “No” results in no change.

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**Sec. 97. Resolution of intention; report by mayor.**

Before proceeding to take any land for public use, lay out, widen, extend, exchange or discontinue any street, public way, place or park, establish any wharf, dock, landing place or building line, or to lay or construct any sewer or surface drain, or to take any land or interest in land therefor, or to take any lands or interest therein within the limits of said city for the

**Comment [A58]: ELECTED MAYOR CHANGES:** Identified changes to this section will be approved as a result of a “Yes” vote on Question 1. Voting “No” results in no change.

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**\*Editor's note**—A referendum held Nov. 3, 1981, § I, approved an amendment to the Charter which provided for the repeal of Art. XII, §§ 88—91, City Planning, and Art. XIII, §§ 93—95, Platting, and enacted new provisions relative to a planning and zoning commission designated as § 160.

purposes of the city's water supply, or make any public improvement for which benefits or damages may be assessed against, or in favor of property affected thereby, the council shall first declare by resolution its intention so to do. Any such resolution shall give a general description of the action contemplated and shall direct the mayor to have a report prepared thereon. The report so prepared shall include all necessary surveys, plans, profiles and specifications; estimates of the total cost of any such action, work or improvement; estimates of the value of any land proposed to be taken; and estimates of the amount of benefit or damage which should be assessed against or in favor of any property affected. A copy of the report shall, when completed, be placed on file for public inspection in such office of the city as the mayor may designate. When any portion of the cost of a public work or improvement is to be assessed against property benefitted thereby, the resolution of the council shall so declare and indicate the portion of such cost to be so assessed.

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### **Sec. 98. Notice of contemplated action.**

Upon the completion of the report, as provided in the foregoing section, notice thereof and of the contemplated action of the council shall be given to all parties in interest, by publication not less than three times in at least one daily newspaper of general circulation in the city to be designated by the council. Such notice shall be addressed to all persons interested in lands which would be affected by the proposed action, naming each person known to be so interested, and shall specify a time and place when such persons may appear before the board of compensation and be heard respecting the price of any land proposed to be taken, or any assessment of benefits or damages, as set forth in the report prepared under the direction of the mayor. The meeting of the board of compensation pursuant to any such notice shall not be sooner than one week after the last publication thereof as provided in this section.

**Comment [A59]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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### **Sec. 99. Hearings; report of board of compensation.**

The board of compensation shall meet at the time and place specified in such notice, and may continue to meet by adjournment to such time and place as it may deem proper until all parties in interest, as named in the notice, shall have had a reasonable opportunity to be heard. After such hearings, which shall be based on the report prepared under the direction of the mayor, the board of compensation shall report its recommendations to the council. Such report shall indicate the amount which, in the judgment of the board, should be paid for any land proposed to be taken, the probable cost of making any public improvement or of taking any other action indicated in the published notice as contemplated by the council, and shall assess benefits and damages against or in favor of property which would be affected by such improvement or action, if benefits are to be assessed and if there will be any damages. The report of the board of compensation to the council shall be in writing and shall have annexed thereto a survey showing the particular designation of any land proposed to be taken and the layout of any work or improvement contemplated.

**Comment [A60]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Sec. 148. Financial interests of officers and employees.**

No member of the council or any other officer or employee of the city shall have a financial interest, direct or indirect, in any contract with the city, or be financially interested, directly or indirectly, in the sale to the city of any land, material, supplies or services, except on behalf of the city as an officer or employee or as a member of the council. Any wilful violation of this section shall constitute malfeasance in office, and any member of the council, officer or employee found guilty thereof shall thereby forfeit his office or position. Any violation of this section, with the knowledge, expressed or implied, of the person or corporation contracting with the city, shall render the contract involved voidable by the mayor or the council. This section shall not apply to members of the council, the board of education, the Ocean Beach Park board, the finance board, the zoning board of appeals, the planning board or any other board of

**Comment [A61]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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the City of New London, elective or appointive, who may be members of a firm or corporation which has secured a city contract after public advertisement for bids as the lowest responsible bidder, provided such member of any such board is not otherwise an officer or employee of the city.

(S.A. No. 449 of 1947, § 1)

**Sec. 151. Continuation of officers and administrative service.**

From and after the approval of this act by the electors of New London, as hereinafter provided, the only elective officers of the town and city government of New London shall be the mayor, members of the city council, and the members of the board of education. All persons holding administrative office at the time this act takes effect, whether elected or appointed, shall continue in office in the performance of their duties until provision shall have been made in accordance with the provisions of this act for the performance of such duties or the discontinuance of such office. The powers conferred and the duties imposed by law upon any office, commission, board or department of the city or town abolished by this act shall, upon the taking effect thereof, be exercised and discharged by the office or department designated by the council unless otherwise provided herein.

**Comment [A62]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

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**Deleted:** and the selectmen

**Sec. 154. Veteran firemen reserve.**

In addition to the paid members of the fire department there shall be an honorary grade known as the veteran firemen reserve to which the council, on recommendation by the mayor, may transfer any member of the regular fire department force who, through age, or physical disability incurred in the discharge of duty, or through long and faithful service shall become permanently disqualified for the more active duties of the regular grade. The compensation of members of the veteran firemen reserve shall be fixed by the council in accordance with the amount of duty performed and shall not be more than one-half or less than one-fourth of the rate of compensation received by such members at the time of their transfer from the regular grade. Any member of the veteran firemen reserve may be removed in the same manner as a member of the regular force.

**Comment [A63]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

**Sec. 155. Pension roll.**

The council, upon recommendation of the mayor, may provide a pension roll to which may be transferred any appointive officer or employee of any department of the city, except the police and fire departments, who through age, or physical disability incurred in the discharge of duty or through long and faithful service shall become permanently disqualified for further service. The compensation of such officers or employees of the city transferred to the pension roll shall be fixed by the council and shall not be more than one-half or less than one-fourth of the rate of compensation received by such officers or employees at the time of their transfer from active service.

**Comment [A64]:** ELECTED MAYOR CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 1. Voting "No" results in no change.

**Deleted:** city manager

**Sec. 157. Effective.**

If when submitted to the electors of the city as provided in the foregoing section a majority of the electors voting on the question vote in favor of the adoption of this act it shall be deemed adopted; and for the purpose of nominating and electing members of the council ~~and~~ members of the board of ~~education~~ it shall be in effect from and after such adoption.

**Comment [A65]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.

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- Deleted:** , and in all other respects it shall be in effect from and after the first Monday in October, 1921

**Sec. 171. Gender of words.**

Whenever in this Charter a word is used with reference to a natural person, denoting the person's gender, it shall apply to both sexes, unless otherwise expressly provided.

**Comment [A66]:** TECHNICAL CHANGES: Identified changes to this section will be approved as a result of a "Yes" vote on Question 3. Voting "No" results in no change.