

CHARTER OF THE CITY OF HARTFORD



Report and Proposed Revisions __ May 2022

Charter Revision Commission 2021-2022

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PUBLIC HEARING VERSION - CRC 16 MAY 2022

Contents

NOTE ON THIS AMENDED CHARTER	iv
PREAMBLE.....	1
CHAPTER I. - INCORPORATION AND BOUNDARIES	3
Sec. 1. - Incorporation.....	3
Sec. 2. - Boundaries.	3
Sec. 3. - Title.	3
Sec. 4. – Definitions and Title Generally.	3
CHAPTER II. - POWERS OF THE CITY.....	9
Sec. 1. - General grant of powers.	9
Sec. 2. - Further grant of powers.....	9
Sec. 3. - Liens for work performed by the City.	9
Sec. 4. - Eminent domain.	10
CHAPTER III. - ELECTIONS	11
Sec. 1. - Applicability of General Statutes.	11
Sec. 2. - Registrars of voters and constables.....	11
Sec. 3. - Special elections.....	11
Sec. 4. - Terms of office of Elective Offices.....	11
Sec. 5. - Composition of the Court of Common Council.....	12
Sec. 6. - Registrars of voters.	13
CHAPTER IV. - THE COURT OF COMMON COUNCIL	15
Sec. 1. - The legislative power of the Council.	15
Sec. 2. - Powers of the Council.....	15
Sec. 3. - Additional powers of the Council.....	17
Sec. 4. - Organization and officers of the Council: President and Town and City Clerk ("City Clerk").....	18
Sec. 5. - Meetings.	22
Sec. 6. - Procedures and other organizational matters.....	22
Sec. 7. - Procedures for enacting Ordinances, Resolutions and other legislative enactments.	23
CHAPTER V. - THE MAYOR.....	27
Sec. 1. - The executive power and authority of the Mayor.....	27
Sec. 2. - Powers and duties of the Mayor.....	27
Sec. 3. - Organization of the office of the Mayor.	30
Sec. 4. - Temporary absence or disability.....	30
Sec. 4. - Temporary absence or disability.....	30
CHAPTER VI. – THE CITY TREASURER	33
Sec. 1. - City Treasurer.....	33
Sec. 2. – Powers and Duties of the City Treasurer.....	33
Sec. 3. – Organization of the Office of the City Treasurer.	35
CHAPTER VII. - BOARDS AND COMMISSIONS.....	37
Sec. 1. - General requirements concerning membership on appointive Boards and Commissions.....	37

Sec. 2. - Appointive Boards and Commissions required by the Charter.....	44
(a) Internal Audit Commission.....	44
(b) Committee on Abatement of Taxes and Assessments	46
(c) Board of Assessment Appeals	46
(d) Planning and Zoning Commission.....	47
(e) Zoning Board of Appeals.....	49
Sec. 3. - Appointive Boards and Commissions required by Charter.....	50
(a) Police Accountability Review Board	50
(b) Civilian Police Review Board and Inspector General.....	50
(c) Ethics Commission.....	50
Sec. 4. - Appointive Boards and Commissions required by Ordinance.....	51
Sec. 5. - Appointive Boards and Commissions required by Special Act.....	51
(a) The Pension Commission.....	51
(b) The Greater Hartford Flood Commission.....	56
CHAPTER VIII. - DEPARTMENTS AND DEPARTMENT HEADS.....	63
Sec. 1. - Authority to establish the Departments of government.....	63
Sec. 2. - Appointment of Department Heads; requirements.....	63
Sec. 3. - Corporation Counsel.....	64
Sec. 4. - Police and fire services.....	65
Sec. 5. - <i>Government administration</i>	67
Sec. 6. - Community services.....	72
CHAPTER IX. - BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION	73
Sec. 1. - Board of Education.....	73
Sec. 2. - Appointment of Board of Education members.....	73
Sec. 3. - Mandatory training as a prerequisite for service.....	74
Sec. 4. - Prohibited acts.....	74
Sec. 5. - Community Outreach.....	75
CHAPTER X. - BUDGET	77
Sec. 1. - The Budget Process.....	77
Sec. 2. - Annual departmental budget estimates.....	78
Sec. 3. - Submission of the Mayor's proposed budget to the Council. Public hearing. .	80
Sec. 4. - Budget deliberations of the Council	85
Sec. 5. - Expenditures and Accounting.....	88
CHAPTER XI. - BORROWING	91
Sec. 1. - Issuance authorized.....	91
Sec. 2. - Procedures.....	91
Sec. 3. - Short period of limitation.....	92
CHAPTER XII. - MISCELLANEOUS AND TRANSITION PROVISIONS	93
Sec. 1. - Present Ordinances, Regulations and Orders effective.....	93
Sec. 2. - Constitutionality.....	93
Sec. 3. - Transition provisions.....	93
Sec. 4. - Effective dates of the provisions of this Charter.....	93
Sec. 5. - Periodic review of the Charter.....	94
Sec. 6. - Periodic Review of the Code of Ordinances.....	94

LEGISLATIVE ACTS PERTAINING TO THE CITY OF HARTFORD OTHER THAN SPECIFIC CHARTER AMENDMENTS APPENDIX TO CHARTER	95
IN GENERAL	95
Sec. 1. - Date of unlocking voting machines.....	95
Sec. 2. - Reserved	95
Sec. 3. - Batterson Park—Disposal of portion authorized, 1957.....	95
Sec. 4. - Same—Disposal of all or portions authorized, 1967.....	95
Sec. 5. - Brainard Field, disposal.....	96
Sec. 6. - Conveyance to Young Italian-American Association.....	96
Sec. 7. - Conveyance to Veteran Volunteer Firemen's Corporation.....	96
Sec. 8. - Conveyance of land to Rau-Locke Post No. 8, The American Legion.....	97
Sec. 9. - Tenure of office for teachers—Definitions.....	97
Sec. 10. - Same—Qualifications for permanent appointments.....	98
Sec. 11. - Same—Grounds for dismissal; notice.....	98
Sec. 12. - Same—Appeals from dismissal or suspension.....	99
Sec. 13. - Same—Leaves of absence.....	99
Sec. 14. - Same—Leaves included in "consecutive period of service."	99
Sec. 15. - Same—Persons affected by act.....	100

PUBLIC HEARING VERSION - CRC 16 MAY 2022

NOTE ON THIS AMENDED CHARTER

The Charter of the City of Hartford, incorporating amendments approved by the Electors of Hartford at the regular election of November 5, 2002, follows. The various effective dates of the amendments may be found in Chapter XIII, "Miscellaneous and Transition Provisions," and at Chapter IX, "Board of Education and Department of Education."

The amendments and revisions incorporated below are based on the final report of the Hartford Charter Revision Commission dated June 11, 2002. The final report recommended amendments to the City of Hartford Charter in the form of a proposed revised Charter. By Resolution of June 24, 2002, the Court of Common Council approved provisions of the final report, and placed them before the Electorate at the November 5, 2002 election, "...except for the change to the composition and numbers of the Court of Common Council in Chapter III, Section 5...."

The Council -approved provisions of the final report were approved by the Electorate at the November 5, 2002 election. The provisions of the final report relating to the composition and numbers of the Court of Common Council were not before the voters, and those provisions are unchanged in this revised Charter. Since the Council will have nine (9) members, rather than the eleven (11) members proposed in the final report, the provisions of the final report that specified a particular number of Council votes as being necessary have been adjusted.

PUBLIC HEARING VERSION

PREAMBLE

We, the people of Hartford, Connecticut, desirous of achieving a more perfect state of civil society, grateful for the liberty we enjoy as a matter of right, and fully cognizant of our duties as free men and women, hereby adopt this Charter for the more efficient, efficacious and equitable transaction of our public business.

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CRC 16 MAY 2022

PUBLIC HEARING VERSION - CRC 16 MAY 2022

CHAPTER I. - INCORPORATION AND BOUNDARIES

Sec. 1. - Incorporation¹.

The inhabitants of the State of Connecticut, dwelling within the territorial limits of the City of Hartford as the same now are or may hereafter be, shall continue forever hereafter to be a body politic and corporate by the name of the "City of Hartford"; and by that name shall have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, and of purchasing, holding, managing and conveying any estate real or personal; and may have a common seal and change and alter the same at pleasure. By virtue of this Charter said City shall be absolutely vested with, possess and enjoy all lands, tenements, hereditaments, property and rights, choses in action and estates, which at the effective date of this Charter were vested in said City.

Sec. 2. - Boundaries².

The territorial limits of the body politic and corporate existing under the name of the City of Hartford are those set forth in Special Laws 1947, Act No. 30, Chapter I, §2; Ord. No. 28-67, 11-7-67; Sp. Laws 1971, Act No. 106 and are hereby reaffirmed by the City of Hartford.

Sec. 3. - Title³.

The title of this Act shall be the "Charter of the City of Hartford."

Sec. 4. – Definitions and Title Generally.

A. "Board" or "Commission"⁴. For the purposes of this Charter and except as otherwise provided by Law, the terms "Board" and "Commission" shall include all boards, agencies, commissions, authorities or like entities of the City, whether elected or appointed.

B. "Capital Expenditures"⁵ means expenditures for (1) any physical betterment or improvement or any preliminary studies or surveys relative thereto; (2) the acquisition of real property or other property of a permanent nature; (3) the purchase or acquisition of equipment for any public betterment or improvement; (4) major alterations and repairs to existing buildings, structures or equipment; or (5) any lease which commits the City to more than one year of aggregate payments as shall be approved by the Common Council

¹ Election of 11-5-02

² Election of 11-5-02

³ NEW (2022)

⁴ NEW (2022).

⁵ NEW (2022).

C. “Charter⁶” shall mean the Charter of the City of Hartford.

D. “City” means the City of Hartford.

E. “Classified Service⁷” means the employees of the City, covered by the merit system of the City (including Civil Service Regulations, including all applicable rules) appointed to all positions now or hereafter created except those positions excluded by this Charter (or collective bargaining agreement), Elected Officials or other Officials whose appointments and terms are prescribed by the General Statutes, and such other positions as the Civil Service Commission may determine, after investigation, to be within an area intended for exclusion from the Classified Service.

F. “Court of Common Council” or “Council⁸” means the legislative body of the City, as required by the General Statutes.

G. “Day(s)⁹” means calendar days; unless, otherwise specifically set forth in this Charter. Moreover, where a Day set forth in this Charter falls on a weekend, holiday or day when the City is closed for business, the deadline shall be extended through the close of the next City business day; unless otherwise required by law.

H. “Department¹⁰” means any major functional or administrative division of the City, including any offices, agencies, bureaus or other descriptions serving such purpose as may be set forth in the budget of the City. When used within the section establishing or describing the duties of the particular department or its related Board or Commission, the term “Department” shall apply exclusively to the functional division referred to in that section.

I. “Department Head¹¹” means an employee who heads any Department in the City; has substantial supervisory control of a permanent nature over other municipal employees; and, is directly accountable to the Mayor.

J. “Elective Offices” means an individual who holds an elected municipal office (as defined in C.G.S. §9-372 but shall not include a justice of the peace or notary public) in the City. The Elective Offices of the City are set forth in section 4(b) of Chapter III and sections 1 and 2 of Chapter IX of this Charter.

K. “Elector¹²” shall have the meaning contained in the General Statutes.

⁶ NEW (2022)

⁷ NEW (2022).

⁸ NEW (2022) Required by C.G.S. §7-193(a)(1)(C).

⁹ NEW (2022).

¹⁰ NEW (2022).

¹¹ NEW (2022).

¹² C.G.S. §9-1. Definitions. (e) "Elector" means any person possessing the qualifications prescribed by the Constitution and duly admitted to, and entitled to exercise, the privileges of an elector in a town".

L. “Final Action¹³” means the last acts taken by the Mayor or the Council on an Ordinance or other measure that requires mayoral and legislative action under the provisions of this Charter

M. “General Statutes” shall mean the General Statutes of the State of Connecticut, as amended from time to time; also referred to as “C.G.S.”.

N. “Law” includes, but is not limited to, decisions of courts and administrative bodies (or any agreements sanction by said bodies), federal or state legislative enactments, Ordinances and Regulations, including all applicable rules contained therein.

O. “Majority Vote of the Council¹⁴” means more than half of the votes have been cast by the members at a Meeting of the Council at which a quorum is present.

P. “Mayor” shall mean the chief executive officer of the municipality, as required by the General Statutes¹⁵. Where in this Charter or the Ordinances thereunder, reference is made to “Mayor or designee,” the identity of the designee shall at all times be determined, in the sole discretion, of the Mayor.

Q. “Meeting¹⁶” or “Public Meeting” shall have the meaning set forth in C.G.S. §1-200(2), including Meetings by means of electronic equipment, as may be amended from time to time

R. “Meeting (or Hearing) Notice¹⁷” means a notice posted as required by the General Statutes, including posting of regular Meetings with the Office of the Secretary of the State and the City Clerk, as well the requirement pertaining to special and emergency Meetings as well as public hearings, in the same manner as set forth in section 4.V of this Charter, below. In addition to the above-referenced postings, the City may post notices on its web-site or through other electronic media and, if practicable or otherwise required by Law, may be published in a daily newspaper of general circulation distributed in the City. A Meeting Notice (including public hearings) shall state the time and place thereof and shall be published at a minimum in compliance with the General Statutes or by a more stringent requirement as may be set forth in this Charter. Meeting or Hearing Notice may also be governed by regulatory practices and procedures set forth in the General Statutes.

S. “Official” or “Public Official” means an individual who holds an elected or appointed municipal office in the City; including but not limited to Elected Officials of the City; employees appointed subject to Chapter VIII, section 2 of this Charter; and, members of Boards and Commissions. “Appointed Public Officials” shall include all

¹³ NEW (2022).

¹⁴ NEW (2022).

¹⁵ Required by C.G.S. § 7-193(a)(2)(C).

¹⁶ NEW (2022)

¹⁷ NEW (2022).

Public Officials to the exclusion of those who hold Elective Offices in the City. When the term “officer” is used, it shall be synonymous with the term “Official”.

T. “Order” or “Motion¹⁸” means a legislative action conferring authority to do a specified act, including, but not limited to, the approval of Mayoral appointments, proposed contracts or other matters upon which are conferred temporary power or authority which, when its purpose has been accomplished, it ceases to require further authority. Orders and Motions shall be enacted in accordance with the provisions of this Charter. Other Public Officials may enter “Orders” in accordance with the authority set forth under the General Statutes, this Charter or Ordinance enacted thereunder.

U. “Ordinances” or “Ordinances of the City” or “Municipal Code” shall mean the powers of the City to (1) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty; (2) create a permanent local law of general applicability; or (3) accomplish other objectives permitted by the General Statutes as may be enacted in accordance with the provisions of this Charter.

V. “Public Notice¹⁹” means a notice for matters other than public Meetings or hearings, including the public inspection or availability of any documents or data, as may be required by this Charter. It specifically includes matters where “publication” was required under the prior Charter or the General Statutes. Said Public Notice shall be specifically set forth in this Charter or may be governed by the requirements of the General Statutes. Public Notice may be posted (1) in the Office of the City Clerk and other public space or location in the City Hall designated by the City Clerk in order to assure sufficient disclosure to and access by the public; (2) in the central City Library (and each branch of the City Library); (3) on the City web-site or through other electronic media by the City Clerk; and, (4) if otherwise required by Law, by publication in a daily newspaper of general circulation distributed in the City.

W. “Regulation²⁰” means a statement of general applicability approved by a Department or Board or Commission (and the Council where specifically set forth herein), without regard to its designation, that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any such Department, Board or Commission or the Laws under which they operate. The term includes the amendment or repeal of a prior Regulation, but does not include (A) statements concerning only the internal management of any Department and not affecting private rights or procedures available to the public; or (C) intra-Departmental or inter-Departmental.

X. “Resolution²¹” means an action by the Legislative Council that (1) expresses the sentiment or intent of the Council; (2) governs the business of the Council; (3)

¹⁸ NEW (2022).

¹⁹ NEW (2022).

²⁰ NEW (2022). Derived from C.G.S. §4-166(16).

²¹ NEW (2022).

expresses recognition by the Council; or, (4) complies with the specific requirements of the General Statutes with regard to certain legislative enactments. A declaratory statement of the Council on a given matter.

Y. “Special Acts” or “Special Laws” shall mean the acts of the General Assembly pertinent to the City.

Z. “State” or “Connecticut” shall mean the State of Connecticut.

AA. “State Constitution” shall mean the Constitution of the State of Connecticut.

BB. “Vacancy²²” or, in the alternative, the use of the word “Vacant” means whenever any Official of the City, including Registrars of Voters, is unable to complete the current term of office due to death, resignation, removal, incapacity or other reason as may be defined by Ordinance.

CC. Where reference is made to the word “shall” the legislative intention is to make the function a mandatory or imperative obligation for the Official or entity charged with an obligation under this Charter or under the Code of Ordinances. It is recommended that to avoid any doubt the word “must” should be used in order to impose clarity on the concept of obligation²³.

²² Modification of 1983 Charter section 5-4 (first clause of first sentence), by applying the standard to all elected office and by adding “...resignation, removal or other reason as may be defined by Ordinance”.

²³ NEW (2021)

PUBLIC HEARING VERSION - CRC 16 MAY 2022

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CHAPTER II. - POWERS OF THE CITY

Sec. 1. - General grant of powers²⁴.

The City of Hartford shall have not only all the powers specifically granted by this Charter but all powers fairly implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the City, the exercise of which is not expressly forbidden by the State Constitution and General Statutes²⁵. The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power, but shall be considered as in addition thereto.

Sec. 2. - Further grant of powers²⁶.

In addition to all powers specifically granted by this Charter, the City shall have all powers now granted or that may hereafter be granted to municipalities under the State Constitution and Laws of Connecticut²⁷.

Sec. 3. - Liens for work performed by the City²⁸.

If the owner of any building, the condition of which constitutes an immediate threat to life, health, or safety or is otherwise unfit for human habitation, fails to comply with any Order to repair or remove such building or portion thereof, issued pursuant to the General Statutes or to the Code of Ordinances of the City, or when there exists actual and immediate danger of the falling of any structure or part thereof, so as to endanger life or property, the Official charged with enforcement of such provisions may proceed forthwith to cause to be done all work required to be done in compliance with such an Order, and if necessary, to demolish any structure or structures covered by any such Order, and the City shall have a lien on such building and land for the cost of such work or demolition, which lien, if for work done rather than for demolition, shall take precedence over any other lien on the premises recorded after the effective date of the pertinent Special Acts, including mortgage liens but excepting liens for real estate taxes, provided that the person entitled to such other lien shall have been given Public Notice of the City's intention to undertake said work at least ten (10) Days prior to the commencement thereof, and the City may recover the cost of the work or demolition from the owner of such building or structure by appropriate proceeding on complaint of said Official²⁹.

²⁴ 2022 recodification of Sec. 4 derived from election of 11-5-02

²⁵ **Counsel note: This sentence is contrary to the meaning of the Home Rule Act**

²⁶ Election of 11-5-02

²⁷ Repeal of Current Sec. 3 entitled "Benefit Assessments" (2022). The provision was derived from election of 11-5-02

²⁸ Election of 11-5-02

²⁹ Repeal of Current Sec. 5 entitled "Power to adopt regulatory ordinances" (2022). The provisions was derived from election of 11-5-02

Sec. 4. - Eminent domain³⁰.

The City, in carrying out the powers and duties conferred or imposed on it by this Charter or the General Statutes, shall have power to acquire within or without the City lands, buildings and other structures, any interest or estate in land and air rights over land, and may take the same upon paying just compensation to the owner thereof in the manner provided in Title 48 of the General Statutes as amended.

PUBLIC HEARING VERSION - CRC 16 MAY 20.

³⁰ Recodification of Sec. 6 derived from election of 11-5-02

CHAPTER III. - ELECTIONS

Sec. 1. - Applicability of General Statutes³¹.

The General Statutes, as amended from time to time, relating to elections, including, without limitation, residency requirements and nomination of candidates, shall be applicable to all elections held in accordance with the provisions of this Charter. The Court of Common Council shall provide by Ordinance for the manner of warning municipal elections and such additional procedures or guidelines in respect of elections, not inconsistent with the General Statutes or this Charter, as may be necessary to accomplish the intent of this chapter.

Sec. 2. - Registrars of voters and constables³².

There shall be two (2) such registrars of voters as may be set forth in the Ordinances and seven (7) constables. To the extent consistent with the General Statutes, the Council may by Ordinance provide for the appointment of registrars or constables.

Sec. 3. - Special elections³³.

Special elections when required under the provisions of this Charter or by the General Statutes shall be called and warned by the Council. Such a special election may be held coincidentally with the general State election.

Sec. 4. - Terms of office of Elective Offices³⁴.

(a) **Term of office.** Commencing on January 1, 2004 and quadrennially thereafter, all Elected Officials shall hold their respective offices for a term of four (4) years, with the exception of the elected members of the Board of Education, which is addressed in Chapter IX of this Charter.

(b) **Date of General Municipal Election for Elective Offices³⁵.** Except as hereinafter provided, on the Tuesday after the first Monday in November 2003 and in the odd numbered years thereafter as the term of office shall fall, the Electors of the City shall elect, in accordance with the provisions of the General Statutes and the applicable provisions of this Charter the following officers: (1) Mayor; (2) members of the Council; (3) City Treasurer; and (4) Constables. On the Tuesday after the first Monday in November 2027 and on the odd numbered years thereafter as the term of office shall call, the Electors of the City shall elect, in accordance with the provisions of

³¹ Election of 11-5-02

³² Election of 11-5-02; election of 11-5-13, eff. 1-1-14.

³³ Election of 11-5-02

³⁴ Election of 11-5-02

³⁵ 2022 modification of Sec. 2(b) derived from election of 11-5-02

the General Statutes and the applicable provisions of this Charter, four (4) members of the Board of Education as set forth in Chapter IX of this Charter

Transitional Provision for the Board of Education. On the Tuesday after the first Monday in November 2025 the Electors shall elect, in accordance with the provisions of the General Statutes and the applicable provisions of this Charter four (4) members of the Board of Education as set forth in Chapter IX of this Charter, for a term of two (2) years, notwithstanding the provisions of section 4(a) of this Chapter, above.

(c) Vacancies in various Elective Offices.

(1) *Vacancies resulting from changes in member's residence or political party registration.* A member of the Council shall be deemed to have resigned upon ceasing to be a resident and Elector of the City. With the exception of the final three (3) months of the term of office, a member of Council who changes political party registration and thereby alters the party composition of the Council shall be deemed to have resigned.

(2) *Filling Council vacancies.* A Vacancy in the Council, from whatever cause arising, shall be filled by Majority Vote of the Council within sixty (60) Days following the Vacancy, provided any Vacancy shall be filled by appointment of a person of the same political party as the appointee's predecessor. An appointment made after the expiration of sixty (60) Days shall nonetheless be valid. The length of the appointment shall be determined in accordance with the provisions of paragraph (3), below.

(3) *Filling vacancies in any Elective Office.* Subject to the provisions of applicable provisions of the General Statutes (C.G.S. § 9-221) governing the filling of vacancies in Elective Office, in the event a Vacancy shall occur in any Elective Office (with the exception of Mayor, which is addressed in section 4(b)(3) of Chapter IV of this Charter and the Board of Education as set forth in section 5(c) of Chapter IX of this Charter) the Council shall fill any such Vacancy by appointment until the next regularly scheduled municipal general election; or, if such election is not permitted by the General Statutes, for the remainder of the term of office. The Vacancy filled by election shall be for the remainder of the term of office.

Sec. 5. - Composition of the Court of Common Council³⁶.

The Council shall consist of nine (9) members elected from the City at large³⁷.

³⁶ Election of 11-5-02

³⁷ **COUNSEL NOTE: Electors of the City?**

Sec. 6. - Registrars of voters³⁸.

(a) Powers and duties. The registrars of voters shall have such powers and duties as are conferred or imposed on them by the General Statutes and the provisions of this Charter. Among other duties, the registrars of voters are responsible for creating and maintaining the official registry list for the municipality, maintaining and preparing the voting machines, hiring and appointing poll workers, training poll workers, ensuring proper set-up of the polling place, ensuring proper reporting of candidate totals on election night, and conducting post-election recounts and audits.

(b) Operational standards. The office of the registrar of voters shall operate in accordance with nationally accepted professional standards, best practices and provide the Electors of the City with assistance on a non-partisan basis.

(1) Certification. For the purpose of meeting best practices and the highest professional standards, the registrars of voters and any deputy or permanent assistants, upon no more than one hundred eighty (180) Days following hiring, shall participate at the next scheduled session regarding any certification training program for registrars of voters, as set forth in the General Statutes in order to obtain certification by the Secretary of the State; or in the event, there is no such program any continuing education programs offered by national organizations or associations pertaining to local election administration.

(c) If permitted by the General Statutes, the registrars of voters shall be appointed by the Council³⁹ to serve for an indefinite term.

(d) Effective date of the said changes is January 1, 2014.

³⁸ Election of 11-5-13, **Note.** Introduced and submitted to Electors as a new subsection designated as subsection 7 of Chapter III. Upon the defeat of the question by which amendment to subsection 5 and a proposed subsection 6, the disapproved amendments deleted and the approved subsection renumbered to retain consecutive numbering within Chapter III and to avoid confusion.

³⁹ Minor Modification (2022)

PUBLIC HEARING VERSION - CRC 16 MAY 2022

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CHAPTER IV. - THE COURT OF COMMON COUNCIL

Sec. 1. - The legislative power of the Council⁴⁰.

The legislative power and authority of the City shall be vested in the Council. No enumeration of powers contained in this Charter shall be deemed to limit the legislative power of the Council as provided for in the General Statutes.

(a) Compensation of the Council. Each member of Council shall receive no less than the sum of fifteen thousand dollars (\$15,000.00) annually as compensation, together with reimbursement for just and necessary expenses incurred in the performance of the member's duties. The Council may review the amount of said compensation and of compensation of the Mayor and enact revisions thereof by Ordinance. Any such Ordinance which provides for an increase in compensation or non-cash benefits for the Council shall become effective only upon approval of said Ordinance by the Electors of the City at a referendum held at the next regular municipal election, whereupon it shall become effective at the next term of the Council.

(b) Restrictions on holding office. No member of the Council shall hold any office of profit under the government of the United States, the State of Connecticut, or any subdivision thereof, except that of notary public, nor shall any member of Council, during the term of office for which the member was elected and for one (1) year thereafter, be appointed to any other office of profit under the government of the City of Hartford.

Sec. 2. - Powers of the Council⁴¹.

The Council shall have the power:

(a) To exercise the powers specifically granted to the Council in this Charter or by statute;

(b) To enact Ordinances in the manner provided in this Charter not inconsistent with Law, or this Charter, for the government of the City and the management of its business, and to implement all of the powers set forth herein or otherwise conferred upon the City for which regulation or legislation is required;

(c) To (1) adopt the capital and operating budget of the City, as provided in this Charter; (2) approve multi-year contracts, agreements, settlements and transactions in accordance with Law; and (3) engage in legislative oversight and review of the operations of government, including financial matters. In accordance with its budgetary and financial functions, the Council shall adopt an Ordinance governing the procedures pertaining to the application of grants and other third party revenues from

⁴⁰ Election of 11-5-02

⁴¹ Election of 11-5-02

public or private sources, which shall take into account reporting provisions and other accountability standards⁴²;

(d) To approve, by majority vote of the entire membership of the Council, all appointments made pursuant to section 2(d) and (e) of Chapter V and other provisions of this Charter. Pending action by the Council, which shall be completed within sixty (60) Days of the submission of the nomination, a proposed appointee to a position may perform the duties and exercise the powers of the position; although this provision shall not be applicable to appointees to Boards or Commissions. A rejected nominee may continue in office in an acting capacity pending resubmission of the candidate's name for approval at the Council's next regular Meeting; however, a person's name may not be submitted more than two (2) times. Other than to membership on a Board or Commission, the Mayor may designate an individual to hold a position in an acting capacity pending the selection of a nominee, but no person may hold such a position for more than six (6) months without being submitted for confirmation by the Council. If a nomination to a position or to a Board or Commission has not been affirmed or rejected by vote of the Council within sixty (60) Days of the submission of the nomination by the Mayor, it shall be deemed to have been approved;

(e) To establish the fees charged by the Departments, Boards and Commissions of the City;

(f) In the name of the City, to receive gifts of money or property in excess of a value to be determined by the Council from time to time by Ordinance. Gifts of a lesser value than specified in such an Ordinance may be received by the Mayor, or by persons the Mayor may designate, in the name of the City;

(g) To undertake public improvements and to assess benefits and damages therefor, in the manner provided in this Charter;

(h) To approve labor agreements and employment contracts, but excepting employment arrangements for the non-classified appointees of the Mayor;

(i) To approve the purchase, sale, lease or other transfer of real property;

(j) To provide by Ordinance for such staff and other assistance as the Council may deem appropriate to meet its needs, providing that due appropriation has been made therefor, and to provide by Ordinance for the method of hiring and terminating such staff.

(k) To increase by Ordinance any dollar amount in this Charter, including the compensation of the Mayor, by an amount no greater than the change in the consumer price index, or any similar published index in the event the consumer price index is discontinued, provided that any such Ordinance increasing the compensation of the

⁴² 2022 modification of current Sec. 2(c) which was approved at the election of 11-5-02

Mayor shall be enacted only in the first five (5) months of the calendar year in which a Mayoral election is to be held and shall become effective on January 1 of the next year.

(l) To adopt a City plan within six (6) months following receipt of the report of the planning and zoning commission.

(m) To adopt an ethics Ordinance setting forth the standards governing the conduct of Public Officials and employees.

(n) To appropriate, notwithstanding other provisions of this Charter, necessary funds for the purpose of meeting a public emergency threatening the lives, health or property of citizens, as determined either by the President of the United States or the Governor of the State of Connecticut; provided such appropriation shall require at least seven (7) affirmative votes in the Council.

Sec. 3. - Additional powers of the Council⁴³.

(a) **Removal of Elective Officials and Confirmed Officers and Employees of the City.** Removal of elective officers and other officers and employees subject to confirmation by the Council. In addition to the powers of the Mayor as set forth in section 2(b) of Chapter VIII of this Charter, any elective officer or, officer or employee confirmed by the Council, may be removed, by the Council, from office for cause by a vote of seven (7) members of the Council. No such officers or employees may be removed except upon charges, which shall be preferred by vote of a majority of the membership of the Council, and after a hearing thereon before the full Council. Written notice by the Council of the charges and time and place of hearing shall be given to the officer or employee at least two (2) weeks before such hearing. Such charges shall be for neglect or dereliction of official duty, or incompetence, or dishonesty or incapacity to perform official duties or some delinquency materially affecting the officer or employee's general character or fitness for office. Such officer or employee shall have the right to be represented by counsel at the hearing, to present testimony personally and through witnesses, to cross-examine witnesses presented in favor of removal, and to compel the attendance of witnesses by subpoena issued in the name of the Council. In a hearing concerning removal of the Mayor, the Council shall designate an attorney who is an Elector of the City and has been a member in good standing of the bar of the State of Connecticut for at least ten (10) years as the temporary presiding officer in place of the Council President.

(b) **Power of investigation.** The Council, or any committee thereof when so authorized by the Council, shall have power to investigate the official conduct of any Department of the City government or of any officer or employee thereof. For the purpose of conducting any such investigation and hearings relating to the removal of appointive or elective officers or employees, pursuant to section 3(a) of this chapter, above, any member of the Council shall have power to administer oaths and the Council

⁴³ Election of 11-5-02

or authorized committees thereof may compel the attendance of witnesses and require the production of books and papers. Any person who refuses to obey the subpoena of the Council or an authorized committee thereof shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty (30) Days or both. The Council may appropriate from available funds amounts necessary to cover expenses incurred pursuant to this section.

(c) Annual audit. The Council shall designate annually an independent public accountant or firm of independent public accountants to audit the books and accounts of the City as provided in the General Statutes.

Sec. 4. - Organization and officers of the Council: President and Town and City Clerk (“City Clerk”)⁴⁴.

(a) Organizational meeting. The Mayor shall convene the Council at 7:00 p.m. on the first Monday immediately following January 1st of each even-numbered year for an organizational Meeting. The City Clerk shall administer the oath of office to all members.

(b) Election of Council President. Following the administration of the oath of office, the first order of business shall be to elect, by a Majority Vote of the Council, from among the Council's membership a presiding officer, who shall be designated the Council President. The Council President shall serve as such for two (2) years, and a member may be elected to an unlimited number of successive two-year terms as Council President. The Council shall fill any Vacancy in the office of Council President by election of a new Council President, who shall serve for the remainder of the two-year term, from among its members.

(1) Powers and duties of the Council President. The Council President shall preside over Council Meetings, without thereby losing the right to vote or to speak as a member of Council, and shall have such other powers and obligations as may be assigned to the presiding officer by the Council's rules, by Ordinance, or by this Charter.

(2) Presiding officer pro tempore. The Council may provide in its rules for the designation of a member to preside in the absence of the Council President and, if there is no such provision in the Council rules, the Council President shall designate a temporary presiding officer whenever the Council President is absent from a Council Meeting.

(3) Succession to the office of Mayor. Subject to the applicable provisions of the General Statutes governing the filling of vacancies in municipal office, in the event that the position of Mayor becomes vacant, the Council President shall serve as Mayor until the next regularly scheduled municipal

⁴⁴ Election of 11-5-02

general election, or, if not permitted by the General Statutes, for the remainder of the Mayor's term. Upon succession to the office of Mayor, the Council president's position on the Council shall be filled as provided in section 4(c)(2) of Chapter III of this Charter.

(4) Removal of the Council President. The Council may remove the Council President from the presidency at any time by a vote of six (6) members, at a special Meeting duly called for that purpose.

(c) Town and City Clerk: appointment and duties. The Council shall appoint a City Clerk to serve for an indefinite term. The City Clerk holding office at the effective date of this amendment shall continue to hold office until resignation, retirement, death or removal for other cause.

(1) Powers and duties of the City Clerk. The City Clerk shall have all the powers and duties conferred or imposed by Law on town clerks, shall act as clerk of the Council and shall have such other powers and duties as are prescribed in this Charter or by the Council. The City Clerk shall appoint and remove, subject to the provisions of this Charter and Ordinances pertaining to personnel and civil service, all deputies, assistants or employees in the City Clerk's office.

(2) Compensation and fees. The City Clerk shall receive a compensation to be fixed by the Council and all fees collected by the City Clerk shall be paid into the treasury of the City.

(3) Attestation of the land records. It shall be sufficient attestation of the land records in the care or custody of the City Clerk when each volume of such land records shall bear a certificate of attestation with the written signature of the officer charged with the care of such records and authorized by Law to record or file the same, providing nothing herein contained shall relieve the City Clerk or the City Clerk's assistant from noting the discharge of a mortgage, lien or other encumbrance on the margin of the record of such mortgage, lien or other encumbrance.

(d) Legislative Services and Staff⁴⁵. The Council shall appoint such full time professional, clerical and administrative staff as it deems necessary to assist it in the performance of its duties. The staff shall be provided adequate space for its operation and shall be supplied with all appliances and incidentals necessary for the proper discharge of its duties, to be paid from the general fund, as appropriated. The staff of the Council shall be separate and distinct from and not subject to the authority of the executive branch of the City's government and shall be subject to the authority and supervision of the Council President.

⁴⁵ NEW (2022)

(1) Appointment of Staff. Each staff member of the Council deemed necessary to carry out the Council's legislative function, and serve at the pleasure of the President, shall be appointed by the President subject to approval a Majority Vote of the Council; unless said employees are nonpartisan, classified employees, in which the case said employees shall be appointed by a majority decision of the President, Majority and Minority Leaders from a list of three (3) persons with the highest ratings obtained in a civil service examination held to determine eligibles for that position, which examination shall be created pursuant to criteria established by the appropriate committee of the Council.

(2) Transfers of Personnel. All transfers of personnel into the Office of Legislative Services and all layoffs of its personnel must be approved by a majority of the President, Majority Leader and Minority Leader of the Board of Alders, and by the appropriate bargaining unit.

(3) Legal Assistance. The President or a petition of a majority of the members of the Council may, from time-to-time, request the Corporation Counsel to attend Meetings of the Council or its committees; or, to provide a Deputy or Assistant Corporation Counsel to assist the Council in its legislative duties. In the event the Corporation Counsel or a designee is not available, there is a potential conflict between the Council and other Elective or Appointed Officials or on its own motion, the Council may, by a Majority Vote of the Council, retain independent, outside counsel for advice on such matters. Prior to such vote the President shall consult with the Corporation Counsel to ensure there are no legal, ethical or positional conflicts between said outside counsel and the City. In furtherance of this authority, the Annual Budget shall include a line item for said purpose; or, in the event there are insufficient funds available for retention of counsel, the Council may implement a budget transfer to be earmarked for the exclusive use of the Council.

(4) Other Consultants. The President or a petition of a majority of the members of the Council may, from time-to-time, authorize the retention of outside consultants to assist the Council in its legislative functions.

(5) Parliamentarian. The President may appoint a parliamentarian.

(6) Director of Legislative Services. There shall be a Director of Legislative Services, so appointed, who shall serve for a four (4) year renewable term commencing on February 1ST of the year following approval of this provisions of the Charter.

(7) Budget Analyst. A Budget Liaison, who shall be qualified by education, training and experience in public administration and public finance as well as additional qualifications as may be established by Ordinance and in accord with nationally accepted professional standards and best practices, shall be appointed as a classified employee in accordance with section 4(d)(1), above. The Budget Analyst shall serve as the principal advisor on matters of budget and finance to the Council and liaison to the Department of Finance and, as such, shall assist the Council in carrying out the provisions of this Charter pertaining to budget development, implementation and oversight. In particular, said Liaison shall assist the Council, in its interactions with the Mayor, as follows:

(i) development and execution of the Town Budget (capital and operating), including the budgets of the Town's internal service, special revenue funds and enterprise funds, if any;

(ii) providing any information pertaining to federal and state revenue estimates and any potential adjustments;

(iii) conferring with the President and other leaders of the Council, Chair of the Council Committee of jurisdictions on budgetary and finance matters or their designees with budget related questions or concerns throughout the fiscal year;

(iv) assisting the Council in its oversight function pertaining to budgetary compliance;

(v) assist the Council on all matters pertaining to all budgetary transfer requests submitted for legislative action; and,

(vi) assisting the Council in developing methods and means of communicating with the residents of the City order to expand public participation, engagement and trust in the budgetary process including electronic posting of financial documents and information as well as enhanced opportunities for public participation throughout the year.

Said Budget Analyst shall be strictly accountable to the Council. The Mayor, Board of Education and Director of Finance are required to provide the Budget Analyst and the Council with all financial and budgetary information and data that is not otherwise deemed confidential or exempt from disclosure under Law.

Sec. 5. - Meetings⁴⁶.

(a) Regular Meetings. The Council shall have Regular Meetings at a time and place determined by Resolution, except that the Council shall have at least one (1) regular Meeting a month.

(b) Special Meetings. Special Meetings may be held at any time the Council may direct and also may be called on forty-eight (48) hours' Meeting Notice by the Mayor, the Council President, or any three (3) members of the Council. The said notice of any Special Meeting shall be in such form and shall be delivered in such manner as the Council shall prescribe by Ordinance. It shall contain a statement of the specific item or items of business to be transacted and no other business shall be transacted at such Special Meeting.

(c) Emergency Meetings. In the event a public emergency arises or threatens to arise involving or threatening the lives or property of the inhabitants of the City or the property of the City, the Mayor or Council President may call an emergency Meeting of the Council upon three (3) hours' notice and may summon Council members to attend such Meeting in such manner as the Council may prescribe by Ordinance. Notwithstanding any provision of Law or this Charter to the contrary, at such Meeting, the Council may transact any item or items of business relevant to such emergency.

(d) Open Meetings and public comment. All Meetings shall be open to the public and the Council shall make provision, in its rules, for a public comment period during, at least, one (1) Meeting per month.

Sec. 6. - Procedures and other organizational matters⁴⁷.

(a) The Council journal. The Council shall keep for public inspection a journal, which shall be the official record of its proceedings. The Council journal shall be available to the public electronically and shall be published in such manner as the Council shall determine.

(b) Rules of procedure. The Council shall have power, subject to the provisions of this Charter, to adopt its own rules of procedure.

(c) Voting. No Ordinance, Resolution, Motion or vote shall be passed by the Council, except Motions of a purely procedural nature, unless it shall have received the affirmative votes of at least a majority of the full membership of the Council; provided that no Ordinance required, by section 2(d)(3) of Chapter VII of this Charter, to be referred to the Planning and Zoning Commission shall be approved following a negative

⁴⁶ Election of 11-5-02

⁴⁷ Election of 11-5-02

recommendation by said Commission except by a vote of seven (7) members of the Council. All voting, except on procedural Motions, shall be by roll call and the ayes and nays shall be recorded in the journal.

Sec. 7. - Procedures for enacting Ordinances, Resolutions and other legislative enactments⁴⁸.

(a) Ordinances, when required. In addition to such acts of the Council as are required by the General Statutes or by other provisions of this Charter to be by Ordinance, every act creating, altering or abolishing any agency, office or employment, or assigning or reassigning the same to Departments, fixing compensation, making an appropriation, authorizing the borrowing of money, levying a tax, establishing any rule or Regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by Ordinance.

(b) Form of Ordinances. Every Ordinance, except the annual Appropriation and Tax Levy Ordinance and an Ordinance making a general codification of Ordinances, shall be confined to a single subject that shall be clearly expressed in its title. All Ordinances shall be introduced in written or printed form. All Ordinances that amend or repeal existing 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 newspaper or otherwise the same indications of omitted and new matter shall be used except that italics may be substituted for underscoring. The enacting clause of all Ordinances shall be: "Be it ordained by the Court of Common Council of the City of Hartford." Unless another date is specified therein an Ordinance shall take effect on the tenth day following its passage.

(c) Procedure for passage of Ordinances.

(1) Introduction, first reading and publication. An Ordinance may be introduced at any Meeting by the Mayor, by any member of the Council, any committee thereof or the Treasurer as set forth in section 2(f) of Chapter VI of this Charter. Upon introduction it shall be read a first time and a day and hour set, not earlier than the seventh day thereafter, at which the Council or a committee thereof shall hold a public hearing thereon. Such hearing may be at a Regular Meeting of the Council or at such time and place as the Council may order and may be adjourned from time to time. It shall be the duty of the City Clerk to publish the title and/or statement of purpose of every Ordinance introduced, within three (3) Days after its introduction, as a paid advertisement once in a daily newspaper of general circulation in the City⁴⁹, together with a notice of the time and place at which the public hearing thereon shall be held and notice that a full copy of the Ordinance is on file in the office of the City Clerk for public inspection. Immediately upon publication, the City Clerk shall place a copy

⁴⁸ Election of 11-5-02

⁴⁹ **Note: Issue for the Council.**

of the publication clipped from such newspaper, together with a copy of the Ordinance, in a file for use of the Council. Copies of the Ordinance shall be maintained in the office of the City Clerk in suitable form for inspection and distribution.

(2) *Public hearing, second reading and passage.* No Ordinance, except an emergency Ordinance as defined in subsection (3) of this section, shall be read the second time and passed less than three (3) weeks following its introduction nor until the conclusion of public hearings thereon. The Council shall have the option to accept or reject an amendment at that Meeting, or, to reassign the entire matter for public hearing as an original Ordinance. If the amendment is approved and if the amendment is substantial, the proposed Ordinance, as amended, shall be republished and assigned for public hearing, as provided in the case of a newly introduced Ordinance, and shall not be finally passed prior to two (2) weeks following such amendment; provided that no republication or additional public hearing shall be required as the result of the adoption of any amendment that was filed with the City Clerk in writing and made available to the public electronically, by noon of the fifth business day prior to the next Council Meeting, at which action may be taken on the proposed amendment. If the amendment is defeated, the Ordinance may be finally passed at that Meeting.

(3) *Emergency Ordinances.* Emergency Ordinances for the immediate preservation of the public peace, health and safety may be introduced at any 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, special or emergency Meeting subsequent to such publication. An emergency Ordinance shall contain a specific statement of the emergency. The affirmative votes of seven (7) members of the Council shall be necessary for the adoption of an emergency Ordinance.

(4) *Approval of Ordinances, Resolutions and appropriations by the Mayor.*

(i) Ordinances and Resolutions⁵⁰. Every Ordinance and Resolution, except an emergency Ordinance, a budgetary appropriation Ordinance, and a tax levy Ordinance, shall, before it becomes effective, be certified by the City Clerk to the Mayor for the Mayor's approval. The Mayor may sign the proposed Ordinance or Resolution, whereupon it shall become effective in accordance with its terms. The Mayor may, within seven (7) Days, return a proposed Ordinance or Resolution to the City Clerk with a statement of the reasons for disapproval, which statement shall be transmitted by the City Clerk to the Council at its next regular Meeting. If the Council shall pass the proposed Ordinance or Resolution by an affirmative vote of seven (7) members within fourteen (14) Days or at the next Meeting of the Council held after such Ordinance or Resolution has been returned with the Mayor's disapproval, whichever is later, it shall

⁵⁰ 2022 revision and recodification of Sec. 7.C(4)(i) of Chapter IV.

become effective without the Mayor's approval. If the Mayor does not return the proposed Ordinance or Resolution within the time required, it shall become effective without the Mayor's approval.

(ii) **Appropriations**⁵¹. The approval of appropriation is addressed in section 5.D of Chapter X of this Charter and any Ordinance pertinent thereto.

(d) **Waiver of reading.** By the unanimous consent of the Council members present, any first or second reading, or both, of an Ordinance may be waived and said Ordinance read by title and statement of purpose.

(e) **Record and publication of Ordinances.** Every Ordinance after passage shall be given a serial number, printed in the journal, and recorded by the City Clerk in a book to be kept for that purpose which shall be properly indexed. All Ordinances for the violation of which a penalty is imposed or which impose any burden on or limit the use of private property and all Ordinances authorizing the issuance of bonds shall be published by the City Clerk once in a daily newspaper of general circulation in the City, within three (3) Days of their passage, in the same manner and form as provided in section 7(c)(1) of Chapter IV of this Charter. At least every ten (10) years, there shall be prepared under the direction of the Corporation Counsel by a competent legal publishing house employed by the City a codification of all Ordinances in force, eliminating all obsolete and conflicting provisions. Said codification shall be passed by the Council as a single Ordinance and without prior publication. Upon its passage it shall be published in loose-leaf form. Copies of all Ordinances shall be printed as promptly as possible after their passage in the same loose-leaf form as the codification, for distribution.

PUBLIC HEARING

⁵¹ 2022 revision and recodification of Sec. 7.C(4)(ii) of Chapter IV.

PUBLIC HEARING VERSION - CRC 16 MAY 2022

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CHAPTER V. - THE MAYOR

Sec. 1. - The executive power and authority of the Mayor⁵².

There shall be a Mayor who shall be the chief executive officer of the City. The executive and administrative powers of the City are vested in the Mayor, except as otherwise provided in this Charter, or provided by Law.

Compensation of the Mayor⁵³. The Mayor shall be paid an annual salary in an amount equal to the salary, including accumulated cost of living adjustments, of a Judge of the Superior Court of the State of Connecticut, commencing at 12:01 a.m. on January 1, 2024 (“base salary”). The salary of the Mayor may be adjusted to reflect any changes in such base salary, in accordance with Article XIX of the Constitution of the State of Connecticut⁵⁴ at which time said salary may be further adjusted to reflect any changes, as provided in sections 1(a) and 2(k) of Chapter IV of this Charter.

Sec. 2. - Powers and duties of the Mayor⁵⁵.

In addition to the powers and duties specified elsewhere in this Charter or in the State Constitution and General Statutes, the Mayor shall:

- (a) Devote full time to the duties of the office;
- (b) Take care that the Laws and Ordinances be faithfully executed within the boundaries of the City, insofar as it is the obligation of the City and its employees to do so;
- (c) Be responsible for the performance of their duties by all the appointive officers and Departments and employees of the City and exercise ultimate operational control over the Departments of the City; in this respect the Mayor shall have the

⁵² Election of 11-5-02. **Note from Council: Elector requirement. Who shall be an Elector and resident of the City.**

⁵³ 2022 modification of the provision adopted at the election of 11-5-02. The applicable statute is C.G.S. §51-47. At the time of adoption of this provision the Superior Court salary was \$180,460.

⁵⁴ **2022 Comment of the Charter Revision Commission:** Please see, Article XIX of the Constitution of the State of Connecticut. “Section 2 of the article eleventh of the constitution is amended to read as follows: Except as provided in this section, neither the state nor any political subdivision of the state shall pay or grant to any elected official of the state or any political subdivision of the state, any compensation greater than the amount of compensation set at the beginning of such official's term of office for the office which such official holds or increase the pay or compensation of any public contractor above the amount specified in the contract. The provisions of this section shall not apply to elected officials in towns in which the legislative body is the town meeting. The compensation of an elected official of a political subdivision of the state whose term of office is four years or more may be increased once after such official has completed two years of his term by the legislative body of such political subdivision. The term "compensation" means, with respect to an elected official, such official's salary, exclusive of reimbursement for necessary expenses or any other benefit to which his office would entitle him. Adopted November 24, 1982.”

⁵⁵ Election of 11-5-02

discretion to delegate powers and responsibilities to any employee of the City. The Mayor shall conduct or cause the Chief Operating Officer to conduct an annual evaluation of each Department Head. While retaining the responsibilities defined in this provision the Mayor shall designate the Chief Operating Officer to carry out such responsibilities with regard to the supervision and direction of the Departments of the City, as the Mayor may direct;

(d) Appoint, subject to section 2(d) of Chapter IV of this Charter, the Chief Operating Officer, Corporation Counsel and Department Heads, except as otherwise provided in this Charter or collective bargaining agreement, and such other officers and employees of the City as this Charter or an Ordinance of the Council consistent therewith may provide. Following October 1 of the year in which there is a mayoral election a Mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) Days following the commencement of the term of office of the new Mayor. If the Mayor is re-elected this limitation shall not apply after the election. The Mayor shall have power to remove any appointee, except a member of the Classified Service. The Mayor may suspend from duty for not more than thirty (30) Days any such appointee pending Final Action.

(e) Appoint, subject to section 2(d) of Chapter IV of this Charter, all members of all Boards, Commissions, agencies, authorities and other bodies of the City created by the General Statutes or by Ordinance. Following October 1 of the year in which there is a mayoral election a Mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) Days following the commencement of the term of office of the new Mayor. If the Mayor is re-elected this limitation shall not apply after the election. The Mayor shall have the power to initiate the removal of any appointee as set forth in section 1(i) of Chapter VII of this Charter;

(f) Act as the principal representative of the City in relations and affairs with the federal government, the state government, other municipalities, regional agencies, and any subdivisions, Departments thereof;

(g) Act as the principal strategist and spokesperson of the City in the creation and implementation of plans for economic development;

(h) Have the right to appear at and address the Council and to cause proposals to be included on the agenda of the Council;

(i) Deliver a written and oral report on the state and condition of the City and on any recommendations the Mayor deems appropriate at the second (2nd) Meeting of the Council in March of each year⁵⁶;

(j) Prepare and submit to the Council not later than its first (1st) Meeting in September of each year a concise and comprehensive report of the financial

⁵⁶ 2022 modification of current Sec. 2(i) of Chapter V.

transactions and administrative activities of the City government during the fiscal year ending on the preceding thirtieth day of June;

(k) Prepare and submit the annual budget as provided in Chapter X of this Charter;

(l) Exercise within the limits of the City all the emergency powers given to the chief executive officer of a municipality under the General Statutes;

(m) Examine, in person or through one (1) or more designees, all data and property of the City in the possession of any officer, Department, Commission, Board (including the Board of Education), authority, employee or member of any part of the municipal government, provided that the Mayor shall not have the right to demand information about or interfere in any way in any investigation connected with the enforcement of any Law, including Regulations, and further provided that the Official responsible for any such investigation shall inform the Mayor of information relating to such investigations when, and to the extent that, in the judgment of the responsible Official doing so: (1) will be in the interest of the City; (2) will not impair the integrity of the investigation; and (3) is otherwise consistent with applicable Law;

(n) Have the right to appear and speak before any Board or Commission, committee or agency of the City, except where the decision of the Board or Commission, committee or agency is appealable on the record to the Superior Court;

(o) Be the traffic authority of the City as defined in the General Statutes, provided that this section shall not affect the powers of a parking authority formed pursuant to Chapter 100 of the General Statutes;

(p) Declare a public emergency that exists or threatens to arise involving or threatening the lives or property of inhabitants of the City or property of the City and mobilize, organize and direct the forces of the City and call upon and cooperate with the forces of the state and other political subdivisions thereof. The Mayor may summon, marshal, deputize or otherwise employ other persons or do whatever the Mayor may deem necessary for the purpose of meeting the emergency. The Mayor may obligate the City in an amount of money not to exceed one hundred thousand dollars (\$100,000.00) to cope with such emergency until the Council convenes. The termination of the emergency shall be determined and declared by the Mayor, or by a vote of seven (7) members of the Council.

(q) Assign any employee of one (1) Department to the temporary performance of duties in another Department; subject to the provisions of the applicable collective bargaining agreements, and whenever the interests of the City require. No such temporary assignment shall last past the beginning of the next fiscal year.

(r) Assign employees or other staff to carry out the administrative duties of the various Boards and Commissions of the City.

Sec. 3. - Organization of the office of the Mayor⁵⁷.

(a) Appropriations. The Mayor may appoint a chief of staff, legislative assistant, research assistant, personal secretary and receptionist, or equivalent positions for which the Council shall appropriate sufficient funds. In addition, the Mayor may employ such other staff necessary for the administration of official duties as the Council may provide. All such assistants and staff shall be appointed by the Mayor and shall serve at the pleasure of the Mayor and shall not be subject to the provisions of section 2(d) of Chapter IV of this Charter.

(b) Chief Operating Officer. The budget shall provide for a Chief Operating Officer, who shall be the principal managerial aide to the Mayor and shall perform such duties as may be assigned by the Mayor. The Chief Operating Officer shall be an unclassified employee of the City and shall be appointed by and serve at the pleasure of the Mayor. Said Chief Operating Officer shall be appointed on the basis of substantial executive and administrative experience, qualifications and knowledge.

(c) Residency of Department Heads and Chief Operating Officer. The Council may, by Ordinance, establish standards for the residency of Department Heads and Chief Operating Officer, subject to the requirements of the General Statutes.

Sec. 4. - Temporary absence or disability⁵⁸.

In the event that the Mayor is temporarily absent or disabled and is, because of such absence or disability, unable to perform the duties of the Mayor's office, the Council President, or in the president's absence or disability, such member as the Council shall designate, shall exercise the power of the Mayor, except that until such absence or disability of the Mayor has continued for thirty (30) Days, the acting Mayor shall not have power to appoint or remove officers or employees. The compensation for the acting Mayor shall be determined by the Council but shall in no event exceed in proportion the salary of the Mayor. Absence from the City shall not constitute temporary absence in the event the Mayor is in contact with the Chief operating officer by electronic or voice communications. The Council shall provide by Ordinance a procedure for determining said absence or disability.

Sec. 4. - Temporary absence or disability⁵⁹.

(a) Notification by the Mayor⁶⁰. In the event that the Mayor notifies the President of the Council of an inability to attend to the duties of office due to

⁵⁷ Election of 11-5-02

⁵⁸ Election of 11-5-02

⁵⁹ Election of 11-5-02

⁶⁰ 2022 recodification and modification of current Chapter V, Sec. 4 (first sentence).

- (1) temporarily absence from the City;
- (2) temporary disability or sickness or other cause

the President of the Council, or in the President's absence or disability, such member as the Council shall designate, shall exercise the power of the Mayor ("Acting Mayor"), except that until such absence or disability of the Mayor has continued for thirty (30) days, the Acting Mayor shall not have power to appoint or remove officers or employees.

(b) Action by the Council: Evidential Determination⁶¹. In the event the Mayor fails to notify the President of the Council under the provisions of §4(a) of this Charter, above, and it is determined that the Mayor is unable to attend to or perform the duties of office due to an unexplained and sustained absence from the Town, temporary disability or illness or absence or other cause, the Council may determine the temporary disability or absence of the Mayor by a vote seven (7) member of the Council present and voting. In such event the President of the Council shall exercise the power of Acting Mayor as set forth in §4(a) of the Charter, above. The determination of physical or mental disability or sickness or such other cause of incapacity to serve, shall be based upon the best evidence as presented by competent authority

(c) Absence. Defined⁶². Absence from the City shall not constitute temporary absence in the event the Mayor is in contact with the Chief Operating Officer by electronic or voice communications.

(d) Procedural Ordinance⁶³. If necessary, the Council may provide by Ordinance a procedure for determining said absence or disability, consistent with the standard set forth herein.

(e) Compensation⁶⁴. The compensation for the Acting Mayor shall be determined by the Council but shall in no event exceed in proportion the salary of the Mayor.

(f) Status of the Council President. There shall be no Vacancy in the Office of the President of the Council when the President serves as Acting Mayor under this provisions of the Charter.

⁶¹ NEW (2022).

⁶² 2022 recodification and modification of current Chapter V, Sec. 4 (third sentence).

⁶³ 2022 recodification and modification of current Chapter V, Sec. 4 (fourth sentence).

⁶⁴ 2022 recodification and modification of current Chapter V, Sec. 4 (second sentence).

PUBLIC HEARING VERSION - CRC 16 MAY 2022

CHAPTER VI. – THE CITY TREASURER

Sec. 1. - City Treasurer⁶⁵.

There shall be a City Treasurer⁶⁶, who shall have the powers set forth in this Charter or Ordinances, the General Statutes, or as otherwise provided by Law.

Compensation of the City Treasurer⁶⁷. The City Treasurer shall be paid an annual salary in an amount equal to six thousand (\$6,000.00) dollars less than the salary of the Mayor as set forth in section 1 of Chapter V of this Charter, commencing at 12:01 am on January 1, 2024. The salary of said Treasurer shall be adjusted to reflect any changes in such base salary, in accordance with the Constitution of the State of Connecticut at which time said salary may be further adjusted to reflect any changes as provided in sections 1(a) and 2(k) of Chapter IV of this Charter.

Sec. 2. – Powers and Duties of the City Treasurer.

In addition to the powers and duties specified elsewhere in this Charter or Ordinances and the General Statutes, the City Treasurer shall have the following responsibilities⁶⁸:

(a) Custodian of City funds. Except as otherwise provided in or pursuant to any of the provisions to which reference is made in subparagraph (d) below, the City Treasurer shall have custody of, and shall disburse, all funds belonging to the City and shall deposit the same in one (1) or more authorized public depositories. For purposes of this chapter, an "authorized public depository" shall be any bank and/or trust company that qualifies as qualified public depository under and pursuant to the General Statutes to the extent the same has been designated as such by the Council on the recommendation of the Mayor, following consultation with the City Treasurer⁶⁹. For these purposes the City Treasurer is authorized to contract with all such qualified public depositories into which such funds are deposited⁷⁰.

(b) Treasurer of town deposit fund and capital improvement funds. Investment responsibilities.

(1) The City Treasurer shall have custody, and shall be treasurer, of the town deposit fund and the capital improvement fund as well as any trust or

⁶⁵ Chapter VI, Sec. 1. Election of 11-5-02

⁶⁶ **Counsel: WHO SHALL BE AN ELECTOR AND RESIDENT OF THE CITY**

⁶⁷ NEW (2022). 2022 **Comment of the 2022 Charter Revision Commission:** The six thousand (\$6,000.00) dollar differential is derived from the differential between an administration law judge and the salary of a Superior Court Judge, as set forth in C.G.S. §31-277. The provisions of Chapter V, Sec. 1, including the inclusion of "accumulated cost of living adjustments" apply to the adjusted base salary of the City Treasurer.

⁶⁸ 2022 recodification of Chapter VI, Sec. 1 (a) Election of 11-5-02

⁶⁹ 2022 recodification of Chapter VI, Sec. 1 (a)(1) [First two sentences]. Election of 11-5-02

⁷⁰ NEW (2022)

like funds which are established by or under this Charter or the General Statutes for any eleemosynary purposes by or for the benefit of the City, its residents or any of its public parks, buildings or other improvements⁷¹.

(2) In that capacity, the City Treasurer shall have authority to invest and reinvest the assets of all such funds in cash, securities and other investment instruments and/or vehicles which are legal for the investment of trust funds under the General Statutes, consistent with the fiduciary and other standards set forth in the Connecticut Uniform Prudent Investors Act⁷². The City Treasurer shall approve all disbursements from any such trust fund⁷³.

(3) Nothing herein shall be construed to prevent sinking funds and trust funds from continuing to be managed by the trust companies managing them at the effective date of this Charter, unless the appointment is revoked by the Council for cause⁷⁴.

(4) Whenever a Vacancy occurs in the management of any trust fund, or any trust fund is hereafter created, the Council shall have power, on the recommendation of the City Treasurer, to designate one (1) or more authorized public depositories to manage the same, which designation shall continue until revoked by the Council for cause⁷⁵.

(c) Disbursements⁷⁶. The City Treasurer shall make no disbursement from any funds of the City except by check or electronic transfer signed or authorized by the City Treasurer. Each check or transfer shall be based upon a voucher or payroll duly audited by the Director of Finance. Before signing any check or authorizing any transfer the City Treasurer shall be satisfied that such check or transfer represents the payment of a duly authorized obligation of the City.

(1) Books and Records⁷⁷. The City Treasurer shall keep such books and records as the Director of Finance shall prescribe.

(2) Official Bond⁷⁸. The City Treasurer's official bond shall be a surety company bond in an amount sufficient to satisfy the requirements of the General Statutes and the Ordinances.

(d) The role of the City Treasurer with regard to City pension funds. The City Treasurer shall have the specifically delineated responsibilities pertaining to the care, custody and investment of the assets held in all of the various pension, retirement

⁷¹ 2022 recodification of Chapter VI, Sec. 1 (a)(2) [First sentence]. Election of 11-5-02

⁷² 2022 recodification of Chapter VI, Sec. 1 (a)(2) [Second sentence]. Election of 11-5-02

⁷³ NEW (2022)

⁷⁴ 2022 recodification of Chapter VI, Sec. 1 (a)(2) [Third sentence]. Election of 11-5-02

⁷⁵ 2022 recodification of Chapter VI, Sec. 1 (a)(2) [Fourth sentence]. Election of 11-5-02

⁷⁶ 2022 recodification of Chapter VI, Sec. 1 (a)(3)[First, second and third sentences]. Election of 11-5-02

⁷⁷ 2022 recodification of Chapter VI, Sec. 1 (a)(3)[Fourth sentence]. Election of 11-5-02

⁷⁸ 2022 recodification of Chapter VI, Sec. 1 (a)(3)[Fifth sentence]. Election of 11-5-02

and savings funds that are maintained on behalf of current and/or former city employees and their beneficiaries, and such powers incident to such responsibilities (including the power, upon approval of the Pension Commission, to invest and reinvest the same and to enter contracts with qualified custodians, investment advisers and life insurance companies) all as and in the manner referred to in Chapter XII of this Charter⁷⁹. The City Treasurer shall be a fiduciary of such funds⁸⁰.

(e) Management of the Pension Commission⁸¹. The City Treasurer shall manage the operation of the Pension Commission, subject to review and authority of the Pension Commission.

(f) Interaction with the Council⁸². The City Treasurer shall have the right to appear at and address the Council and to cause proposals pertaining to the functions of the City Treasurer relating to the administration of the Pension Commission to be included on the agenda of the Council.

Sec. 3. – Organization of the Office of the City Treasurer.

(a) Assistant City Treasurer⁸³. The City Treasurer shall appoint to serve at the Treasurer's pleasure an Assistant City Treasurer and shall file with the City Clerk a certificate of such appointment and the City Clerk shall record such certificate in the minutes of the Council. said assistant shall perform such duties as may be required by the City Treasurer and shall have all the powers and duties of the City Treasurer during the City Treasurer's absence or disability.

(b) Other employees⁸⁴. Subject to the civil service provisions of this Charter and any applicable collective bargaining agreements or employment contracts, the City Treasurer shall appoint and manage such employees as are necessary and appropriate to perform the work of the City Treasurer's office. Subject to approval of the Pension Commission, and the terms of any employment contracts, the City Treasurer shall appoint and manage such employees and contractors as are necessary and appropriate to perform the work of the Pension Commission⁸⁵.

⁷⁹ 2022 recodification and modification of Chapter VI, Sec. 1 (a)(4) Election of 11-5-02

⁸⁰ NEW (2022).

⁸¹ NEW (2022).

⁸² NEW (2022).

⁸³ 2022 recodification of Chapter VI, Sec. 1 (b) Election of 11-5-02

⁸⁴ NEW (2022).

⁸⁵ 2022 recodification of Chapter III, Sec. 2 moved to Chapter III, Sec. 6. Election of 11-5-02

PUBLIC HEARING VERSION - CRC 16 MAY 2022

CHAPTER VII. - BOARDS AND COMMISSIONS

Sec. 1. - General requirements concerning membership on appointive Boards and Commissions⁸⁶.

(a) **Creation of Boards and Commissions: number of members, terms⁸⁷.**

In addition to those Boards and Commission established by this Charter, the Council shall by Ordinance establish the number of Board and Commission members (and, alternates, in the case of the Planning and Zoning Commission and the Zoning Board of Appeals), which shall always be odd and terms of office, which may be staggered. Any such Ordinance shall make provision for the appointment of a chair, the keeping of records, and the frequency of Meetings of all Boards and Commissions.

(1) The Role of Boards and Commissions⁸⁸. The primary purpose of a Board or Commission is to serve the residents of the City in carrying out the policy, advisory and/or quasi-judicial or regulatory functions under its charge. Boards and Commissions serve as a conduit for citizen participation and input by gathering, analyzing and acting upon such information in order to meet the specific objectives as set forth under this Charter, Ordinances or other source of legal authority.

(2) The Public Interest⁸⁹. Members of Boards and Commissions are required to understand the role and scope of responsibility and be informed of the objectives, scope of responsibility and operating procedures of the Board or Commission to which they are appointed. Members should represent the public interest and not special interest groups and seek to render decisions on the basis of what is best for the residents of the City. Furthermore, members should take care that deliberations include thorough research and review of all alternatives on an issue prior to making a recommendation.

(i) Regulatory Functions⁹⁰. In the case of members of regulatory Boards and Commissions, decisions should be evidence-based taking into account the interests of the public and fairness to the parties based upon application of the Law and any other pertinent documents.

(ii) Department-based Policy and Administrative Functions⁹¹. In the case of members of department-based Boards and Commissions, members serve as a communication link between the community, staff, and City presenting programs and recommendations and provide a channel for citizen expression. Members should establish a

⁸⁶ Election of 11-5-02

⁸⁷ Current Chapter VII, Sec. 1 (a). Election of 11-5-02

⁸⁸ NEW (2022)

⁸⁹ NEW (2022)

⁹⁰ NEW (2022)

⁹¹ NEW (2022)

strong working relationship with Department Heads and other executives; however, at all times, members represent the public interest as opposed to the specific department interests under their jurisdiction. This is particularly true when a Board or Commission has an oversight function.

(b) Administrative Requirements for Boards and Commissions⁹². All Boards and Commissions established by this Charter or by Ordinance are required to comply with the following requirements:

(1) Number of Members. Terms⁹³. The number of Board and Commission members (and alternates) and terms of office, which may be staggered. Except as otherwise provided by the General Statutes and this Charter, the number shall always be odd and the term of office shall not exceed a term of six (6) years, which may be staggered.

(2) Chairs and Other Officers⁹⁴. Any such Ordinance shall make provision for (a) the appointment of a chair, such officers as may be necessary for its proper function and a delineation of the responsibilities of the presiding officer and other officers; (b) the keeping of records and posting of agendas as required by the General Statutes; (c) minority party representation as set forth in this Charter; (d) public participation (including, but not limited to, public speaking, comment and any applicable rules and protocols); and, (e) the frequency of regular Meetings of all Boards and Commissions and mandatory attendance requirements. The agendas of Boards and Commissions shall be approved by the Chair of such entity. The Mayor shall not serve as chair of any elective or appointed Board or Commission.

(3) Quorum⁹⁵. A majority of the total membership of each such Board and Commission shall constitute a quorum for the transaction of all business; unless, otherwise required by the General Statutes.

(4) Meeting Frequency and Notice⁹⁶. Each Board or Commission shall meet as frequently as necessary to perform its duties; however, not less than monthly. Meetings may be cancelled with notice and disclosure to the public stating the reason for such cancellation; notwithstanding the foregoing, no Board or Commission shall cancel Meetings for two (2) consecutive months. Failure to obtain a quorum shall not be deemed a cancellation of a Meeting. The Chair, any two (2) members or the Mayor may call a Meeting of any appointive Board or Commission, provided each member is given Public Notice of not less than twenty-four (24) hours unless otherwise required by Law.

⁹² NEW (2022)

⁹³ NEW (2022)

⁹⁴ NEW (2022)

⁹⁵ NEW (2022)

⁹⁶ NEW (2022)

(5) Sunset Provision⁹⁷. Before the first day of July of each year, the City Clerk shall report the following information to Common Council, in writing:

(i) Failure to Meet. The name of any Board or Commission as defined in section 4.A of Chapter I of this Charter, which has not met during the preceding twelve (12) months; and

(ii) Abolition of Boards and Commissions. When any such Board or Commission is reported to the Common Council by the City Clerk as set forth herein, the Council shall within sixty (60) days after the receipt of such report, take action, by Resolution, to continue the existence of such Board. Should no such action be taken, the Board or Commission shall be abolished by operation of law.

(iii) Exception. This provision shall not apply to Boards and Commissions set forth in section 2(a) – (e) of this Chapter of the Charter.

(6) Clerk⁹⁸. The City Clerk shall work with the Mayor and Department Heads to make certain that each Board or Commission has a clerk assigned to serve the function of said entity.

(7) Records⁹⁹. Each clerk of a Board or Commission shall keep a complete record of the Resolutions and other proceedings of the Board or Commission and shall have custody of its correspondence, files and other records in accordance with Law. All minutes and recordings of Meetings shall be filed with the City Clerk. All such records shall be open for public inspection at reasonable hours and shall be available for public review and inspection on the City website in compliance with the requirements of Law.

(8) Public Access, Comment and Interaction¹⁰⁰.

(i) Remote and Direct Public Access to Boards and Commissions. Each Board and Commission shall have capacity to receive remote, direct electronic or digital communications from the public. Said means of communication shall include those currently in existence or those to be created in the future and shall uniformly apply to all Boards and Commissions at any given time. Access to the such communications capacity shall be limited to the clerk and/or Chair of the Board or Commission both of whom shall be responsible for disseminating such information to the remaining members. The City Clerk working with appropriate City Officials shall facilitate assignment of such communications technologies to Boards and Commissions.

⁹⁷ NEW (2022).

⁹⁸ NEW (2022).

⁹⁹ NEW (2022).

¹⁰⁰ NEW (2022).

(ii) Public Comment: Prior to and During Meetings. Meetings of Boards and Commissions shall be open to the public in accordance with the General Statutes. Each Board and Commission shall make provision, in its rules, for a public comment period during, at least, one (1) Meeting per month.

(iii) Executive Session and Other Legal or Regulatory Proceedings. Notwithstanding the foregoing, public comment may be limited or prohibited on agenda items covered by the Law pertaining to non-public Meetings¹⁰¹ or executive sessions¹⁰², by applicable provisions of collective bargaining agreement, if any; and, any Laws or agreements protective of the privacy rights, confidentiality or legal rights associated with any party before the Board or Commission. Notwithstanding the foregoing, Boards and Commissions should strive to permit public comment where possible in order to reach a balance between the public interest, contractual and legal obligations and avoiding prejudicial behavior in the decisions to be rendered; as may be determined by opinion of the Corporation Counsel.

(9) Minority party representation¹⁰³. The political affiliation of the members of appointed Boards or Commissions or panel of alternates shall reflect the requirements of the General Statutes with respect to minority party representation.

(10) Compensation prohibited. No member of any appointive Board or Commission on which service is uncompensated as of June 1, 2002, shall receive compensation for services as such member¹⁰⁴. Notwithstanding the foregoing, members may receive reimbursement for expenses related to service including transportation and child care and other services that will facilitate the diverse participation of Electors of this City¹⁰⁵.

(c) Appointment¹⁰⁶. Except as otherwise provided by the General Statutes or authorized by this Charter, all members or alternate members of Boards or Commissions, including the appointed members of the Board of Education, shall be appointed by the Mayor, pursuant to section 2(e) of Chapter V (subject to section 2(d) of Chapter IV) of this Charter as set forth in this Charter. All Board or Commission members shall serve until their successors have been appointed and qualified.

¹⁰¹ At the time of adoption of this charter amendment the applicable provision was C.G.S. §1-200(2).

¹⁰² At the time of adoption of this charter amendment the applicable provision was C.G.S. §1-200(6).

¹⁰³ 2022 recodification of current Chapter VII, Sec. 1 (g). Election of 11-5-02

¹⁰⁴ 2022 recodification of current Chapter VII, Sec. 1 (h) (First sentence). Election of 11-5-02

¹⁰⁵ NEW (2022) (Second sentence).

¹⁰⁶ 2022 modification and recodification of current Chapter VII, Sec. 1 (b). Election of 11-5-02. See also, Chapter VII, Sec. 4.

(d) Vacancy¹⁰⁷. In the event of a Vacancy on any Board or Commission, a successor may be appointed by either the Mayor, pursuant to section 2(e) of Chapter V (subject to section 2(d) of Chapter IV) of this Charter or such other appointing authority as set forth in this Charter, subject to approval of a Majority Vote of the Council, for the remainder of the term of office.

(1) Resignation: Notification of the City Clerk¹⁰⁸. The effective date of a Vacancy caused by resignation shall be the date said written resignation is received by the City Clerk. A resignation may be effectuated if an oral statement is made on the record of the Board or Commission and the approved minutes of said Meeting are transmitted to the City Clerk by the Chair.

(2) Effective Date¹⁰⁹. The effective date of said resignation shall be the date of receipt by the City Clerk.

(3) Notification of the Mayor and Council President¹¹⁰. The City Clerk shall forthwith notify the Mayor and the President of the Council of any Vacancy within twenty-four (24) hours of receipt or knowledge. Said Clerk shall record the time of said notification for the purposes of section 1(c) of Chapter VII of this Charter.

(e) Removal¹¹¹. The Mayor may initiate proceedings to remove a member of any appointive Board, Commission, or "panel of alternates" for any of the following reasons: (1) misconduct in the performance of duties; (2) persistent absence; (3) conviction of a felony; (4) conviction of a misdemeanor which would undermine the public confidence in the member's ability to perform the duties of office. Rules of procedure for the removal of said member, and additional grounds for removal, shall be set by Ordinance.

(f) Residency requirement¹¹². Except as otherwise provided by Ordinance, no person may serve on a Board or Commission unless such person is an Elector of the City. If any such person who is a member of a Board or Commission shall move from the City, such person's membership on such Board or Commission shall be immediately terminated.

(g) Representation on Boards and Commissions¹¹³. The Mayor and other appointing authorities are required to consider appointments to ensure that, to the fullest extent possible, the composition of Boards and Commission reflect the diversity of the residents and the geographic areas of the City.

¹⁰⁷ 2022 modification and recodification of current Chapter VII, Sec. 1 (c). Election of 11-5-02

¹⁰⁸ NEW (2022).

¹⁰⁹ NEW (2022).

¹¹⁰ NEW (2022).

¹¹¹ 2022 recodification of current Chapter VII, Sec. 1 (i). Election of 11-5-02

¹¹² 2022 recodification of current Chapter VII, Sec. 1 (e). Election of 11-5-02

¹¹³ NEW (2022).

(1) Diversity. Boards and Commissions should reflect the diversity, including the race, color, ethnicity, religious creed, age, sex, national origin, ancestry, status as a veteran, socio-economic status, sexual orientation, gender identity or expression, familial and marital status, pregnancy, or physical and mental disability and cultural make-up of the City in order to achieve a representative balance of its residents. Moreover, Hartford is committed to ensuring fair representation on all Boards and Commissions. The Boards and Commissions of the City should include balanced geographic representation from throughout the City.

(2) Backgrounds. Of equal weight with the foregoing requirements, the Mayor and other appointing authorities are obligated to take into consideration a diversity of backgrounds, life experience, expertise, as well as personal integrity and a commitment to ensuring an ethical and transparent local government.

The Mayor and Council, when examining new candidates for appointment to Boards and Commissions are required to give due consideration to recommendations made by representatives of Outreach Organizations as set forth in Sec. 1(j)(iv) of this Chapter of the Charter.

(h) Required Cooperation¹¹⁴. Each Official¹¹⁵ and employee of any Department¹¹⁶ of the City shall assist the Boards and Commissions and the pertinent Departments in carrying out the provisions of this section. Furthermore, in the event a Board or Commission is attached to a Department, the Department Head shall cooperate with said Board or Commission in formulating and carrying out the operational and management policies of the Department.

(i) Conflict of interest¹¹⁷. In addition to all applicable conflict of interest provisions of the General Statutes, this Charter and of the Ordinances, no member of the Planning and Zoning Commission, the Zoning Board of Appeals, or any other Board or Commission set forth by Ordinance shall participate in the hearing or decision if such participation would be a "prohibited activity" as defined in the General Statutes. However, if the Council adopts a local ethics Ordinance, as authorized by the General Statutes, said Ordinance may establish a local standard applicable to members of Boards and Commissions.

(j) Administration of Boards and Commissions:

(i) The Role of the City Clerk¹¹⁸. The City Clerk shall (a) be the filing repository of interested applicants to Boards and Commissions and shall notify the

¹¹⁴ NEW (2022)

¹¹⁵ "Official" replaces "officer".

¹¹⁶ "Department" includes the deleted term "...or agency...".

¹¹⁷ 2022 recodification of current Chapter VII, Sec. 1 (f). Election of 11-5-02

¹¹⁸ NEW (2022).

Mayor's office and President of the Council of all such applicants; (b) post all agendas and minutes of Boards and Commissions in the office of the City Clerk; (c) notify the Mayor and Council President of all noticed vacancies and openings on Boards and Commissions and shall record the time of said notification; (d) swear in all approved appointing authority appointments; and; (e) record all approved appointments and sworn oaths as required by the Connecticut General Statutes.

(ii) The Role of the Mayor¹¹⁹. The Mayor's office shall (a) maintain records of incumbency of Boards and Commission by list; (b) provide the City Clerk with a quarterly update of the list; and, (c) be responsible for notifying the Council of a Vacancy or when a term of a member is to expire, in the latter case, at least three (3) months prior to the end of the term.)

(iii) Publication of Boards and Commissions: Applicant Pool¹²⁰. For the purposes of creating an applicant pool during the month of October of each year, the City Clerk shall cause to be published on the City web-site; posted for thirty (30) Days in a conspicuous location available to the public in the office of the City Clerk and in such location in City Hall as designated by the Mayor; and, if practicable or deemed necessary by the Mayor, published at least once for general circulation within the City a list of all the Boards and Commissions of the City. Any Elector desirous of serving on any Board or Commission, may express such desire in writing addressed to such City Clerk who shall retain such correspondence on file for two (2) years. The appointing authority of any member of any Board or Commission shall review such notices prior to making the appointment to such Board or Commission.

(a) Publication of Vacancies on Boards and Commissions¹²¹. In addition, following receipt of the City Clerk's notice to the Mayor¹²² of a Vacancy or opening on a Board or Commission, the Mayor shall provide Public Notice that such position is subject to appointment, at least two (2) weeks prior to filling of the position. The Mayor shall publish or post, as the case may be, such notice on the City web-site and other electronic media, including social media and other methods of reaching the public; in a conspicuous location available to the public in the office of the City Clerk and in such location in City Hall as designated by the Mayor; and, if practicable, in a newspaper of local availability to the residents of the City.

(b) Public Communications. The Mayor shall invite the Electors of the City who are interested in serving to apply by submitting their name, address and qualifications, in writing, for membership on such

¹¹⁹ NEW (2022).

¹²⁰ 2022 modification and recodification of current Chapter VII, Sec. 1 (d). Election of 11-5-02

¹²¹ NEW (2022).

¹²² See, C.G.S. §7-193(b).

Board or Commission to the City Clerk. Any Elector desirous of serving on any Board or Commission may express such desire in writing addressed to the City Clerk who shall forward such correspondence and a list of all candidates for the position to the Mayor or other such appointing authority who shall retain such correspondence on file for two (2) years.

(c) Nominations to the Council. The Mayor shall nominate an individual from this list and submit the nomination to the Council, as set forth in Sec. 1(c) of Chapter VII of this Charter, which shall approve or disapprove the Mayor's selection. Moreover, the appointing authority of any member of any Board or Commission shall review such notices prior to making the appointment to such Board or Commission.

(iv) Additional Public Outreach: Outreach Organizations¹²³. In addition to the publication requirements of this section, the Mayor and the City Clerk shall engage in outreach efforts, including, but not limited to the following in order to solicit candidates for positions on Boards and Commissions: political, religious, community-based, social, mutual benefit organizations, civic and business organizations.

Sec. 2. - Appointive Boards and Commissions required by the Charter.

The following Boards and Commissions shall be established, by Ordinance, subject to the provisions and powers enumerated in the General Statutes, Special Acts and this Charter:

(a) Internal Audit Commission¹²⁴. Said Internal Audit Commission and a unit or department, as shall be further set forth in the Code of Ordinances¹²⁵, shall have authority to examine into all matters relating to the integrity, efficiency and efficacy of the government of the City, including the Board of Education. The Commission (and the head of the internal audit unit) shall give due consideration to requests from the Council or any member thereof and from the Mayor in establishing and modifying the work plan of the Commission or its staff.

(1) Membership and Term¹²⁶. Notwithstanding the provisions of this Charter pertaining to the establishment of Boards and Commissions, said Commission shall consist of three (3) members each appointed for a term of four (4) years. The Commission shall comply with the provisions of section 1(b)(9) of this Chapter of the Charter with respect to minority party representation. The

¹²³ NEW (2022)

¹²⁴ 2022 modification of Sec. 2(a) Election of 11-5-02

¹²⁵ Note: At the time of adoption in 2022 the Internal Audit Commission was set forth in Sec. 2-41 of the Code of Ordinances

¹²⁶ 2022 modification of current Section 2(a)(1) of Chapter VII.

members of the Commission shall have professional experience in the fields of accounting, management or financial analysis and shall be appointed, as follows:

(i) The President of the Council shall appoint one (1) member of the Commission, subject to confirmation by a Majority Vote of the Council;

(ii) The Treasurer shall appoint one (1) member of the Commission, subject to confirmation by a Majority Vote of the Council; and,

(iii) The Council shall approve, by a Majority Vote of the Council one (1) member of the Commission, from two (2) candidates selected by the MetroHartford Alliance, or successor organizations, in accordance with a procedure to be established by Ordinance. Notwithstanding the provisions of the Charter or the Ordinances enacted thereunder¹²⁷, the MetroHartford Alliance shall make best efforts to recommend Hartford residents.

(2) *Annual internal audit budget.* The Internal Audit Commission shall adopt and forward to the Mayor, in accordance with the procedures and timetable established for other City departments, a proposed annual budget. The Mayor's budget shall include, and the Council shall appropriate, for support of the internal audit unit at least the amount necessary to maintain the staffing of the unit as approved in the previous annual budget unless the Commission requests a smaller amount.

(3) *Internal audit unit.* The Ordinance shall include the provision of employees of an internal audit unit in numbers reasonable to conduct the examinations required by the Commission. The Commission may authorize the employees or consultants of the unit to cause such examinations as permitted by this provision of the Charter and the pertinent implementing Ordinances. Said internal audit unit shall report to and be under the direction of the Commission as further set forth by Ordinance.

(i) *Head of the internal audit unit: qualifications.* The head of the internal audit unit shall be appointed by the Commission. The head of the

¹²⁷ **Comment of the 2022 Charter Revision Commission.** At the time of the adoption of this provision Code Sec. 2-41(g) entitled “Internal audit commission – residency requirement” reads as follows: “The residency requirements of Chapter VII, section 1(e) of the Charter do not apply to members of the commission.” This exception is permitted by Chapter III, Sec. 1(f) of the Charter, which reads as follows: “Residency requirement. *Except as otherwise provided by ordinance*, no person may serve on a Board or Commission unless such person is an Elector of the City. If any such person who is a member of a Board or Commission shall move from the City, such person's membership on such Board or Commission shall be immediately terminated” (emphasis added).

internal audit unit shall be a member of the Classified Service, shall be certified as an internal auditor or fraud examiner and shall have an advanced degree in accounting, business management, or a related field as set forth by the Commission or by Ordinance.

(ii) *Reports of the unit.* All reports of the internal audit unit, including any responses thereto, shall be public and shall be submitted to the Council and to the mayor.

(iii) *Procedures.* The Council shall by Ordinance specify the procedures the internal audit unit shall follow, including a requirement of a written response by any individual or the head of a department, agency or office cited in an internal audit report.

(b) Committee on Abatement of Taxes and Assessments¹²⁸. Said Committee on Abatement of Taxes and Assessments, shall have and exercise all the powers pertaining to (1) the abatement of taxes and assessments heretofore or hereafter conferred by Law on the Council or any committee, Board, Commission or officer of the City; (2) the abatement of taxes and assessments on dwelling units constructed by a private, nonprofit corporation for the public purpose of providing relocation housing under section 221 of the National Housing Act, as amended. Such abatements shall reflect the amounts necessary to maintain rent levels for such housing within the financial reach of families to be relocated, as approved by the Council, and such abatements shall be subject to review annually.

Membership. Notwithstanding the provisions of this Charter pertaining to the establishment of Boards and Commissions, said Committee shall consist of the City Treasurer, Director of Finance and Corporation Counsel.

(c) Board of Assessment Appeals¹²⁹. There shall be a Board of Assessment Appeals. Said Board shall be the successor to the Board of Tax Review and shall have all the powers of said Board of Tax Appeals as set forth under the General Statutes, special statutes or Ordinance, as may be amended from time to time.

(1) Membership¹³⁰. Each member of the Board of Assessment Appeals at the effective date of this Charter shall continue in office until the expiration of the member's term and until a successor is duly appointed and qualified. The Board of Assessment Appeals shall consist of three (3) persons:

(i) two (2) appointed by the Mayor; and,

(ii) one (1) appointed by the President of the Council,

¹²⁸ Election of 11-5-02

¹²⁹ Election of 11-5-02

¹³⁰ 2022 modification of current Sec. 2(c)(1) of Chapter VII.

subject to confirmation by a Majority Vote of the Council in accordance with section 2(d) of Chapter IV of this Charter.

(2) Term and Qualification¹³¹. One (1) member to be appointed each year for a term of three (3) years, each of whom shall be selected for their knowledge of taxation and real estate values. Said Board shall comply with the provisions of section 1(b)(9) of this Chapter of the Charter with respect to minority party representation.

(3) Powers and duties¹³². The Board of Assessment Appeals shall have the same powers and perform the same duties as boards of assessment appeals of municipalities. The Board shall act in accordance with the provisions of the General Statutes applicable to the board of assessment appeals of municipalities.

(d) Planning and Zoning Commission¹³³. Said Planning and Zoning Commission shall be comprised of individuals with skills and knowledge in related fields such as planning (including current involvement in the field), architecture, landscape architecture, real estate, or law. Said Commission shall have all the powers and duties of both a planning commission and a zoning commission under the General Statutes and, upon the effective date of this provision, shall supersede the commission on the city plan as the City's planning commission and the Council as the City's zoning commission. All Ordinances and Regulations adopted by the Council related to planning and zoning prior to the effective date of this provision shall continue in full force and effect until modified, repealed or superseded in accordance with this Charter and the General Statutes. The decisions of the Planning and Zoning Commission shall be consistent with the plan of conservation and development, as required by the General Statutes, unless the Commission concludes that changes in circumstances since the adoption of the plan of development support a deviation from the plan. The Commission shall set forth the basis for any deviation from the plan of development in its decision.

(1) Membership and Term¹³⁴. Said Commission shall consist of seven (7) members and three (3) alternates each appointed for a term of four (4) years. Each member of the Planning and Zoning Commission at the effective date of this Charter shall continue in office until the expiration of the member's term and until a successor is duly appointed and qualified. The Commission and alternates shall be appointed in compliance with the provisions of section 1(b)(9) of this Chapter of the Charter with respect to minority party representation; and, each Meeting shall endeavor to assure that hearing panels are in compliance therewith:

(i) Five (5) appointed by the Mayor; and,

¹³¹ 2022 modification of current Sec. 2(c)(1) of Chapter VII.

¹³² 2022 modification of current Sec. 2(c)(2) of Chapter VII.

¹³³ Election of 11-5-02

¹³⁴ NEW (2022). Derived from Sec. 1.2.1.A(1) of the Zoning Code.

- (ii) Two (2) appointed by the President of the Council,

subject to confirmation by a Majority Vote of the Council in accordance with section 2(d) of Chapter IV of this Charter.

(2) Alternates¹³⁵. Each alternate member of the Planning and Zoning Commission at the effective date of this Charter shall continue in office until the expiration of the member's term and until a successor is duly appointed and qualified. The alternates shall consist of three (3) persons:

- (i) Two (2) appointed by the Mayor; and,

- (ii) One (1) appointed by the President of the Council,

subject to confirmation by a Majority Vote of the Council, in accordance with section 2(d) of Chapter IV of this Charter.

(3) Term and Qualification¹³⁶. One (1) member to be appointed each year for a term of three (3) years, each of whom shall be selected for their knowledge of taxation and real estate values. Said Board shall comply with the provisions of section 1(b)(9) of this Chapter of the Charter with respect to minority party representation.

(4) Duty to plan¹³⁷. It shall be the duty of the Commission to prepare and recommend from time to time, as required by the General Statutes, but no less than every ten (10) years, a plan of conservation and development for the City or any portion thereof. Said plan shall include all requirements of the General Statutes pertaining to such plans and any other criterion set forth by the Commission in the exercise of its zoning function.

(5) Duties in relation to capital budget¹³⁸. The Commission shall have such responsibilities as set forth in Chapter X, Section 2.C.(2) of this Charter.

(6) Certain Ordinances to be referred to Planning and Zoning Commission¹³⁹. Every Ordinance or Resolution of the Council relating to the location of any street, bridge, boulevard, esplanade, square, park, playground, playfield, aviation field, parking space, public building, or to the facilities or terminal of any public utility, shall be at once referred to the planning and zoning Commission and Final Action shall not be taken on any such Ordinance or

¹³⁵ NEW (2022). Derived from Sec. 1.2.1.A(2) of the Zoning Code.

¹³⁶ NEW (2022). Derived from Sec. 1.2.1.A(3) of the Zoning Code.

¹³⁷ 2022 modification of current Section 2(d)(1) of Chapter VII.

¹³⁸ 2022 modification of current Section 2(d)(2) of Chapter VII.

¹³⁹ 2022 Modification of current Section 2(d)(3) of Chapter VII.

Resolution until the Commission shall have reported thereon, provided the Council may establish by Ordinance a period of not less than sixty (60) days within which the Commission shall file its report with the City Clerk and if no report is filed within such period the approval of the Commission shall be assumed.

(e) Zoning Board of Appeals¹⁴⁰. There shall be a Zoning Board of Appeals, which shall hear appeals as set forth in the General Statutes. The chair of the Board and in the chair's absence the acting chair shall have the power to administer oaths and compel the attendance of witnesses. Any person who fails to obey a lawful subpoena of said chair or acting chair shall be fined not more than one hundred dollars (\$100.00) or the maximum amount set forth in the General Statutes and enacted by Ordinance or imprisoned not more than thirty (30) days or both.

(1) Membership¹⁴¹. Each member of the Zoning Board of Appeals at the effective date of this Charter shall continue in office until the expiration of the member's term and until a successor is duly appointed and qualified. The Board shall consist of five (5) persons. Said Board shall be appointed in compliance with the provisions of section 1(b)(9) of this Chapter of the Charter with respect to minority party representation and, each Meeting shall endeavor to assure that hearing panels are in compliance therewith:

(i) Four (4) appointed by the Mayor; and,

(ii) One (1) appointed by the President of the Council,

subject to confirmation by a Majority Vote of the Council in accordance with section 2(d) of Chapter IV of this Charter.

(2) Alternates¹⁴². Each alternate member of the Zoning Board of Appeals the effective date of this Charter shall continue in office until the expiration of the member's term and until a successor is duly appointed and qualified. The alternates shall consist of three (3) persons:

(i) Two (2) appointed by the Mayor; and,

(ii) One (1) appointed by the President of the Council,

subject to confirmation by a Majority Vote of the Council, in accordance with section 2(d) of Chapter IV of this Charter.

(3) Term and Qualification¹⁴³. Each member and alternate to be appointed each year for a term of three (3) years. Said selection of alternates

¹⁴⁰ Election of 11-5-02

¹⁴¹ NEW (2022)

¹⁴² NEW (2022)

¹⁴³ NEW (2022)

shall comply with the provisions of section 1(b)(9) of this Chapter of the Charter with respect to minority party representation.

(4) Violation, punishment and remedies pertaining to zoning Regulations¹⁴⁴. Zoning Regulations as provided in this Charter shall be enforced by such employees of the City as the Council may by Ordinance designate. Violations of such Regulations shall be punished and such other remedies shall be available as provided in sections 8-12 and 8-12a of the General Statutes and any amendments thereto.

Sec. 3. - Appointive Boards and Commissions required by Charter¹⁴⁵.

The Council shall adopt Ordinance setting forth the organizational structure and powers of the following Boards and Commission, consistent with the requirements of this Charter:

(a) Police Accountability Review Board¹⁴⁶. A Police Accountability Review Board, which shall perform advisory functions with respect to the policies, operation, management and independent civilian oversight of the Police Department (as established under the authority General Statutes, including, but not limited to C.G.S. §7-148(c)(4)(A) and §7-148(c)(7)(H) and Chapter VIII, section 4(a) of this Charter).

(b) Civilian Police Review Board and Inspector General¹⁴⁷. A Civilian Police Review Board and Inspector General in accordance with Law, including, but not limited to the General Statutes and any agreements sanctioned by judicial authority. The Civilian Review Board shall adopt and forward to the Mayor, in accordance with the procedures and timetable established for other City Departments, a proposed annual budget. The Mayor's budget shall include, and the Council shall appropriate, for support of the Civilian Police Review Board at least the amount necessary to maintain the staffing of the unit, including the funding of the Inspector General, as approved in the previous annual budget unless the Board requests a smaller amount.

(c) Ethics Commission¹⁴⁸. An Ethics Commission in accordance with the provisions of the General Statutes.

¹⁴⁴ 2022 modification of current Sec. 2(e) of Chapter VII.

¹⁴⁵ NEW (2022).

¹⁴⁶ NEW (2022). **2022 Charter Revision Commission Commentary.** At the time of the adoption there is in effect a Resolution of the Court of Common Council Regarding the Hartford Police Accountability Review Boards, Adopted June 8, 2021" which addresses many of the issues reviewed by the Commission in the formulation of this requirement.

¹⁴⁷ NEW (2022). **2022 Charter Revision Commission Commentary.** At the time of the adoption a Civilian Police Review Board and Inspector General are in full force and effect as set forth in Sec. 2-196 of the Code of Ordinances.

¹⁴⁸ NEW (2022). **2022 Charter Revision Commission Commentary.** At the time of the adoption an Ethics Commission is in full force and effect as set forth in Sec. 2-908 of the Code of Ordinances.

Sec. 4. - Appointive Boards and Commissions required by Ordinance¹⁴⁹.

The Council may establish, by Ordinance, such Boards and Commissions as are necessary to effectuate the powers and purposes of the City as enumerated in the General Statutes, Special Acts and this Charter.

Sec. 5. - Appointive Boards and Commissions required by Special Act.

(a) The Pension Commission¹⁵⁰.

(1) Special Act Authority. The Pension Commission established under authority of "An Act Revising the Charter of the City of Hartford," Sp. Laws No. 547, approved June 24, 1941 (the "1941 Charter"), "An Act Revising the Charter of the City of Hartford," Sp. Laws 1947, Act No. 30, approved May 1, 1947, (the "1947 Charter"), and Chapter XVII of the Charter of the City of Hartford, designated Ordinance Number 28-67 (the "1967" Charter") as the same have been amended from time to time by special acts of the General Assembly and/or Ordinances, shall continue in existence and have all the rights, powers and responsibilities referred to in this Chapter VII and in Chapter XII of this Charter¹⁵¹. All the provisions of sections 233, 234 and 235 of "An Act Revising the Charter of the City of Hartford," Sp. Laws No. 547, approved June 24, 1941 [sections 11, 21 and 22 of the Code of Special Act Authority; see, Sec. 4(b), below), as the same have been amended from time to time by special acts of the General Assembly and/or Ordinances (said provisions, as amended, being hereinafter referred to as the "1941 Act"), and all of the provisions of Chapter XVI of "An Act Revising the Charter of the City of Hartford," Sp. Laws 1947, Act No. 30, approved May 1, 1947 [sections 6, through 10 of said Code of Special Act Authority], as the same have been amended from time to time by special acts of the General Assembly and/or Ordinances (said chapter as amended and renumbered, being hereinafter referred to as the "1947 Act"), shall continue in existence, unaffected by this charter¹⁵².

(2) Statutory and Charter Authority¹⁵³. The City is also authorized to create a Pension Commission by C.G.S. §7-148 and Chapter VII of this

¹⁴⁹ 2022 modification of current Sec. 3 of Chapter VII. Recodification Election of 11-5-02

¹⁵⁰ Election of 11-5-02. Modification of 2002 Charter (2022).

¹⁵¹ 2022 recodification and modification of the first paragraph of Chapter VII, Sec. 4 of the 2002 Charter. Election of 11-5-02.

¹⁵² 2022 recodification of Chapter XII, Sec. 1. Election of 11-5-02.

¹⁵³ NEW (2022). **Comment of the 2022 Charter Revision Commission:** The fourth sentence of Sec. 2A-3 of Chapter 2 of the Code of Ordinances includes the following provision pertaining to the jurisdiction of the Pension Commission: "The pension commission shall continue to administer the retirement system for city employees as provided in section 233 of "An Act Revising the Charter of the City of Hartford," approved June 24, 1941, as amended, and shall succeed to all the powers and duties of the board of police commissioners as trustees of the police benefit fund and of the board of fire commissioners as members of the board of trustees of the firemen's relief fund. The pension commission shall administer the municipal employees' retirement fund as hereinafter established."

Charter.

(3) Validation and Codification of Special Act Authority: Code of Special Act Authority¹⁵⁴. Said Special Act and historical Charter provisions referenced in Sec. 4(a), above, of this chapter of the Charter as well as Special Acts pertaining to employees, pensions and retirements are hereby validated, codified and contained in a separate document entitled “Historic and Special Act Provisions Pertaining to Employees, Pensions and Retirements,” (“Code of Special Act Authority”) which shall be filed with and codified by the Office of the Treasurer and the City Clerk.

(4) Membership¹⁵⁵. Notwithstanding the provisions of the Charter pertaining to the establishment of commissions, there shall be a Pension Commission of three (3) voting members, none of whom shall hold any other office in the City government and one (1) of whom shall be a fellow or associate of either the Actuarial Society of America or the American Institute of Actuaries, to be appointed one each year for a term of three (3) years commencing on the first Monday of the month of February.

(i) Appointment Authority: Staggered Terms. Notwithstanding the provisions of this Charter pertaining to the establishment of Boards and Commissions, there shall be three (3) voting members of the Pension Commission, none of whom shall hold any other office in the City government and at least one (1) of whom shall be a fellow or associate of either the Actuarial Society of America or the American Institute of Actuaries. Each of such members shall be appointed by the Mayor for staggered three (3) year terms, one (1) each commencing on the first Monday of each successive February. In addition to the three (3) voting members there shall be one (1) non-voting member of the Commission elected by contributing members of the municipal employees' retirement fund. The members of the Pension Commission in office at the effective date of this provision shall continue in office until the expiration of their terms.

(ii) Vacancies¹⁵⁶. Vacancies shall be filled by the Appointing Authority for the vacated position for the unexpired portion of the term,

¹⁵⁴ NEW (2022). **Comment of the 2022 Charter Revision Commission:** The Code of Special Act Authority also includes Special Act and historical Charter provisions pertaining to employees, pensions and retirements. Many of these provision do not apply to the vast majority, if not the entirety of current and retired employees, and have been ratified and recodified for the sole purpose of ensuring that any covered retirees retain such rights as may be granted herein. The Code is not intended to confer any new rights upon any employee or retiree in lieu of current rights under law and collective bargaining agreement.

¹⁵⁵ Recodification and modification of the first sentence of Chapter VII, Sec. 4(1) of the 2002 Charter. Election of 11-5-02. **Comment of the 2022 Charter Revision Commission:** This language is inexplicably contained in the 1st sentence of Sec. 2A-3 of Chapter 2 of the Code of Ordinances.

¹⁵⁶ Comment of the 2022 Charter Revision Commission. Vacancies are covered by Sec. 1(c) of Chapter VII and the second sentence of Sec, 2A-3 of Chapter 2 of the Code of Ordinances.



subject to approval by the Council.

(iii) Non-Voting Member¹⁵⁷. In addition to the three voting members, there shall be one nonvoting member of the Commission elected by active members of the municipal employees' retirement fund to a three- year renewable term, whose election shall not be subject to any other approval.

(iv) Continuity of Membership¹⁵⁸. All members of the Pension Commission shall continue in office until their successors have been appointed and qualified, or in the case of the employees' representative, elected.

(v) Role of the City Treasurer as Secretary of the Pension Commission and Director of Human Resources¹⁵⁹. The City Treasurer shall act as secretary of the Commission and the Director of Human Resources shall attend all Meetings of the Commission, but neither shall have a vote.

(5) Role of the Pension Commission¹⁶⁰. The Commission shall continue to administer, manage, and invest the Municipal Employees' Retirement Fund and all of the retirement programs, benefits, systems, and funds of the City, (all together known as the "Retirement Plan") as set forth in Chapter XII of this Charter, and as authorized by any and all applicable General Statutes, Special Acts, provisions of this Charter, Ordinances, Resolutions, or collective bargaining agreements.

(6) Historical Authority of the Pension Commission¹⁶¹. The Pension Commission shall retain its powers and duties as set forth in the Code of Special Act Authority with regard to the former retirement system for City

¹⁵⁷ Recodification and modification of the third sentence of Chapter VII, Sec. 4(1) of the 2002 Charter. Election of 11-5-02. NEW (2022). **Comment of the 2022 Charter Revision Commission.** This provision is in lieu of the final sentence of Sec. 2A-3 of Chapter 2 of the Code of Ordinances.

¹⁵⁸ 2022 recodification and modification of the fourth sentence of Chapter VII, Sec. 4(1) of the 2002 Charter. Election of 11-5-02.

¹⁵⁹ 2022 recodification of Chapter VII, Sec. 4(2).

¹⁶⁰ 2022 recodification and modification of Chapter VII Sec. 4(3) and Chapter XII, Sec. 1(a). **Comment of the 2022 Charter Revision Commission:** This authority builds upon that set forth in the Code of Special Act Authority and incorporates the authority set forth in Chapter XII, Sec. 1(a) of the Chapter adopted on 11-5-02, as follows: "The pension commission established under authority of the 1947 Act, and referred to in Chapter VII, section 4 of this Charter, shall continue to administer the municipal employees' retirement fund (the "MERF") and the 415(m) fund, so-called, established under the 1947 Act, as well as each of the police benefit fund, firemen's relief fund and retirement system for city employees established under the 1941 Act, and, in so doing, shall also continue to have responsibility to review and, as appropriate, approve and monitor, all investments of the MERF's assets as well as any contracts relating to the care, custody and/or procurement of investment advice with respect to said assets, and/or procurement of any annuities from any life insurance companies with such assets, all as and in the manner provided in the 1947 Act".

¹⁶¹ NEW (2022).

employees, and all the powers and duties of the Board of Police Commissioners as trustees of the former police benefit fund and of the Board of Fire Commissioners as members of the board of trustees of the former firemen's relief fund. The relevant provisions of the Special Acts powers in the charters referenced herein are hereby ratified and shall remain in full force and effect to the extent applicable to any persons covered by said provisions.

(7) Powers and Duties.

(i) Review, Approve and Monitoring Functions¹⁶². The Pension Commission shall have responsibility to review and, as appropriate, approve, and monitor all assets and investments of the Municipal Employees' Retirement Fund and of the Retirement Plan.

(ii) Procurement¹⁶³. The Pension Commission shall have the authority to (a) procure and enter into multi-year contracts; (b) enter into contracts relating to the care, custody, or investment of funds; (c) procure services and advice with respect to such responsibilities; and (d) procure any annuities from any insurance companies.

(iii) Vendors and Consultants¹⁶⁴. The Pension Commission may hire or contract with such vendors and consultants, and procure such goods and services it deems necessary and proper for the execution of its duties, not subject to the requirements of Chapter VIII, Sec. 5(d) of this Charter.

(iv) Annual Contribution¹⁶⁵. The Pension Commission shall continue to determine the City's annual contribution to the Municipal Employees' Retirement Fund based on sound actuarial principles, consistent with its fiduciary obligation.

(v) Regulations¹⁶⁶. The Pension Commission shall have the authority to make Regulations governing the administration, calculation and payment of benefits in accordance and the provisions of collective bargaining agreements.

¹⁶² 2022 recodification and modification of authority set forth under Chapter XII, Sec. 1(a)

¹⁶³ 2022 recodification of Charter Appendix Sec. 20.5(g), which is set forth in the Code of Special Act Authority as Sec. 10 (g). This provision is in lieu of Sec. 2A-50(h) of Chapter 2 of the Code of Ordinances.

¹⁶⁴ 2022 recodification of Charter Appendix Sec. 20.5(h), which is set forth in the Code of Special Act Authority as Sec. 10 (h). This provision is in lieu of Sec. 2A-50(h) of Chapter 2 of the Code of Ordinances.

¹⁶⁵ NEW (2022). Codifies Sec. 2A-6(a) of Chapter 2 of the Code of Ordinances and shall supersede such provision upon the effective Date of this Charter.

¹⁶⁶ NEW (2022). Codifies Sec. 2A-50(m) of Chapter 2 of the Code of Ordinances and shall supersede such provision upon the effective Date of this Charter.

(vi) Employees¹⁶⁷. The Pension Commission may hire or contract with such employees as it deems necessary and proper, including, without limitation, a chief investment officer, plan administrator and general counsel. It shall have the sole authority to determine the titles, qualifications, duties, compensation and terms of office or employment of each such Official or employee. All such employees, and the City Treasurer and Assistant City Treasurer, shall be members of the Municipal Employees' Retirement Fund. The pension commission may provide such benefits to its employees as it shall deem appropriate, including health and retirement benefits, and such other terms and conditions of employment which are similar in nature to those provided by the City of Hartford to its employees.

(8) Administrative Functions of the City Treasurer Pertaining to the Pension Commission¹⁶⁸. The City Treasurer shall continue to have all powers and duties set forth in the 1941, 1947 and 1967 Charters, and shall have immediate responsibility for the care, custody and investment of all of the assets of the Municipal Employees Retirement Fund and of the Retirement Plan, and also shall continue to have all powers incident to such responsibilities, including the power to invest and reinvest such assets and to enter into contracts with qualified custodians, investment advisers, life insurance companies, and others, all as approved by the Pension Commission. The City Treasurer shall be the supervisor of the Pension Commission's employees and managing authority of its contracts.

(9) Role of the Common Council Pertaining to Pensions¹⁶⁹. The Common Council shall recodify the provisions of the 1947 Act and, in so doing, incorporate all of such provisions which pertain to any active employees of the City in and as a part of the Municipal Code and replace all references to the "city manager" that are contained in or pertain to the 1947 Act with the term "Mayor," as permitted by the General Statutes.

(10) No rights, benefits or obligations affected¹⁷⁰. No rights, benefits

¹⁶⁷ NEW (2022). Codifies Sec. 2A-50(b) of Chapter 2 of the Code of Ordinances and current Charter Appendix Sec. 20.5(b), which is set forth in the Code of Special Acts as Sec. 10(b).

¹⁶⁸ 2022 recodification of Chapter XII, Sec. 1(b) and Sec. 10 of the Code of Special Act Authority. The provision of Sec 1(b) follows: "Subject to subparagraph (a) above [Role of the Pension Commission], the city treasurer shall continue to have immediate responsibility for the care, custody and investment of all of the assets of the MERF, and also shall continue to have all powers incident to such responsibilities (including the power to invest and reinvest such assets and to enter contracts with qualified custodians, investment advisers and life insurance companies), all as and in the manner provided in the 1947 Act." Comment of the 2022 Charter Revision Commission: "This power is implied in the responsibility to have care and custody of the assets and their investments. It happens through the actions of the employees of the Pension Commission. Someone has to be their boss. Treasurer has all powers "incident" to such responsibilities under current Chapter XII, Sec. 1 (b).

¹⁶⁹ 2022 recodification of Chapter XII, Sec. 1(d)

¹⁷⁰ 2022 recodification of Chapter XII, Sec. 1(c)

or obligations of any persons in or with respect to the MERF or any other of the City's retirement plans or funds (including, but not limited to, any persons who are receiving or entitled to receive any pensions, allowances or other benefits under or by virtue of any of the aforementioned funds or provisions, and/or any persons in the service of the City on the effective date of this Charter who are or become contributing members of the MERF) are affected by this Charter; it being the intent of this chapter that all such rights, benefits and obligations, and all of the provisions governing them (including, but not limited to, all such provisions as pertain to their administration and the care, custody, and investment of any assets set aside to fund them), shall continue in full force and effect and are not repealed or superseded by this Charter; provided however, that nothing herein shall preclude any of the same from hereafter being duly modified, amended or repealed as and in the manner provided by Law.

(b) The Greater Hartford Flood Commission.

(1) Grant of authority¹⁷¹. The City of Hartford shall have power to act for the elimination, prevention and control of flooding and flood damage in the territory drained by the Park River and its tributaries, and the territory adjacent thereto, and for the protection and improvement of areas within such territory heretofore or hereafter affected by such damage. All such power shall be exercised in the name and on behalf of the City by or under authority of the Flood Control Commission created by section 3 [section 35 of this Appendix] of this act.

(2) Transfer of powers and duties¹⁷². The powers and duties conferred upon the Hartford Flood Commission by section 236 of number 547 of the Special Acts of 1941, as amended, are transferred to the Flood Control Commission created pursuant to section 3 [section 35 of this Appendix] of this act and shall be exercised and performed by it or under its authority, in the manner and according to the procedures prescribed in this act.

(3) Creation of Commission; membership¹⁷³. There is created a Flood Control Commission consisting of seven (7) members, to be known as the Greater Hartford Flood Commission. Such members shall be appointed by the **Mayor of the City of Hartford**, four (4) from among the Electors residing in Hartford and one (1) each from the towns of Bloomfield, Newington and West Hartford. Vacancies in the Commission shall be filled by appointment by the said Mayor from the Electors of such city or towns.

¹⁷¹ 2022 recodification of current Charter Appendix §33; Sp. Laws 1955, Act No. 72, § 1; Sp. Laws 1957, Act No. 292, § 1. **Cross reference**— Authority of City to construct flood protection works in, over and upon Broad Street armory grounds, Appendix, [§ 53](#).

¹⁷² 2022 recodification of current Charter Appendix §34; Sp. Laws 1955, Act No. 72, § 2. **Note**— See [section 52](#) of this Appendix.

¹⁷³ 2022 modification and recodification of current Charter Appendix §35; Sp. Laws 1955, Act No. 72, § 3; Sp. Laws 1957, Act No. 292, § 2 and §42 of P.A. No. 13-299

(i) Chairman; Secretary; Meetings; records; compensation; expenses¹⁷⁴. The Flood Control Commission shall elect a chairman from among its members and a secretary, who may but need not be a member, and shall meet at such intervals as it may from time to time consider necessary for the discharge of its duties. Special Meetings of the Commission may be held at any time at the call of the flood control director appointed under the provisions of section 3(ii) of this provision or of the chairman of the Commission, or in such other manner as may be provided by vote of the Commission. A record of all Meetings of the Commission shall be kept by the secretary. The members shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.

(ii) Flood control director¹⁷⁵. There is created the office of flood control director, which shall be held by a licensed civil engineer who shall be appointed by the Flood Control Commission solely on the basis of his actual experience in and knowledge of flood control matters. The director shall serve at the pleasure of the Flood Control Commission and shall perform such tasks and duties as in its judgment may thus be appropriately discharged. The director shall report to the Commission on all action taken by him under this act and shall provide the Commission with other information which it may request to carry out its duties. All pension rights and other employment benefits accruing to any officer or employee of the City of Hartford who is appointed or transferred to perform duties under this act shall continue to vest and accrue during the period of such appointment or transfer. Any other employee employed to perform such duties shall be entitled during the period of such employment to all such rights and benefits as the City may grant its own regular employees.

(iii) Personnel; assigning duties to City Departments; corporate duties and obligations; bids on certain contracts; auditor of accounts¹⁷⁶. The Flood Control Commission may employ personnel and fix salaries in accordance with such Regulations (including all applicable rules) as it may adopt, and may also assign, subject to the approval of the Mayor, to the Department of public works and the Department of engineering of the City of Hartford, to be carried out under its supervision, such tasks and duties as in its judgment may thus be appropriately discharged. In furtherance of the purposes of this act it may engage engineers, counsel and other professional advisers and specialists, may sue and be sued in the name of the City and may, in the name and on behalf of the City, enter into contracts, including contracts with the United States

¹⁷⁴ 2022 recodification of current Charter Appendix §36; Sp. Laws 1955, Act No. 72, § 4.

¹⁷⁵ 2022 recodification of current Charter Appendix §37; Sp. Laws 1955, Act No. 72, § 5; Sp. Laws 1957, Act No. 292, § 3

¹⁷⁶ 2022 recodification of current Charter Appendix §38; Sp. Laws 1955, Act No. 72, § 6; Sp. Laws 1957, Act No. 292, § 4)

of America, this state, and any other City, town or other political subdivision of this state, for the purchase of materials, supplies and equipment, for the performance of any construction or other work and for any other purposes under this act. Whenever any work shall be necessary to execute or perfect any public work or improvement, or whenever any supplies for the Flood Control Commission shall be needed for any particular purpose and such work or supplies shall involve the expenditure of more than ten thousand dollars (\$10,000.00), except in the case of an emergency to be determined by the Flood Control Commission, a written contract for such work or supplies shall be made under such Regulations as the Commission may establish, which contract, except contracts with the United States, this State, or any City, town or other political subdivision of the State, shall be based on competitive sealed bids made in compliance with Public Notice, duly advertised by publication, in a daily newspaper of general circulation in the County of Hartford, at least five (5) Days before the time fixed for opening such bids or proposals. The Director of Finance of the City of Hartford shall annually inspect and audit the accounts and records of financial transactions maintained by the Commission.

(4) General powers and duties¹⁷⁷. For fulfillment of the purposes of this act the Flood Control Commission, or the flood control director with the approval of the Flood Control Commission, may in the name and on behalf of the City (a) provide for, construct or arrange for the construction of, supervise, operate, maintain and dispose of dikes, flood control reservoirs, storm sewers and storm sewer systems, walls, embankments, conduits, bridges, highways, roads, sidewalks, pumping and flood control stations and other works, structures and appurtenances; (b) close or relocate any town or City street, road or passway at any time affected or threatened by flood damage; (c) establish and alter stream lines with respect to lands found to have been so affected or threatened; (d) construct artificial channels or improve natural channels within such stream lines; (e) determine the manner in which and extent, if any, to which any land may be filled or any structures or improvements erected, maintained or retained within such stream lines; (f) purchase, take or otherwise acquire lands and interests therein found to have been so affected or threatened or to be otherwise necessary to provide water storage, to preserve the same or to carry out any work or project authorized by this act; (g) maintain, improve, arrange for the maintenance and improvement of, lease, sell or otherwise dispose of such land and interests therein; and (h) make such Regulations as appear advisable. In the carrying out of any work the Flood Control Commission may use such parts of any park or other public area as may be necessary. All real and personal estate acquired, held or used by said Commission for purposes of this act shall be exempt from taxation.

¹⁷⁷ 2022 recodification of current Charter Appendix §39; Sp. Laws 1955, Act No. 72, § 7; Sp. Laws 1959, Act No. 389.

(5) Petition for taking of property¹⁷⁸. In any case of the taking of private property for any of the purposes of this act, if the Flood Control Commission and the owner or owners of such property cannot agree upon the amount to be paid for such property, then the Flood Control Commission shall, in the name and on behalf of the City of Hartford, prefer its petition for the taking of such property under Section 7181 of the General Statutes to the Superior Court for Hartford County. If in any such proceedings it shall at any time be alleged that the public interest will be prejudiced by delay in permitting the plaintiff to enter immediately upon and take possession of such property, the hearing and determination of such issue shall take precedence over all other matters to the same extent as actions brought by or on behalf of the state.

(6) Notice of assessments¹⁷⁹. Notice of intention to proceed under this act with any work or improvement, for part or all of the cost of which benefits are to be assessed by the City, shall be mailed by the City Clerk by registered or certified mail to the owner or owners of the lands to be assessed for benefits, at the address of such owner or owners appearing on the assessment records of the City or town where such lands are located, and shall be published by the City Clerk in one daily newspaper of general circulation in the County of Hartford. Each such notice shall include a general description of the lands to be assessed for benefits and an estimate of the cost of such work or improvement. Thirty (30) Days having expired after the mailing and publication of such notice, the Flood Control Commission may proceed with the actual layout and construction of such work or improvement without regard to subsequent proceedings concerning the assessment of benefits and damages.

(7) Notice to establish or alter stream¹⁸⁰. Notice of intention to establish or alter any stream line under this act shall be mailed by the City Clerk by registered or certified mail to the owner or owners of the lands wholly or partly included within such stream line, at the address of such owner or owners appearing on the assessment records of the City or town where such lands are located, and shall be published by the City clerk **in one (1) daily newspaper of general circulation in the County of Hartford**. Each such notice shall include a general description of the lands wholly or partly included in such stream line. Thirty (30) Days having expired after the mailing and publication of such notice, the Flood Control Commission may proceed with the establishment or alteration of such stream line without regard to subsequent proceedings concerning the assessment of benefits and damages.

(8) Proceedings for assessments, etc¹⁸¹. Proceedings for assessment of benefits and damages under this act, for publication and notice

¹⁷⁸ 2022 recodification of current Charter Appendix §40; Sp. Laws 1955, Act No. 72, § 8. **Editor's note**— Section 7181 now codified as section 48-12 Revision of 1958, General Statutes.

¹⁷⁹ 2022 recodification of current Charter Appendix §41; Sp. Laws 1955, Act No. 72, § 9.

¹⁸⁰ 2022 recodification of current Charter Appendix §42; Sp. Laws 1955, Act No. 72, §10.

¹⁸¹ 2022 recodification of current Charter Appendix §43; Sp. Laws 1955, Act No. 72, §11.

thereof and appeals therefrom, and for the establishment and continuance of liens upon lands against which benefits are assessed shall be the same as are provided in the case of benefits and damages assessed by the director of public works under sections 3 and 4 of Chapter XI of Number 30 of the Special Acts of 1947, as amended, except that the powers and duties there conferred upon the director of public works shall under this act be exercised and performed by the Flood Control Commission, or by the flood control director with the approval of the Flood Control Commission.

(9) Budget appropriation by City¹⁸². The Court of Common Council of the City of Hartford is authorized to appropriate as a part of the budget of the City, upon the recommendation of the Flood Control Commission, such sums as in the judgment of the Council may be necessary or advisable for the operation of the Flood Control Commission and the administration of this act. All unexpended funds heretofore made available to the Hartford Flood Commission may be applied for the purposes of this act in such manner as the Flood Control Commission, either by Regulation or otherwise, may determine.

(10) Debt limitation¹⁸³. To meet the cost of any public improvements duly recommended by the Flood Control Commission, the City of Hartford shall have power, without regard to any limitation imposed by the General Statutes or any Special Act respecting the amount, dating, interest or maturity of any debt and without approval by the voters of the City, to authorize and issue from time to time in its discretion not in excess of twenty million dollars (\$20,000,000.00) aggregate principal amount of bonds, notes or other certificates of debt, in accordance with the provisions of the Charter of the City concerning the authorization and issuance of bonds, except as such provisions are made inapplicable by this act. Such bonds, notes or other certificates of debt shall not be included in computing the aggregate indebtedness of the City in respect to any limitation upon the indebtedness of the City.

(11) Contracts with other cities and towns¹⁸⁴. The Flood Control Commission, in the name and on behalf of the City of Hartford, may, if it deems it advisable for the fulfillment of the purposes of this act, enter into contracts with any other City, town or other political subdivision lying wholly or partly within the territory drained by the Park River and its tributaries, and the territory adjacent thereto, for the exercise and performance by such other City, town or subdivision within its corporate limits of such of the powers and duties conferred by this act upon the City of Hartford and the Flood Control Commission as such contracts may respectively provide. Except as may be otherwise limited in any such contract, such other City, town or subdivision shall have and enjoy with respect to any such

¹⁸² 2022 recodification of current Charter Appendix §44; Sp. Laws 1955, Act No. 72, §12.

¹⁸³ 2022 recodification of current Charter Appendix §45; Sp. Laws 1955, Act No. 72, § 13; Sp. Laws 1957, Act No. 292, § 5; Sp. Laws 1959, Act No. 205.

¹⁸⁴ 2022 recodification of current Charter Appendix §46; Sp. Laws 1955, Act No. 72, § 14; Sp. Laws 1957, Act No. 292, § 6.

contract, and in aid thereof, all such powers herein conferred upon the City of Hartford and the Flood Control Commission as may be necessary or appropriate for the performance thereof, and such powers shall be exercised in the name and behalf of such other town, City or subdivision and not in the name and behalf of the City of Hartford or the Flood Control Commission. Without limiting the generality of the foregoing, such powers shall include power to assess benefits and damages, to make appropriations for the whole or any part of the costs to be incurred under any such contracts and power to issue bonds, notes or other certificates of debt from time to time, without regard to any limitation imposed by the General Statutes or any special act respecting the amount, dating, interest or maturity of any debt, to meet the cost of any public improvement carried out or to be carried out under any such contracts; but the making of such appropriations and the issuance of such bonds, notes or other certificates of debt shall be in accordance with the provisions of the Charter of such other City, town or subdivision, except as such provisions are made inapplicable by this act.

(12) Grant of authority to cities and towns lying within drainage of Park River¹⁸⁵. Subject to the limitations which ensue from the powers granted by this act, each City, town and municipal district lying wholly or in part within the territory drained by the Park River and its tributaries shall have all the powers relating to the layout, making and establishing of dikes to prevent the inundation of said territory or any part thereof and relating to the protection thereof from flooding and flood damage and the raising or filling of low grounds, swamps and stagnant areas and the construction of necessary drainage-regulating devices, including pumping stations and equipment, drainage ditches, wells and storage basins, which said cities, towns and municipal districts respectively have or would have had if this act had not been adopted.

(13) Delegation of powers to Flood Control Commission by City¹⁸⁶. The Court of Common Council of the City of Hartford may, by Ordinance approved by the affirmative votes of at least six (6) of the members, delegate to the Flood Control Commission any powers held or which may be held by any Commission, Department of said City.

(14) Annual reports¹⁸⁷. At the second (2nd) Meeting of the Court of Common Council to be held in January of each year, and at the next Regular Meeting of the respective governing bodies of the towns of West Hartford, Bloomfield and Newington, the Flood Control Commission shall file a report of its activities for the preceding year. All such reports shall be kept as public records and open to public inspection.

¹⁸⁵ 2022 recodification of current Charter Appendix §47; Sp. Laws 1955, Act No. 72, §15.

¹⁸⁶ 2022 recodification of current Charter Appendix §48; Sp. Laws 1955, Act No. 72, §16

¹⁸⁷ 2022 recodification of current Charter Appendix §49; Sp. Laws 1955, Act No. 72, §17.

(15) Powers subject to approval by cities and towns¹⁸⁸. Anything in this act to the contrary notwithstanding, no powers under this act may be exercised by the Flood Control Commission without the approval of the legislative body of the town within the territorial limits of which the Commission proposed to exercise such power.

(16) Amendments¹⁸⁹. This act shall not be subject to amendment in the manner provided by section 3 of Chapter XX [Chapter XXI] of Number 30 of the Special Acts of 1947.

PUBLIC HEARING VERSION - CRC 16 MAY

¹⁸⁸ 2022 recodification of current Charter Appendix §50; Sp. Laws 1955, Act No. 72, § 18.

¹⁸⁹ 2022 recodification of current Charter Appendix §51; Sp. Laws 1955, Act No. 72, §19. **Editor's note**— Act No. 641 of the Special Laws of 1957 renumbered Chapter XX as XXI.

CHAPTER VIII. - DEPARTMENTS AND DEPARTMENT HEADS

Sec. 1. - Authority to establish the Departments of government¹⁹⁰.

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

Sec. 2. - Appointment of Department Heads; requirements¹⁹¹.

(a) Creation of Departments. The Council shall by Ordinance establish the Departments of the City as required to carry out the City's functions and to meet public need. Each of these Departments shall be constituted to perform such functions and have such powers and duties as are imposed by the General Statutes, this Charter and Ordinance. Moreover, the directors of each Department established by Ordinance shall be subject to the provisions of this Charter generally applicable to Department Heads.

(b) Appointment. Except as otherwise provided by the General Statutes or this Charter, all Department Heads shall be appointed by and subject to the authority of the Mayor, following the confirmation by the Council in accordance with the provisions section 2(d) of Chapter IV of this Charter. All Department Heads, who are unclassified employees, shall serve at the pleasure of the Mayor, subject also to the powers of removal of the Council as set forth in section 3(a) of Chapter IV of this Charter.

(1) Appointment of the Chief of Police and the Fire Chief. The Mayor shall appoint the Chief of Police and the Fire Chief and, upon confirmation by the Council, as set forth in section 2(d) of Chapter IV of this Charter, shall enter into an employment contract with each of them, on behalf of the City, for a term of up to four (4) years, subject to removal in accordance with the provisions of the General Statutes. A Chief of Police or Fire Chief may be reappointed, but any such reappointment shall be subject to confirmation by the Council. In the event of a Vacancy in the position of Chief of Police or Fire Chief, or if the Police or Fire Chief is temporarily unable to fulfill the obligations of the office, the Mayor may appoint an acting Chief, subject to the limitations set forth in section 2(b)(3) of Chapter VIII of this Charter.

¹⁹⁰ Election of 11-5-02

¹⁹¹ Election of 11-5-02

(2) Department Head vacancies. Vacancies in the office of any Department Head shall be governed by the provisions of section 2(d) of Chapter V of this Charter.

(c) Effect of Charter on Department Heads. Unless otherwise terminated pursuant to Law, the status of Department Heads holding office on the effective date of this Charter shall continue, subject to the provisions of this Charter addressing service at the pleasure of the Mayor.

(d) Authority of Department Heads. Once appointed as described in section 2(d) of Chapter V of this Charter, the Department Head shall appoint, hire, discipline and remove all deputies, assistant and other employees of the Department as provided for in the budget and in accordance with the Regulations of the Personnel Board (including all applicable rules) and collective bargaining agreements, where applicable.

(e) Qualifications of Department Heads. The job qualifications of all Department Heads, in addition to those enumerated in this Charter, by General Statutes or Special Act, shall be established by Ordinance following consideration of recommendation of the Director of Human Resources or such personnel staff as may be designated by Ordinance. Said job qualifications shall be prepared in accordance with nationally accepted professional standards and shall be reviewed and updated every four (4) years and whenever a Vacancy occurs in the position.

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

Sec. 3. - Corporation Counsel¹⁹².

(a) Appointment. There shall be a Corporation Counsel who shall be appointed by the Mayor, subject to confirmation by the Council, in accordance with section 2(d) of Chapter IV of this Charter, as of the first (1st) Monday of January 2004, provided that the Corporation Counsel shall serve at the pleasure of and may be removed by the Mayor at any time. The Corporation Counsel shall be an Elector of the City and an attorney of good standing with the Bar of the State of Connecticut for a period of not less than ten (10) years.

(b) Duties. The Corporation Counsel shall perform the following duties:

(1) Legal advisor. The Corporation Counsel shall serve as the legal advisor of the Mayor, the Council, and all other Departments, officers, Boards or Commissions of the City in all matters affecting the interests of the City, and shall

¹⁹² Election of 11-5-02

upon request furnish them with a written opinion on any question of Law involving their respective powers and duties.

(i) *Retention of counsel by the Board of Education and other Board and Commissions.* The Council may by Ordinance authorize the Board of Education and Boards and Commissions established by Ordinance to retain their own counsel, for such purposes as are specified in the authorizing Ordinance, out of sums appropriated to the Board of Education or the relevant Board or Commission.

(ii) *Retention of counsel by the Council.* The Council may also provide an appropriation for hiring its own counsel when, in the opinion of the Council, it is necessary for the Council to obtain legal advice in addition to the advice of the Corporation Counsel. The Council shall by Ordinance prescribe the process by which such appropriation may be used.

(2) *Representation of the City in legal proceedings.* The Corporation Counsel shall appear for and protect the rights of the City in all actions, suits or proceedings brought by or against it or any of its Departments, officers, Boards or Commissions and shall have power, with the approval of the Mayor, to appeal from Orders, decisions or judgments in such cases, and, with the approval of the Mayor and Council, to compromise and settle any claims by or against the City. The Council, by Ordinance, may establish a level of authority for the Corporation Counsel applicable to monetary settlements that do not require the approval of the Council.

(3) *Transactional representation.* The Corporation Counsel shall prepare or approve all forms of contracts or other instruments to which the City is a party or in which it has an interest.

(4) *Attendance at Meetings of the Council.* The Corporation Counsel shall, at the request of the president of the Council, attend in person or assign an assistant to attend all Meetings of the Council.

(5) *Personnel.* The Corporation Counsel shall have power, within the limitations of the appropriation therefore, to employ professional counsel and to appoint such other employees as prescribed by Ordinance.

Sec. 4. - Police and fire services¹⁹³.

(a) ***Police Department.*** There shall be a Police Department that shall consist of the Chief of Police and such other officers and employees of such ranks and grades as may be prescribed by Ordinance. The Police Department shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals,

¹⁹³ Election of 11-5-02

protection of the rights of persons and property and enforcement of the General Statutes, and the Ordinances and all Regulations (including all applicable rules) made in accordance therewith. All members of the Department shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the General Statutes.

(1) Chief of Police. The Department Head shall be the Chief of Police who shall be in direct command of the Police Department and shall be responsible for the operation of the Department consistent with the policy directives of the Mayor.

(2) Appointment and removal of Department personnel. Subject to the personnel and civil service provisions of this Charter and the Ordinances, the Chief of Police shall appoint and remove all other officers and employees of the Department. The Chief of Police shall assign all members of the Department to their respective posts, shifts, details and duties and shall make Regulations (including all applicable rules), in conformity with the Ordinances, concerning the operation of the Department and the conduct of all officers and employees thereof. The Chief shall be responsible for the efficiency, discipline and good conduct of the Department and for the care and custody of all property used by the Department. Disobedience to the lawful Orders of the Chief or to the Regulations including all applicable rules) aforesaid shall be ground for dismissal or for other appropriate disciplinary action taken in accordance with the personnel and civil service provisions of this Charter and the Ordinances.

(b) Fire Department. *There shall be a Fire Department that shall consist of the Fire Chief, the Fire Marshal and such other officers and employees of such ranks and grades as may be prescribed by Ordinance. The Fire Department shall be responsible for the protection of life and property within the City from fire and for the enforcement of all Laws, Ordinances and Regulations relating to fire prevention and fire safety.*

(1) Fire Chief. The Department Head shall be the Fire Chief who shall be in direct command of the Fire Department and shall be responsible for the operation of the Department consistent with the policy directives of the Mayor.

(2) Appointment and removal of Department personnel. Subject to the personnel and civil service provisions of this Charter and Ordinances, the Chief shall appoint and remove all other officers and employees of the Department. The Chief shall assign all members of the Department to their respective posts, shifts, details and duties and shall make Regulations including all applicable rules) in conformity with the Ordinances of the City concerning the operation of the Department and the conduct of all officers and employees thereof. The Chief shall be responsible for the efficiency, discipline and good conduct of the Department and for the care and custody of all property used by the Department. Disobedience to the lawful Orders of the Chief or to the Regulations including all

applicable rules) aforesaid shall be ground for dismissal or for other appropriate disciplinary action taken in accordance with the personnel and civil service provisions of this Charter and Ordinances. The Chief shall have further power to make Regulations with the force of law, implementing and giving effect to the Laws and Ordinances relating to fire prevention and fire safety.

Sec. 5. - Government administration¹⁹⁴.



(a) The Department of Finance.

(1) Director of Finance. The Department Head shall be the Director of Finance, a person shall be a person skilled in municipal accounting, budgeting and financial control. Commencing on January 1, 2004, the Director of Finance shall be appointed by the Mayor, subject to confirmation by the Council, to a term of four (4) years and shall be subject to removal only for cause during that term. The Director of Finance shall:

(i) Compile for the Mayor the estimates for the budget and the capital budget.

(ii) Supervise and control all encumbrances, expenditures and disbursements to ensure that budget appropriations are not exceeded.

(iii) Submit monthly reports as required by section 6.E(1) of Chapter X of this Charter¹⁹⁵. The Director of Finance shall furnish to each Department Head a copy of the portion of the above statement relating to that Official's Department.

(iv) Prepare for the Mayor 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.

(v) Maintain a general accounting system for the City government and each of its Departments in conformity with the best recognized practices in governmental accounting; keep records for and exercise financial budgetary control over each such Department; keep separate accounts for the items of appropriation contained in the budget and appropriation Ordinance and the allotments thereof and encumber such items of appropriation and their respective allotments with the amount of each purchase order, payroll or contract approved by the Director of Finance immediately upon such approval; and keep such records as shall show at all times for each account the amount of the appropriation and the allotments thereof, the amounts paid therefrom and remaining unpaid, all encumbrances thereof and the unencumbered

¹⁹⁴ Election of 11-5-02

¹⁹⁵ Modification (2022),

balance; require daily or at such other intervals as the Director of Finance may deem expedient a report of receipts and disbursements from each of the several Departments; and prescribe the times at and manner in which moneys received by them shall be paid to the City Treasurer or deposited in a City bank account under the City Treasurer's control;

(vi) Prescribe the form of receipts, vouchers, bills or claims to be used and of accounts to be kept by all Departments of the City and provide suitable instructions for the use thereof;

(vii) Examine all contracts, purchase orders and other documents which involve financial obligations against the City and approve the same only upon ascertaining that moneys have been appropriated and allotted and that an unexpended and unencumbered balance is available in such allotment to meet the same;

(viii) Audit before payment all bills, invoices, payrolls and other evidences of claims, demands or charges against the City and approve the same if proper, legal and correct;

(ix) Inspect and audit the accounts or records of financial transactions as maintained in each Department of the City apart from or subsidiary to the accounts kept in the Director of Finance's office.

(b) **Tax Collector.** There shall be a Tax Collector, who shall be a member of the Classified Service and shall be appointed by the Mayor, from a list of eligibles determined by open competitive examination as provided for in the personnel provisions of this Charter and by Ordinance. The Tax Collector shall receive and collect all taxes and assessments payable to the City and such other fees and licenses as may be designated by the Council by Ordinance or by Order of the Mayor. The Tax Collector shall keep such books and records of transactions and use such forms of bills and receipts as may be prescribed by the Director of Finance. Except as otherwise provided in this Charter the Tax Collector shall have such powers and duties as are conferred or imposed on tax collectors of towns by the General Statutes.

(c) **City Assessor.** There shall be a City Assessor, who shall be a member of the Classified Service and shall be appointed by the Mayor, from a list of eligibles determined by open competitive examination as provided for in the personnel provisions of this Charter and Ordinance. All deputies and other employees of the organizational unit responsible for assessment shall be appointed and removed by the City Assessor subject to the personnel provisions of this Charter and Ordinance.

City Assessor, powers and duties. The City Assessor shall have all the powers and shall perform all the duties imposed on assessors in towns of this state, together with such other duties as are imposed by this Charter. The assessor shall act in all respects with regard to the assessment of property as

required by the General Statutes. All Departments and employees of the City and all owners of taxable property within the City shall provide such assistance and information to the assessor, consistent with applicable Law, as the assessor shall require to carry out the duties of that office.

(d) Procurement services. There shall be a central purchasing system for the City covering the purchase of all supplies, materials, equipment and other commodities required. In order to advance the provisions of this Charter, the Council shall establish by Ordinance the rules and regulations governing the operation of said central purchasing system in a manner consistent with the General Statutes, this Charter, Ordinance and standards established by organizations such as the National Institute of Governmental Purchasing and the National Association of State Purchasing Officials as well as the Model Procurement Code and Ordinances prepared by the American Bar Association. Any provisions referring to purchasing inconsistent with the terms of this section referred to elsewhere in this Charter are hereby expressly repealed. The Council shall, by Ordinance, establish the rules and regulations governing the purchasing process for the City, including, but not limited to, the role and responsibilities of the purchasing agent, competitive bidding requirements, standards for contracts for public works and improvements and accounting control of purchases and contracts, provided that the Council shall require competitive bids for purchases in excess of twenty-five thousand dollars (\$25,000.00). Nothing in this Charter shall prevent the City or any of its Departments from participating in any joint purchasing program administered by the State, the Capitol Region Council of Governments, the Connecticut Conference of Municipalities, the Connecticut Association of Boards of Education or any other public agency, including another municipality or municipalities, or other nonprofit organization the members of which are public bodies.

Purchasing agent. The Department Head of the central purchasing system shall be the Chief Operating Officer or designee who, pursuant to rules and regulations established by Ordinance, shall contract for and purchase all supplies, materials, equipment and contractual services required by any Department of the City government including the Board of Education. With respect to said Board of Education, the Purchasing Agent shall be required to take advantage of incentives, cooperative agreements and consortiums generally available to boards of education in order to expedite the acquisition of goods and services for said Board to meet the curriculum and scheduling requirements of the Board, upon reasonable notice by the Board. The rules governing purchasing and procurement, including a definition of "reasonable notice" shall be set forth by Ordinance. The purchasing agent shall be responsible for the efficiency, discipline and good conduct of the system.

(e) Department of Human Resources. There shall be a Department of Human Resources, which shall be responsible for the administration of the civil service system and all other matters affecting civil service employment, collective bargaining and the employees of the City. In order to advance the purposes of this Charter, the

Council, upon recommendation of the Mayor, shall enact Ordinances relating to the operation of the Department and the civil service system.

(1) Director of Human Resources. The Department Head shall be the Director of Human Resources, who shall be appointed by the Mayor, from a list of eligibles determined by open competitive examination as provided for in the personnel provisions of this Charter and Ordinance. The director shall be responsible for the efficiency, discipline and good conduct of the Department.

(2) Human resources policy of the City. It shall be the policy of the City to establish a civil service system that will assure recruitment of the best available persons to appointment to vacant positions, advance equal employment opportunity and affirmative action, continue training and evaluation of employees and bargain fairly with the collective bargaining representatives of employees. The Council, upon recommendation of the Mayor, shall establish Ordinances that address the areas of (i) qualifications and competitive examinations for entry level and promotional appointments (encouraging, as far as practicable, the promotion from lower classes of City employees); (ii) creation and maintenance of eligible lists, certification of the same and the standards of appointment thereunder; (iii) standards of dealing with temporary appointments; (iv) preparing and maintaining classification and pay plans for classified City employees not included in a collective bargaining unit; (v) establishing a roster of City employees; (vi) certification of payroll; (vii) developing training and education programs for City employees; (viii) investigation of the operation of the personnel provisions of the Charter and Ordinances; and (ix) standards of appointment and removal of City employees, not otherwise addressed by this Charter or the provisions of a collective bargaining agreement.

(3) Classified and unclassified service. The civil service of the City shall be divided into the unclassified and the Classified Service. The unclassified service shall comprise:

(i) Officers elected by the people and persons appointed to fill vacancies in Elective Offices;

(ii) Members of Boards and Commissions and any officers appointed by the Council;

(iii) The Department Heads appointed by the Mayor, and deputy Department Heads who shall be appointed by the respective Department Heads, with the concurrence of the Mayor, and shall serve at the pleasure of the respective Department Heads, and not more than one (1) confidential secretary in each Department, except that the City Assessor, the Director of Human Resources, and the Tax Collector shall be members of the Classified Service;

(iv) Employees of the Board of Education;

(v) Staff in the office of the Council and in the office of the Mayor, including the Chief Operating Officer and the assistants to such Chief Operating Officer;

(vi) The Corporation Counsel and special counsel appointed by the Corporation Counsel;

(vii) The assistant City Treasurer;

(viii) Persons employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation or examination.

The Classified Service shall comprise all positions not specifically included by this section in the unclassified service and all appointments and promotions therein shall be made according to merit and fitness to be ascertained so far as practicable by competitive examinations.

(4) Prohibited practices. No person in the Classified Service of the City or seeking admission thereto shall be appointed, promoted, reduced, removed or in any way favored or discriminated against because of that person's race, national origin, political or religious opinions or affiliations, gender or sexual orientation. No person shall willfully or corruptly make any false statement, certificate, mark, rating or report in regard to any test, certification, promotion, reduction, removal or appointment held or made under the provisions of this chapter, or in any manner commit or attempt to commit any fraud preventing the impartial execution thereof or of the Regulations including all applicable rules) made in accordance therewith. No person shall either directly or indirectly, pay, render or give any money, service or other valuable thing to any person for or on account of or in connection with any test, appointment, promotion, reduction or removal in which either party is concerned. Any person who alone or with others willfully or corruptly violates any of the provisions of this section shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than six (6) months or both. Any person who is convicted under this section shall for a period of five (5) years be ineligible for appointment to or employment in a position in the City service and shall, if an officer or employee of the City, immediately forfeit the office or position he or she holds.

(5) Veterans' preference. Any person who has served in time of war in the army, navy, marine corps, coast guard or air force of the United States and has been honorably discharged therefrom shall be entitled to have added to his or her rating in any examination for initial employment in the Classified Service ten (10) points on a scale of one hundred (100) if he or she is eligible for disability compensation or pension from the United States through the veterans'

administration, or five (5) points on a scale of one hundred (100) if he or she is not so eligible, provided he or she is within the age limit specified for appointment to the position or class of position for which the examination is held, physically capable of performing the duties of such position and attains in the examination without such added points the minimum rating prescribed for passage of such examination.

Any employee in the Classified Service whose employment has been interrupted in time of war in the army, navy, marine corps, coast guard or air force of the United States and has been honorably discharged therefrom shall be entitled one (1) time to have added to his or her rating in any examination held under the provisions of this chapter ten (10) points on a scale of one hundred (100) if he or she is eligible for disability compensation or position from the United States through the veterans' administration, or five (5) points on a scale of one hundred (100) if he or she is not so eligible, provided he or she is within the age limit specified for appointment to the position or class of position for which the examination is held, physically capable of performing the duties of such position and attains in the examination without such added points the minimum rating prescribed for passage of such examination.

Sec. 6. - Community services¹⁹⁶.



There shall be established by the Council, Departments of the City that deal with key functions such as health, human services, recreation and other community services. Such administrative offices shall always have in place up-to-date action plans to address the health, human service and recreation needs of children, youth, adults and the elderly and shall implement these plans in close coordination with the appropriate State offices and with other pertinent private and public agencies.

PUBLIC HEARING

¹⁹⁶ Election of 11-5-02

CHAPTER IX. - BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION

Sec. 1. - Board of Education¹⁹⁷.

Effective December 6, 2005, there shall be a Board of Education consisting of nine (9) members five (5) appointed by the Mayor and four (4) elected on the Tuesday after the first Monday in November 2005 and quadrennially thereafter. Notwithstanding the foregoing, the provisions of sections 4(b) of Chapter III of this Charter shall apply to the elected members of said Board.

Sec. 2. - Appointment of Board of Education members¹⁹⁸.

(a) Appointments. The Mayor shall appoint five (5) members for a term commencing on December 6, 2005 and ending on January 31, 2008. Thereafter January 1, 2008 the Mayor shall appoint five (5) members for a term of four (4) years to take office on February 1st of the year of appointment and quadrennially thereafter, which members shall serve until their successors have been appointed and confirmed¹⁹⁹.

(b) Election. The four (4) members shall be elected as set forth in section 4(b) of Chapter III of this Charter.

(c) Term of office. The term of office of the five (5) members appointed by the Mayor shall be for a term of four (4) years to take office on February 1st of the year of appointment and quadrennially thereafter, which members shall serve until their successors have been appointed and confirmed. The term of office of all elected member shall be as set forth in section 4(a) and (b) of Chapter III of this Charter.

(d) Minority party representation. At no time shall more than three (3) of the members appointed by the Mayor be members of the same political party and, with respect to the elected members, the maximum number of members from the same political party shall be three (3). Candidates for the Board of Education shall be elected with party designation.

(e) Qualifications. In addition to the general requirements of statutory law and this Charter, the Mayor shall consider the following qualifications and experiences with regard to appointments to the Board of Education: training and/or experience in (1) education, (including, but not limited to, familiarity with the Hartford school district as a relative or guardian of a child currently or recently in the district); (2) a representative of a PTA/PTO or similar organization of adult supporters of education in the City; (3) financial matters (as evidenced by service as a certified public accountant or having earned a bachelor, master or doctorate degree in business, finance or public

¹⁹⁷ 2022 modification of Sec.1 derived from election of 11-5-02.

¹⁹⁸ 2022 modification of Sec.1 derived from election of 11-5-02.

¹⁹⁹ 2022 modification and recodification of Sec. 2(c)(1).

administration); (4) construction management; (5) workforce development or job training; (6) law; (7) information technology; (8) facility maintenance; and, (9) other qualifications as may be established by Ordinance. Of equal weight with the foregoing requirements, the Mayor shall consider appointments reflective of the various neighborhoods and the ethnic, racial and cultural mix of the City.

(f) Ex officio members. The Council may create up to two (2) non-voting ex officio positions on the Board of Education for students of the Hartford public schools, to be appointed by the Mayor for a one-year term.

(g) Powers of the Board of Education. The Board of Education shall perform such duties and have such powers as are or may be imposed by the General Statutes upon boards of education. The Department of Education shall perform the administrative functions of said Board.

(h) Applicability of Charter provisions pertaining to Boards and Commissions. The provisions of this Charter governing the appointment, vacancies, minority party representation and removal of members of Boards and Commissions and Public Officials shall apply to the Board of Education, unless otherwise set forth herein.

Sec. 3. - Mandatory training as a prerequisite for service²⁰⁰.

The Board of Education shall contract with the Connecticut Association of Boards of Education, the State Department of Education, the National School Boards Association, or some similar organization, to provide a training course on the role and responsibilities of a Board of Education and its members. The Board of Education shall assure that the course is available at alternative times at no charge to City residents and is provided in a central location accessible by public transportation, and that childcare is available if needed by a resident who desires to take the course. No one shall be eligible to begin service on the Board of Education who has not taken the course within three (3) years of the beginning of his or her service.

Sec. 4. - Prohibited acts²⁰¹.

No member of the Board of Education may interfere with the performance by the superintendent of schools of those duties vested in or delegated to the superintendent by statute or by act of the Board of Education. Such interference specifically includes any attempt by a member of the Board of Education to order or coerce, publicly or privately, any subordinate, Official or employee of the district as to any matter within the authority of the superintendent under statute or as conferred by the Board of Education through its policies, procedures, Resolutions, or minutes of Meetings. Such interference will constitute official misconduct that may be grounds for removal pursuant to section 3(a) of Chapter IV of this Charter.

²⁰⁰ Election of 11-5-02

²⁰¹ Election of 11-5-02

Sec. 5. – Community Outreach²⁰².

In addition to the regular and special Meetings of the Board of Education, the members of the Board shall engage in outreach efforts, including, but not limited to the following in order to increase participation by the public in the activities of the Board of Education: political, religious, community-based, social, mutual benefit organizations, civic and business organizations.

PUBLIC HEARING VERSION - CRC 16 MAY '22

²⁰² NEW (2022). This section replaces current Sec. 5 (“Transition Provisions”) derived from election of 11-5-02, which is hereby repealed.

PUBLIC HEARING VERSION - CRC 16 MAY 2022

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CHAPTER X. - BUDGET

Sec. 1. – The Budget Process

A. The Budget System²⁰³. The Council shall have the following powers: to establish and maintain a budget system including but not limited to the assessment, levy and collection of taxes for general, special or emergency purposes in the manner prescribed by Law, and to adopt the capital and operating budgets of the City and the Board of Education in the manner prescribed by Law and this Charter and the operative Ordinances adopted hereunder.

(1) Ordinance establishing the budget process²⁰⁴. The Council shall specify by Ordinance any additional requirements to effectuate the provisions of this Charter pertaining to the budget.

(2) Public Engagement²⁰⁵. The Council shall develop procedures designed to encourage public participation in the budget process. The budget process shall include information that addresses (a) performance measures, (b) service levels, (c) differentiation of services to the residents of the City both in terms of policy and service design and (d) priorities in the planning, budgeting and management of public services.

B. Cooperation of City Officials and Employees²⁰⁶. The Mayor, the Board of Education and Council are required to work together, in good faith, throughout the year in order to develop and approve a municipal budget which shall include all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, include detailed estimates of revenues, capital expenses and operating expenses all as required by this Charter and any Ordinances pertaining thereto. Each of these Public Officials and employees of the City are required to utilize best practices in the field of municipal and public finance, in order to comply with Law and with the generally accepted accounting principles (or such successor policies thereto) and shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the City.

C. Fiscal year²⁰⁷. The fiscal year of the City government shall be as provided in the General Statutes and Ordinances conforming thereto.

D. Budget a public record: Public Inspection²⁰⁸. The entire budget, comprised of the general or operating budget and capital budget, shall be a public record in the office of the City Clerk and shall be open to public inspection at other designated

²⁰³ NEW (2022)

²⁰⁴ Modification and recodification of current Sec. 5(b). Election of 11-5-02

²⁰⁵ NEW (2022).

²⁰⁶ NEW (2022).

²⁰⁷ Recodification of current Sec. 1. Election of 11-5-02

²⁰⁸ Recodification and modification of current Sec. 3(c). Election of 11-5-02

public facilities including libraries and schools, as may be determined by the Mayor or the Council. The budget message shall be distributed to the public by the Mayor at the time of its submission to the Council, and sufficient copies of the budget proper shall be made available at the same time for the use of the Council and the public. Physical copies of the budget shall be provided within seventy-two (72) hours of submission. Moreover, the Mayor shall provide access on-line through social media, the City website and dashboards and email chains to community organizations and members of the public who request such information.

E. Budget Calendar²⁰⁹. Not later than the first (1st) Meeting of the Council in January of each year, the Chief Financial Officer or equivalent official responsible for the Office of Management, Budget, Grants and Revenue shall cause to be published a budget calendar in order to inform the public of the significant requirements of the budget process, including but not limited to: (1) dates of the initial and final public hearings, as set forth in section 5.A of this Charter; (2) the date of adoption by the Council, as set forth in section 5.C of this Chapter; (3) transmittal of adopted budget to the Mayor, as set forth in section 5.C(4) of this Chapter; (4) report and statement of the Mayor, as set forth in section 5.D(1)(a) of this Chapter; (5) any further Council action required following Mayoral action as specifically set forth in section 5.D(2) of this Chapter; and (6) the date of the Final Action of the Council, as specifically set forth in section 5.D(2) of this Chapter. Final Action may also occur in the event of a failure of the Council or Mayor to take action as set forth in sections 5.C(5) and 5.D(1)(c).

Sec. 2. - Annual departmental budget estimates.

A. Authority to require departmental estimates²¹⁰. The Mayor shall have the power to require every Department Head, including the Department and Board of Education, to submit to the Mayor or designee such (a) estimates of revenue and expenditures for the ensuing fiscal year; and (b) any additional information which they possess (including, but not limited to, records, books, accounts, contracts, reports and other papers and documents as specified by the Mayor) all of which, in the judgment of the Mayor, are necessary to discharge the duties imposed upon the Mayor by this Charter.

B. Submission of estimates²¹¹. Each Department Head shall submit the information required in section 2(a) of this chapter, at such date as the Mayor shall determine and in accordance with such procedures as the Mayor shall establish, estimates of revenue and expenditure for that Department. Such estimates shall be submitted upon forms furnished by the Mayor and shall contain all necessary information. The Mayor shall review the estimates and, in preparing the budget, may revise them, except that in the case of the Board of Education, the Mayor shall have power to revise only the total estimated expenditure unless otherwise permitted by Law.

²⁰⁹ NEW (2022).

²¹⁰ Recodification of current Sec. 2(a). Election of 11-5-02

²¹¹ Recodification of current Sec. 2(b). Election of 11-5-02

C. Contents of Budgetary requests²¹².

(1) Department estimates for General Fund or Operating Budget²¹³. The Mayor or a designee of the Mayor shall furnish each Department Head, Board, Commission, authority and other entity receiving or expending City funds or state or federal funds granted to the City (“Budgeted Entity”), forms for the proposed general fund or operating budget requests for the next fiscal year, based upon a uniform object classification. Each such Official shall prepare budgetary requests upon such forms and submit them to the Mayor or said designee at such date as the Mayor shall determine and in a time-frame that will comply with the budget submission requirements of this Charter. The forms shall also elicit information pertaining to

(a) performance measures;

(b) service levels;

(c) differentiation of services to the residents of the City both in terms of policy and service design;

(d) priorities in the planning, budgeting and management of public services, including compliance with the objectives of the plan of conservation and development required by the General Statutes; and

(e) the impact of existing collective bargaining agreements in effect at the time, on the cost of operating the Budgeted Entity, including but not limited to, the contractual requirements pertaining to shift, deployment of equipment, call-in requirements and minimum staffing requirements.

(2) Department Estimates for Capital Projects²¹⁴. The Mayor or a designee of the Mayor shall furnish the head of each Budgeted Entity, forms for the estimates of the cost of such projects shall be submitted by each such Budgeted Entity for consideration of the Planning and Zoning Commission. Thereafter, the Planning and Zoning Commission shall prepare and revise annually a program of public improvements for the ensuing five (5) years and shall submit annually to the Mayor, at such time as the Mayor shall direct, its recommendations of such projects to be undertaken in the ensuing fiscal year and in the full five-year period²¹⁵. As set forth herein, the Mayor shall present to the Council a program, previously considered by the Planning and Zoning Commission, of proposed capital projects for the ensuing fiscal year and for the five (5) fiscal years thereafter²¹⁶.

²¹² NEW (2022).

²¹³ NEW (2022).

²¹⁴ 2022 Modification and recodification of current Sec. 9 (second sentence). Election of 11-5-02

²¹⁵ 2022 Modification and recodification of current Chapter VII, Sec. 2(d)(2). Election of 11-5-02

²¹⁶ NEW (2022). Recodification of Ordinance Sec. 2-516 (first sentence).

Sec. 3. - Submission of the Mayor's proposed budget to the Council. Public hearing²¹⁷.

(a) Submission²¹⁸. Concurrent with the Mayor's report on the state and condition of the City at the second (2nd) Meeting of the Council in March of each year, as required by Chapter V, Section 2(i) of this Charter, the Mayor shall submit to the Council through the City Clerk:

(1) An annual or current expense budget, hereafter referred to as the budget, which shall be a complete financial plan for the ensuing fiscal year, consisting of the budget²¹⁹;

(2) A capital budget, setting forth the Capital Expenditures as required herein²²⁰; and,

(3) A Budget Message²²¹.

(b) The Budget Message of the Mayor²²². The budget message shall contain the recommendations of the Mayor concerning:

(1) The fiscal policy of the City²²³ for the ensuing fiscal year²²⁴;

(2) A description of the important features of the budget plan²²⁵, including major fiscal and programmatic proposed changes from the current fiscal year²²⁶;

(3) An explanation of all major increases or decreases in proposed expenditures and revenues as compared to the current fiscal year (together with the reasons for such changes)²²⁷;

(4) A summary of the proposed budget showing comparisons similar to those required in the budget proper, itemized by principal sources of revenue and the main heads of expenditure²²⁸;

²¹⁷ Current Sec. 3. Election of 11-5-02

²¹⁸ 2022 Modification and recodification of current Sec. 3(a). Election of 11-5-02

²¹⁹ 2022 Modification and recodification of current Sec. 3(a)(i). Election of 11-5-02

²²⁰ Recodification of current Sec. 3(a)(ii). Election of 11-5-02

²²¹ NEW (2022)

²²² Recodification of current Sec. 3(d). Election of 11-5-02

²²³ Current clause in Sec. 3(d).

²²⁴ NEW (2022)

²²⁵ Current clause in Sec. 3(d).

²²⁶ NEW (2022)

²²⁷ 2022 Modification of current clause in Sec. 3(d).

²²⁸ Current clause in Sec. 3(d).

(5) The debt position of the City, including a statement of the bonds to mature and the interest payable on bonds outstanding²²⁹;

(6) An explanation of the assumptions that were taken into account for any and all financial forecasts and estimates of expenditures or revenues in the proposed budget, including the amount required to meet existing contractual provisions of collective bargaining agreements pertaining to workforce requirements²³⁰;

(7) An account of the proposed goals, objectives and policy priorities set forth in the proposed budget as well as a statement of how the proposal complies with and advances the objectives of the plan of conservation and development required by the General Statutes²³¹; and,

(8) Such other material as the Mayor deems desirable²³².

(c) **Budget Message of the Board of Education**²³³. The Chair of the Board of Education shall set forth the reasons for their budget recommendations directly to the Council with respect to the programmatic information and estimates for the operation of the Department of Education in the same manner as required in the Budget Message of the Mayor.

(d) **Contents of the Proposed Budget – Part I: The General Fund or Operating Budget (including the Board of Education)**²³⁴. The budget shall contain:

(1) An itemization of all anticipated revenue²³⁵, including sources other than the tax levy of the ensuing fiscal year²³⁶. The estimate of revenues or cash receipts shall present, in parallel columns that are itemized:

(a) Actual revenues collected in the last completed fiscal year²³⁷;

(b) Revenues collected during the current fiscal year prior to the time of preparing the estimates²³⁸;

(c) Approved revenue for the current fiscal year²³⁹;

²²⁹ NEW (2022)

²³⁰ NEW (2022)

²³¹ NEW (2022)

²³² NEW (2022).

²³³ NEW (2022)

²³⁴ Recodification of current Sec. 4(a). Election of 11-5-02.

²³⁵ NEW (2022)

²³⁶ Recodification of current Sec. 4(a)(i) (first sentence). Election of 11-5-02.

²³⁷ NEW (2022)

²³⁸ NEW (2022)

²³⁹ NEW (2022)

(d) Estimated revenue to be collected during the current fiscal year²⁴⁰;

(e) Estimated revenue to be collected during the ensuing fiscal year²⁴¹; and,

(f) The annual income from each source for the past five years setting forth recurring and non-recurring revenues²⁴².

The Mayor shall include a statement of the assumptions on which the estimates are based²⁴³. The Council may, by Ordinance, establish criteria that the Mayor must use for estimating cash receipts from sources other than the tax levy²⁴⁴;

(2) An estimate of the general fund cash surplus at the end of the current fiscal year or of the deficit to be made up by appropriation²⁴⁵;

(3) Itemized estimates of expenditures, presenting the actual expenditures for each Budgeted Entity 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, and the requests of the several Departments for the ensuing fiscal year²⁴⁶.

(4) Proposed expenditures for²⁴⁷ debt service requirements for the ensuing fiscal year²⁴⁸; including, a schedule of maturities of bond issues (debt analysis beyond the duration of the five-year capital plan should be consistent with best practices)²⁴⁹. The amount required for interest on the City debt, and for maturing serial bonds and other maturing obligations, and other fixed charges, and the amount required to fund pensions currently which amount shall be determined by an independent actuary designated by the Mayor for that purpose and shall not be subject to reduction or rejection by the Council as set forth in this Charter²⁵⁰;

(5) An estimate of the sum required to be raised by the tax levy for the ensuing fiscal year, assuming a rate of collection not greater than the average rate of collection in the year of levy for the last five (5)²⁵¹ completed fiscal years as well as estimates for the current fiscal year²⁵²;

²⁴⁰ NEW (2022)

²⁴¹ Recodification of current Sec. 4(a)(i) (first sentence). Election of 11-5-02.

²⁴² NEW (2022)

²⁴³ NEW (2022)

²⁴⁴ Recodification of current Sec. 4(a)(i) (second sentence). Election of 11-5-02.

²⁴⁵ Recodification of current Sec. 4(a)(ii). Election of 11-5-02.

²⁴⁶ 2022 Modification and recodification of current Sec. 4(a)(iii). Election of 11-5-02.

²⁴⁷ NEW (2021)

²⁴⁸ Recodification of current Sec. 4(a)(iv). Election of 11-5-02.

²⁴⁹ NEW (2022)

²⁵⁰ NEW (2022)

²⁵¹ In lieu of the current three-year standard,

²⁵² Recodification of current Sec. 4(a)(v). Election of 11-5-02.

(6) A balanced relation between the total estimated expenditures and total anticipated revenue cash receipts, taking into account the estimated general fund cash surplus or deficit at the end of the current fiscal year²⁵³; and,

(7) The expenditures required to meet contractual provisions of existing collective bargaining agreements (and other side agreements relating thereto) differentiating between base wages or compensation and additional levels of premium or bonus compensation delineated by category for each Budgeted Entity and showing the provisions of the applicable agreement. The Mayor following consultation with the Chief Financial Officer or equivalent Official responsible for the Office of Management, Budget, Grants and Revenue shall, from time-to-time, propose standards to effectuate the provisions of this sub-section to establish the innumerable categories of compensation, the provisions requiring such compensation and the method of calculating such additional compensation, including but not limited to shift differentials; weekend, holiday and seasonal payment requirements; stand-by and call-in requirements; overtime; certified skill differentials and allocations, minimum equipment; and, personal/workforce requirements. Said standards shall be set forth by Ordinance (“Premium and Additional Compensation Ordinance”) ²⁵⁴;

(a) Transition Provision: Within thirty (30) Days following effective date of this provision of the Charter, the Mayor shall propose an Additional Compensation Ordinance, which shall be adopted by the Council on or before February 1st of the calendar year immediately following said effective date in order to ensure inclusion in the proposed budget to be submitted with the Mayor’s first Budget Message following said effective date²⁵⁵;

(8) The proposed goals, objectives and policy priorities of the City expenditures, including, but not limited to the objectives of the plan of conservation and development required by the General Statutes, for current operations during the ensuing fiscal year, detailed for each fund by organization unit, and program purpose or activity, and the method of financing such expenditures²⁵⁶; and,

(9) Such other information as may be required by the Council²⁵⁷.

All estimates shall be in detail showing revenues by sources and expenditures by organization units, activities, character and object. The budget shall be so arranged as to show comparative figures for receipts and expenditures for prior five (5) years and

²⁵³ Recodification of current Sec. 4(a)(vi). Election of 11-5-02.

²⁵⁴ NEW (2022).

²⁵⁵ NEW (2022)

²⁵⁶ NEW (2022)

²⁵⁷ NEW (2022).

for the current year and the Mayor's recommendations for the ensuing year²⁵⁸. Revenue sources other than the tax levy of the ensuing fiscal year shall include, but not be limited to enterprise funds, special revenue funds²⁵⁹, grants and imposed fine and recovery funds²⁶⁰.

(e) Contents of the Proposed Budget – Part II: The Capital Projects Budget and Program (including the Board of Education)²⁶¹. As a part of the budget message the Mayor shall present a program of proposed capital projects for the ensuing fiscal year and for the four (4) fiscal years thereafter (“Continuing Projects”)²⁶², as follows:

(1) Detailed Estimates of Project Costs²⁶³. Estimates of the cost of those projects to be undertaken during the ensuing fiscal year²⁶⁴ and Continuing Projects²⁶⁵, shall be submitted by each Budgeted Entity, quarterly, in the same time-frame and manner as estimates of other budgetary requirements are prepared for the Mayor.

(2) Annual Levy²⁶⁶. The Council may levy annually a tax of not more than two (2) mills to be assessed upon the ratable estate within the City at the same time as the regular annual taxes for City expenses, for the benefit of a fund to be known as "The Capital Improvement Fund" established for the purpose of paying such Capital Expenditures in furtherance of the capital improvements for which the City is authorized by this Charter to issue bonds and for no other purpose.

(3) Statement re – Off-Setting Reimbursements²⁶⁷. A statement as to any off-setting reimbursements, such as State or federal grants anticipated in connection with the project

(4) The method of financing the same²⁶⁸. The Mayor shall recommend to the Council the method of financing the same.

(5) Comparison with prior FY capital appropriation²⁶⁹. Such comparison with any prior year's appropriation for capital projects as deemed advisable by the Mayor requested by the Council or required by Ordinance..

²⁵⁸ Recodification of current Sec. 4(a)(i). Election of 11-5-02.

²⁵⁹ **DRAFTING NOTE:** Governmental Accounting Standards Board (“GASB”) Statement No 54 “Fund Balance reporting and Governmental Fund Type Definitions.”

²⁶⁰ NEW (2022)

²⁶¹ 2022 Modification of current Sec. 9. Election of 11-5-02

²⁶² 2022 Modification of current Sec. 9 (first sentence). Election of 11-5-02

²⁶³ 2022 Modification of current Sec. 9 (second sentence). Election of 11-5-02

²⁶⁴ 2022 Modification and recodification of current Sec. 9 (third sentence/first clause). Election of 11-5-02

²⁶⁵ NEW (2022).

²⁶⁶ 2022 Modification of current Sec. 9 (fourth sentence). Election of 11-5-02

²⁶⁷ NEW (2022)

²⁶⁸ 2022 Modification of current Sec. 9 (third sentence/second clause). Election of 11-5-02

²⁶⁹ NEW (2022)

(6) Status Report on Previously Approved Capital Projects, including completion dates and remaining balance. A report summarizing the status of Capital Expenditures for each previously approved capital project stating those which have been completed, and the balance of any unexpended bond funds available with recommendations for either redemption of bonds or other capital projects use.

(7) Other pertinent Information. Any other information the Mayor believes to be pertinent, or which is requested by the Council or required by Ordinance.

(f) Appropriation and Tax Levy Ordinances²⁷⁰. Simultaneously with the submission of the budget, the Mayor shall also introduce an appropriation Ordinance and an Ordinance making a levy in mills upon all the ratable estate within the City for the ensuing fiscal year. The appropriation Ordinance shall be based on the budget but need not be itemized further than by Departments and the major divisions thereof and by each independent office and agency and by the principal objects of expenditure.

Sec. 4. - Budget deliberations of the Council²⁷¹.

A. Public hearings.

(1) Public Hearing on Submission²⁷². Upon receipt of said budget, the City Clerk shall transmit copies to the Council forthwith and shall call a public hearing on the budget to be held by the Council no less than seven (7) Days nor more than ten (10) Days after its submission. Hearing Notice of the date, time and place of said hearing shall be in accordance with the provisions of section 4.A.(4) of this Chapter, below.

(2) Final Public Hearing²⁷³. A final hearing by the entire Board shall be held at least fourteen (14) Days prior to adoption of the budget by the Council as set forth in this Charter.

(3) Additional Public Hearings²⁷⁴. During the deliberations the Council (or a committee thereof) may hold additional public hearings. Notice of the date, time and place of said hearings shall be noticed as set forth in section 4.A.(4) of this Chapter, below.

²⁷⁰ Recodification of current Sec. 4(b) (last paragraph/first and second sentences). Election of 11-5-02.

²⁷¹ 2022 Modification and recodification of current Sec. 5. Election of 11-5-02

²⁷² 2022 Modification and recodification of current Sec. 3(b) (first sentence). Election of 11-5-02

²⁷³ NEW (2022)

²⁷⁴ NEW (2022)

(4) Meeting and Hearing Notice Requirement²⁷⁵. Notice of the date, time and place of said hearing shall be published within three (3) Days after the submission of the budget in the manner provided herein for the publication of Ordinances.

B. Modifications²⁷⁶. After the conclusion of such Final Public Hearing, in accordance with the time-frame set forth in this Charter, the Council may modify the proposed budget as follows:

(1) Discretionary Actions²⁷⁷. In its sole discretion the Council may with respect to any appropriation:

- (a) insert new line items of expenditures; or,
- (b) increase, decrease or strike out line items of expenditure,

(2) Prohibited Activities. The Council may not

- (a) reduce any item of appropriation for debt service and any item of appropriation necessary to fulfill the obligations of the City as determined by the Pension Commission²⁷⁸; or,
- (b) increase the Mayor's estimates of receipts²⁷⁹.

C. Adoption of the budget²⁸⁰. The Council shall adopt the budget, the appropriation Ordinance and tax levy Ordinance on or before 11:59:59 P.M. on 21st Day of May of each year, and shall make the same available for public inspection as set forth in this Charter or otherwise required by Law ("Adopted Budget")²⁸¹.

(1) Appropriation and Tax Levy Ordinance²⁸². Neither of the above Ordinances in section 3.F of this Chapter, above, shall be acted upon until after the adoption of the budget. The hearing upon the budget shall be taken to be the hearings upon the Appropriation and Tax Levy Ordinance.

(2) Establishment of the Tax Levy²⁸³. The Council may, however, decrease the amount of the tax levy for the ensuing fiscal year as proposed by

²⁷⁵ Recodification of current Sec. 3(b) (second sentence). Election of 11-5-02

²⁷⁶ 2022 Modification and recodification of current Sec. 5(a). Election of 11-5-02

²⁷⁷ 2022 Modification and recodification of current Sec. 5(a) (first sentence/first clause). Election of 11-5-02

²⁷⁸ 2022 Modification and recodification of current Sec. 5(a) (first sentence/second clause). Election of 11-5-02

²⁷⁹ Modification of current Sec. 5(a) (second sentence). Election of 11-5-02

²⁸⁰ Recodification of current Sec. 5(c). Election of 11-5-02

²⁸¹ Recodification and modification of current Sec. 5(c) (first sentence). Election of 11-5-02

²⁸² Recodification of current Sec. 4(b) (last paragraph/third sentence). Election of 11-5-02.

²⁸³ 2022 Modification and recodification of current Sec. 5(a) (third and fourth sentences). Election of 11-5-02

the Mayor in proportion to such decrease in the total of expenditures proposed by the Mayor as it may have determined. If it shall increase the total proposed expenditures such increase shall be reflected in full in the tax rate.

(3) Capital Improvement Fund Levy²⁸⁴. The Council may levy annually a tax of not more than two (2) mills to be assessed upon the ratable estate within the City at the same time as the regular annual taxes for City expenses, for the benefit of a fund to be known as "The Capital Improvement Fund" established for the purpose of paying the Capital Expenditures pertaining to the cost of capital improvements for which the City is authorized by this Charter to issue bonds and for no other purpose.

(4) Transmittal of Adopted Budget to Mayor²⁸⁵. Annually, the Adopted City Budget shall be transmitted to the Mayor by the Clerk of the Council no later than the close of business on the 24th Day of May of each year.

(5) Failure to Adopt a Budget. If the Council fails to adopt the budget by the date set forth in section 5.C of this Chapter, above, the budget as adopted in the preceding fiscal year ("Default Budget"), as adjusted by the amount necessary to meet the funding requirements of the Pension Commission and legally and contractually required increases, as certified by the Director of Finance, shall be deemed to be the budget of the City for the ensuing fiscal year and expenditures shall be made in accordance therewith²⁸⁶. The Council shall thereupon adopt the appropriation Ordinance and the Ordinance making a tax levy in accordance with the Default Budget²⁸⁷.

D. Mayoral Action²⁸⁸.

(1) Reduction or Disapproval of Expenditures²⁸⁹. The Mayor may reduce or disapprove any item or items of expenditure in any proposed appropriation.

(a) Report and Statement of Mayoral Action²⁹⁰. If the Mayor disapproves or reduces any item or items of expenditure in the Adopted, the Mayor shall submit a report of such actions to the City Clerk, not later than the close of business on the Twenty-seventh (27th) Day of May of each year, together with a statement of the reasons for the disapproval or reduction.

²⁸⁴ 2022 Modification and recodification of current Sec. 9 (fourth sentence). Election of 11-5-02

²⁸⁵ NEW (2022).

²⁸⁶ Recodification of current Sec. 5(c) (second sentence). Election of 11-5-02

²⁸⁷ 2022 Modification and recodification of current Sec. 5(c) (third sentence). Election of 11-5-02

²⁸⁸ 2022 Modification and recodification of current Chapter IV, Sec. 7(c)(4)(ii). Election of 11-5-02

²⁸⁹ 2022 Modification and recodification of current Chapter IV, Sec. 7(c)(4)(ii) (first sentences). Election of 11-5-02

²⁹⁰ 2022 Modification and recodification of current Chapter IV, Sec. 7(c)(4)(ii) (second sentences). Election of 11-5-02

(b) **Transmittal by City Clerk**²⁹¹. By the close of business on the date of receipt, the City Clerk shall transmit said Report and Statement to the Council forthwith.

(c) **Failure of the Mayor to Act: Final Action**²⁹². Failure of the Mayor to act upon any proposed item or items of expenditure and to submit such action not later than the close of business on the Twenty-seventh (27th) Day of May of each year, shall constitute approval of the Adopted Budget and Deemed to be Final Action.

(2) Effect of Mayoral Reduction or Disapproval of Expenditures: Council Override and Final Action²⁹³. In the event the Mayor shall disapprove or reduce any item or items of expenditure of the Adopted Budget, the approved portion thereof shall become effective unless the disapproved or reduced portion thereof is passed over the Mayor's veto by an affirmative vote of seven (7) members of Council within not later than the first (1st) business day of June of each year. Notwithstanding the foregoing the Council shall take such Final Action on the Report and Statement of Mayoral Action not later than 11:59:59 P.M. on the first business day of June of each year, whereupon the item or items of expenditure shall become effective as finally enacted.

E. Effective Date of Budget²⁹⁴. The Appropriation and Tax Levy Ordinances shall become effective upon Final Action as set forth in Sections 5.C(5), 5.D(1)(c) or 5.D(2), as the case may be.

Sec. 5. – Expenditures and Accounting.

A. Proceeds of Capital Improvement Fund²⁹⁵. The proceeds of such levy shall be kept by the City Treasurer in a special bank account until invested as provided in section 1 of Chapter VI of this Charter.

B. Certification of funds, penalties for violation²⁹⁶. No payment shall be made and no obligation incurred against any allotment or appropriation unless the Director of Finance shall first certify that there is a sufficient unexpended and unencumbered balance in such allotment or appropriation to meet the same. Every expenditure or obligation authorized or incurred in violation of the provisions of this Charter shall be void. Every payment made in violation of the provisions of this Charter

²⁹¹ 2022 Modification and recodification of current Chapter IV, Sec. 7(c)(4)(ii) (third sentence). Election of 11-5-02

²⁹² 2022 Modification and recodification of current Chapter IV, Sec. 7(c)(4)(ii) (fifth sentence). Election of 11-5-02

²⁹³ 2022 Modification and recodification of current Chapter IV, Sec. 7(c)(4)(ii) (fourth sentence). Election of 11-5-02

²⁹⁴ NEW (2022)

²⁹⁵ 2022 Modification and recodification of current Sec. 9 (fifth sentence). Election of 11-5-02

²⁹⁶ Recodification of current Sec. 8. Election of 11-5-02

shall be deemed illegal and all Officials who shall knowingly authorize or make such payment or take part therein and all persons who shall knowingly receive 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 or make any expenditure in violation of the provisions of this Charter or take part therein such action shall be cause for removal.

C. Transfer, additional and lapse of appropriations during the fiscal year²⁹⁷.

(1) Transfers of appropriations²⁹⁸. The Mayor may at any time transfer any unencumbered appropriation balance or portion thereof from one (1) classification of expenditure to another within the same Department. At the request of the Mayor, the Council may by Resolution transfer any unencumbered appropriation balance or portion thereof from one (1) Department to another, except that no funds may be transferred from the funds appropriated to the Board of Education.

(2) Additional appropriations²⁹⁹. Appropriations in addition to those contained in the budget, except for the purpose of Meeting a public emergency as provided in Chapter IV, section 2(n), shall be made only on the recommendation of the Mayor and only if the Director of Finance certifies that there is available general fund surplus sufficient to meet such appropriation.

(3) Appropriations to lapse at close of fiscal year³⁰⁰. Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the fiscal year shall lapse.

(4) Transfer of Capital Funds³⁰¹. The Council shall have power to transfer from time to time to the capital improvement fund any portion of the general fund cash surplus not otherwise appropriated.

(5) Lapse of Capital Account³⁰². Appropriations for construction or other permanent improvements, from whatever source made, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided any project shall be deemed to have been abandoned if three (3) fiscal years elapse without any expenditure from or encumbrance of the appropriation therefor, provided, at the request of the Mayor, the Council may, at any time by Resolution, transfer any unencumbered balance or portion thereof from one (1) project to another.

²⁹⁷ Recodification of current Sec. 7. Election of 11-5-02

²⁹⁸ Recodification of current Sec. 7(a). Election of 11-5-02

²⁹⁹ Recodification of current Sec. 7(b). Election of 11-5-02

³⁰⁰ Recodification of current Sec. 7(c). Election of 11-5-02

³⁰¹ Recodification of current Sec. 9 (sixth sentence). Election of 11-5-02

³⁰² Recodification of current Sec. 9 (seventh sentence). Election of 11-5-02

D. Monthly Reports³⁰³: The Director of Finance shall submit monthly to the Mayor and to the Council a public statement showing:

(1) With respect to appropriations³⁰⁴. The amount of each appropriation with transfers to and from the same 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.

(2) With respect to revenues³⁰⁵. 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.

(3) With respect to the projected budget surplus or deficit for the fiscal year³⁰⁶. If the Director of Finance shall project a deficit, the Director shall in such monthly report make recommendations to the Council for actions to be taken to eliminate the full amount of such projected deficit.

(4) Additional Information³⁰⁷. The Council may by Ordinance require that additional information be included in such report.

(5) Public Inspection³⁰⁸. Each monthly report shall be available for public inspection as set forth in this Charter.

(6) Annual Reports³⁰⁹: Concurrent with the Mayor's Submission of the Proposed Budget at the second (2nd) Meeting of the Council in March of each year, the Chief of Police shall submit an annual report accounting for the revenues and expenditures associated with shared forfeiture funds from the state and federal governments. The Council may establish criteria for the information to be included in said report.

³⁰³ 2022 Modification and recodification of Chapter VIII, Sec. 5(a)(iii). Election of 11-5-02.

³⁰⁴ 2022 Modification and recodification of current requirements under Chapter VIII, Sec. 5(a)(iii). Election of 11-5-02.

³⁰⁵ 2022 Modification and recodification of current requirements under Chapter VIII, Sec. 5(a)(iii). Election of 11-5-02.

³⁰⁶ NEW (2022).

³⁰⁷ NEW (2022).

³⁰⁸ NEW (2022).

³⁰⁹ NEW (2022)

CHAPTER XI. - BORROWING

Sec. 1. - Issuance authorized³¹⁰.

The City shall have the power to incur indebtedness by authorizing the issuance of its bonds and notes for such purposes, upon such terms, form and to such extent as is authorized and permitted by the General Statutes and applicable Special Acts. Said power shall extend to general obligation bonds, bond anticipation notes, temporary notes, grant anticipation notes, tax anticipation notes, notes or bonds pertaining to a public emergency as set forth in section 2(n) of Chapter IV of this Charter, and other types of special obligations authorized and permitted by the General Statutes and applicable Special Acts (all hereinafter "bond" or "notes").

Sec. 2. - Procedures³¹¹.

(a) **Procedural Ordinance**³¹². The Council may, by Ordinance, adopt procedures for the structure, timing and method or manner of the issuance and sale of bonds and notes. Said Ordinance may set forth the respective roles and co-extensive responsibilities of the City Treasurer and the Director of Finance with respect to debt planning, issuance and management; including, but not limited to retaining consultants for specialized services.

(b) **Authorization of bonds and notes**. Unless otherwise provided by the General Statutes or applicable Special Acts, bonds and notes shall be authorized by an Ordinance approved by the affirmative vote of six (6) members of the Council, except that notes in anticipation of taxes and bonds or notes to prevent default shall be authorized in accordance with subsection (d) of this section.

(c) **Bond Referendum**. If the total estimated costs of any improvement for which bonds or notes are proposed to be issued exceeds two million dollars (\$2,000,000.00), and if the full faith and credit of the City shall be pledged to the payment of any portion of the principal of and interest on the bonds or notes, the Ordinance authorizing the issuance of bonds and notes shall be subject to the approval of a majority vote of City Electors voting thereon if, within thirty (30) days after published notice of the enactment by Council, a sufficient petition is filed with the City Clerk requesting that such Ordinance be either repealed or submitted to a vote of the electors. In order for the petition to be sufficient it must be signed in ink by not less than three (3) percent of the City Electors as determined by the last-compiled registry list. If the petition is found sufficient, the City Clerk will notify the Council, which shall either repeal the Ordinance or submit it to referendum of the electors at the next general election or at such earlier date as the Council may determine in accordance with the relevant statutes.

³¹⁰ Election of 11-5-02

³¹¹ Election of 11-5-02

³¹² 2022 Modification

Upon the filing of a sufficient petition, the Ordinance will remain without effect until the electors vote on the question as provided above.

(d) Notes in anticipation of taxes. Notes in anticipation of taxes shall be authorized by Ordinance upon the Majority Vote of the Council. The City may pledge its full faith and credit to the payment of the principal of and interest on such notes, provided, however, that the Ordinance shall be effective upon passage and shall not be subject to a petition for referendum under subsection (c) of this section.

(e) Bonds or notes to prevent default. Bonds or notes to prevent default on the City's outstanding indebtedness shall be authorized by Ordinance approved by the affirmative vote of six (6) members of the Council following certification to the Council by the Mayor, with the concurrence of the Director of Finance that, except for such borrowing, a default on the part of the City would take place. Such certification shall be spread on the minutes of the Council. The City may pledge its full faith and credit to the payment of the principal of and interest on such bonds or notes, provided, however, that the Ordinance shall be effective upon passage and shall not be subject to a petition for referendum under subsection (c) of this section.

Sec. 3. - Short period of limitation³¹³.

When twenty (20) days shall have elapsed after the passage and publication of a bond Ordinance not subject to a petition for referendum under section 2(c) of Chapter XI of this Charter or, when twenty (20) days shall have elapsed after the period for bringing a petition on an Ordinance subject to referendum and such petition has not been filed, the recitals or statements of fact therein shall be deemed to be true for the purpose of determining the validity of the bonds, and the Ordinance shall be conclusively presumed to have been duly and regularly passed and to comply with the provisions of this Charter, and the validity of such bond Ordinance shall not thereafter be questioned by either a party plaintiff or a party defendant except commenced within the time limits of this section³¹⁴.

³¹³ Election of 11-5-02

³¹⁴ **Comment of the 2022 Charter Revision Commission:** Chapter XII has been recodified in Chapter VII, as follows: Sec. 1 = Chapter VII, Sec. 4(a)(1); Sec. 1(a) = Chapter VII, Sec. 4(d)(1); Sec. 4(b) = Chapter VII, Sec. 4(c)(6); Sec. 1(c) = Chapter VII, Sec. 4(g); and, Sec. 4(d) = Chapter VII, Sec. 4(f). **Historical Editor's note—** See "Pensions ion General" and "Pensions (Charter 1949, Chapter XVI, as Amended) in the Appendix to Charter.

CHAPTER XII. - MISCELLANEOUS AND TRANSITION PROVISIONS

Sec. 1. - Present Ordinances, Regulations and Orders effective³¹⁵.

All Ordinances of the City and all Regulations (including all applicable rules) and Orders legally made by any Department, Board, Commission or officer of the City, in force at the effective date of this amended Charter and not inconsistent herewith, shall remain in force until amended, repealed or superseded as provided herein.

Sec. 2. - Constitutionality³¹⁶.

In case any portion of this Charter shall at any time be found to be unconstitutional such finding shall not affect the remainder thereof, but as to such remainder this Charter shall remain in full force and effect until amended or repealed.

Sec. 3. - Transition provisions³¹⁷.

All Departments, Boards, Commissions and other units of the City government previously provided for in the Charter but not provided for in this amended Charter and in existence as of the effective date of this amended Charter, and the positions associated therewith, shall remain in existence unless and until they are altered or abolished by Ordinance. The Department Heads, deputies and assistants of said Departments, shall continue until replaced by the Mayor.

The terms of all Elected Officials holding office when this amended Charter is approved by the Electors of the City shall be extended until the terms of the Officials elected in the election of November 2003 commence in accordance with the provisions of this amended Charter. Elected Officials who are compensated shall be paid a pro rata portion of their salaries during the period of the extension.

Sec. 4. - Effective dates of the provisions of this Charter³¹⁸.

The provisions of this amended Charter shall take effect as follows:

(a) Those of Chapter III, section 4(b) concerning the date of elections shall take effect upon approval by the Electors of the City.

(b) All other provisions shall take effect on January 1, 2004, except that the Council is authorized upon approval of this amended Charter by the Electors of the City to enact all Ordinances necessary and proper to the implementation of the provisions of this amended Charter as of its effective date.

³¹⁵ Election of 11-5-02

³¹⁶ Election of 11-5-02

³¹⁷ Election of 11-5-02

³¹⁸ Election of 11-5-02

(c) Those of sections 5(d) and (e) of Chapter VIII shall take effect upon enactment of the Ordinances required to implement said provisions.

Sec. 5. - Periodic review of the Charter³¹⁹.

In April of 2011, and every ten (10) years thereafter, the Council shall appoint a Charter Revision Commission, pursuant to Chapter 99 of the General Statutes or the then-comparable provisions. Nothing in this section limits the right of the Council to appoint one (1) or more Charter Revision Commissions other than the commission required by this section, but no such commission shall be appointed if its appointment would preclude the Council from appointing a commission as required by this section.

Sec. 6. - Periodic Review of the Code of Ordinances³²⁰.

Following each revision of this Charter and every five (5) years thereafter, the Council shall review the Code of Ordinances to ensure compliance and conformity with the provisions of the General Statutes and the Charter of the City. Nothing in this section limits the right of the Council to review the Ordinances at any time in accordance with its legislative and oversight functions.

³¹⁹ Election of 11-5-02

³²⁰ NEW (2022)

**LEGISLATIVE ACTS PERTAINING TO THE CITY OF HARTFORD OTHER THAN
SPECIFIC CHARTER AMENDMENTS APPENDIX TO CHARTER³²¹**

IN GENERAL

Sec. 1. - Date of unlocking voting machines³²².

The City Clerk of the City of Hartford is authorized after a municipal primary election to permit the keys of the voting machines to be taken, or any voting machine to be unlocked and its seal to be broken, after a period of five (5) Days from such election.

Sec. 2. - Reserved³²³.

Sec. 3. - Batterson Park—Disposal of portion authorized, 1957.

[a] The City of Hartford, upon the recommendation of the City manager and with the affirmative vote of at least six (6) members of the Court of Common Council taken after a public hearing on said recommendation, is authorized to lease or otherwise similarly dispose of, with or without compensation and without the necessity of seeking competitive bids, all or any part of Batterson Park no longer needed for park purposes to any corporation or institution organized or operating for recreational, educational or similar charitable purposes³²⁴.

[b] The City of Hartford, acting through its Board of Park Commissioners, is authorized to transfer and convey or otherwise dispose of the following portions of Batterson Park in the Town of Farmington whenever such Board of Park Commissioners shall determine that such portions of land are not suitable for park purposes: Two (2) parcels butting on the north side of Farmington Cutoff; two (2) parcels abutting on the northwesterly side of the right-of-way of the Connecticut Company situated north of Farmington Avenue; one (1) parcel abutting on the north side of Tunxis Road³²⁵.

Sec. 4. - Same—Disposal of all or portions authorized, 1967³²⁶.

³²¹ **Editor's note**— This Appendix to Charter contains Acts of the Legislature of the State of Connecticut pertaining to the City of Hartford which are not specific Charter amendments. The Acts have been arranged according to subject matter and assigned arbitrary numbers for indexing purposes. The source of each provision is cited in parentheses following each section. The titles, amendatory language and general repealing clauses of each Act have been omitted, and the catchlines have been supplied by the editors. Material in brackets has been added where necessary for clarity.

³²² Sp. Laws 1955, Act No. 353

³²³ **Editor's note**— The act (No. 332 of the Special Laws of 1945) from which section 2 (which dealt with destruction of certain records by the town and City clerk) was derived has been repealed.

³²⁴ Sp. Laws 1957, Act No. 475

³²⁵ Sp. Laws 1947, Act No. 292

³²⁶ Sp. Laws 1967, Act No. 48

Notwithstanding the provision of section 10 of Chapter VIII of Number 30 of the Special Acts of 1947, the City of Hartford is authorized to transfer, convey, exchange, lease or otherwise dispose of land now known as Batterson Park or any portion thereof, provided any such transfer, conveyance, exchange, lease or other disposition is made on the recommendation of the **City manager** and, after a public hearing, is authorized and approved by an affirmative vote of at least seven (7) members of the Court of Common Council.

Sec. 5. - Brainard Field, disposal³²⁷.

Notwithstanding the provision of section 10 of Chapter VIII of Number 30 of the Special Acts of 1947, the City of Hartford is authorized to transfer, convey, exchange, lease or otherwise dispose of land now known as the North and South Meadows, including all of Brainard Field or any portion thereof not required for use as an airport facility or training station, provided any such transfer, conveyance, exchange, lease or other disposition is made on the recommendation of the **City manager** and after a public hearing, is authorized and approved by an affirmative vote of at least six (6) members of the Court of Common Council.

Sec. 6. - Conveyance to Young Italian-American Association³²⁸.

Section 1. Notwithstanding the provisions of section 10 of Chapter VIII of Number 30 of the Special Acts of 1947, the City of Hartford is authorized to transfer and convey a certain parcel of land approximately one hundred seventy-five (175) feet frontage and two hundred (200) feet deep situated on the westerly side of Wethersfield Avenue, Hartford, which land is located in the rear of the premises known as No. 680 Franklin Avenue in said Hartford, to the Young Italian-American Association upon recommendation of the **City manager** and approval by the Court of Common Council.

Section 2. Said land shall be sold for a fair and reasonable market price to be determined after an appraisal has been made by three (3) disinterested real estate appraisers. Said land, with any building to be constructed thereon, shall be taxable by the City of Hartford.

Sec. 7. - Conveyance to Veteran Volunteer Firemen's Corporation³²⁹.

Section 1. Notwithstanding the provisions of section 10 of Chapter VIII of Number 30 of the Special Acts of 1947, the City of Hartford is authorized to transfer and convey the land and building known as No. 680 Franklin Avenue, Hartford, to The Veteran Volunteer Firemen's Corporation of the City of Hartford, Connecticut, upon recommendation of the **City manager** and approval by the Court of Common Council.

³²⁷ Sp. Laws 1955, Act No. 74

³²⁸ Sp. Laws 1959, Act No. 328

³²⁹ Sp. Laws 1959, Act No. 457

Section 2. Said land, with building thereon, shall be sold for a fair and reasonable market price to be determined after an appraisal has been made by three (3) disinterested real estate appraisers. Said land, with building thereon, shall be taxable by the City of Hartford, unless exempted by Law.

Sec. 8. - Conveyance of land to Rau-Locke Post No. 8, The American Legion³³⁰

Notwithstanding the provisions of section 10 of Chapter VIII of Number 30 of the Special Acts of 1947, the City of Hartford is authorized to transfer and convey a certain parcel of land lying on the westerly side of Wethersfield Avenue, further bounded and described as follows: Beginning at a point in the westerly line of Wethersfield Avenue, which point is the intersection of said westerly line of Wethersfield Avenue and the southerly line of Hooker Drive, so-called at present, a proposed new street; thence southerly on the westerly line of Wethersfield Avenue, one hundred three (103) feet, more or less, to a point marking the northeasterly corner of land now or formerly of Eunice F. Trevitt, et al.; thence westerly on land of said Eunice F. Trevitt, et al., E. G. Malstrom, et al.; A. M. DeLuca, et al. and J.A. Cataldi et al., partly on each, in all, two hundred seventy-seven (277) feet, more or less, to the northwesterly corner of said land now or formerly of J. A. Cataldi, et al.; thence northerly on land of the City of Hartford one hundred ten (110) feet, more or less to a point in the southerly line of said Hooker Drive, as proposed, which point is about two hundred fifty (250) feet, more or less, westerly from the point of beginning as measured on said southerly line of said Hooker Drive, as proposed; thence easterly on said southerly line of said Hooker Drive, as proposed, two hundred fifty (250) feet, more or less, to the point and place of beginning; in said Hartford, to the Rau-Locke Post No. 8, The American Legion, upon recommendation of the City manager and approval by two-thirds of the Court of Common Council. Said land shall be sold for a fair and reasonable market price to be determined after an appraisal has been made by three (3) disinterested real estate appraisers.

Sec. 9. - Tenure of office for teachers—Definitions³³¹.

[a] The term "teacher," as used in this act, shall include all teachers in the high schools and in the grades below the high school, including kindergartens, teachers of sewing, cooking, manual training and any other special subjects, also principals, vice-principals, deans, supervisors of instruction, nurses and directors of instruction whose positions require certification by the State Board of Education, and who are regularly appointed by the Board of Education, and employed in the public day schools of the Hartford town and City school districts.

[b] The term "public schools," as used in the act, shall include all public day schools maintained wholly by the Hartford town and City school districts.

³³⁰ Sp. Laws 1961, Act No. 261

³³¹ Sp. Laws 1945, Act No. 277, § 1; Sp. Laws 1947, Act No. 319, § 1

Sec. 10. - Same—Qualifications for permanent appointments³³².

All teachers regularly appointed and employed in the public day schools of Hartford town and City school districts on July 22, 1945, shall receive permanent appointments provided they have taught for three (3) years in public day schools of the Hartford town and City school districts. Those teachers who have taught less than three (3) years in the public day schools of the Hartford town and City school districts shall be appointed annually provided their services are satisfactory, until they have completed three (3) years' service in the public day schools of the Hartford town and City school districts, or they may be dismissed at the discretion of the Board of Education. If appointed at the expiration of this probationary period of three (3) years, they shall receive permanent appointments. Those teachers appointed after July 22, 1945, shall be appointed on probation annually for three (3) years, provided their services are satisfactory, or they may be dismissed at any time at the discretion of the Board of Education. If appointed at the expiration of this probationary period, they shall receive permanent appointments. Any teacher who, prior to his probationary appointment in the public day schools of the Hartford town and City school districts, has had a contract of employment as a teacher renewed for a fourth year in any other school district in the State shall receive permanent appointment after eighteen (18) months of continuous employment in Hartford, unless, prior to completion of the eighteenth month following commencement of employment in Hartford, such teacher has been notified in writing prior to March first that his contract of employment will not be renewed for the following year irrespective of the duration of employment under the then existing contract beyond the date of said notification or unless such teacher has not been employed in any public school within the State for a period of five (5) or more years immediately prior to his employment in Hartford.

Sec. 11. - Same—Grounds for dismissal; notice³³³.

Teachers may be dismissed at any time:

- (1) For inefficiency or misconduct;
- (2) By reason for the position to which they were appointed being abolished, provided there is no other position to which they may be appointed if qualified, and provided seniority in service in the day schools of the Town and City of Hartford shall be the determining factor in such dismissal.

No teacher shall be dismissed or suspended except upon written notice from the superintendent of schools, the notice to state the reasons for such action. Notice of dismissal shall not take effect in less than three (3) months. In cases where serious misconduct is charged a teacher may be suspended from duty immediately.

³³² Sp. Laws 1945, Act No. 277, § 2; Sp. Laws 1967, Act No. 368

³³³ Sp. Laws 1945, Act No. 277, § 3

Sec. 12. - Same—Appeals from dismissal or suspension³³⁴.

Teachers may appeal to the Board of Education against suspension or dismissal but such appeal shall be in writing stating the grounds of the appeal, and shall be filed with the Board of Education within thirty (30) Days after the date of notice of suspension or dismissal. The Board of Education upon the receipt of such notice of appeal shall fix a date for a hearing upon said appeal which hearing shall be before a majority of the Board of Education and shall be within thirty (30) Days of the receipt of the appeal. Such hearing shall be open or private as the teacher may request. Teachers shall have the right to appear with counsel at such hearing and said counsel shall have the right to represent and advise the teacher at such hearing and to participate in any or all proceedings of the hearing. Within thirty (30) Days after the hearing the Board of Education shall decide the case by a majority vote of the Board of Education, all members present voting. Such appeal shall in no way be interpreted as prohibiting a teacher from appealing to the civil courts of this state. If the suspension or dismissal is reversed the notice of suspension or dismissal shall be void and of no effect and the teacher shall be reinstated. If the teacher is reinstated as above, any salary lost shall be paid to the teacher.

Sec. 13. - Same—Leaves of absence³³⁵.

Any teacher who enlists or who is or has been selected for service in or with the armed forces of the United States, the Red Cross, or the United Service Organizations shall be granted leave of absence for the duration of such service and upon his application made within six (6) months of his honorable discharge or release or resignation therefrom and not more than one (1) year after his return to the continental United States, whether discharged or not, said Board shall within a reasonable time after he is available for teaching, assign him the same or similar position held at the time he entered such service if he be then physically and mentally capable of satisfactorily performing the duties of such position. This reinstatement shall be made without prejudice as to salary.

Sec. 14. - Same—Leaves included in "consecutive period of service³³⁶."

The consecutive period of service prescribed herein shall include any period served in the Hartford town and City day schools prior to such service as stated in section five [section 13 of this Appendix] of this act, provided such teacher shall, within six (6) months after honorable discharge from such service apply for return to active service in said school system.

³³⁴ Sp. Laws 1945, Act No. 277, § 4

³³⁵ Sp. Laws 1945, Act No. 277, § 5

³³⁶ Sp. Laws 1945, Act No. 277, § 6

Sec. 15. - Same—Persons affected by act³³⁷.

All teachers appointed in the public day schools of the Hartford town and City school districts for the school year 1945-1946 and thereafter, shall be appointed subject to the provisions of this act.

PUBLIC HEARING VERSION - CRC 16 MAY 2022

³³⁷ Sp. Laws 1945, Act No. 277, § 7