

CHARTER

CHARTER OF THE CITY OF WEST HAVEN

[HISTORY: Adopted by referendum 6-27-1961; revised 11-7-1967; 11-5-1974; 11-4-1980; 11-6-1984; 11-7-1995; 11-4-2009]

CONSTRUCTION OF CHARTER WORDS AND PHRASES

1. Throughout the City Charter of the City of West Haven, words importing the masculine gender may be applied to females and words importing the feminine gender may be applied to males.
2. Whenever a title which denotes gender is applied to an individual, the title shall suit the gender of the individual.

CHAPTER I - INCORPORATION AND GENERAL POWERS

SECTION 1: INCORPORATION: All the inhabitants dwelling within the territorial limits of the Town of West Haven, as heretofore constituted, shall be a body politic and corporate under the name of the "City of West Haven," hereinafter called the "City," and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by said Town and not inconsistent with the provisions of this Charter.

SECTION 2: RIGHTS AND OBLIGATIONS: All property, both real and personal, all rights of action and right of every description, and all securities and liens vested or inchoate in said Town of West Haven, as of the effective date of this Charter, are continued and will be vested in said City; and said City shall continue to be liable for all debts and obligations of every kind, for which said Town of West Haven shall be liable on said date whether accrued or not. Nothing herein shall be construed to affect the right of said City to collect any assessment, charge, debt or lien in existence at the time this Charter is adopted. If any contract has been entered into by said Town prior to the effective date of this Charter, or if any bond or undertaking has been given by or in favor of said Town of West Haven, which contains a provision that the same may be enforced

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by the Board of Selectmen or by any commission, board, department or officer therein named, which is abolished by the provisions of this Charter, such contracts, bonds or undertakings shall in no manner be impaired, but shall continue in full force and effect and the powers conferred and the duties imposed, with reference to the same upon the Board of Selectmen or any such commission, board, department or officer shall, except as otherwise provided in this Charter hereafter, be exercised and discharged by the Mayor of said City.

SECTION 3: GENERAL GRANT OF POWERS: The City shall have, in addition to the powers specifically granted by this Charter and the Constitution and General Statutes of the State of Connecticut as amended, all powers, implied in or incident to the powers expressly granted herein and all other powers incident to the powers expressly granted herein and all other powers incident to the management of the property, government and affairs of the City, including the power to enter into contracts with the United States, the State or any political subdivision thereof, for services and the use of facilities, the exercise of which powers is not expressly forbidden by the Constitution and the General Statutes. The City shall have the power, by its Council, to assess benefits and may award damages to any owner of property damaged by or taken for any public work or improvement, and shall have a lien against the property so benefited for the fair share of the cost of such public work or improvement as the Council may determine; and the owners of such properties shall have such rights and the City such power and authority, with respect to such assessments and awards, as are provided in the General Statutes. The enumeration of particular powers in this and any other article of this Charter shall not be construed as limiting this general grant of powers but shall be considered as an addition thereto.

SECTION 4: ISSUANCE OF BONDS: The City shall have the power to incur indebtedness by issuing its bonds or notes as provided by the General Statutes, subject to the limitations thereof and the provisions of this Charter. The issuance of bonds and notes shall be authorized by ordinance. The City shall have power, by ordinance, to issue notes in anticipation of taxes to be paid within the same fiscal year.

SECTION 5: SAVING CLAUSE: All special acts and special laws relating to the Town of West Haven and the Town of Orange, except those pertaining to the First Fire Taxation District, the Allingtown Fire District

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and the West Shore Fire District, are repealed as of the effective date of this Charter, except that no rights, privileges or immunities of the Town of West Haven, and no interest of any past or present town employee in any pension fund, retirement rights or otherwise, shall be affected thereby.

Nothing in this Charter shall be construed to repeal or terminate any ordinance, rule or regulation of the Town of West Haven, when not inconsistent with the provisions of this Charter, and they shall remain in full force and effect until repealed or amended or re-enacted by the Council as hereinafter provided.

SECTION 6: BOUNDARIES OF THE CITY: The Boundaries of the City of West Haven, hereby created, shall be identical to and consolidated with those of the Town of West Haven as the same have been legally established; and the term "City" as used in the Charter, unless the context otherwise indicates, shall be taken to include the Town.

SECTION 7: VOTING DISTRICTS: The City of West Haven shall be divided into ten voting districts, the boundaries of which shall be set by the City Council. Thereafter the City Council when mandated by statute or from time to time may divide and re-divide the City into as many voting districts as it deems necessary.

CHAPTER II - ELECTIONS AND OFFICERS

SECTION 1: APPLICABILITY OF GENERAL STATUTES: Except as specifically provided herein, the General Statutes of the State of Connecticut relating to the qualifications and admission of electors, the conduct of elections, the counting of votes and the declaration of the results, and elections in general shall be applicable to all General Municipal, Primary or Special Elections held in accordance with the provisions of this Charter. The City Council shall provide by ordinance for the manner of warning City elections and Special Elections any may provide any additional regulations in respect to Elections.

SECTION 2: GENERAL MUNICIPAL ELECTIONS: A General Municipal Election shall be held on the First Tuesday after the First Monday of November, 1961, and biennially thereafter for the purpose of

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electing, in accordance with the provisions of this Charter, a Mayor, thirteen members of the City Council, a Treasurer, a Tax Collector, a Town and City Clerk, and three members of the Board of Tax Review. The terms of offices referred to above shall commence on the First Sunday of December following election and shall run for a period of two years and until their successors have qualified.

SECTION 3: NOMINATIONS OF CANDIDATES: Candidates for the various elective offices in the Municipal Government shall be nominated in accordance with the provisions of the General Statutes of the State of Connecticut relative thereto. The candidates for the respective offices receiving a plurality of the votes cast shall be deemed elected, except as may otherwise be provided in this Charter.

SECTION 4: QUALIFICATIONS OF ELECTIVE OFFICERS: In addition to such other qualifications as may be required by law or by other provisions of this Charter, all elective officers of the municipality shall be electors of the municipality for at least one year at the time of their election, and if any such officer shall cease to be a resident of the municipality, his office shall be deemed vacant, and said vacancy shall be filled in accordance with Chapter II, Section 6, below.

SECTION 5: ELECTION OF CITY COUNCIL: At the General Municipal Election in November, 1961, and biennially thereafter, each political party within the municipality of West Haven, shall nominate not more than one candidate for the office of Councilman in each of the ten voting districts. The candidate receiving the highest number of votes in each district shall be elected Councilman from that district. In addition, each party shall nominate not more than two candidates for the office of Councilman-at-Large, who shall be elected by all the electors in the municipality eligible to vote at such election. The three candidates receiving the highest number of votes shall be elected Councilman-at-Large. Any Councilman elected from a district who moves out of the district which he represents during his term of office, shall be disqualified to hold his office as of the date of said removal. No Councilman shall be appointed to any other City position of profit during the term of office for which he has been elected, nor shall he resign during his term of office and take any other City position of profit.

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SECTION 6: VACANCIES IN ELECTIVE OFFICES: Whenever a vacancy occurs in any elective office and no other specific provisions for filling such vacancy is made in this Charter, the City Council shall elect a successor, within a reasonable time thereafter, to fill such vacancy until the First Sunday in December, following the next biennial election; provided, however, that such successor shall be chosen from the political party, if any, which nominated his predecessor and provided further that if such predecessor was nominated by more than one political party, the successor shall be chosen from the greatest number of votes. Whenever a vacancy occurs on the City Council, the remaining members of said Council shall, within thirty (30) days following the vacancy elect a successor, to serve for the remainder of that term. Such successor shall conform to all of the qualifications of this section and qualifications set forth in Section 4 above.

SECTION 7: VOTING MACHINES: Voting on measures solely relating to the City of West Haven which are by this Charter or any law, required to be submitted to the electors of said City, shall be by voting machines, as approved by the State of Connecticut .

SECTION 8: CONSTABLES: On the first business day following the First Sunday in December, 1981, the Mayor shall appoint five (5) Constables, one Constable to serve for one year, one for two years, one for three years, one for four years and one for five years, not more than three of whom shall be members of the same political party. Thereafter, the Mayor shall appoint one Constable each year for a term of five (5) years. Each Constable shall have the powers and duties conferred on Constables by the Statutes of the State of Connecticut.

CHAPTER III - THE MAYOR

SECTION 1: ELECTION AND QUALIFICATION: On the First Tuesday after the First Monday of November, 1961, and biennially thereafter, a Mayor shall be chosen by the voters of the City. Such Mayor and City Council shall serve for a term of two years and until their successors shall be elected and qualified, and shall take office on the First Sunday of December, following such election. The Mayor shall be the chief executive officer of the City, and shall receive such compensation as

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shall be fixed by the Council. The Mayor shall devote full time to the duties of his office.

SECTION 2: VACANCY IN THE OFFICE OF THE MAYOR: In the event of the death or resignation of the Mayor, the Chairman of the City Council shall succeed to the office until the expiration of the term for which the Mayor was elected, he will receive the same compensation as Mayor. In the event that a temporary vacancy exists in the office of the Mayor due to illness or temporary absence from the City, or at the discretion of the Mayor in the event where the Mayor knows that he will be unavailable, the Chairman of the City Council shall assume the office of Mayor for the period of the temporary vacancy. In any event, if the Chairman is required to hold such office for more than 48 continuous hours, he will then receive the same compensation as the Mayor. In the event the Chairman of the City Council is unable or unwilling to assume the office of the Mayor and fails to so assume the position within 24 hours of the time from which the Mayor becomes unavailable, then at that time any four (4) councilmen may by joint action call a special meeting of the City Council to appoint another member of the City Council to fill the vacancy. For the purposes of this paragraph, the term vacancy shall be defined as inability by reason of illness, unavailability or otherwise, to perform the duties of Mayor under this Charter.

SECTION 3: APPOINTMENTS AND TERMS: The Mayor shall appoint all department heads, commissions, non-classified personnel and other officers and employees of the City, except as otherwise specifically provided by this Charter, and except employees in the offices of elected officers or boards and officers and boards appointed by the Council. Except as where otherwise provided for by statute or by this Charter, the terms of all such appointees shall terminate on the same date as the term of the Mayor. Such appointees, however, may continue to serve until their successors are appointed and qualified.

SECTION 4: POWERS AND DUTIES: The Mayor shall be directly responsible for the administration of all departments and agencies and all officers in charge of persons or boards appointed by him, and shall supervise and direct the same. He shall see that all laws and ordinances governing the City are faithfully executed. The Mayor shall have the following power and duties:

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- (a) To remove for cause any officer or employee appointed by the Mayor, except a member of the Classified Service, provided the officer or employee shall have been legally served with a written notice of the intention of the Mayor to remove him, containing a clear statement of the grounds for such removal, and of the time and place of hearing to be held not less than ten days after service of such notice, at this hearing he shall be given the opportunity with counsel to be heard. Said hearing shall be open to the public at the option of such officer or employee.
- (b) To call special meetings of the City Council whenever he deems it expedient.
- (c) To attend meetings of the City Council and be heard on all matters before said Council, and to recommend such measures as he may deem necessary or expedient, but in no case shall the Mayor have the privilege or right to vote on matters before the Council.
- (d) To keep the City Council fully advised as to the financial condition of the City.
- (e) To sign all bonds, deeds and all written instruments and documents of the City, including those authorized by the City Council or any officer or Board of the City, in accordance with authority conferred by this Charter, by the ordinances of the City, or by the laws of the State.
- (f) To convene whenever he shall deem it necessary, for consultation and advice upon the affairs of the City, the various department heads, or any of the members of various municipal boards and commissions, the Corporation Counsel, or such other executive or administrative officers of the City, and at any such meeting, may call on any of said officers for reports as to matters under their management, which officers shall comply with the request or order of the Mayor in regard thereto within a reasonable time.

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- (g) To conduct examinations and investigations, without notice, into the municipal affairs of any department, officer or employee of said City.
- (h) To see that all contracts and agreements with the City are faithfully kept and performed.
- (i) To exercise all other powers conferred by the laws of the State upon any municipal chief executive, except as otherwise provided in this Charter.
- (j) To countersign checks drawn on the City in the absence of the City Treasurer or Director of Finance.
- (k) To designate a suitable name for all accepted new streets and for all existing streets without names.
- (l) Except as otherwise provided herein, to serve as an ex officio, non-voting member, of all boards and commissions, and to call meetings of same when he deems it appropriate and in the best interests of the City of West Haven.

SECTION 5: ANNUAL REPORT: At the end of each fiscal year, the head of each department, board or commission shall file with the mayor a complete report of the operations, both physical and financial, of such department, board or commission during the preceding fiscal year. Within three months after the end of the fiscal year; the Mayor shall have a summary of these reports prepared for distribution to the City Council and taxpayers and for public inspection at reasonable times. The Mayor shall include the most recent audited general fund balance sheet and statement of revenues, expenditures and changes in fund balance which is available at the time the Annual Report is prepared.

SECTION 6: TEMPORARY TRANSFERS OF PERSONNEL BETWEEN DEPARTMENTS: The Mayor shall have the power, whenever the interests of the City require to assign any employees of one department to the temporary performance of similar duties in any other department.

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SECTION 7: POWERS AS TO LEGISLATION: The Mayor shall have such powers as to all legislation as are defined in Chapter IV, Section 8 of this Charter.

CHAPTER IV - THE CITY COUNCIL

SECTION 1: THE COUNCIL: There shall be a City Council consisting of thirteen members. No member of the Council shall assume any other office of profit under the government of the City of West Haven, nor shall he during the term of office for which he is elected be appointed to any other office, or position of profit under the government of the City of West Haven nor shall he resign during his term of office and take any other office or position of profit under the government of the City of West Haven.

SECTION 2: ORGANIZATION: On the first business day following the First Sunday of December, after each biennial election, the City Council shall be convened by the Mayor, for the purpose of organization. At said meeting, the Council shall elect from among its members a Chairman to hold office for the term for which the Council was elected. In the event of his absence at any meeting, the members present shall, by majority vote, elect a Chairman of that meeting. Whenever a vacancy occurs in that office of Chairman, the members of the City Council shall elect a new Chairman to fill the office for the period of the vacancy. The Chairman shall have the same right to vote as any other member.

SECTION 3: PROCEDURE: At its organizational meeting, the Council shall fix the time and place of its regular meetings and shall provide a method for the calling of special meetings. It shall determine its own rule of procedure. Seven members shall constitute a quorum, but no ordinance, resolution, or vote, except a vote to adjourn or to fix the time and place of the next meeting, shall be adopted by less than seven affirmative votes. Notwithstanding said council provisions concerning special meetings, no said provisions shall act in contravention of the provisions of this Charter.

SECTION 4: CLERK: The City Council shall, by a majority vote, appoint a Clerk of the City Council for a term to run concurrently with that of the City Council. Said Clerk shall not be a member of the City

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Council. It shall be his duty to make and keep a journal containing a record of all votes and all other proceedings at all meetings of said City Council. He shall be the custodian of said journal and of all books, papers, documents and electronic recordings belonging to said City Council. All such books, papers and documents kept by said Clerk shall be open to the inspection of the public of the municipality at any reasonable time. He shall post and serve notices which may be required by the City Council, and shall have the power to issue certified copies of any order, rule, regulation or ordinance issued or authorized by said City Council. It shall be his duty to transmit, or cause to be transmitted, any order issued by said City Council to any person to whom it is intended; and he shall keep a proper record of all orders, rules, regulations and a properly indexed book of ordinances adopted by said City Council. He shall also perform such other duties incident to his office as the City Council shall direct. He shall be sworn to faithfully perform his duties and shall give such bond and receive such compensation as the City Council shall prescribe. The City Council shall have the power to fill any vacancy in the office of the Clerk of the City Council.

SECTION 5: GENERAL POWERS AND DUTIES: The Council shall have the powers and duties which, on the effective date of this Charter, were conferred by law upon the Selectmen, the Representative Town Meeting, boards, offices and commissions of the Town of West Haven existing immediately prior to such date except as otherwise specifically provided in this Charter. The legislative power of the City shall be vested in the Council. Said Council shall have the power to enact, amend or repeal ordinances not inconsistent with this Charter or the General Statutes. The Council may, upon recommendation of the Mayor, contract services and the use of facilities of the United States or any federal agency, the State of Connecticut and any political subdivision thereof, or may, by agreement, join with any such political subdivision to provide services and facilities. Said Council shall fix the compensation of all elected and appointed officers of the City. Said Council may fix the charges, if any, to be made for services by the City or for the execution of powers vested in the City as provided in Chapter I of this Charter.

SECTION 6: FORM OF ORDINANCE: Every ordinance, except the annual budget ordinance and any ordinance making a general codification of ordinances, shall be confined to a single subject, which shall be clearly expressed in its title. All ordinances which amend or repeal existing

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ordinances shall set forth in full the section or subsection to be amended or repealed and if it is to be amended shall indicate matter to be omitted from the revised section or subsection by enclosing the same in brackets, and new matter by underscoring. When published, prior to enactment in a daily newspaper) of general circulation in the City of West Haven, the same indications of omitted and new matter shall be used except that italics may be submitted for underscoring. The enacting clause of all ordinances shall be: "Be it ordained by the City Council of the City of West Haven..."

SECTION 7: PROCEDURE FOR PASSAGE OF ORDINANCES:

- (a) **INTRODUCTION:** Any ordinance may be introduced at any regular meeting by any member of the City Council, any committee thereof or the Mayor. Upon introduction, it shall be read a first time and a day set, not earlier than seven days thereafter, at which the City Council or a committee thereof, shall hold a public hearing thereon. Such hearing may be at a regular meeting of the City Council or at such time and place as said Council may prescribe, and it may be adjourned from time to time. It shall be the duty of the Clerk of the Council to publish, except as hereinafter provided, every ordinance introduced, within ten (10) working days after its introduction, as a paid advertisement once in a daily newspaper having a circulation in the City of West Haven, together with a notice of the time and place at which the public hearing thereon shall be held. Said Clerk shall file for permanent record a copy of such published notice and shall keep available for inspection copies of such ordinances. Newspaper publication may be dispensed with in the case of an ordinance making a general codification of ordinances or if the title and a summary as to the intent and effect of the ordinance is prepared and published, provided such ordinance has been published in its entirety for public distribution, which, shall be available in the Office of the City Council. In such cases a description of the ordinance prepared by the Clerk shall be published once in a daily newspaper as above provided, together with the notice of hearing.
- (b) **SECOND READING, PASSAGE:** No ordinance, except an emergency ordinance, shall be read the second time and passed

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prior to the next regular meeting following its introduction nor until the conclusion of public hearing thereon. If on second reading, an ordinance other than an emergency ordinance is amended, the amendment shall be published, as provided in the case of a newly introduced ordinance and shall not be finally passed prior to the next regular meeting following such amendment.

- (c) **READING OF ORDINANCES:** As to any ordinance which is greater in length than two double spaced typed 8 1/2 by 11 pages, the Council shall at the option of the Chairman be allowed to read a summary of the proposed ordinance at both the first and second readings. The summary shall be prepared by the Chairman with the aid and counsel of the office of the Corporation Counsel and sufficient copies of both the ordinance and the summary shall be available for distribution to the public.
- (d) **EMERGENCY ORDINANCES:** Emergency ordinances for the immediate preservation of the public peace, health, welfare or safety may be introduced at any regular meeting or at any special meeting, provided the subject thereof has been included in the notice for such special meeting. An emergency ordinance shall be read a first time and published as provided in the case of other ordinances, and may be read a second time and passed with or without amendment at any regular or special meeting subsequent to such publication. An emergency ordinance shall contain a specific statement of the emergency. Two-thirds vote of the entire Council shall be necessary for the adoption of an emergency ordinance.

SECTION 8: APPROVAL OF ORDINANCES AND APPROPRIATIONS BY THE MAYOR: Every proposed ordinance shall, before it becomes effective, be certified to the Mayor for his approval. If he approves it, the Mayor shall sign the proposed ordinance and it shall become effective as of the date set forth in the ordinance or the date of the Mayor's signature if the effective date precedes his signature.

If he disapproves of a proposed ordinance, he shall return it to the Council with the reasons for his disapproval within ten days after he

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receives it. If the Council shall pass the proposed ordinance by an affirmative vote of at least nine members at the next regular meeting after such ordinance has been returned with the Mayor's disapproval, it shall become effective without his approval as of its effective date or the date of said Council action if the effective date is earlier than said action. If the Mayor does not return the proposed ordinance within the time required, it shall become effective without his approval on its effective date or immediately if said effective date has passed within the initial ten day period.

SECTION 9: INVESTIGATION: The City Council shall have power, by nine votes of its entire membership, to investigate any officer, department or board and shall have power to compel the attendance of witnesses and the production of data at any meeting of the City Council or any committee thereof, and to the extent allowed by law, for that purpose may issue subpoenas, which shall be signed by the Chairman of the Council. The investigation may be conducted by a committee appointed by the Council for that purpose, provided that not more than half of the members of such committee shall be members of the same political party. The Chairman of the Council may as he deems necessary and appropriate, request and be given the aid of counsel by and through the office of the Corporation Counsel.

SECTION 10: ANNUAL AUDIT: The City Council shall annually designate an independent public accountant or firm of independent accountants to audit the books and accounts of the City as provided in the General Laws of the State of Connecticut. No independent public accountant or firm of independent accountants shall be designated for more than three (3) years.

CHAPTER V - TOWN AND CITY CLERK

There shall be a Town and City Clerk elected at the regular City election in November, who shall serve for a term of two years and until his successor shall be elected and qualified and shall take office on the First Sunday of December, following the City election. Prior to taking office, the Town and City Clerk shall post a bond in such amount as shall be prescribed by the City Council. The Town and City Clerk shall have all the powers and duties conferred or imposed on Town Clerks and City

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Clerks by the General Statutes of the State of Connecticut, and he shall also be the Registrar of Vital Statistics and shall exercise all the powers and discharge all the duties conferred and imposed by law upon such Registrars, accept services on behalf of the municipality, issue official municipal notice, and shall have such other powers and duties incident to his office as may be prescribed by the City Council or in this Charter.

No City Clerk shall assume any other office of profit under the government of the City of West Haven, nor shall he during the term of office for which he is elected be appointed to any other office, or position of profit under the government of the City of West Haven, nor shall he resign during his term of office and take any other office or position of profit under the government of the City of West Haven.

He shall appoint and remove, subject to the provisions of this Charter, all deputies, assistants or employees in his office.

All fees collected by the Town and City Clerk shall be paid into the City Treasury. The Town and City Clerk shall be the keeper of the official seal of the municipality. The Town and City Clerk shall receive such salary as shall be set by the City Council.

CHAPTER VI - TREASURER

SECTION 1: CITY TREASURER: There shall be a City Treasurer elected for a term of two years to run concurrently with that of the Mayor.

SECTION 2: DUTIES: He shall have custody of all funds belonging to the City and shall deposit the same in such banks and trust companies as may be designated by the City Council. He shall be the Treasurer of all governmental proprietary and fiduciary funds of the City. He shall consult with the Director of Finance relevant to the Director of Finance's investment and re-investment of City funds, which funds shall be invested in accordance with the General Statutes and authorized resolutions of the City Council. No disbursements shall be made from any fund of the City except by check which is first signed by the Director of Finance and then signed by the Treasurer. Each check shall be based upon a voucher or payroll dully approved by the Director of Finance. Before affixing his signature to any check, the Treasurer shall satisfy

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himself that such check represents the payment of a duly authorized obligation of the City, provided that he shall not make payment for any services not performed or materials not received, with the exception of vacation salary prepayments. He shall keep such books and records as he may deem proper and necessary. He may upon written request require any City Official, Department Head or City employee to furnish him within a reasonable time, any records or statistical information that he may deem proper and necessary within the scope of his office. His official bond shall be a surety company bond in an amount sufficient to satisfy the requirements of the General Statutes and Ordinances of the City.

No Treasurer shall assume any other office of profit under the government of the City of West Haven, nor shall he during the term of office for which he is elected be appointed to any other office, or position of profit under the government of the City of West Haven, nor shall he resign during his term of office and take any other office or position of profit under the government of the City of West Haven.

CHAPTER VII - BOARD OF ASSESSMENT APPEALS

SECTION 1: BOARD OF ASSESSMENT APPEALS: There shall be a Board of Assessment Appeals elected for a term of two years to run concurrently with that of the Mayor. Said Board shall consist of three members, no more than two of whom shall be members of the same political party. They shall receive such compensation as shall be prescribed by the City Council.

SECTION 2: POWERS AND DUTIES: The Board of Assessment Appeals shall have the same powers and duties as conferred and imposed by the General Statutes upon Boards of Assessment Appeals of Towns.

CHAPTER VIII - REGISTRARS OF VOTERS

There shall be not less than two Registrar of Voters who shall be elected quadrennially to hold office for the term of four years from the Wednesday following the First Monday of the January next succeeding their election in November, 1984 until the Wednesday following the First Monday of the fifth January succeeding their election. They shall appoint

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deputies and assistant registrars as provided in the General Statutes. The Registrars of Voters shall be nominated, elected and hold office as provided in the General Statutes and shall have such powers and duties as are conferred or imposed on them by the General Statutes and the provisions of this Charter.

No Registrar of Voters shall assume any other office of profit under the government of the City of West Haven, nor shall he during the term of office for which he is elected be appointed to any other office, or position of profit under the government of the City of West Haven, nor shall he resign during his term of office and take any other office or position of profit under the government of the City of West Haven.

The General and Deputy Registrars of Voters shall receive such compensation as may be established by the City Council.

CHAPTER IX - DEPARTMENT OF EDUCATION

SECTION 1: ELECTION: There shall be a Board of Education consisting of nine (9) members not more than six (6) of whom shall be from the same political party.

At the General Municipal Election held in November, 1975, four (4) members shall be elected for a term of two (2) years, no more than three (3) of whom shall be of the same political party, and five (5) members shall be elected for a term of four (4) years, no more than three (3) of whom shall be of the same political party.

Biennially thereafter all vacancies created by the expiration of terms of office shall be filled by election for four (4) year terms with no more than three (3) of those elected being of the same political party.

They shall serve without compensation.

The Mayor shall be an ex officio member of said Board and shall vote only in the event of a tie.

Members of the Board of Education shall serve until their successors are elected and qualified.

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The Mayor shall recommend to the City Council a name to fill any vacancies caused by death, resignation or otherwise for appointment for the remainder of the unexpired term. Said appointment shall be subject to confirmation by a majority vote of the City Council. Said new member shall assume office at the next meeting of the Board of Education. The individual appointed shall be of the same political party as the vacating member so as not to upset the ratio as outlined in Section 1.

SECTION 2: ORGANIZATION: The members of the Board of Education elected in November, 1975, shall be organized by the Mayor during the month of December and biennially thereafter, and they shall elect a Chairman, Vice-Chairman and Secretary/Treasurer for the ensuing two years. The Board shall adopt its own procedures and set its own meetings.

After the newly elected Board of Education has been sworn in and duly organized, the terms of office of all appointed members of the old Board of Education shall terminate.

SECTION 3: POWERS: The Board of Education shall have all the powers and duties conferred and imposed by the laws of the State of Connecticut on Boards of Education in respect to the control and management of schools, except as otherwise provided in this Charter.

SECTION 4: BUDGET AND PURCHASING: It shall be the duty of the Board of Education to submit its budget estimates to the Mayor at the same time as other departments of the City, and in the established form. All purchasing shall be done through the City Department of Finance, in accordance with the specifications as to quality supplied to said Department of Finance by the Board of Education.

CHAPTER X - DEPARTMENT OF FINANCE

There shall be a Department of Finance which shall supervise the following activities of accounting, purchasing, insurance, tax collection and property assessing.

PART A: FINANCE DIRECTOR

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SECTION 1: The Mayor shall appoint a Director of Finance, whose term shall run concurrently with that of the Mayor. He shall administer the Department of Finance and shall be a person skilled in municipal accounting, budgeting and financial control. He shall undertake the duties assigned by the Mayor and shall:

- (a) Compile for the Mayor the estimates for the budget and the capital budget;
- (b) Supervise and control all encumbrances, expenditures and disbursements to ensure that budget appropriations are not exceeded;
- (c) Submit monthly to the Mayor for presentation to the City Council at its second regular meeting in each month a public statement showing the amount of each appropriation, electronic and hard copy with transfers to and from the same, the allotments thereof to the end of the preceding month, the encumbrances and expenditures charged against each appropriation during the preceding month, the total of such charges for the year to the end of the preceding month, and the unencumbered balance remaining in such appropriation and the allotments thereof. He shall also submit at the same time a statement showing the revenue estimated to be received from each source, the actual receipts from each source for the preceding month, the total receipts from each source for the year to the end of the preceding month, and the balance remaining to be collected. The Director of Finance shall furnish to the head of each department, office and agency, a copy of the portion of the above statement relating to his department, office or agency; and
- (d) Prepare for the Mayor and City Council as of the end of each fiscal year a complete financial statement and report of the financial transactions of the City for the preceding year.
- (e) Be responsible for the keeping of accounts and financial records of the custody and disbursements of City funds and money; the control over expenditures and such other powers and duties as

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may be required by ordinance or resolution of the City Council. Accounts shall be kept showing the agencies of the City. Forms for such accounts shall be prescribed by the Director of Finance with the approval of the Mayor. Financial reports shall be prepared monthly and for each fiscal year and for such other period as may be required by the Mayor;

- (f) Be responsible for all purchases and insurance. Pursuant to rules and regulations established by ordinance shall contract for and purchase all supplies, materials, equipment and contractual services required by any department, office or agency of the City government except that all purchasing done for the Board of Education shall be done in accordance with the specifications as to quality by said Board of Education.
- (g) Establish, with the approval of the Mayor and after consultation with the heads of the departments concerned, and to enforce standard specifications for all supplies, materials and equipment required by the City government except as to the purchase for the Department of Education exempted above;
- (h) Prescribe the time of making requisitions for such supplies, materials and equipment and the future period, which said requisitions are to cover;
- (i) Inspect or cause to be inspected all deliveries of such supplies, materials and equipment, and to cause tests to be made when necessary in order to determine their quality, quantity and conformance with specifications;
- (j) Supervise and control such central storerooms as the Council may provide by ordinance to serve the several departments, offices and agencies;
- (k) To transfer, with the approval of the Mayor, to or between departments, offices and agencies, or sell supplies, materials and equipment determined after consultation with the head of the department, office or agency concerned to be surplus, obsolete or unused;

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- (l) Maintain an inventory of all movable equipment belonging to the City;
- (m) Purchase at the expense of the City surety bonds for all officers and employees of the City required by law or by ordinance;
- (n) Obtain all insurance for the City and its property as the Council, upon the recommendation of the Mayor may authorize, and be responsible for the collection of insurance benefits and other matters relating to administration of the City's insurance;

SECTION 2: Purchases shall be made under such rules and regulations as may be established by ordinance.

SECTION 3: EXPENDITURES AND ACCOUNTING: (a) No purchase shall be made by any department, board, commission or officer of the City other than the Probate Court, except through the Director of Finance and such purchases shall be made under such rules and regulations as may be established by ordinance. The Director of Finance shall record the amount of authorized purchases and contracts for future purchases as encumbrances against the appropriation from which they are to be paid; (b) no voucher, claim or charge against the City shall be paid until the same has been audited by the Director of Finance or his agent and approved by him for correctness and legality. Checks shall be drawn by the Director of Finance for the payment of approved claims, which shall be valid only when countersigned by the Treasurer. In the absence or inability to act of either the Director of Finance or the Treasurer with respect to the above duty, the Mayor may be authorized to substitute temporarily for either but not both of them; (c) The Director of Finance shall prescribe the time at which and the manner in which persons receiving money for the City shall pay the same to the City Treasurer; (d) the several departments, commissions, officers and boards of the City shall not involve the City in any obligation to spend money for any purpose in excess of the amount appropriated therefor until the matter has been approved and voted by the Council, and each order drawn upon the Treasurer shall state the department, commission, board or officer of the appropriation against which it is to be charged. When any department, commission, board of officer, except the Board of Education, shall desire to secure a transfer of funds, in excess of Fifteen Hundred Dollars (\$1,500.00) in its or his appropriations from funds set apart for one

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specific purpose to another, before incurring any expenditure therefor, such department, commission, board or officer shall make application to the Council whose duty it shall be to examine into the matter, and upon approval of the Council such transfer may be made, but not otherwise. When said department, commission, board or officer shall desire to secure a transfer of funds in the amount of Fifteen Hundred Dollars (\$1,500.00) or less, said transfer of funds shall be made only after certification and approval by the Director of Finance and the Mayor; and the Director of Finance shall make a quarterly report to the City Council of all said transfers; (e) upon the request of the Mayor; but only within the last three months of the fiscal year, the Council may by resolution transfer any unencumbered appropriation; balance or portion thereof from one department, commission, board or office to another. No transfer shall be made from any appropriation for debt service and other statutory charges, or appropriations for the Board of Education; (f) additional appropriations over and above the total budget may be made from time to time by resolution of the Council, upon recommendation of the Mayor and certification from the Director of Finance that there is available an unappropriated and unencumbered general fund cash balance to meet such appropriations; (g) every payment made in violation of the provisions of this Charter shall be deemed illegal and every official authorizing or making such payment or taking part therein and every person receiving such payment or any part thereof shall be jointly and severally liable to the City for the full amount so paid or received. If any officer or employee of the City shall knowingly incur any obligation or shall authorize to make any expenditure in violation of the provisions of this Charter or take any part therein, such action shall be cause for his removal; (h) with the exception of those monies collected by the West Haven Water Pollution Control Commission, all monies received by the City of West Haven from whatever source shall be deposited in the City Deposit Fund. As to those monies collected and received on behalf of the West Haven Water Pollution Control Commission, they shall be kept in a fund established under the section of this Charter governing said commission. These funds will be administered by the Department of Finance in accordance with this Charter and State Statutes.

SECTION 4: From time to time the Mayor, with the advice of the Director of Finance, shall appoint such Assistant Directors of Finance as he deems appropriate. Such assistants shall work under the direction and

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supervision of the Director of Finance and their compensation shall be fixed by the City Council.

PART B: DIVISION OF TAX COLLECTION

SECTION 1: TAX COLLECTOR: The Tax Collector shall be the head of the Department of Tax Collection. He shall be elected for a term of two years to run concurrently with that of the Mayor. At the time of his election he shall have been a resident and elector of West Haven for at least one year. He shall receive such salary as shall be set by the City Council. The Tax Collector shall appoint all employees in his department subject to the provisions of this Charter.

No Tax Collector shall assume any other office of profit under the government of the City of West Haven, nor shall he during the term of office for which he is elected be appointed to any other office, or position of profit under the government of the City of West Haven, nor shall he resign during his term of office and take any other office or position of profit under the government of the City of West Haven.

SECTION 2: DUTIES: He shall receive and collect all taxes and assessments payable to the City and such other fees and licenses as may be assigned to him for collection by this Charter or by the City Council, and periodically or upon request of the Director of Finance turn the same over to the City Treasurer. He shall keep such books and records of the transactions of his office and use such forms of bills and receipts as may be prescribed by the Mayor, subject to the approval of the State Tax Commissioner. Except as otherwise provided in this Charter, he shall have such powers and duties as are conferred or imposed on Tax Collectors of Towns and Cities by the General Statutes. The Tax Collector of the City of West Haven shall serve as the Tax Collector of the First Fire Taxation District, the Allingtown Fire District and the West Shore Fire District. He shall maintain a municipal suspense tax book in accordance with the provisions of the General Statutes.

SECTION 3: COLLECTION TAXES: All City taxes in each fiscal year shall be due and payable in two equal installments on the first day of July and January, except that any tax of less than One Hundred Dollars (\$100.00) shall be due and payable in full on the first day of July. If any installment of such tax shall not be paid within thirty (30) days of the due

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date, such installment and all succeeding installments shall immediately become delinquent and shall be considered as having become due and payable at the same time and shall be subject to interest at the rate and in the manner provided by the General Statutes.

SECTION 4: ABATEMENT OF TAXES AND ASSESSMENTS: The Mayor and the City Council shall have and exercise all the powers with relation to the abatement of taxes and assessments as provided for by the General Statutes.

PART C: DIVISION OF ASSESSMENT

SECTION 1: ASSESSOR: The Mayor shall appoint an Assessor who shall be a Connecticut certified assessing officer.

In the event that a vacancy occurs, the Mayor shall appoint a successor.

The salary of the Assessor shall be set by the City Council.

SECTION 2: POWERS AND DUTIES: The Mayor with the advice and counsel of the Assessor shall employ such Deputy Assessors and Assistant Assessors as may be necessary to carry out the functions of this division. The Assessor shall have all the powers and perform all the duties that now are, or hereafter may be conferred upon or required of Tax Assessors by the General Statutes or by ordinance.

CHAPTER XI - DEPARTMENT OF PUBLIC WORKS

SECTION 1: There shall be a Department of Public Works which shall have supervision and control of the maintenance of all City owned structures except such structures as are under the control of the Board of Education, and of the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspecting of highways, sidewalks and curbs, sewers, sewage disposal, public drains, and other public improvements, city building; the preservation, care and removal of trees within highways or public places; all engineering work of the City; and garbage, rubbish and ash collection and disposal. Any provision of this Chapter to the contrary notwithstanding, the Department of Public Works may maintain and care

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for school buildings and grounds, but only if and to the extent and for the period requested by the Board of Education and approved by the Council, provided the costs are charged against the Board of Education's appropriations.

SECTION 2: THE COMMISSIONER OF PUBLIC WORKS: The Mayor shall appoint a Commissioner of Public Works, who shall be responsible for the efficiency, discipline, and good conduct of the Department, and who, in accordance with the provision of this Charter shall appoint such deputies, assistants and employees as he may deem necessary and prescribe their duties. He shall organize the work of the Department in such a manner as he shall deem most economical and efficient, and shall be charged with the care, maintenance and control of all equipment of the department.

SECTION 3: CITY ENGINEER: The Mayor shall appoint a City Engineer for a term equal to that of the Mayor, who shall be the head of the Bureau of Engineering. He shall receive such compensation as the City Council shall prescribe.

CHAPTER XII - HUMAN RESOURCES

PART A: DEPARTMENT OF HUMAN RESOURCES

SECTION 1: COMMISSIONER OF HUMAN RESOURCES: The Mayor shall appoint a Commissioner of Human Resources who shall be responsible for the efficiency, discipline and good conduct of the following departments: Health, Recreation, Elderly Services, Youth Services, Child and Adult Day Care Centers.

SECTION 2: POWERS AND DUTIES: The Commissioner shall supervise the daily operations of the aforementioned departments consistent to General Statutes and ordinances of the City and shall have such other powers and duties as the City Council may prescribe. The Commissioner shall be paid salaries established by the City Council. In the event that both a Commissioner and a Director of Human Resources co-exist, the Commissioner shall oversee their responsibilities.

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SECTION 3: DIRECTOR OF HUMAN RESOURCES: The Director shall be responsible for the efficiency of the following departments: Elderly Services, Youth Services, Child and Adult Day Care Centers.

SECTION 4: YOUTH SERVICE BUREAU: POWERS AND DUTIES: The Youth Service Bureau Coordinator will act as the Municipal Agent and administer all positive youth programs under the jurisdiction of the City and will adhere to all State mandates.

PART B: DEPARTMENT OF PUBLIC HEALTH

SECTION 1: BOARD OF HEALTH: The Mayor shall appoint a Board of Public Health consisting of five members, not more than three of whom shall be of the same political party. One member shall be appointed to serve one year, and one for five years, and annually thereafter one member of the Board shall be appointed for five years. All appointments shall be made on or before February 1st following adoption of this Charter.

Members holding office on the effective date of the Charter shall be permitted to complete the terms for which they were appointed.

SECTION 2: HEALTH OFFICER: The Mayor shall appoint Health Officer(s), who shall be doctors of medicine and they shall have such duties and authority as are prescribed in the General Statutes relating to Health Officers, and in addition, they shall have such other duties and authority, not inconsistent with the General Statutes, as may be established by ordinance.

SECTION 3: DIRECTOR OF HEALTH: The Director of Health shall administer the department to carry out the functions of the Public Health Department as established by General Statutes, Public Health Codes and City Ordinances.

SECTION 4: POWERS AND DUTIES: The Board of Health shall recommend for adoption by the City Council such rules, regulations and ordinances as in their judgment the public safety and health may require.

PART C: DEPARTMENT OF ELDERLY SERVICES

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SECTION 1: SENIOR CITIZEN COMMISSION: The Mayor shall appoint a Senior Citizen Commission consisting of five members, no more than three members of the same political party. One member shall be appointed to serve for one year, one for two years, one for three years, one for four years and one for five years, and annually thereafter one member of the Board shall be appointed for five years. All appointments shall be made on or before February 1st following the adoption of this Charter. Members holding office on the effective date of this Charter shall be permitted to complete the terms for which they were appointed.

SECTION 2: POWERS AND DUTIES: The Senior Citizen Commission shall recommend to the City Council the adoption of ordinances and regulations relative to the issues of the elderly population.

SECTION 3: ELDERLY SERVICES COORDINATOR: POWERS AND DUTIES: Shall administer and supervise transportation, nutrition and daily programs for the elderly under the jurisdiction of the City government's control.

PART D: DEPARTMENT OF PARKS AND RECREATION

SECTION 1: BOARD OF PARKS AND RECREATION: There shall be a Board of Parks and Recreation composed of five members, appointed by the Mayor not more than three of whom shall be members of the same political party. On September 1, 1975, the Mayor appointed one member to serve for one year, one member for two years, one member for three years, one member for four years and one member for five years. Thereafter, one member shall be appointed each year for a term of five years. All members shall be electors of the City of West Haven and shall serve without compensation.

SECTION 2: POWERS AND DUTIES: The Board of Parks and Recreation shall recommend to the Council the adoption of all ordinances relative to the use of parks, beaches, playing fields, playgrounds and nature centers and shoreline walkways, and the preservation of order, safety and decency therein, and to promulgate rules and regulations for the use thereof. The enforcement of any such rules and regulations shall be under the jurisdiction of the Department of Police.

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SECTION 3: DIRECTOR OF PARKS AND RECREATION: POWERS AND DUTIES: The Mayor shall appoint a Director of Parks and Recreation. The Director will have the immediate supervision and management of all public parks, beaches, playing fields, playgrounds and nature centers and shoreline walkways of the City, except those under the jurisdiction of the Department of Education.

CHAPTER XIII - PUBLIC SAFETY

The various governmental functions pertaining to Public Safety in the City of West Haven shall be grouped for purposes of convenience within this section.

PART A: DEPARTMENT OF POLICE

There shall be a Department of Police, which shall consist of a Board of Police Commissioners, a Chief of Police and such officers and employees of such ranks and grades as may be prescribed by the Board of Police Commissioners. The Department of Police shall be responsible for the preservation of public peace, prevention of crime, apprehension of criminals, protection of the rights of persons and property, enforcement of the laws of the State and the ordinances of the City, and all rules and regulations made in accordance therewith.

SECTION 1: BOARD OF POLICE COMMISSIONERS: There shall be a Board of Police Commissioners consisting of five members appointed by the Mayor with the approval of the City Council, not more than three of whom shall be members of the same political party. The Mayor shall appoint one member to serve for one year, one member for two years, one member for three years, one member for four years, and one member for five years from February 1, 1968. Thereafter, one member shall be appointed each year for a term of five years. At the time of their appointment, the members of the Board of Police Commissioners shall have been electors of the City of West Haven for at least one year, and shall serve without compensation. The Board of Police Commissioners shall be the traffic authority of the City of West Haven and shall have the following powers and duties: (a) to make all rules and regulations in conformity with the ordinances of the City and the General Statutes concerning the operation of the department and the conduct of all

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officers and employees thereof; (b) to appoint the Chief of Police and all other officers and employees of the department, provided, however, that no persons shall henceforth be appointed a policeman in the City of West Haven unless he shall have passed an examination conducted by a disinterested person or persons as to his educational, physical and general qualifications as the Board of Police Commissioners shall specify, and no person shall be appointed who shall fail to attain a rating of sixty per centum (60%) under the examination herein provided for. All appointments to the Police Force of said City shall be made by said Commissioners from the two candidates or applicants for appointments rated first and second, under such examination. Any persons appointed a policeman under the provisions of this act shall remain in office until removed for cause, which cause shall be only such as shall affect his efficiency as a police officer and shall not be political, racial or religious. No action as to removal shall be final, however, until due notice has been given to the individual concerned and a proper hearing granted to him; at such hearing, he shall be entitled to be represented by counsel. No Chief, Deputy Chief, Captain, Lieutenant or Sergeant of the Police Department shall be removed from the Police Department or demoted from the rank held by him except in the manner provided herein for the removal of a policeman. This act shall not be construed to require the examination of any Chief or Deputy Chief; (c) to be responsible for the care and custody of all property used by the department; (d) to formulate and establish the policies of the department.

SECTION 2: POLICE CHIEF: The Chief of Police shall be appointed by the Board of Police Commissioners for an indefinite term. Within six months of his appointment and during his tenure of office, he shall be an elector of the City of West Haven.

The Chief of Police shall have the following powers and duties: (a) to assign all members of the department to their respective posts, shifts, details and duties; (b) to execute and administer the rules, regulations and policies set and established by the Board of Police Commissioners concerning the operation of the department and the conduct of all officers and employees thereof; (c) to be responsible for the administration, efficiency, discipline and good conduct of the Department; (d) to take disciplinary action, except dismissal, against subordinate officers and employees in the department for the violation of the rules and regulations of the department; (e) to be responsible to the Board of Police

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Commissioners for the installation of lights, signs and other traffic control devices; (f) to incarcerate any person charged with a criminal offense until an examination can be had before a proper Court; (g) to administer oaths and take evidence, affidavits and acknowledgments, and to issue subpoenas in all proceedings related to the department.

PART B: DEPARTMENT OF FIRE PROTECTION

SECTION 1. The City shall have, in addition to the powers specifically granted by the Constitution, General Statutes and the laws of the State of Connecticut, as amended, all powers implied in and incident to the powers to protect persons and property from fire and for the establishment and maintenance of a City Fire Department and for the management, discipline and control thereof.

PART C: ORGANIZATION FOR CIVIL PREPAREDNESS

SECTION 1: There is hereby established an organization for Civil Preparedness in accordance with the State Civil Preparedness Plan and Program to consist of an Advisory Council and a Director.

SECTION 2: The Mayor shall appoint and may remove a local Director of a Civil Preparedness and an Advisory Council in accordance with the provisions of Section 28-7 of the General Statutes, Revision of 1958, who shall have those powers and duties as provided in said Section 28-7 except as otherwise provided in this Charter.

CHAPTER XIV - LAND USE

PART A: DEPARTMENT OF PLANNING AND DEVELOPMENT

SECTION 1: COMMISSIONER OF PLANNING AND DEVELOPMENT: The Mayor shall appoint a Commissioner of Planning and Development who shall be responsible for the efficiency, discipline and good conduct of the following departments: Planning and Zoning, Building, Office of Grants and Community Development Administration and Inland Wetlands Agency.

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SECTION 2: POWERS AND DUTIES: The Commissioner shall supervise the daily operations of the aforementioned Departments and Boards and Commissions consistent to the General Statutes and Ordinances of the City and shall have such other powers and duties as the City Council may prescribe. The Commissioner shall be paid a salary established by the City Council.

SECTION 3: DIRECTOR OF PLANNING AND ZONING: The Director of Planning and Zoning shall exist in the absence of the Commissioner's position. The Director will be responsible for the efficiency for the following departments: Planning and Zoning, Building, Office of Grants and Community Development Administration and Inland Wetlands.

PART B: DIVISION OF PLANNING AND ZONING

SECTION 1: PLANNING AND ZONING COMMISSION:

- (A) **APPOINTED BY THE MAYOR:** That the Mayor, with the approval of the City Council, appoint a five (5) member Planning and Zoning Commission. Each member shall serve for a term of five years from the date of his appointment unless sooner removed for cause. The first of said appointments shall be made the first day of February, 1962 and one appointment shall be made on the first day of February thereafter. At the time of their appointments, the members of said Commission shall have been electors of the City of West Haven for at least one year, and they shall serve without compensation. The Mayor, with the approval of the City Council, shall appoint three (3) alternates who shall be electors of the City of West Haven and who shall vote and/or participate only in the event of the absence of a regular voting member. No more than two of said alternates shall be affiliated with the same political party. Said alternates shall serve for terms of two years.
- (B) **POWERS:** The Planning and Zoning Commission shall have all the powers and duties conferred and imposed by the General Statutes of the State of Connecticut on Planning and Zoning Commissions.

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SECTION 2: ZONING BOARD OF APPEALS:

- (A) **APPOINTED BY THE MAYOR:** The Mayor, with the approval of the City Council, shall appoint a five (5) member Zoning Board of Appeals. Each member shall serve for a term of five years from the date of his appointment unless sooner removed for cause. The first of said appointments shall be made on the first day of February, 1962, and one appointment shall be made on the first day of February each year thereafter. At the time of their appointment, the members of said Board shall have been electors of the City of West Haven for at least one year, and they shall serve without compensation. The Mayor, with the approval of the City Council, shall appoint three (3) alternates who shall be electors of the City of West Haven and who shall vote and/or participate only in the event of the absence of a regular voting member, no more than two of whom shall be affiliated with the same political party. Alternates shall serve for terms of two years.
- (B) **POWERS:** The Zoning Board of Appeals shall have all the powers and duties conferred and imposed by the General Statutes of the State of Connecticut on Zoning Boards of Appeal.

SECTION 3: INLAND WETLANDS AND WATERCOURSES AGENCY

- (A) **MEMBERSHIP:** The Mayor, with the approval of the City Council, shall appoint five (5) members each of whom will serve for a term of five years from the date of appointment unless otherwise removed. All appointees shall be electors of the City of West Haven and shall serve without compensation. The Mayor, with the approval of the City Council, shall appoint three alternates who shall be electors of the City of West Haven and who shall vote and/or participate only in the event of the absence of a regular voting member, no more than two of whom shall be affiliated with the same political party. All appointments made pursuant to City Code Section 22-3 et seq. and all action taken thereunder prior to the date of ratification of this Charter Revision are hereby ratified and affirmed and new appointees

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shall be at the end of terms as established under said ordinance unless sooner removed for just cause in accordance herewith. Alternates shall serve for a term of two years.

- (B) **POWERS:** The Inland Wetlands and Watercourses Agency shall have such power and duties as conferred by the General Statutes of the State of Connecticut, Chapter 440.

SECTION 4: REDEVELOPMENT AGENCY

- (A) **MEMBERSHIP:** The Mayor, with the approval of the City Council, shall appoint a five (5) member Redevelopment Agency who shall serve for a period of five years unless sooner terminated. All appointments made pursuant to City Code and all action taken thereunder are hereby ratified and affirmed and new appointments shall be made at the end of terms as established under said Code section unless sooner terminated in accordance herewith.
- (B) **POWERS:** The Redevelopment Agency shall have such powers as conferred by Connecticut General Statutes Chapter 130 and shall serve at such terms and for such duration as is necessary to administer property and/or plans under said Chapter of the State General Statutes.

SECTION 5: FLOOD AND EROSION CONTROL BOARD

There shall be a Flood and Erosion Control Board consisting of five members appointed by the Mayor, with the approval of the City Council, the present members of which shall continue to hold office until their terms expire. Each new member shall be appointed for a period of five years and until his successor shall have been appointed and qualified. Each member of said Board shall be a resident and elector of the City of West Haven and shall serve without compensation. Said Board shall have the powers and duties as provided by the General Statutes.

PART C: ECONOMIC DEVELOPMENT

SECTION 1: ECONOMIC DEVELOPMENT:

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- (A) **APPOINTED BY THE MAYOR:** The Mayor, with the approval of the City Council, shall appoint five (5) regular members and two (2) alternate members. Each member shall be a citizen of the State of Connecticut who shall either reside in the City of West Haven or have their regular place of business or employment in the city. Notwithstanding the aforesaid, no less than two (2) members of the Economic Development Commission shall be electors of the City of West Haven. Regular members of such Commission first appointed shall be designated to serve for one (1), two (2), three (3), four (4) and five (5) years, respectively, and thereafter shall be appointed annually to serve for five (5) years. Any vacancy shall be filled in the same manner as the original appointment. Alternate members of such Commission first appointed shall be designated to serve for one (1) and two (2) years, respectively, and thereafter shall be appointed to serve for five (5) years. Said alternate members shall serve on the Commission in the absence of a regular member and when doing so shall act with the full power and authority of a regular member. Any vacancy shall be filled in the same manner as the original appointment. Said Commission shall select from its members a Chairman and a Secretary, who shall serve for one (1) year. All members of said Commission shall serve without compensation.
- (B) **RIGHTS, POWERS AND DUTIES:** The rights, powers and duties of said Commission shall be established by 7-136 of the Connecticut General Statutes. In addition to such powers, said Commission shall:
1. Make such recommendations, from time to time, as it deems appropriate to the City Planning and Zoning Commission with respect to possible amendments to the comprehensive City Plan or to the Zoning Regulations as they affect Industrial and Commercial Development.
 2. Confer with similar Commissions of abutting municipalities in order to make recommendations with respect to the development of adequate roads, utility services and industrial sewage disposal in a manner consistent with that of other municipalities.

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3. Foster and promote orderly commercial and industrial development in the City and work with other City agencies toward such ends.
4. Provide an annual report each year to the Mayor and City Council on its activities.

PART D: DIVISION OF BUILDING CODE ENFORCEMENT

SECTION 1: BUILDING OFFICIAL: The Mayor shall appoint an officer to administer the State Building Code for a term of four (4) years and until his successor qualifies, and quadrennial thereafter shall so appoint a successor. Such officer shall be known as the Building Official. The Building Official shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of the Basic Code and as authorized by the Mayor. They shall receive such compensation as the City Council shall prescribe. The Building Official may designate an employee as his deputy who shall exercise all the powers of the Building Official during the temporary absence or disability of the Building Official.

SECTION 2: POWERS AND DUTIES: The Building Official shall have the power and duties as prescribed by Connecticut State Statutes.

PART E: DIVISION OF GRANTS-IN-AID

SECTION 1: GRANT-IN-AID: The Mayor shall appoint an administrator of Grants-in-Aid who shall:

- (a) Solicit possible grant needs from Mayor, City Council members, City Commissioners, City Budget and City Five Year Capital Improvement Plan;
- (b) Conduct searches for grant funds to meet solicited needs;
- (c) Develop grant applications;
- (d) Monitor grant project progress;

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- (e) Develop reimbursement requests to recoup City funds expended on behalf of grants;
- (f) Manage State entitlement programs.

PART F: DIVISION OF COMMUNITY DEVELOPMENT ADMINISTRATION

SECTION 1: COMMUNITY DEVELOPMENT ADMINISTRATION: The Mayor shall appoint an administrator of Community Development who shall administer the Agency of the Community Development Agency which shall serve as the Agency providing assistance and funding through programs such as Community Development Block Grant, other related Housing and Urban Development Programs and the State of Connecticut Department of Housing.

This Department shall exist from time to time as long as funds are available from State and Federal Agencies or through other sources outside the City of West Haven's General Operating Budget.

CHAPTER XV - DEPARTMENT OF PERSONNEL AND LABOR RELATIONS

SECTION 1: DEPARTMENT OF PERSONNEL: There shall be a Department of Personnel and Labor Relations with the responsibility as a service unit, to execute a hiring procedure in compliance with an adopted Affirmative Action Plan. Also to maintain all Medical Insurance Plans, to initiate all job classifications and write-ups, to monitor all Labor Relations including contract negotiations and grievance procedures and to maintain the City's Pension Plan.

SECTION 2: DIRECTOR OF PERSONNEL AND LABOR RELATIONS: The Mayor shall appoint a Director of Personnel and Labor Relations, who shall have a term which is concurrent with the term of the Mayor, and who shall be responsible for the efficiency, discipline and good conduct of the department. The Director shall have at least five (5) years experience and training in the field of Public Personnel Administration.

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SECTION 3: DIRECTOR OF PERSONNEL AND LABOR RELATIONS: POWERS AND DUTIES: The Director of Personnel and Labor Relations shall have the following powers and duties:

- (a) Process the employment, termination and personnel matters of all employees of the City with the exception of those appointed by the Mayor;
- (b) As the City's Affirmative Action Officer, maintain and carry out the City Affirmative Action Plan;
- (c) Serve as the chief negotiator for the City in all labor contracts and grievance procedures;
- (d) Make up and issue all job classifications and write-ups;
- (e) Supervise the everyday operation of the City's Pension Plan;
- (f) Oversee the City's Safety Program, to be sure it stays within OSHA Regulations; and
- (g) Is responsible for all disciplinary action taken against City employees, up to and including discharge.
- (h) All related duties as assigned.

SECTION 4: EXCEPTIONS: Nothing in this chapter shall in any way be construed to pertain to or have any effect on the personnel in the Departments of Fire, Police and Education.

CHAPTER XVI - CORPORATION COUNSEL

There will be a Corporation Counsel appointed by the Mayor, who shall be an Attorney at Law, admitted to practice in the State of Connecticut. He shall appear for and protect the rights of the City in all actions, suits for proceedings brought by or against it or any of its departments, offices, agencies, boards or commissions. He shall be the legal advisor of the Council, the Mayor, and all City officers, boards and commissions in all

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matters affecting the City and shall upon written request furnish them with a written opinion on any question of law involving their respective powers and duties. Upon request he shall prepare or approve forms of contracts or other instruments to which the City is a party or in which it has an interest. There shall be at least two assistant Corporation Counsels appointed by the Mayor, one of whom shall handle the collection of all back taxes by foreclosure and otherwise, and all related tax matters.

The salaries of the Corporation Counsel and Assistants shall be set by the City Council.

CHAPTER XVII - CODE OF ETHICS

SECTION 1: There is hereby established a code of ethics for all City officers, employees and officials whether elected or appointed, paid or unpaid. The purpose of this Chapter is to establish suitable standards of conduct for all such officers, employees and officials by prohibiting acts or actions incompatible with the best interests of the City of West Haven and by directing disclosure of private financial or other interests in matters affecting the City by such officers, employees and officials. The provisions and purpose of this article and such rules, regulations and standards adopted by the Board of Ethics shall be declared to be in the best interests of the City of West Haven.

SECTION 2: STANDARDS OF OFFICIAL CONDUCT: (a) Except as herein provided, no City official or City employee, and no counsel on behalf of a City Official or City employees, shall represent anyone other than the City before any City agency in any non-ministerial matter, provided, however that a City official or City employee, or counsel on behalf of a City official or City employee, may appear before a City Agency when a matter, concerns a house occupied, or intended to be occupied, by the official or employee as his principal residence, or concerns buildings accessory thereto, or concerns a vacant plot of land intended to be the site of the principal residence of the official or employee; (b) No person shall offer to give to a City official or City employee or a member of his immediate family, and no City official or City employee shall solicit a gift to influence the official or employee in the performance of his official duties; (c) No City official or City employee shall accept any benefit or income, in addition to that received

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in his official capacity, for having exercised his official powers or performed his official duties; (d) No City official or City employee shall use or disclose information gained in the course of, or by reason of, his official position or activities to further his own financial interests or those of anyone else; (e) Any City official or City employee who has a financial interest, distinct from that of the general public, in any decision of any City Agency shall disqualify himself from voting on that decision. Any decision made in violation of this provision shall be voidable, at the option of the City; (f) No City official or City employee shall knowingly have or acquire any financial interest or beneficial interest, direct or indirect, in any business that is incompatible with the proper discharge of his official duties or that may tend to impair his independence of judgment in the performance of his official duties.

SECTION 3: ADMINISTRATION: (a) The administration of the Code of Ethics shall be charged to the Mayor, who shall appoint, with the consent of the City Council, a Board of Ethics consisting of five (5) electors of the City of West Haven, not more than three (3) of whom shall be members of the same political party. Each member shall serve for a term of three years; (b) The Board shall receive complaints of violations of this Code and shall, upon such complaint or on its own initiative, investigate same, and may hold hearings thereon, provided however, that the Board shall hold a hearing at the request of any person whose conduct is called into question. Such hearing shall afford such person, who may be represented by counsel, the opportunity, along with his attorney, to cross-examine anyone complaining of his conduct and to meet and answer any complaint made of his conduct; (c) The Board shall report to the Mayor its findings as to whether or not a violation of this Code has occurred, and the Mayor shall thereupon take such action as he may deem appropriate; (d) The Board may also render advisory opinions to any official or employee and to any resident of the City pursuant to written request or upon its own initiative; (e) The Board may make public its findings and opinions with such deletions as it may deem necessary or desirable to prevent disclosure of the identity of the official or employee involved; (f) Within thirty (30) days of receipt of the Board's recommendation, the Mayor shall issue a response. Notwithstanding or in the absence of the Mayor's required response, the Board may issue a formal reprimand accompanied by its reasons for same; (g) In the event it is the Mayor who is the subject of the ethics investigation, then under

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such circumstances the duties of the Mayor hereunder shall be assumed by the Chairman of the City Council.

SECTION 4: The Board shall have such powers and duties as prescribed by this Chapter and by the General Statutes Section 7-148h and Section 1-82a or such successor section of the General Statutes.

CHAPTER XVIII - INITIATIVE, REFERENDUM

POWERS OF INITIATIVE: The electors shall have the power to propose to the City Council any ordinance or resolution appointing or removing officials, specifying the compensation or hours of work of officials and employees, appropriating money, authorizing the levy of taxes, or fixing the tax rate. If the City Council fails to adopt such ordinance or other measure within thirty days after a petition making such a proposal shall have been filed with the City Council, the electors may adopt or reject the same at an election held within ninety days after such proposed ordinance or measure was originally filed with the Council, provided such petition shall be signed in ink or indelible pencil by qualified electors of the City, equal in number to at least ten percent of the registered voters at the last municipal election. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition, certifying to the authenticity of the signatures of such petition. The Town and City Clerk shall determine the sufficiency of the petition and the affidavits. A majority vote of the electors qualified to vote shall be necessary to initiate such ordinances or measures. Unless at least twenty percent of the electors entitled to vote on the question shall have voted, such proposed ordinance or measure shall not become effective and the result shall be construed as against adoption. No ordinance or other measure which shall have been adopted in accordance with the provisions of this Section shall be repealed or amended by the Council except by petition and vote of the electors.

POWERS OF REFERENDUM: The electors shall have the power to approve or reject at a referendum as herein provided any ordinance or other measure passed by the Council, except an ordinance or resolution appointing or removing officials, specifying the compensation or hours of officials and employees. Ordinances or other measures submitted to the council by initiative petition, and passed by the City Council without

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changes shall be subject to a referendum in the same manner as other ordinances or measures. Within thirty days after the enactment by the Council or any ordinance or other measure which is subject to referendum, a petition signed in ink or indelible pencil by qualified electors of the City, equal in number to at least ten percent of the registered voters at the last municipal election may be filed with the Town and City Clerk requesting that any such ordinance or other measure be either repealed or submitted to a vote of the electors. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition certifying to the authenticity of the signatures of such petition. The Town and City Clerk shall determine the sufficiency of the petition and the affidavits. If the Council fails to repeal such ordinances or other measures, the question of repeal shall be submitted to the electors of the City within sixty days. Upon the filing of a sufficient petition, the ordinance or measure shall remain without effect until the electors vote on the question as shall be necessary to repeal the ordinance or measure. It shall not become effective unless a total of at least twenty percent of the electors entitled to vote on the question shall have voted. If the vote to repeal fails, the ordinance or measure as passed by the Council shall become effective immediately. The City Clerk shall make known to any petitioner that certain items are mandated by State and Federal Law and as such any referendum concerning said items may not be binding.

Not more than one referendum on the budget shall be held in any one fiscal year.

CHAPTER XIX - BUDGET

PART A: OPERATING BUDGET

SECTION 1: DEPARTMENTAL ESTIMATES: The Mayor shall receive from the Director of Finance estimates for the annual budget. The head of each department, office or agency of the City, including the Chairman of the Board of Education shall not later than the first Thursday of February each year, file with the Mayor, on forms prescribed by him a detailed estimate of the expenditures to be made by his department or agency and the revenue other than tax revenues to be collected thereby in the ensuing year and such other information as may be required by the

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Council or the Mayor. However, the Mayor may, in his discretion, grant an extension of not more than thirty (30) days to any department.

SECTION 2: BOARD OF FINANCE: There shall be a Board of Finance of seven members, including the Mayor and six members appointed by the Mayor, for a term of three years. Of the six members appointed by the Mayor, no more than three members shall be members of the same political party. The Mayor shall serve as Chairman of the Board of Finance. Two members shall be appointed each year to serve for a term of three years on the first day of August. The function of the Board of Finance shall be: (1) to assist the Mayor in drafting the operating Budget. In so doing, the Board of Finance may hold as many department, office or agency hearings as necessary within the time frames allotted under this Chapter; (2) to assist the Mayor in drafting the Capital Budget; (3) the Board of Finance should receive monthly reports on the Operating and Capital Budgets from the Director of Finance; (4) the Board of Finance shall meet on such occasions as are set by said Board at their February meeting and to hold such special meetings as it deems appropriate to review the monthly reports and make such recommendations as it sees fit to the City Council; (5) the Chairman of the Finance Committee of the City Council may attend all meetings of the Board of Finance.

SECTION 3: DUTIES OF THE MAYOR ON THE BUDGET:

A. Not later than the third Thursday of March, the Mayor shall present to the Council a budget consisting of: (a) a budget message outlining the financial policy of the City and describing in connection therewith the important features of the budget plan; (b) estimates of revenue, presenting in parallel columns the itemized receipts collected in the last complete fiscal year, the receipts collected during the current fiscal year prior to the time of preparing the estimates, total receipts estimated to be collected during the current fiscal year, and estimates of the receipts, other than from the property tax, to be collected in the ensuing fiscal year; (c) itemized estimates of expenditures, presenting in parallel columns the actual expenditures for each department, office, agency or activity for the last completed fiscal year and for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, the request of several departments, offices and agencies for the ensuing fiscal year and the Mayor's

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recommendations of the amounts to be appropriated for the ensuing fiscal year for all items, and such other information as may be required by the Council. The Mayor shall present reasons for all his recommendations.

B. The Chairman of the Board of Education shall have the same duties and follow the same form and procedure with respect to the budget of the Board of Education as any other department.

SECTION 4: DUTIES OF THE COUNCIL ON THE BUDGET: The Council shall hold one or more public hearings not later than the first Thursday of April, at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. Following receipt of the estimates from the Mayor, the Council shall cause sufficient copies of said estimates to be made available for general distribution in the office of the Town and City Clerk, and at least five days prior to the aforementioned public hearing, the Council shall cause to be published in a newspaper having circulation in the City, a notice of such public hearing and a summary of said proposed budget estimates showing anticipated revenues by major sources, and proposed expenditures by functions or departments in the same column form as prescribed for budget estimates in Section 3 of this Chapter; and shall also show the amount to be raised by taxation. The City Council shall, in the publication of such budget and in printing copies thereof, including notice relevant to the section of the City Charter on the right of the citizens of West Haven to conduct a referendum on said budget and particular reference to said rights and duties. The Council shall adopt a budget and file the same with the Town and City Clerk. Adoption of the budget shall be by a majority vote of the City Council. The Council may increase or decrease any item of the Mayor's budget by not less than two thirds vote of the entire City Council. At the time when the Council shall approve the budget, it shall also fix the tax rate in mills which shall be levied on the taxable property in the City for the ensuing fiscal year. Should the Council fail to adopt a budget by the first Thursday in May, the budget as transmitted by the Mayor to the City Council shall be deemed to have been finally adopted by said Council. The tax rate shall forthwith be fixed by the Mayor, and thereafter expenditures shall be made in accordance with the budget so adopted.

SECTION 5: EMERGENCY APPROPRIATIONS: Emergency appropriations may be made upon the recommendations of the Mayor and

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by a vote of not less than nine members of the Council for the purpose of meeting a public emergency threatening the lives, health or property of citizens, provided a public hearing at which any elector or taxpayer of the City shall have an opportunity to be heard shall be held prior to making such appropriation, notice of which hearing shall be given in a newspaper having circulation in the City not more than ten or less than five days prior to such hearing. Such hearing and notice of hearing may be waived if the Council, by a unanimous vote of the members present shall decide that a delay in making the emergency appropriation would jeopardize the lives, health or property of the citizens. In the absence of an available unappropriated and unencumbered general fund cash balance to meet such appropriation, additional means of financing shall be provided in such manner, consistent with the provisions of the General Statutes and of this Charter, as may be determined by the Council.

SECTION 6: The fiscal year of the City of West Haven shall run from July 1 to June 30 of the next year. The provisions of Chapter 110 of the General Statutes concerning Uniform Fiscal Years are hereby adopted.

PART B: CAPITAL BUDGET

SECTION 1: DEPARTMENT ESTIMATES: On or before the first Thursday in January of each year, the Mayor shall cause to be distributed to each department and agency the forms that he may require to request funding for capital projects in the City's Five Year Capital Plan and Annual Capital Budget. Such capital project must have an original cost of at least \$50,000.00, and a useful life of at least ten years.

On or before the first Thursday in February, departments and agencies requesting funding for capital projects in the ensuing fiscal year shall file their requests with the Mayor on the forms provided by the Mayor for that purpose. The Mayor shall immediately forward those requests to the Board of Finance.

SECTION 2: DUTIES OF THE MAYOR: On or before the third Thursday in March, the Mayor shall present his Recommended Five Year Capital Plan to the City Council. The first year of said Plan shall constitute the Recommended Capital Budget for the ensuing fiscal year. The Recommended Five Year Capital Plan shall contain an itemized list of the project requests for each of the five years of the Plan from the

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various departments and agencies, together with the Mayor's recommendations relative thereto. In addition to the list of the dollar amount requested and recommended for each project, the Mayor's Recommended Five Year Capital Plan shall include, but not be limited to: (1) a recommended financing plan which identifies the source of funds that will be used to finance the Recommended Five Year Capital Plan and Annual Capital Budget, including any amount proposed to be financed through the issuances of debt; (2) an estimate of the impact of the proposed financing plan on the City's debt service requirements over the ensuing five year period, and an estimate of total debt service payments in each of the ensuing five years under the Recommended Plan; and (3) an estimate of the impact of the Recommended Plan on the City's total bonded indebtedness.

SECTION 3: DUTIES OF THE CITY COUNCIL: On or before the first Thursday in April, the City Council shall hold one or more public hearings on the Mayor's Recommended Five Year Capital Plan to solicit comments from the public on the proposed plan.

On or, before the first Thursday in May, the City Council shall by majority vote, approve a Five Year Capital Plan and Annual Capital Budget Appropriation ordinance for the ensuing fiscal year. The City Council shall have the authority to add, delete, or modify any projects on the list of requested or recommended projects; provided however, that if the aggregate amount of the Annual Capital Budget for the ensuing fiscal year exceeds the aggregate amount recommended by the Mayor, such Annual Capital Budget must be approved by the City Council by a two-thirds majority vote. In the event the City Council fails to adopt a Five Year Capital Plan and Annual Capital Budget by the third Thursday in June, the Five Year Capital Plan and Annual Capital Budget as recommended by the Mayor shall be deemed to have been approved.

SECTION 4: SUPPLEMENTAL APPROPRIATION: From time to time, the City Council may, upon request from the Mayor, approve supplemental capital appropriations. In making such request, the Mayor shall indicate the purpose of the appropriation; the source or method of financing such appropriation; the impact of the proposed method of financing such appropriation on the City's debt service requirements in the five subsequent fiscal years; and the impact of such appropriation on the City's total bonded indebtedness. Such appropriations shall be

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approved in the same manner as other ordinances, except that all such appropriation ordinances shall require a two-thirds majority vote of the City Council.

PART C: WATER POLLUTION CONTROL FACILITIES BUDGET

SECTION 1: WATER POLLUTION CONTROL COMMISSION:

The Mayor, with the approval of the City Council, shall appoint five regular members and two alternate members all of whom shall be electors of the City of West Haven. No more than three of the regular members shall be from the same political party and the alternates shall be each from a different political party or one may be an unaffiliated elector. The terms of these members shall run concurrently with the Mayor. All members appointed and all action taken pursuant to City Code Section 222.1 et seq. is ratified and affirmed.

SECTION 2: BUDGET: On or before the first Thursday in February, the Commissioner of Public Works and the Administrator of the Water Pollution Control Facilities shall jointly submit to the Water Pollution Control Commission on forms prescribed by the Mayor a detailed estimate of the anticipated expenditures and revenues (other than sewer use charge revenue) for the Waste Water Treatment Facilities for the coming year. Said estimates shall include all expenditures for the operation and maintenance of the Water Pollution Control Facilities and such debt service expenditures as deemed appropriate by the Commissioner of Public Works and the Administrator. Any expenditure for debt service not so submitted shall be submitted to the Mayor and City Council in accordance with Section A of this Chapter. The Commission may grant one thirty (30) day extension.

SECTION 3: PUBLIC HEARING: The Commission shall hold one or more public hearings on the budget, the first of said hearings being held no later than the second Thursday of March. The Commission shall cause sufficient copies of the budget to be made available for distribution and shall publish a summary of said budget including a statement of the proposed use charge in a newspaper of general circulation at least ten (10) days prior to the initial public hearing.

SECTION 4: Adoption of the operating budget and appointed charge. The Commission shall adopt its charge by majority vote no later than the

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second Thursday in May. If the Commission fails to so act, it shall be deemed that the budget and its charge as submitted shall be deemed adopted. The Commission shall take such other action as it deems appropriate pursuant to Chapter 103 of the General Statutes and Section 222.1 et seq. of the City Code.

SECTION 5: All requests for borrowing shall be first submitted to the Commission for approval and then upon said approval brought before the City Council for their authorization.

All borrowing to be authorized by the City Council in accordance with this Charter.

CHAPTER XX - MISCELLANEOUS PROVISIONS

SECTION 1: VILLAGE IMPROVEMENT ASSOCIATION: The Village Improvement Association shall continue to operate the West Haven Public Library and its subsidiaries in the same manner and under the same authority as heretofore. For all other purposes, the Village Improvement Association shall function and shall be considered the same as the other Departments in the municipal government.

SECTION 2: PROBATE COURT: The Probate Court of West Haven shall continue to function in the same manner and under the same authority as heretofore.

SECTION 3: RECORDS TO BE OPEN: All accounts and records of every office, department, board or commission shall be open to the public at all reasonable times.

SECTION 4: EXPENSE ACCOUNT: Members of the municipal boards and commissions who serve without compensation shall be reimbursed from the funds of the municipality for actual out-of-pocket expenses, incurred, in the performance of their duties for the City and submitted within thirty (30) days as a result of their service.

SECTION 5: RETIRED PERSONNEL: No person on retirement compensation from any department of the municipal government shall be

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eligible for more than 19 hours per week of employment by the municipality.

SECTION 6: TRANSITIONAL PROVISIONS: The following provisions are intended to facilitate the transition to the new form of government established by this Charter.

- (a) **PRELIMINARY MEETING OF THE CITY COUNCIL:** On the first Tuesday following the declaration of the result of the general municipal election held on the First Tuesday after the First Monday in November, 1961, and on such dates thereafter as may be set by the Council, the Mayor-elect and the City Council shall meet for the purpose of discussing such ordinances as may be necessary to effect the transition to the new form of government.
- (b) **EXTENSION OF TERMS OF OFFICE:** The terms of office of the present Board of Selectmen and other elective or appointive officers of the Town of West Haven, which expire before the 31st day of December, 1961, shall be extended to the 31st day of December, 1961. The terms of office of elective or appointive officers of the Town of West Haven which would normally expire subsequent to January 1, 1962 are hereby declared to continue until the normal expiration thereof.

SECTION 7: EFFECTIVE DATES OF THIS CHARTER: The provisions of this Charter shall take effect as follows: (a) those pertaining to the nominations and elections of elective officers of the City and those of Section 7 of this Chapter pertaining to the transition to the form of government established by this Charter shall take effect upon approval by the electors; (b) all other provisions shall take effect on the first day of January, 1962; (c) all actions and approval required by the amendments approved July 22, 2009 including all provisions relating to appointments shall become effective with the adoption of this Charter as of 1/1/2010.

SECTION 8: This Charter may be amended pursuant to the Connecticut General Statutes.

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All actions and approval required by these amendments including all provisions relating to appointments shall become effective with the adoption of this Charter as of 1/1/2010.