

# **CHARTER OF THE CITY OF TROY NEW YORK**



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# CHARTER OF THE CITY OF TROY, NEW YORK

## Part 1. City of Troy and its Government

### 1. Title and Purpose

This Charter shall provide for, and constitute the form of, the government of the City of Troy, New York, and shall be known as the Troy City Charter. It is intended to implement the City's full home rule authority under New York State law.

### 2. Incorporation

All that part of the County of Rensselaer, New York, contained within the boundaries set forth in paragraph 3 hereof shall continue to be a municipal corporation by the name of the City of Troy.

### 3. City Boundaries

The boundaries of the City of Troy as heretofore established shall remain intact and shall continue to constitute said boundaries.

### 4. Corporate Powers

The City shall possess and exercise all of the rights, privileges, powers and functions conferred upon it by the laws of New York State and this Charter. It shall be vested with all powers, franchises and rights belonging to a municipal corporation of its kind and class and shall be subject to all restrictions and provisions imposed by the laws of New York State and this Charter. The City shall possess and exercise all incidental powers necessary to exercise the powers granted to it by the laws of New York State and this Charter and to perform the duties legally imposed upon the City. The enumeration of any specific powers within this Charter shall not operate as a limitation on the general grant of powers by the laws of the State and this Charter and shall not exclude other powers comprehended within that general grant.

### 5. Form of Government

The City shall continue to have a strong Mayor-City Council form of government consisting of an Executive Branch, a Legislative Branch and a Judicial Branch.

## 6. Definitions

The following terms used in the Charter shall be defined as follows:

- (a) The term “Charter” shall mean the City of Troy Charter and amendments, if any.
- (b) The term “City” shall mean the City of Troy, New York.
- (c) The term “County” shall mean the County of Rensselaer, New York.
- (d) The term “State” shall mean the State of New York.
- (e) The term “Civil Service Law” shall mean the Civil Service Law of the State of New York.
- (f) The term “Administrative Code” shall mean the Administrative Code of the City of Troy as adopted by the City Council and as amended.
- (g) The term “introduce legislation” shall mean the date on which proposed legislation is placed on the agenda of the City Council Finance Committee, which is a committee of the whole.
- (h) Definitions of Local Laws, Ordinances and Resolutions. A local law has the same effect as an act of the State Legislature. No local law may be inconsistent with any provision of state law, except as otherwise provided in the Municipal Home Rule Law. The passage of an ordinance shall require the affirmative vote of at least a majority of all the members of the City Council. No ordinance shall be passed by the Council on the same day on which it is introduced, except by unanimous consent. Pursuant to Second Class Cities Law Section 35 on the passage of every ordinance, the yeas and nays of the members voting shall be entered in full upon the journal. Unless otherwise required by state law, resolutions may be adopted without a waiting period, without notifying the public and without holding a public hearing. Resolutions may be introduced and passed at the same meeting and, unless otherwise stated, take effect immediately.
- (i) The term “officer” shall mean and include all individuals elected under this Charter and/or such other individuals who qualify as officers pursuant to the Public Officers Law of the State of New York.
- (j) The term “qualified elector” or “elector” shall mean a person who is a registered voter in the City of Troy.

- (k) The terms “notice” and “public notice” shall be meant to include posting of pertinent information in public areas within City Hall, on the City website and/or blogs, as well as written notice to local news media and, as required by this Charter, paid print advertising.

## Part 2. Legislative Branch

### Article I. City Council

#### § C-1. City Council membership, terms, and vacancies

- A. Composition and election. The City Council shall be composed of seven (7) members. Six of the seven shall be elected by qualified electors resident in each of the City’s six Council districts. The seventh shall be elected from the City at large and serve as the President of the Council, that title being specified on the general election ballot. Council district members shall be at the time of nomination, election, and during their terms of office, qualified electors resident in the district from which each is elected. The President shall be an elector of the City at the time of nomination, election and during any term of office. All Council members shall be paid an annual salary of \$15,000, with payments to be made in biweekly installments.
- B. Terms of office for Council district members. Each Council district member shall be elected for a two-year term, with such term beginning on January 1 of the year immediately following the election. No district member shall serve more than four consecutive two-year terms of office, totaling eight (8) years, except as otherwise specified herein. Should an elector of the City be appointed by the Council to fill a vacant Council district seat and subsequently win that Council district seat in a general election held pursuant to this paragraph, said member shall not serve longer than nine (9) consecutive years.
- C. Terms of office for President of the Council. The President of the Council shall be elected for a two-year term, with such term beginning on January 1 of the year following the election. However, effective with the election of November 2019, the term of President of the Council shall become four (4) years, with such term beginning on January 1 of the year following the election. Because the maximum number of consecutive years that may be served on the Council is eight (8), except as specified herein, no one is eligible for election to the office of President

who has served more than four consecutive years on the Council immediately preceding the election of November 2019.

- D. Vacancies. In the event a Council member dies, ceases to be an elector of the City, or, in the case of district Council members, ceases to be a resident of the district from which the member was elected, or is otherwise unable to serve as a Council member, a vacancy in the office shall exist and shall be filled by a vote of the remaining Council members. In the event of a tie vote, the Mayor of the City of Troy shall cast the deciding vote. Any vacancy filled by the procedures herein shall be for a term expiring on December 31 of the first year at which the vacancy can be filled in a general election. The balance of the term, if any, shall be filled by the person receiving the most votes at such general election. City elections shall be in accordance with election laws of the State of New York. If the office of President of the Council becomes vacant by any of the causes herein, the President Pro Tempore shall assume all the powers and duties of the office of President until an election shall be called and held for the purpose of electing a President. Said election shall be held within ninety (90) days of the occurrence of a vacancy, except when the vacancy occurs within six (6) months preceding a general election in a non-presidential election year and the state election law timetable permits placing that matter on that general election ballot, in which case the vacancy shall be filled at that general election. If the vacancy occurs within six (6) months preceding a general election in a normal presidential election year, then there shall be no election to fill the vacancy. Instead, the election to fill the next full term of President shall be held in due course. If the office of President Pro Tempore becomes vacant by any of the causes herein, said vacancy may be filled at any regular or special meeting of the Council following the date upon which the office becomes vacant. The person selected to fill such vacancy shall serve the unexpired term of the person whose office was vacated.

## § C-2. Drawing of district boundaries; redistricting

The Council, as soon as is practicable and not later than six (6) months after the availability of population data on a census tract basis from each decennial census taken by the U.S. Census Bureau, shall appoint an independent commission of seven (7) members who are electors of the City to examine the population within the boundaries of the six (6) council districts of the City. Each district must contain neither less than thirteen (13) percent nor more than eighteen (18) percent of the population of the City and, to the greatest extent possible, shall be compact, contiguous, convenient and

preserve neighborhood characteristics. If such districts are found not to be in compliance with this requirement, based on the census data, the Council shall direct the independent commission to devise and recommend to it a plan to redistrict the City in accordance with the population percentages described herein, and in compliance with all pertinent legal requirements. The Council shall use such recommendation to the greatest extent possible to proceed by ordinance to redistrict the City. No more than four (4) members of the commission may be registered members of the same political party.

### § C-3. President of City Council

The office of President of the City Council shall be filled by a citywide vote in the general election. The President shall be the presiding officer of the Council, shall be the chair of the standing committee on finance, and shall be, *ex officio*, a non-voting member of all other standing committees. The President, as an elected Council member, shall have a vote on all matters coming before the Council. The President shall have the salary of a Council member and, in addition, such further amount as may be set each year by the Council.

### § C-4. President Pro Tempore

The President Pro Tempore of the City Council shall be selected by the City Council at its organizational meeting from among its elected district members to serve until a successor is chosen at the following organizational meeting. The President Pro Tempore shall perform the duties of the President of the City Council in the case of the absence of the President of the City Council or in the case of a vacancy in the office of the President of the City Council. The President Pro Tempore shall have the salary of a Council member and, in addition, such further amount as may be set by the Council.

### § C-5. Legislative employees

The City Council may establish such positions within the Legislative Branch as shall be necessary for it to carry out its duties as prescribed in the Charter. The Council shall by ordinance or resolution declare each such position to be in the Legislative Branch, provide for the method of selection and appointment of the person holding such position, prescribe the duties thereof, establish the terms and conditions of employment, and, within the amounts allocated in the adopted budget, establish the amount of compensation for the position. Included within the authority granted by this paragraph

shall be the authority to establish the positions of Legislative Assistant, Legislative Counsel or Counsels, and consultants for special services to the Council, provided compensation for said services has been approved by the Council. Nothing herein shall be construed to authorize the Council to establish a position or prescribe duties of a Legislative employee that would usurp the powers and duties given to the Executive Branch under this Charter.

## Article II. City Clerk

### § C-6. Qualifications, powers and duties

The City Clerk shall be a resident elector of the City, and be selected by the City Council at its organizational meeting to hold office until the next organizational meeting unless sooner removed by a vote of two-thirds of the members of the Council. The Clerk shall attend all meetings of the Council, keep a detailed journal of Council proceedings, and discharge such other duties as may be prescribed by law or ordinance. The Clerk shall be a commissioner of deeds and shall have custody of the City Seal. The Clerk may appoint deputies and assistants to hold office at the Clerk's pleasure, with the approval of the City Council.

### § C-7. City Clerk to give bond

The City Clerk, before exercising any of the powers or discharging any of the duties of the office, shall execute a bond to the City in such sum as the City Council may direct by ordinance, and with such sureties as the Council may approve, conditioned for the faithful performance of the duties of the office, and that the Clerk may properly apply and account for all public money and all public property received. Such bond may be a blanket bond covering all those employees of the City who are required to be bonded, whichever the Council may decide. Such bond shall be filed in the office of the Clerk of the County of Rensselaer and recorded at length in a book kept for the purpose of recording the bonds of City officers.

## Article III. City Auditor

### § C-8. Qualifications and duties

There shall be a City Auditor who shall be head of the Bureau of Audits and Accounts. The City Auditor shall be appointed by, and be directly responsible to, the Council for an indefinite term of office. At the time of appointment, the City Auditor shall have had a minimum of three (3) years of combined experience in auditing, accounting or fiscal management, with appropriate training and education. The City Auditor shall have charge and custody of all fiscal records of the City; shall pre-audit all City orders for materials and supplies, certifying to the legality of all such orders and designating the fund or appropriation to which each purchase shall be charged, and shall perform such other accounting or auditing functions as directed by the Council.

## Article IV. Standing and Special Committees

### § C-9. Standing committees

There shall be standing committees of the City Council on finance, general services, law, planning and economic development, public safety, public utilities, and science and technology.

The Committee on Finance shall consist of the President as Chair and all other Council members. Each of the other committees shall consist of at least three Council members, one of whom shall be designated Chair by the committee. Committee members shall be nominated by the President and confirmed or rejected by a majority of the members of the Council at each organizational meeting. Each committee shall, if possible, have at least one member from a minority political party. If an original nominee of the President is rejected by the Council, the President shall immediately submit to the Council a list of three nominees in the place of the original nominee, who shall not be renominated by the President. The Council shall select, at the said organizational meeting, from each list so submitted, one Council member to serve as committee member in place of the rejected nominee. Only Council members shall have the right to vote as members of standing committees. All committee reports shall be made public.

### § C-10. Responsibilities of standing committees

- A. Finance. The standing Committee on Finance shall periodically review and report on the budget, audits and accounts, the Bureau of Assessments, and the Bureau of Purchases. Membership on this Committee shall include the



Comptroller, Budget Officer, Auditor, Treasurer, Assessor, Purchasing Agent and all City Council members.

- B. General Services. The standing Committee on General Services shall periodically review and report on public works, parks, recreation, engineering, streets, sanitation, buildings, and safety inspection. Committee membership shall include the Commissioner of General Services, City Engineer, Director of Parks and Recreation, and at least three City Council members.
- C. Law. The standing Committee on Law shall periodically review and report on all actions, suits, and proceedings brought by or against the City. Membership on this Committee shall include the Corporation Counsel, counsel staff as the Corporation Counsel desires, and at least three City Council members.
- D. Planning and Economic Development. The standing Committee on Planning shall periodically review and report on planning and economic development for the physical and social planning of the City, including matters involving senior citizens, the homeless, and human rights. Membership on this Committee shall include the Commissioner of Planning and Economic Development, any assistant commissioners, the Chair of the Planning Commission, the Corporation Counsel, and at least three Council members.
- E. Public Safety. The standing Committee on Public Safety shall periodically review and report on the Bureaus of Police and Fire. Membership on this Committee shall include the Commissioner of Public Safety, if any, the Police Chief, the Fire Chief, and at least three City Council members.
- F. Public Utilities. The standing Committee on Public Utilities shall periodically review and report on public utilities, the water plant, water maintenance and sewer maintenance. Committee membership shall include the Superintendent of Public Utilities, Chief Water Plant Operator, Supervisor of Water, Supervisor of Sewers, and at least three City Council members.
- G. Science and Technology. The standing Committee on Science and Technology shall periodically review and report on the use of technology in government, including but not limited to information services, network security, telecommunications, and hardware and software procurement. The committee's purview shall also extend to environmental and scientific initiatives, including energy efficiency, conservation of resources, air and water quality, and sustainability. Membership on this Committee shall include the Director of

Operations, the Deputy Mayor and/or a representative of the Bureau of Information Services, and at least three City Council members.

## § C-11. Meetings of standing committees

All standing committees of the City Council shall meet as needed, but at least annually. Public notice of regular meetings shall be given at least one week prior to each meeting. Meetings shall be open to the public. Participation, however, shall be restricted to committee members, unless extended to others by invitation of committee chairs.

## § C-12. Special committees

Special committees may be authorized by the City Council to study and report on any matter of interest to the Council, provided such matter is not clearly within the purview of a standing committee. The resolution creating a special committee shall recite the scope of its assignment, shall name its personnel, and may contain an appropriation to cover anticipated expenses of the committee. Committee membership shall consist of Council members, with at least one minority party member included if possible.

## Article V. Ethics; Powers of Council

### § C-13. Code of Ethics

The City Council shall enact by local law a Code of Ethics for municipal officers and employees of the City of Troy.

### § C-14. Powers of City Council

- A. All legislative power of the City shall be vested in the City Council, except as otherwise provided by law or this Charter. Specifically, the Council shall have power:
  1. To determine all matters of City policy, subject to the powers of the President to determine such policy.
  2. To amend this Charter by local law in accordance with the provisions of the Municipal Home Rule Law, except that any local law which abolishes,

transfers, or curtails any power of the Mayor shall be subject to mandatory referendum.

3. To act by local law under the provisions of any optional state law authorizing the City to assume additional powers or duties.
  4. To adopt and direct the enforcement of penal ordinances.
  5. To direct by ordinance the construction of any public or local improvement and, in the case of local improvements, to fix the percentage of the total cost to be assessed against benefited property and the district within which such percentage shall be assessed.
  6. To appoint and to remove the City Clerk, the City Auditor, the Bingo Inspector, and the Legislative Assistant to the City Council, and to set the salaries of Council members, including the President, the Mayor, the City Clerk, and the Legislative Assistant to the City Council. Removal of any of the four aforementioned appointees would be accomplished by a reading on the record at a regular Council meeting of the reasons for such action, then by a two-thirds majority vote of the full Council at the next regular Council meeting.
  7. To authorize the issuance of bonds or notes of the City in accordance with the provisions of the Local Finance Law and in accordance with applicable provisions of the General Municipal Law.
  8. To adopt or to amend and adopt, subject to the veto powers of the Mayor, the annual budget of the City.
  9. To make all appropriations and, except as otherwise provided herein, all reappropriations of City funds, subject to the powers of the Mayor.
  10. To adopt and to amend a capital budget, subject to the line item and general veto power of the Mayor.
- B. This enumeration of powers shall not operate in any way to restrict the general powers granted in this Charter.

## § C-15. Requests for reports, information or estimates

Any officer of the City is required upon request to furnish reports, information, or estimates to any Councilor of the City of Troy.

## § C-16. Investigative powers

The City Council may, as a committee of the whole and pursuant to a resolution duly adopted, conduct a public inquiry into any matter related to the affairs of the City. Any such resolution shall specify the purpose and scope of the inquiry and shall establish procedures for the conduct thereof. The Council President may be authorized by a two-thirds majority vote of the Council to subpoena specific persons or records or both. The Council may, pursuant to the authorizing resolution, administer oaths and take testimony and adopt a report of its findings. Any person who unlawfully fails or refuses to obey a lawfully issued subpoena pursuant to this section shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 or by imprisonment for not more than one year or both.

## § C-17. Legal information

A Council member may direct that the Corporation Counsel obtain legal opinions from the Office of the Attorney General to clarify legal questions posed by said Council member.

## Article VI. Meetings

### § C-18. Organizational meetings

The first regular January meeting of the Council following the general election shall be an organizational meeting at which the President Pro Tempore and the City Clerk shall be selected, standing committees appointed, and rules of order for the ensuing Council term adopted.

### § C-19. Regular meetings

Regular meetings of the City Council shall be held once each month on such dates as the Council shall designate, each year, by amendment to its rules at its January meeting. No local law, ordinance, or resolution may be acted upon at a regular meeting

unless a copy thereof shall have been delivered under the supervision of the City Clerk to each Council member at least twenty-four (24) hours prior to said meeting. The foregoing notwithstanding, if the Mayor certifies that an emergency exists that threatens the health or safety of the citizens of Troy, legislation relating to said emergency may be adopted on less than twenty-four (24) hours' notice to the Council members and the public, but only by unanimous vote of the Council.

## **§ C-20. Special meetings**

Special meetings of the City Council shall be called by the City Clerk on the written request of the Mayor, the President of the City Council, or any two Council members, including the Chair of the standing or special committee of the Council having jurisdiction over the subject matter of the meeting. The request shall state the purpose or purposes for which the meeting is called. A written notice, giving the purpose or purposes and the time and place of the special meeting, shall be served under the direction of the City Clerk, personally or by mail, on each member of the Council at least twenty-four (24) hours before the time of the meeting. Due public notice must be given, including at least eight hours' notice to the news media. Only matters pertaining to the purpose or purposes of the meeting, as set forth in the notice thereof, shall be considered at any such meeting.

## **§ C-21. Informational and regional meetings**

The City Council may convene informational meetings each year. These shall be conducted specifically to facilitate answers for citizens who have questions regarding any aspect of City government affecting them, and public participation shall be restricted to such questions. The President shall preside over said meetings, and attendance shall be required of Council members, the Mayor, City Clerk, Corporation Counsel and/or appropriate staff, plus supervisors of all City agencies and offices regarding which questions may arise. Regional meetings of the Council may be held periodically throughout the City during each calendar year.

## **§ C-22. Rules of order; expulsion of Council members**

The City Council shall determine the rules of its proceedings, and may compel the attendance of all Council members at any special or regular meeting at which such proceedings will be under consideration. The Council may declare to be vacant the

seat of any Council member inexcusably absent from three (3) successive regular meetings; or may expel a Council member for conduct unbecoming a public official or for misfeasance in office. No seat shall be declared vacant and no Council member shall be expelled until the affected Council member has been served with written particulars of the charge or charges and has had an opportunity to be heard by the Council in the member's own defense. All such actions taken by the Council as delineated in this paragraph must receive a vote of two-thirds of the full Council.

## § C-23. Public forum

- A. Each regular or special meeting of the City Council shall include a period of time designated as a public forum, during which members of the public shall have the opportunity to address the Council on meeting agenda items and any other subject appropriate to the conduct of City government.
- B. The structure of the public forum shall be set forth in the Council's rules of order, provided, however, that such rules do not abridge the following provisions:
  - 1. The total time allotted for each speaker shall be at least five (5) minutes.
  - 2. Public input on meeting agenda items must occur prior to the Council's consideration of such items.
  - 3. No citizen of Troy, nor an attorney representing a citizen of Troy, shall be denied the right to speak.
  - 4. The presiding officer of the meeting shall have sole discretion in limiting a speaker's remarks if they are deemed disruptive, obscene, or defamatory.

## Article VII. Local Laws and Ordinances

### § C-24. Amendment of Charter by local law

The City Council may, by local law, amend any section of this Charter subject to such restrictions as are imposed by the Municipal Home Rule Law and may be authorized by any optional state statute provided, however, that any local law that abolishes, transfers or curtails any power of the Mayor shall be subject to mandatory referendum. Any such local law shall be introduced at a regular meeting of the Council and shall not be acted upon until it shall have been on the desks of the Council members for at least seven (7) days. A proposed local law may be amended by the Council after introduction, but the

proposed local law thus amended shall not be acted upon until it has been, in its amended form, on the desks of Council members for seven (7) days.

## § C-25. Public hearings on Charter amendments

In addition to any other requirements, a local law that amends this Charter shall not be acted upon by the Council until it shall have been the subject of at least three (3) public hearings after introduction.

## § C-26. Purposes and adoption of ordinances

The Council may, by ordinance, provide for the government of the City; the management of its business, and the protection of its property; for the preservation of good order; for the protection of the public health; for the safety and welfare of its inhabitants and the protection of their property; for the construction of public and local improvements, and for other such purposes as the interests of the City and its inhabitants may require. No City ordinance shall be adopted at the same meeting at which it is introduced or until seven (7) days have elapsed since its introduction except by the two-thirds vote of the Council members present. The aforementioned period of seven (7) days shall commence when a proposed law or amended version thereof is placed before the Council Finance Committee, which is a committee of the whole.

## § C-27. Records of laws and local ordinances

Every local law or ordinance adopted by the City Council shall within a reasonable time be recorded in a book provided for that purpose by the City Clerk and maintained in the Clerk's office. Such record shall contain the signature of the Mayor and the attestation of the Clerk. Such record, or a certified copy, shall be presumptive evidence of the passage of any local law or ordinance.

## § C-28. Penalties for violation of ordinances

The City Council may provide in any penal ordinance that a violation of such ordinance shall be punishable as a misdemeanor by a fine not exceeding \$1,000 or imprisonment for not more than one year or both, or as a violation by a fine not exceeding \$250 or by imprisonment for a period not exceeding fifteen (15) days or both, as provided for in the state Penal Law Section 80.05.

## Part 3. Executive Branch

### Article VIII. Mayor

#### § C-29. Mayor as chief executive officer

The Mayor shall be the Chief Executive Officer of the City and shall be responsible for the proper administration of all City affairs assigned to the Executive Branch by this Charter or otherwise by law or by implication.

#### § C-30. Elections and qualifications

The Mayor shall be a qualified elector of the City at the time of nomination and election and shall remain as a qualified elector throughout the term of office. The Mayor shall be elected every four (4) years beginning with the general election of November 1995, and shall take office on the first day of January immediately following election to office. The Mayor is a fulltime position. The Mayor may hold no other paid public or paid political office. Any private professional practice or private business interest retained by the Mayor shall be so retained in compliance with the New York State Public Officer's Law and may not conflict or interfere with the proper execution of the duties of the office of Mayor. No person shall serve more than two consecutive terms as Mayor. Unless two terms of office are separated by at least four (4) full years, they shall be deemed consecutive terms for purposes of this term limitation. Service as Mayor after an election to fill an unexpired term shall constitute a term of office for purposes of term limitation if such election is for an unexpired term exceeding two (2) years.

#### § C-31. Deputy Mayor

There shall be within the executive branch of the City of Troy a Deputy Mayor who shall be appointed by the Mayor on the basis of executive and administrative qualifications, subject to confirmation by a vote of the City Council. The Deputy Mayor shall be a qualified elector of the City at the time of nomination and confirmation and shall remain as a qualified elector throughout the term of office. The Deputy Mayor position is fulltime. The Deputy Mayor may hold no other paid public or paid political office. Any private professional practice or private business interest retained by the Deputy Mayor



shall be so retained in compliance with the New York State Public Officer's Law and may not conflict or interfere with the proper execution of the duties of the office of Deputy Mayor. The Deputy Mayor shall be the principal managerial aide to the Mayor and shall perform such duties as may be assigned by the Mayor. The Deputy Mayor also may exercise the statutory powers and duties of the Mayor during the Mayor's temporary absence from the City if the Mayor is unable to act in absentia in any physical or electronic capacity.

## § C-32. Vacancies in Office of the Mayor

- A. The office of the Mayor shall be deemed to be vacant in the event of one or more of the following conditions: when the incumbent dies; resigns by letter filed with the City Clerk; is convicted of a felony or any crime involving a violation of the oath of office; ceases to reside in the City; is adjudged by a court of competent jurisdiction to be incompetent to carry out the duties of office.
- B. If a vacancy should occur in the office of the Mayor, the Deputy Mayor shall assume all the powers and duties of the office of the Mayor until an election shall be called and held for the purpose of electing a Mayor. Said election shall be held within ninety (90) days of the occurrence of a vacancy except when the vacancy occurs within six (6) months preceding a general election in a non-mayoral election year and the state election law timetable permits placing the matter on that general election ballot, in which case the vacancy shall be filled at that general election. If the vacancy occurs within six (6) months preceding a general election in a normal mayoral election year, then there shall be no election to fill the vacancy. Instead, the election to fill the next full term of office of Mayor shall be held in due course.
- C. If, for any reason, the Deputy Mayor cannot assume the powers and duties of the Mayor when required by the terms of this Charter, then the powers and duties of the Mayor shall devolve upon the President of the City Council, having been duly elected by the general electorate of the City, upon the same terms as they would have devolved upon the Deputy Mayor.
- D. An election to fill a vacancy in the office of the Mayor shall be an election to serve for the unexpired term of office.

## § C-33. Duties and power of the Mayor

The Mayor, as the Chief Executive Officer of the City, shall be responsible for the administration of the executive branch of the City government. Specifically, it shall be the Mayor's duty:

- A. To see that the laws of the State of New York and the local laws and ordinances of the Council are enforced within the City.
- B. To exercise supervision and control over the executive departments of the City government, such departments being a Department of Finance, a Department of Law, a Department of Public Safety, a Department of General Services, a Department of Public Utilities; and, to appoint a Registrar of Vital Statistics for an indefinite term of office. Under the supervision and control of the Mayor, the Registrar shall maintain permanent records of all births and deaths occurring within the City, and shall record all stillbirths and issue burial permits.
- C. To attend all regular and special meetings of the Council and to take part in discussion but not to vote, except by the power of veto as set forth herein.
- D. To recommend to the Council in writing such measures as the Mayor may deem necessary or advisable.
- E. To keep the Council fully advised as to the financial condition and needs of the City and to recommend in the annual budget estimates such changes in the estimates of any department, bureau, division, office, court, board or commission, whether part of the executive branch of the City government or not, as the Mayor may deem advisable.
- F. To prepare and to submit to the Council annual budget estimates and capital program plans as defined in this Charter. In fulfilling this duty, the Mayor shall require at such times and in such form as requested from each department, bureau, division, office, court, board or commission of the City government estimates of the needs of such entities for the ensuing year.
- G. To submit to the City Council and make available to the public a complete report on the prior year's finances and administrative activities of the City no later than May 1 of each year.
- H. To see that all the terms and conditions imposed in favor of the City in any public utility franchise are faithfully performed.
- I. To execute all deeds and contracts on behalf of the City and to sign all warrants, certificates, licenses and other legal instruments issued by or on behalf of the

City, unless otherwise provided by law or ordinance, and to supervise or control the use of all City property.

- J. To prepare and submit an annual report and quarterly reports on the progress and financial state of the City and the Mayor's recommendations for legislation. The Mayor also shall furnish, as requested by the Council, information and reports including periodic progress and performance reports on City programs.
- K. To make and enforce reasonable regulations for the government and to discipline any City officer or employee appointable by the Mayor who is in violation of such regulations.
- L. To administer any oath or to take any affidavit in respect to any matter pending before the Mayor.
- M. To perform such other duties as may be required under the laws of the State, local laws, ordinances or resolutions of the City and this Charter.

## § C-34. State of the City report, response

At the first regular City Council meeting in February of each calendar year, the Mayor shall deliver a "State of the City" report to the Council. The report shall enumerate significant fiscal and administrative objectives for the year to come. At the first March meeting of the Council following delivery of the "State of the City" report, the President of the Council shall deliver a legislative response to the Mayor's speech which shall include the Council's legislative initiatives for the year to come. The Mayor's report or the President's response or both may be orally summarized to facilitate time limitations, but copies of the complete text shall immediately be made available to the Council or the Mayor, and made available to the public and be posted on the City website.

## § C-35. Confirmation of appointments by the Council

The Mayor's appointment of Deputy Mayor, Comptroller, Budget Officer, Corporation Counsel, Commissioner of Public Safety, Commissioner of General Services, Superintendent of Public Utilities, and the Commissioner of Planning and Economic Development shall be subject to confirmation by the City Council. Such appointees shall serve at the pleasure of the Mayor except when a definite term has been established by law or by other provision of this Charter. The Mayor shall fix, within the appropriations made by the City Council and Mayor in the budget process, the salary or

compensation of all officers so appointed. Other than mandated increases, no salaries may be increased by the Mayor without Council approval.

## § C-36. Appointment procedure

All appointments by the Mayor shall be made in writing and filed in the office of the City Clerk within ten (10) days after any such appointments are made. Appointees requiring confirmation shall not take office until confirmed or unless two regular meetings of the City Council shall have passed without the Council acting on the appointment. The Mayor may designate a qualified person to serve in a temporary capacity in any appointive office. However, no such position shall be filled in a temporary capacity for more than ninety (90) days.

## § C-37. Capital spending program

- A. Submission to City Council. The Mayor shall prepare and submit to the City Council a five-year capital spending program. This shall be done annually, and submitted no later than the final date for submission of the budget.
- B. Contents. The capital program shall include:
  - 1. A clear general summary of its contents.
  - 2. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the next five (5) fiscal years, with appropriate information supporting the necessity for each.
  - 3. The cost estimates and recommended time schedules for each improvement or expenditure.
  - 4. The method of financing upon which each capital expenditure is to rely.
  - 5. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.
- C. The preceding shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

## § C-38. Budget Officer

There may be within the City's executive branch a Budget Officer who shall be appointed by, and serve at the pleasure of, the Mayor, with the approval of the City Council. In the absence of a Budget Officer, the Comptroller shall perform the duties of such position. At the time of appointment, the Budget Officer must hold a four-year degree or higher in accounting or finance, or an equivalent, from an accredited college or university; and, must have had at least three (3) years of combined experience in the fields of budgeting, accounting and finance. The Budget Officer shall be responsible for the following duties:

- A. The preparation, submission and administration of the financial plans known as the annual operating and capital budgets of the City.
- B. The review and analysis of department and bureau requests for new positions, reclassifications, reallocations and any and all other salary changes.
- C. The integration of present bond obligations with projected long-range bond obligations required to implement the City's proposed capital projects, and the analysis of capital construction estimates and long-range planning.
- D. The making of surveys, analyses and/or reports regarding City departments as requested by the Mayor. As part of making such surveys, analyses and/or reports, the Budget Officer is authorized to require from any City department pertinent information to aid in the performance of these duties.
- E. To conduct special studies on estimated revenues, estimated expenditures and other fiscal aspects as required.
- F. To review and analyze department and bureau requests for transfer of funds between accounts and to report the results of such analysis to the Mayor.
- G. To oversee, after approval by the Council, the execution of the City's annual budget.
- H. To compile, prepare and analyze financial and statistical records and reports.
- I. To keep informed of developments in the theory and practice of modern municipal budgeting.
- J. To provide sufficient copies of the budget for the public at a location easily accessible between the hours of 9:00 a.m. and 4:00 p.m. during City business days.

- K. To perform such other duties as may be specifically designated and authorized by the Mayor.

## § C-39. Executive approval

Except as otherwise provided in this Charter, every local law, ordinance and resolution adopted by the City Council, including the budget and except for resolutions establishing rules, regulations or other matters pertaining solely to the conduct of the Council's own procedures or appointments, shall be submitted within five (5) City business days after passage to the Mayor for approval. Within ten (10) City business days after receipt of the original enactment as passed by the City Council, the Mayor shall approve or veto the same.

- A. Approval. If approved by the Mayor, the original document shall be endorsed by the Mayor on the original document and shall be returned to the City Clerk within the period of ten (10) days as set forth herein.
- B. Veto. A Mayoral veto of such an enactment shall be so indicated in writing by the Mayor, setting forth objections and supporting reasons, and returned with the original document to the City Clerk with the veto message attached within the period of ten (10) days set forth herein. In considering the budget or disposition of City-owned property, the Mayor shall have line-item veto power – i.e., the power to disapprove any specific item or items which the City Council may have changed from the original submission – without disapproving the entire legislation.
- C. Failure to act. If within the period of ten (10) days set forth herein the Mayor neither approves nor vetoes an enactment, such enactment shall be deemed to have been approved and shall take effect in due course without the Mayor's endorsement.
- D. Reconsideration. A vetoed enactment shall be resubmitted to the City Council, together with the veto message, and may be reconsidered by the Council at a general or special meeting occurring within thirty (30) days of such resubmission. If the enactment receives an affirmative vote of two-thirds of the members of the Council, the Mayor's veto shall be considered overridden, and the enactment shall take effect in due course in the form approved by the Council.

## § C-40. Public emergencies

In the case of any public emergency such as conflagration, riot, storm, earthquake, or other unusual peril to the lives or properties or both of the citizens of Troy, it shall be the duty of the Mayor to declare such public emergency and to summon all the forces of the City for the purpose of taking all possible protective measures. The Mayor also shall have the power to summon, deputize and otherwise employ such other persons as are deemed necessary in such protective measures. Any expense incurred under the provisions of this section shall be proper charges against the City. Immediately upon declaring any emergency as described herein, the Mayor shall notify the President of the City Council of said declaration by the most rapid means available.

## Article IX. Office of City Comptroller

### § C-41. City Comptroller

- A. There shall be in the Office of Management and Budget the City Comptroller who shall be the chief fiscal officer of the City, who shall be appointed by and serve at the pleasure of the Mayor, subject to confirmation by the Council. At the time of appointment, the Comptroller must have one of two sets of credentials: a master's degree in accounting or business administration from an accredited college or university, and five (5) years of progressively responsible public accounting or management experience; or, a four-year degree in accounting/business information from an accredited college or university, and seven (7) years of progressively responsible experience as described herein. The Comptroller shall be responsible for the overall financial administration and operations of the City; shall keep and maintain the financial records of the City, and may, with approval of the Mayor and subject to appropriations made in the City budget, appoint such staff as are necessary to perform the functions of the department. The Office of the City Comptroller shall be organized into such offices and bureaus as determined by the Comptroller.
- B. In addition, the Office of the City Comptroller shall:
  1. Be responsible for the oversight and accountability of all City financial activity, including the verification of recorded financial information and the preparation of interim and annual financial reports.

2. Oversee the processing of the City real property taxes and user charges, and the processing of real property tax transactions and user fees, including their levy, collection and enforcement.
3. Provide direct oversight of the City accounting system, including verification of recorded data.
4. Provide for the collection and custody of all funds received by the City Treasurer who shall, when properly authorized, make all disbursements from such funds.
5. Provide for the administration of the real property tax in the City, including the determination of assessed valuation of real property and the processing of all City real property tax exemptions by the City Assessor.
6. Provide for the oversight, accounting, sale or lease by the City Assessor of City-owned real property determined to be surplus and no longer needed for City purposes, and real property taken by the City pursuant to law through *in rem* proceedings.
7. Administer the City's procurement policy and provide for the lawful administration of the purchase of goods, services, real and personal property by the City.
8. Provide for the lawful disposition of City-owned personal property determined to be surplus and no longer needed for City purposes.
9. Prepare and administer the payroll of the City.
10. Provide for the payment of valid claims against the City, indebtedness obligations of the City, payroll and associated costs, and inter- and intra-fund transfers.
11. Provide for the administration of Workers' Compensation, medical, and dental claims against the City; maintain a claims records management system sufficient to account for individual claims activity and, as may be necessary, utilize and provide liaison to organizations that can render advice to the City and assist in the processing of claims.
12. The Comptroller, with approval of the Mayor, may assume direct charge of any one or more of the functions of the office of the Comptroller excepting only the Bureau of the Treasury.



## § C-42. City Treasurer

There may be a City Treasurer who shall be head of the Bureau of the Treasury. The City Treasurer shall be appointed by the Mayor. In the absence of a City Treasurer, the City Comptroller shall perform the duties of such position. The City Treasurer shall be Deputy Comptroller and, under the supervision and control of the Comptroller, shall have the custody of all City funds, and, when properly authorized, shall make all disbursements from such funds.

## § C-43. City Assessor

There shall be a City Assessor who shall be head of the Bureau of Assessments and the Bureau of Surplus Property. The City Assessor, certified by the state, shall be appointed by the Mayor and serve a term of office as provided in Subdivision 2 of § 310 of the Real Property Tax Law. Under the supervision and control of the Comptroller, the City Assessor shall make all assessments for general tax or special assessment purposes. The City Assessor shall adopt and maintain a definite system of making appraisals to be used in establishing assessed valuation of all parcels of taxable property within the city. It also shall be the duty of the City Assessor to expedite the sale of City-owned property and property acquired through the foreclosure of tax liens and of other City property not dedicated to be held for a public purpose.

## § C-44. Registrar of Vital Statistics

There shall be a Registrar of Vital Statistics who shall be appointed by the Mayor for an indefinite term of office under the supervision and control of the Mayor. The Registrar shall maintain permanent records of all births and deaths occurring within the City. The Registrar shall record all stillbirths and issue burial permits.

## § C-45. City Purchasing Agent

There shall be a City Purchasing Agent who shall be head of the Bureau of Purchases. The Agent shall be appointed by the City Comptroller with the approval of the Mayor, to serve at the pleasure of the Mayor. Under the supervision and control of the Comptroller, the Purchasing Agent shall make all purchases for the City, including purchases by contract, and shall have all powers of a purchasing agent or a purchasing

agency under the General City Law and any other applicable state law. The Purchasing Agent shall comply with all public bidding requirements, shall bid all contracts for services and goods so far as reasonably possible, and shall make all purchases on a nonpartisan, non-patronage basis, according to standards of price, quality, and general terms and conditions of purchase.

## § C-46. Bonds of fiscal officers

The City Comptroller, the City Treasurer, the City Purchasing Agent, the City Auditor, and department heads in general, before exercising any of the powers or performing any of the duties of their respective offices, shall execute a bond to the City in such sums as the City Council may direct by ordinance, and with such sureties as the Council may approve, conditioned for the faithful performance of the duties of their offices, and that they will properly apply and account for all public money and public property received by them. Said bond may be a blanket bond covering all such employees, whichever the Council shall decide. Such bond or bonds shall be filed in the office of the Clerk of Rensselaer County, and recorded at length in a book kept for the purpose of recording bonds of City officers.

## Article X. Fiscal Procedures and Provisions

### § C-47. Budgetary procedures

- A. Notification of data to be submitted. On or before July 1, the Mayor shall notify, in writing, the head of each administrative unit of City government and the head of each outside agency receiving City funds, pursuant to contract or otherwise, during the current fiscal year of the date fixed pursuant to Subsection B and the form and information to be contained in an estimate and request.
- B. Annual budget requests. On or before September 1 in each year, or such earlier date as the Mayor may prescribe, the head of each administrative unit of City government or head of each outside agency receiving City funds shall furnish to the Budget Officer/Comptroller an estimate of revenues and expenditures, including capital projects, for the respective unit or authorized agency for the ensuing fiscal year. Estimates shall be submitted in such form and shall contain such information as the Mayor, Budget Officer, or Comptroller under the direction of the Mayor shall prescribe. Such estimates of expenditures shall be based on and accompanied by a proposed work program prepared by each administrative

unit or authorized agency. Such estimates of revenues shall be based upon the year-to-date actual revenues. Revenues projected by the head of each such entity shall not be greater than the previous year's actual revenues unless such increase can be reasonably justified by the head of each such entity.

- C. Review of requests. The Budget Officer, upon receipt of the estimates and requests for appropriations, shall proceed to make such review and investigation thereon as that Officer may deem necessary. The Budget Officer may require the head of each administrative unit or any officer or employee thereof and any authorized agency requesting City funds to furnish data and information and answer inquiries pertinent to such review or investigation. The Budget Officer also shall review the recommendations of the various boards and commissions.
- D. City budget format and information required. Upon the completion of the review and investigation of the estimates and requests from the various administrative units and authorized agencies, the Budget Officer shall prepare, under the direction of the Mayor, the recommended City budget for the ensuing fiscal year for both current operating and capital purposes. The recommended operating budget shall be in such form as the Mayor may deem advisable and shall show the following information:
1. An itemized recommendation for the expense of operating each City department, bureau, division, office, court, board and commission of the City government for the ensuing year.
  2. A statement of the operating and capital expenditures on an item-by-item basis for the last complete fiscal year.
  3. A statement of the operating and capital expenditures on an item-by-item basis for the first six (6) months of the current fiscal year.
  4. An estimate of the probable operating and capital expenditures on an item-by-item basis for the last six (6) months of the current fiscal year.
  5. A recommended operating and capital budget request for each department, bureau, division, office, court, board and commission of the City government for the ensuing year and a statement of the appropriation recommended by the Mayor in each case.
  6. A proposed work plan from each department and bureau.

7. A five-year capital budget plan in the format approved by the City Council and including the approximate cost thereof.
8. A schedule of positions and salaries of all City officers and employees showing increases and decreases in the number of positions and in rates of compensation, except that any such increases or decreases in rates of compensation shall not become effective until approved by the City Council.
9. An estimate by the City Comptroller of the miscellaneous revenues and receipts, which must be based upon a reasonable projection of the actual revenues received during the first six (6) months of the current fiscal year, available for proposed expenditures.
10. A statement of the amounts required for interest on the City debt and for maturing installments of the City debt and an estimate of the amounts required for interest and installments on debt anticipated but not incurred at the date of the budget estimates.
11. A statement of the amounts required for fixed charges other than debt and for any contingent fund which may have been established by the Council in any City department, office or court.
12. A statement of the outstanding City debt at the time the budget estimates are submitted to the Council.
13. A projection of revenue shortfalls or expenditure overages based upon the actual revenues and expenditures for the first six (6) months of the current fiscal year.
14. Such other information concerning the operating and capital budget as the Mayor and Budget Officer may deem desirable or as the Council may require.
15. A certification, under oath, by the Mayor and the Budget Officer that, to the best of their knowledge and belief, the budget recommendation reflects all known or anticipated expenditures and accurately reflects all known or anticipated revenues, and is in balance between total expenditure and total revenues.

E. Budget message.

1. The Mayor's budget message, together with the recommended budget which will include a capital program plan, shall be presented to the City by filing with the City Clerk not later than October 10 of each year. The budget message shall include an outline of fiscal policy for the City government, describing the important features of the recommended budget with reference both to proposed expenditures and anticipated income, and a general summary showing the current and capital requirements for the budget year, with supporting schedules, which shall exhibit a balanced relation between the proposed expenditures and the total anticipated income for the fiscal year covered by it and which shall compare these figures with the corresponding actual and budgeted figures of the last completed fiscal year and the fiscal year currently in progress.
  2. The City Clerk shall cause sufficient copies of the recommended budget, including the capital program and the budget message, to be made for distribution to the public. These budget documents are public records and will be open to inspection by the public during regular business hours in the City Clerk's office.
- F. Council action on recommended budget. The City Council shall meet in special session no later than October 15 to consider the recommended budget and set a date for a public hearing. At that special session, the Council shall refer the recommended budget to the standing Committee on Finance, which shall in turn refer the budget recommendations for the City departments to the appropriate standing committees of the City Council as follows: Department of Law, Police Court and City Court to the Law Committee; the Department of Public Safety to the Public Safety Committee; the Department of General Services to the General Services Committee; the Department of Public Utilities to the Public Utilities Committee; the City Council, the City Clerk, the Office of the Mayor and the Department of Finance to the Finance Committee; miscellaneous boards, agencies and commissions shall be referred to appropriate standing committees by the Chair of the Finance Committee.
- G. Notice and hearing on budget. The City Council shall furnish to the designated newspaper of the City and to the City website a general summary of the proposed budget and a notice stating times and places where copies of the proposed budget are available for public inspection, and a time and place not less than two (2) weeks after such publication and dissemination for a public hearing on the proposed budget.

- H. Preliminary public hearings on budget estimates.
1. The standing committees of the Council shall hold at least one preliminary hearing of the departmental estimates assigned to them by the standing Committee on Finance and shall issue a report of these hearings to the Clerk no later than November 15. Additional meetings may be held if necessary. Said meetings shall be arranged so they do not overlap and shall be held at a time to allow maximum public attendance.
  2. In attendance at these preliminary hearings shall be duly authorized members of the Council's standing committees, the Mayor, the Comptroller and the Budget Officer. All preliminary hearings shall be open to the public, and at least twenty-four (24) hours' notice of such hearings shall be given. The findings of those hearings shall be published and distributed by the Clerk.
  3. At all aforementioned preliminary hearings, all persons desiring to be heard in relation to the estimates shall be heard. The Council may establish, by general ordinance, rules of procedure for public hearings in which reasonable limitations may be placed on the time allocated to any speaker, but said rules shall not be designed or utilized for the purpose of stifling any public comment on the estimated revenues or expenditures or general appropriateness thereof. A period of time shall be allowed for the public to ask questions and receive answers on budget items from the Budget Officer/Comptroller and department heads. Any questions regarding the estimated revenues or expenditures or need for such expenditures which are not answerable at the time of the preliminary public hearing shall be answered in writing by the Budget Officer or department head and said written answers shall be made available to the public during regular business hours at the office of the City Clerk.
- I. Council and Mayor budget meeting. After the Council committees file their reports with the Clerk, and prior to the final public hearing on the budget, a committee consisting of the Mayor, the Budget Officer, and the City Council members shall convene to review suggested changes to the recommended budget.
- J. Final public hearing. The Council or its standing Committee on Finance shall meet on a day designated by the Council, pursuant to Subsection F herein, for the purpose of holding a final public hearing on the budget estimates. At said final public hearing, all persons desiring to be heard in relation to the estimates

shall be heard. The Council may establish, by general ordinance, rules of procedure for public hearings in which limitations may be placed on the time allocated to any speaker, but said rules shall not be designed or utilized for the purpose of stifling any public comment on the estimated revenues or expenditures or general appropriateness thereof. A period of time shall be allowed for the public to ask questions and receive answers on budget items from the Budget Officer and department heads.

- K. Adoption of the budget. The City Council at a special meeting held after the final public hearing on or before December 1, or December 2 if the December 1 falls on a Sunday, shall by resolution adopt, or amend and adopt, the budget and submit the same to the Mayor for approval. The Council shall not amend any items in the estimates relating to the City debt, to judgment against the City, or to miscellaneous revenues and receipts as estimated by the City Comptroller. At the same special meeting at which the budget is approved, which meeting shall not be adjourned, the Council shall adopt an ordinance appropriating the various amounts in the budget as approved for the several departments, bureaus, divisions, offices, courts, boards and commissions of the City and for the several purposes specified in the budget. If a budget has not been adopted by the Council, as provided herein, on or before December 1, or December 2 if December 1 falls on a Sunday, then the budget recommended to the Council shall become the budget for the ensuing year. If the Mayor does not act on the budget as passed by the Council before December 8, or December 9 if December 8 falls on a Sunday, then the budget as passed by the Council shall become the final budget for the ensuing year. If the Mayor shall disapprove of any item within the budget pursuant to the Mayor's line item veto powers, then before December 8, or December 9 if December 8 falls on a Sunday, the Mayor shall return the same to the City Council for reconsideration. The City Council shall meet in special session prior to December 15 to reconsider those budget items vetoed by the Mayor. If an item receives an affirmative vote of two-thirds of the members of the Council, then the Mayor's veto with respect to that item shall be overridden. If the Council does not reconsider those items disapproved by the Mayor by December 15, then the recommended budget, as modified by the Mayor's vetoes, shall become the budget for the ensuing year.
- L. All expenditures pursuant to appropriations. No money shall be drawn from the City treasury nor shall any obligation for the expenditure of money be incurred except pursuant to obligations made by the City Council.

- M. Transfer of funds. The City Council shall approve any transfers or appropriations of \$500 or more not specifically authorized in the budget. Upon written request of the Mayor and the head of any department, division or bureau, the City Council may approve the transfer of an unencumbered balance in an appropriation from any department, division or bureau to another department, division or bureau. For purposes of this section, a transfer shall include any shift of funds from one account to another, whether or not the funds are to be returned to the original account.
- N. Annual tax levy. The City Council, at the special meeting at which the annual appropriation ordinance is adopted, which meeting shall not be adjourned, shall levy taxes on all taxable property within the City as shown on the annual assessment rolls, to the amount required to be raised by tax in the annual City budget. All taxes thus levied shall, on the January 1 following the adoption of the ordinance levying such taxes, become liens on the properties against which they are levied.

## § C-48. Tax procedures

- A. Extension of taxes. The City Clerk, on the day following the adoption of the annual tax levy by the City Council, shall deliver to the City Treasurer, or City Comptroller if no City Treasurer has been appointed, and to the City Assessor certified copies of the ordinance making such levy. The City Assessor then shall extend the City tax as levied by the City Council and the City share of the state and county tax as apportioned by the county authorities, and shall enter these extensions along with all delinquent special assessments, delinquent sewer taxes, delinquent water rents, and delinquent special charges on the original assessment rolls filed with the Assessor, which rolls then become the tax rolls of the City for the ensuing year. When the tax rolls have been completed, a warrant signed by the Mayor and by the City Clerk shall be attached thereto, directing the Treasurer to collect from the persons named in the rolls the sum specified as levied against the parcels described in the rolls as owned by them.
- B. Taxes payable. Fifty (50) percent of the City tax and fifty (50) percent of the county tax chargeable to the City, and all delinquent assessments and charges added to the rolls, shall be due and payable at the office of the City Treasurer on January 1, and fifty (50) percent of the City tax and fifty (50) percent of the county tax chargeable to the City shall be due and payable to the office of the City Treasurer on July 1 in each year.



- C. Tax notices. The City Treasurer shall on January 2 and January 9 and on July 1 and July 8 in each year shall cause a notice to be published in one or more of the newspapers having general circulation in the City, as well as to be posted on the City website, to the effect that City taxes are due and payable at the Treasurer's office during regular office hours. The notice shall state the collection period during which taxes may be paid without penalty and the penalties to be added for nonpayment during such collection period.
- D. Tax bills. The City Treasurer, on or before January 1 each year, shall mail to each owner of taxable property shown in the tax rolls whose name and address the Treasurer is able to ascertain a statement of the taxes assessed against the property, and the times when such taxes are payable. The provisions of this section are for the benefit of the taxpayers, and the failure of the Treasurer to mail such bills or the failure of the addressee to receive them shall not invalidate or otherwise affect such tax or prevent the accruing of penalties for the non-payment thereof.
- E. Collection periods and penalties. The first installment of taxes shall be due and payable, without penalty, during January, and the second installment thereof shall be due and payable, without penalty, during July, the months designated as collection periods. On the first day of each month succeeding the collection period, there shall be added to all unpaid taxes a penalty of three (3) percent until such taxes are paid or until the property upon which there is a lien is sold to discharge such lien.
- F. Tax receipts. The City Treasurer shall deliver or forward by mail a proper receipt for such payment to each person paying a tax installment.
- G. Payment. Any payment for real property taxes must be made as follows:
1. First, for the full satisfaction of all current year unpaid tax bills and tax liens;
  2. Next, payment of tax liens for prior years.

## § C-49. Purchasing procedures

The City Council shall establish in the City Code its policies and procedures for the purchase of materials, supplies, equipment, work or real property needed by the City, to include procedures for emergency purchases.

## § C-50. Sale or lease of City property

The Council shall provide in the City Code specific policies and procedures for the sale or lease of real or personal property no longer needed for City purposes. However, before park and waterfront property, as defined by state law, is sold, there must be legislative approval by the State of New York.

## § C-51. Miscellaneous fiscal provisions

- A. Fiscal year. The fiscal year of the City of Troy shall begin on January 1 and end on December 31.
- B. Taxation of City-owned properties. Parcels of taxable property acquired by the City on tax sales shall be exempt from all City taxes, but not school taxes, while owned by the City. The Corporation Counsel shall notify the City Assessor immediately of the sale of any such property by the City.
- C. Accounting procedures. Accounting for City funds shall be centralized in the office of the City Comptroller. All books and records of original entry shall be maintained in the Comptroller's office, and details of all cash receipts and cash disbursement shall be on record in the City Comptroller's office. Detail budget codes shall be on record in the City Comptroller's office. Detail budget codes shall be maintained in the City Auditor's office. The City Comptroller shall require and shall receive those necessary weekly and/or monthly reports from all departments, bureaus, offices, courts, boards, and commissions to maintain proper budget control. Copies shall be furnished to the City Auditor and Budget Officer. All accounting records should be maintained in accordance with the New York State Audit and Control Accounting Manuals and Procedures.
- D. Moneys considered in treasury. All moneys in the City treasury appropriated by the City Council; all moneys anticipated to be received from taxes or other sources to the amounts estimated in the annual budget and appropriated in the annual appropriation ordinance; all moneys anticipated to be received from authorized assessments; and, all moneys derived or to be derived from bonds and notes previously authorized and either sold or to be sold shall be deemed to be in the City treasury and available to certification for expenditures.
- E. Deposits and accounts. All moneys received by the City Treasurer, or the City Comptroller if no City Treasurer has been appointed, shall be deposited promptly

in such banks and trust companies as the City Council shall have designated. Banks and trust companies so designated shall furnish such security as the Council may require. The City Comptroller shall verify accounts with depository records monthly. It shall be the duty of the City Comptroller to require the transmittal of county tax moneys collected for the county within a reasonable time after their collection, but in no event to exceed ninety (90) days.

- F. Independent audits. The City Council shall provide for an independent annual audit of the books, records and transactions of the departments, offices, courts, boards, and commissions of the City and may provide for independent, special audits at any time. Such independent audits shall be made by certified public accountants holding certificates issued by the Regents of the University of the State of New York.
- G. Financial reports. The City Comptroller shall prepare for the Mayor for submission to the City Council complete financial reports for each quarter of each fiscal year, for each fiscal year, and for such other periods as may be required by the Mayor or the Council. The annual financial report shall be prepared for distribution as soon as possible after the close of each fiscal year.
- H. Surpluses. Cash surpluses shall be appropriated to reduce the tax levy except to the extent it is necessary for the City to maintain a reserve fund.

## Article XI. Other Departments

### § C-52. Department of Law

- A. There shall be a Department of Law in the executive branch of the City government.
- B. Corporation Counsel. There shall be a Corporation Counsel, who shall be the head of the Department of Law. The Corporation Counsel shall be appointed by the Mayor, subject to confirmation by the City Council, to serve at the pleasure of the Mayor. The Corporation Counsel shall be an attorney currently admitted to practice in the courts of the State of New York and who shall have had at least five (5) years of active practice in the profession of law prior to appointment.
- C. Duties of the Corporation Counsel. The Corporation Counsel shall act as legal advisor to the Mayor, and shall appear for, and protect the rights and interests of,

the City in all actions, suits or proceedings brought by it or against it or against any City officer, department, board or commission in connection with municipal business.

## § C-53. Department of Public Safety

- A. Establishment. There shall be a Department of Public Safety in the executive branch of City government. It shall include a Bureau of Police and a Bureau of Fire.
- B. Commissioner of Public Safety. There may be a Commissioner of Public Safety, who shall be head of the Department of Public Safety and shall have supervision and control of the Bureau of Police and the Bureau of Fire. The Commissioner shall be appointed by the Mayor, subject to confirmation by the City Council, to serve at the pleasure of the Mayor and shall appoint, with the approval of the Mayor and in conformity with the rules of the Municipal Civil Service Commission, a Chief of the Bureau of Police and a Chief of the Bureau of Fire.
- C. Qualifications of Commissioner. The Commissioner of Public Safety appointed by the Mayor, subject to confirmation by the City Council, shall possess at least a four-year degree in either law, law enforcement, police, fire, or public administration from an accredited college or university, and shall have had at least five (5) years of responsible experience in law enforcement administration and/or law enforcement or fire management.
- D. Rules and Regulations. The Commissioner of Public Safety shall issue and may from time to time amend rules and regulations not inconsistent with laws of the State of New York or ordinances of the City for the management and discipline of the police and fire forces of the City.
- E. Disciplinary procedures of police and fire forces. All removal and other disciplinary actions of the police and fire forces of the City shall be controlled by Article 5 of the New York State Civil Service Law, § 75 through § 77, including any amendments thereto.
- F. Chief of Police. There shall be a Chief of Police who shall be head of the Bureau of Police. The Chief shall be appointed by the Commissioner of Public Safety, with the approval of the Mayor, when a vacancy exists, or by the Mayor if there is no Commissioner. Appointment shall be made from an eligible list prepared by the Municipal Civil Service Commission. Under the supervision and control of the

Commissioner of Public Safety or the Mayor, the Chief shall have command and management of the police force of the City.

- G. Organization of Bureau of Police. The Bureau of Police shall consist of such divisions, sections, units, details and zones as shall be determined by the Commissioner or, if there is no Commissioner, the Chief of Police, and approved by the Mayor, consistent with the basic purposes of the Bureau and the fiscal resources available for its operations.
- H. Appointments and promotions in police force. The Commissioner of Public Safety or, if there is no Commissioner, the Chief of Police, shall appoint or promote members and employees of the police force as approved by the Mayor and in accordance with the rules of the Municipal Civil Service Commission and the laws of the State.
- I. Powers and duties of Commissioner, Chief of Police and Bureau members. The Commissioner of Public Safety, the Chief of Police, and the members of the Bureau shall be responsible for maintaining the peace of the City, preventing crime and enforcing the laws of the state and the ordinances of the City.
- J. Chief of Fire. There shall be a Chief of Fire who shall be head of the Bureau of Fire. The Chief shall be appointed by the Commissioner of Public Safety, with the approval of the Mayor, when a vacancy exists, or by the Mayor if there is no Commissioner. Appointment shall be made from an eligible list prepared by the Municipal Civil Service Commission. Under the supervision and control of the Commissioner of Public Safety or the Mayor, the Chief shall have command and management of the fire force of the City.
- K. Appointments and promotions in fire force. The Commissioner of Public Safety or, if there is no Commissioner, the Chief of Fire, shall appoint or promote with approval of the Mayor, members and employees of the fire force in accordance with the rules of the Municipal Civil Service Commission and the laws of the State.
- L. There shall be a Division of Fire Prevention in the Bureau of Fire under the supervision and control of the Chief of Fire. This Division shall be responsible for the application and enforcement of the Fire Prevention Code of the City of Troy and all processes for permits, service orders, investigations, revocations, and inspections consistent with that part of the Uniform Fire Prevention and Building Code related to fire prevention.

## § C-54. Department of General Services

- A. Establishment. There shall be a Department of General Services in the executive branch of City government. The Department shall include a Bureau of Engineering, a Bureau of Traffic Control, a Bureau of Streets, a Bureau of Sanitation, a Bureau of Parks and Recreation, a Bureau of Buildings, a Bureau of Code Enforcement, and a Central Garage.
- B. Commissioner of General Services. There shall be a Commissioner of General Services who shall be head of the department and shall have supervision and control of the entities enumerated in paragraph "A" herein. The Commissioner shall be appointed by the Mayor, subject to confirmation by the City Council, to serve at the pleasure of the Mayor and may appoint, with the approval of the Mayor, a City Engineer, a Traffic Engineer, a Superintendent of Streets and Sanitation, a Director of Code Enforcement., and a Director of Parks and Recreation.
- C. Qualifications of Commissioner. The Commissioner of General Services shall possess at least a bachelor's degree in management or logistics, or an equivalent degree, from an accredited four-year college or university, and shall have had at least five (5) years of increasingly responsible experience in public works administration or equivalent fields prior to appointment.
- D. Bureaus may be combined. The Commissioner of General Services, provided that person is an engineer licensed as such under the laws of the state and with the approval of the Mayor, may assume the office of City Engineer or, with the approval of the Mayor, may consolidate any two or more of the bureaus of the Department under one Bureau Superintendent.
- E. City Engineer. There shall be a City Engineer who shall be head of the Bureau of Engineering. The City Engineer shall be appointed by the Commissioner of General Services, with the approval of the Mayor, and shall be the First Deputy Commissioner of General Services and, under the supervision and control of the Commissioner, shall have charge of all engineering work of the City. The appointee shall be a professional engineer, licensed to practice as such under the laws of the state, and shall have had at least five (5) years of experience in the practice of the profession prior to appointment.
- F. Traffic Engineer.

1. There may be a Traffic Engineer who shall be head of the Bureau of Traffic Control, appointed in accordance with municipal civil service rules and regulations by the Commissioner of General Services, with the approval of the Mayor. The Traffic Engineer, under the supervision and control of the Commissioner, shall have charge of the placing, maintenance and operation of all traffic-control devices; of the maintenance of all pavement markings for traffic control; and of the placing, maintenance and operation of all parking meters on City streets or in the City parking lots. The Traffic Engineer shall keep a record of all traffic accidents in the City and recommend to the Mayor from time to time special treatment for hazardous conditions disclosed by such record. The Traffic Engineer shall be a graduate engineer with a degree in civil engineering from an accredited four-year college or university, and shall have had at least two (2) years of experience in the practice of the profession prior to appointment.
  2. It shall be the duty of the Traffic Engineer to determine and regulate the installation, operation and maintenance of all traffic-control devices; to conduct engineering analyses of traffic accidents and to devise remedial measures to conduct engineering investigations of traffic conditions on the streets of the City; to cooperate with other City officials in the development of ways to improve traffic control, and to carry out the additional duties and acts as authorized in Chapter 270, Vehicles and Traffic, of the Code of the City.
- G. Supervisor of Streets and Sanitation. There may be a Supervisor of Streets and Sanitation who shall be head of the Bureau of Streets and the Bureau of Sanitation. The supervisor shall be appointed by the Commissioner of General Services, with the approval of the Mayor. Under the supervision and control of the Commissioner, the supervisor shall have charge of maintenance and operation of the streets and bridges of the City, and shall have charge of the collection and disposal of garbage and other municipal wastes in the City.
- H. Public streets. All streets in public use in the City heretofore or hereafter laid out as streets under the laws of the state; all streets which have been improved or worked by the City and used as streets for ten (10) years or longer, and all streets heretofore or hereafter dedicated to the public use and accepted for such use by the City Council shall be deemed public streets of the City.

- I. Dedication of streets. Whenever any street or other land is offered for dedication to the public use, the City Council may accept such dedication by ordinance. Before any such street or other land shall be accepted, the Council shall cause a survey, map and description to be made by the Commissioner of General Services who then shall report the results to the Council. Such description shall be entered at length in the minutes of the Council, and such map shall be filed in the offices of the City Clerk and the City Engineer.
- J. Title by prescription. The City Council may by ordinance cause any street that has been worked by the City, has been in public use for ten (10) years or more, and is not sufficiently described or has not been duly recorded as dedicated to the public use, to be described and entered of record in its minutes.
- K. Street grades. The City Council shall establish the grade of all public streets. No such grade, legally established, shall thereafter be changed except upon compensation for any damage resulting from such change of grade.
- L. Sidewalks. It shall be the duty of the owners of land fronting on any of the public streets of the City to construct and keep in repair the sidewalks in front of their respective lots in such manner, at such times and of such materials as the Commissioner of General Services may direct; and to keep all such sidewalks at all times free of ice, snow and other obstructions. If any owner after notice shall neglect to comply with this section within the time specified by the Commissioner in the aforesaid notice, the Commissioner may cause the work to be done at the expense of the owner. The cost and expense of any such work shall, if not paid by the owner, be added to the tax rolls.
- M. Construction work in streets. The Commissioner of General Services shall have power to regulate and control all construction work in the City streets by private persons, firms or corporations. No such construction work shall be undertaken without a permit for such work, signed by the City Engineer.
- N. Director of Code Enforcement. There may be a Director of Code Enforcement, appointed by the Commissioner of General Services with the approval of the Mayor, who shall be the head of the Bureau of Code Enforcement. The appointee, who shall be under the supervision and control of the City Engineer, shall have charge of the enforcement of any building code, housing code, zoning ordinance, plumbing code or electrical code now in effect or hereafter adopted by the City Council.



- O. Bureau of Buildings. There shall be a Bureau of Buildings that will be supervised by a Building Maintenance Supervisor. Under the supervision and control of the Commissioner, this Bureau shall be responsible for the operation, maintenance and upkeep of all municipally owned buildings, with the exception of the Department of Public Utilities building.
- P. Central Garage. There shall be a Central Garage that will be supervised by an Auto Equipment Supervisor. Under the supervision and control of the Commissioner, this bureau shall be responsible for the repair and maintenance of all municipally owned vehicles, with the exception of the Bureau of Fire equipment and the Department of Public Utilities equipment.
- Q. Director of Parks and Recreation. There shall be a Director of Parks and Recreation, appointed by the Mayor with approval of the City Council. The Director shall have at least a bachelor's degree in recreation and parks management, or an equivalent degree, from an accredited four-year college, and at least three (3) years of experience in the creation and management of recreational facilities or parks prior to appointment. Under the supervision and control of the Commissioner of General Services, the Director shall be responsible for management of entertainment and recreational activities carried on by the City. Parks and Recreation shall have a specific line or lines in the City budget, and its Director shall be responsible for supervising, managing, constructing, improving, and maintaining all City recreational facilities and cemeteries, including buildings and grounds thereon.

## § C-55. Department of Public Utilities

- A. Establishment. There shall be a Department of Public Utilities in the executive branch of City government. It shall include an Administrative Section, a Bureau of Water Purification and Pumping, a Bureau of Water Maintenance, and a Bureau of Sewer Maintenance.
- B. Superintendent of Public Utilities. There shall be a Superintendent of the Department of Public Utilities who shall be the head of the Department, and shall have supervision and control of the entities enumerated in paragraph "A" hereof. The Superintendent shall be appointed by, and serve at the pleasure of, the Mayor, subject to confirmation by the City Council. The Superintendent may

appoint, with the approval of the Mayor, a Supervisor of Water Plant Operators, a Supervisor of Water, and a Supervisor of Sewers.

- C. Supervisor of Water Plant Operations. There may be a Supervisor of Water Plant Operations who shall be the head of the Bureau of Purification and Pumping. The Supervisor shall be appointed by the Superintendent of Public Utilities, with the approval of the Mayor. The Supervisor shall be the First Deputy Superintendent of Public Utilities and, under the supervision and control of the Superintendent, shall have charge of the operation of the reservoir, water treatment plant, pumping stations and storage reservoirs in the City. The appointee shall have a degree in sanitary, chemical or civil engineering and a Grade 1A license issued by the New York State Department of Health for the operation of a water treatment facility, and shall have had at least five (5) years of experience in the field of water treatment prior to appointment.
- D. Supervisor of Water. There may be a Supervisor of Water who shall be head of the Bureau of Water Maintenance, to be appointed by the Superintendent of Public Utilities, with the approval of the Mayor. Under the supervision and control of the Superintendent, the appointee shall have charge of the maintenance of all the transmission, distribution and service pipelines and accessories in the City's public water system.
- E. Supervisor of Sewers. There may be a Supervisor of Sewers who shall be head of the Bureau of Sewer Maintenance, appointed by the Superintendent of Public Utilities, with the approval of the Mayor. Under the supervision and control of the Superintendent, the appointee shall have charge of the maintenance of the sanitary sewers, storm sewers, sewer laterals and accessories of the City's sewer system.
- F. Rules and regulations. The City Council shall establish by ordinance a code of rules and regulations for the Department of Public Utilities. Such rules and regulations shall establish the policies under which the Department is to be operated.
- G. Water and sewer charges. The City Council shall establish by ordinance the water and sewer rates which are to be charged, and said ordinance shall be considered an amended part of the rules and regulations.
- H. Contracts with outside communities or other governmental agencies. The City Council shall enact legislation when and if a contract is to be entered into with an outside community for the sale of water, acceptance of sewage, and

maintenance and repairs. Said legislation shall stipulate all aspects of the contract.

- I. New construction. The City Council, by the affirmative vote of a majority of all its members, may declare the construction of any water or sewer line to be a public improvement. If such construction is declared to be a public improvement, the cost and expense thereof shall be borne by the City. The Council, after a public hearing and by the affirmative vote of a majority of all its members, may declare the construction to be a local improvement, in which case the Council shall establish the proportion of the cost to be borne by the City at large, the proportion of the cost to be assessed against benefited property, and the boundaries of the area benefited by such improvements and assessable therefor. Said construction shall be either departmental work or may be placed out to contract upon decision of the Commissioner and approval or funding by the City Council.

## § C-56. Department of Planning and Economic Development

- A. Establishment. There shall be a Department of Planning and Economic Development in the City executive branch. It shall be responsible in a comprehensive and unified manner for planning, development, coordination and promotion of the physical, social and economic well-being of the City.
- B. Commissioner of Planning and Community Development. There may be a Commissioner of Planning and Community Development who shall be the head of the department. In the absence of a Commissioner, the Deputy Mayor may perform the duties of such position. The Commissioner shall be appointed by the Mayor, subject to confirmation by the City Council, to serve at the pleasure of the Mayor, and shall hold at least a bachelor's degree in economics, urban planning or equivalent discipline from an accredited college or university and a minimum of three (3) years of experience in city planning, community development or related fields.
- C. Bureaus and organization of Department. The Commissioner may, with the approval of the Mayor, organize the Department into bureaus or other divisions.
- D. Staff function. The Department shall serve as staff and adviser to the City Planning Commission, the Historic District Commission, the Zoning Board of

Appeals, the Environmental Commission, their successor agencies or others as may be assigned by the Mayor or City Council.

## Part 4. Judicial Branch

### Article XII. Courts

The operations and administration of all Courts having jurisdiction within the City of Troy shall be conducted in accordance with all pertinent rules, regulations and laws of the New York State Office of Court Administration.

## Part 5. Miscellaneous Provisions

### Article XIII. Boards and Commissions

#### § C-57. Municipal Civil Service Commission

There shall be a Municipal Civil Service Commission consisting of three members appointed by the Mayor in accordance with § 15-a of the Civil Service Law. The Commission shall have all the powers and shall perform all the duties of a Municipal Civil Service Commission as prescribed by Article 2, Title B, of the Civil Service Law.

#### § C-58. Advisory boards and Commissions

The City Council may, upon request of the Mayor, authorize the appointment of, and may provide appropriations for, temporary advisory boards and commissions in connection with any City department, function or purpose. The members of all such advisory boards shall be appointed by the Mayor, subject to approval of the Council, shall be non-officeholding electors of the City, and shall serve without compensation. Each such advisory board or commission shall consist of citizens from various political parties so as to promote nonpartisan, responsible decision-making in the best interests of the citizens of the City. Meetings, hearings and work sessions of such boards or commissions shall be subject to the New York State Open Meetings Law.

## Article XIV. Official flag and Coat of Arms

### § C-59. Official Flag

The flag of the City shall be rectangular in shape, the hoist being two-thirds of the fly. It shall be made up in three perpendicular stripes, the hoist and the fly being the regulation United States flag red and the center being white. The fly and end stripes shall be one-sixth less in width than the center stripe. On the center stripe shall be placed in dark blue and white the coat of arms of the City, as described in § C-60 hereof.

### § C-60. Coat of Arms

The Coat of Arms of the City shall be composed of a shield, whereon will be shown the emblem of commerce, i.e., barrels and bales and sheaf of wheat; the emblem of navigation; a Hudson River steamboat, behind which shall be the factories of the City, backed by the hills, the whole surmounted by the four spires. The crest shall be the emblem of the United States, the eagle. The supports shall be: to the right, higher education for women represented in a figure of an Emma Willard graduate in her cap and gown; on the left, a figure of a man representing a graduate of the Rensselaer Polytechnic Institute. The motto to be on a ribbon under the shield and to read "Illium Fuit Troja Est" ("Ilium Was, Troy Is").

## Article XV. Charter Implementation

### § C-61. Referendum

The question, "Shall the new City Charter proposed by the City Charter Commission be adopted?" shall be submitted to qualified electors of the City at the general election to be held on November 3, 2015, in accordance with Part 2, § 36 of the Municipal Home Rule Law as last amended by Chapter 592 of the Laws of 1964. If the proposition receives the affirmative vote of a majority of the qualified electors voting thereon, this Charter shall be deemed adopted and shall become effective as prescribed in § C-64 hereof.

## § C-62. Terms of appointees limited

The terms of appointees to boards, commissions and authorities shall not exceed a total of nine (9) consecutive years for each appointee, except there shall be a maximum of ten (10) years for appointees to the Troy Housing Authority and two consecutive terms of six (6) years each for appointees to the Municipal Civil Service Commission. This section shall not be applied retroactively.

## § C-63. Severability

If a clause, sentence, paragraph, section or article of this Charter shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect the validity of the remainder of this Charter, but shall be confined in its operation to the clause, sentence, paragraph, section or article directly involved in the controversy in which such judgment shall be rendered.

## § C-64. When effective

This Charter shall take effect in its entirety on July 1, 2016. All local laws, ordinances and resolutions previously adopted by the City Council, and in effect as of the effective date of this Charter, shall continue in full force and effect, except to the extent that such local laws, ordinances or resolutions are inconsistent with this Charter or have been repealed, amended, modified or superseded, either explicitly or by implication, by the adoption of this Charter.

# APPENDIX

## **Legislative history of Charter amendments**

### **City Council membership, terms, and vacancies**

Amended by L.L. No. 1-1978, § 1; L.L. No. 5-1979, § 1; L.L. No. 2-1982, § 1; L.L. No. 5-1983, § 1; L.L. No. 2-1985, § 1; L.L. No. 1-1987, § 1; L.L. No. 2-1989, § 1; L.L. No. 8-1994, § 1; L.L. No. 6-1994; 12-16-199 by L.L. No. 8-199; 7-10-2001 by L.L. No. 5 2--1; 2-202002 by L.L. No. 3-2002.

## **Drawing of district boundaries; redistricting**

Added by L.L. No. 2-1981, § 1.

## **President of City Council**

Amended by L.L. No. 2-1982, § 1; L.L. No. 1-1993; L.L. No. 5-1994, § 1.

## **President Pro Tempore**

Amended by L.L. No. 5-1994; 12-3-1998 by L.L. No. 6-1998.

## **Qualifications; powers and duties**

Amended 10-3-2002 by L.L. No. 8-2002.

## **Standing committees**

Amended by L.L. No. 16-1978, § 1; L.L. No. 3-1988, § 1; L.L. No. 5-1994, § 5; L.L. No. 1-2010, § 1.

## **Responsibilities of standing committees**

Added by L.L. No. 16-1978, § 2; amended by L.L. No. 3-1988, § 2.

## **Meetings of standing committees**

Added by L.L. No. 1-1993.

## **Code of Ethics**

Amended by L.L. No. 1-1988, § 2; L.L. No. 4-1998, § 1.

## **Powers of City Council**

Amended by L.L. No. 6-1979, § 1; L.L. No. 4-1992; L.L. No. 5-1994, § 6; 10-2-2002 by L.L. No. 8-2002.

## **Requests for reports, information or estimates**

Amended by L.L. No. 6-1979, § 1.

### **Organizational meetings**

Amended by L.L. No. 1-1984, § 1; L.L. No. 5-1994, § 7.

### **Regular meetings**

Amended by L.L. No. 2-1981, § 1; L.L. No. 5-1994, § 9.

### **Special meetings**

Amended by L.L. No. 1-1984, § 1; L.L. No. 5-1994, § 9.

### **Informational and regional meetings**

Amended by L.L. No. 1-1993; L.L. No. 5-1994, § 10; 10-2-2003 by L.L. No. 5-2003; 10-2-2003 by L.L. No. 5-2003.

### **Public forum**

Amended by L.L. No. 1-1993.

### **Amendment of Charter by local law**

Amended by L.L. No. 4-1992; L.L. No. 5-1994, § 11.

### **Public hearings on Charter amendments**

Amended by L.L. No. 9-1995, § 2; L.L. No. 1-1996, § 2.

### **Purposes and adoption of ordinances**

Amended by L.L. No. 1-1984, § 1.

### **Penalties for violation of ordinances**

Amended 10-2-2003 by L.L. No. 5-2003.

### **Deputy Mayor**



Amended by L.L. No. 5-1994, § 19.

### **Duties and power of The Mayor**

Amended by L.L. No. 1-1993; L.L. No. 5-1994, § 21.

### **State of the City report**

Amended 12-3-1998 by L.L. No. 6-1998.

### **Confirmation of appointments by the Council**

Amended by L.L. No. 5-1994, § 22.

### **Appointment procedure**

Amended by L.L. No. 5-1994, § 23.

### **Capital program**

Amended by L.L. No. 1-1993; L.L. No. 5-1994, § 24.

### **Budget Officer**

Amended by L.L. No. 5-1994, § 25.

### **Executive approval**

Amended by L.L. No. 5-1994, § 27.

### **Public emergencies**

Amended by L.L. No. 10-1977, § 1; L.L. No. 8-1978, § 1; L.L. No. 10-1978, § 1; L.L. N5-1994, § 30; N5-1994, § 30.

### **Office of City Comptroller**

Amended by L.L. No. 3-1998, § 2; L.L. No. 4-1994, § 31; L.L. No. 3-1998, § 2; L.L. No. 5-1994, § 32; L.L. No. 3-1998, § 2.

## **City Auditor**

Amended by L.L. No. 1-1993; L.L. No. 5-1994, § 33.

## **City Treasurer**

Amended by L.L. No. 4-1994, § 34; L.L. No. 3-1998, § 2.

## **City Assessor**

Amended by L.L. No. 5-1994, § 35; L.L. No. 3-1998, § 2.

## **City Purchasing Agent**

Amended by L.L. No. 5-1994, § 37.

## **Budgetary procedures**

Amended by L.L. No. 2-1976, § 1; L.L. No. 5-1994, § 39; L.L. No. 7-1979, § 1; L.L. No. 5-1994, § 40; L.L. No. 5-1994, § 41; L.L. No. 5-1994, § 42; L.L. No. 5-1994, § 43; L.L. No. 5-1994, § 44; L.L. No. 1-1993; L.L. No. 5-1994, § 46; L.L. No. 2-1976, § 2; L.L. No. 1-1984, § 2; L.L. No. 5-1994, § 45; L.L. No. 5-1994, § 47; L.L. No. 5-1994, § 47; L.L. No. 2-1976, § 3; L.L. No. 15-1978, § 1; L.L. No. 4-1979, § 1, L.L. No. 5-1994, § 48; L.L. No. 5-1994, § 49; L.L. No. 5-1994, § 50.

## **Tax procedures**

Amended by L.L. No. 3-1982, § 1; L.L. No. 7-1995, § 1; 11-16-2001 by L.L. No. 1-2002; L.L. No. 7-1977; L.L. No. 2-1980; L.L. No. 7-1977, § 1; L.L. No. 2-1980, § 1; L.L. No. 7-1995, § 1; L.L. No. 1-2002; L.L. No. 3-1982, § 2; L.L. No. 6-1982, § 1.

## **Purchasing procedures**

Amended by L.L. No. 5-1985, § 1; L.L. No. 6-1985, § 1.

## **Miscellaneous fiscal provisions**

Amended by L.L. No. 5-1994, § 54.

## **Department of Law**

Amended by L.L. No. 5-1994, § 55; L.L. No. 5-1994, § 56; L.L. No. 2-2009, § 1.

## **Department of Public Safety**

Amended by L.L. No. 3-1977, §1; L.L. No. 5-1994, § 58; L.L. No. 5-1994, § 59; L.L. No. 5-1994, § 60; L.L. No. 5-1994, § 61; L.L. No. 5-1994, § 62; L.L. No. 5-1994, § 63; 10-2-2003 by L.L. No. 5-2003; L.L. No. 5-1996, § 2; L.L. No. 5-1996, § 3; 10-2-2003 by L.L. No. 5-2003; 6-1-2000 by L.L. No. 2-2000; L.L. No. 3-1977; L.L. 5-1994; L.L. No. 5-1994, § 63; 10-2-2003 by L.L. No. 5-2003; L.L. No. 5-1996, § 2; L.L. No. 5-1996, § 3; Added 6-1-2000 by L.L. No. 2-2000.

## **Department of Public Works**

Amended by L.L. No. 3-1976, § 1; L.L. 3-1976, § 2; L.L. No. 5-1994, § 65; L.L. No. 5-1994, § 67; L.L. No. 2-1977, § 1; L.L. No. 5-1994, § 68; L.L. No. 5-1994, § 69; L.L. 3-1976, § 4; L.L. 1-1977, § 1; L.L. No. 5-1994, § 70.

## **Department of Public Utilities**

Amended by L.L. No. 5-1994, § 73; L.L. No. 5-1994, § 74; L.L. No. 5-1994, § 75; L.L. No. 5-1994, § 76.

## **Department of Planning and Economic Development**

Amended by L.L. No. 14-1978, § 1; L.L. No. 14-1978, § 1; L.L. No. 5-1994, § 79; L.L. No. 14-1978, § 1; L.L. No. 5-1994, § 80.

## **Municipal Civil Service Commission**

Amended by L.L. No. 14-1978, § 1.

## **Advisory boards and Commissions**

Amended by L.L. No. 14-1978, § 1; L.L. No. 5-1994, § 81.

## **Referendum**

Amended by L.L. No. 14-1978, § 1.

**Terms of appointees limited.**

Amended by L.L. No. 1-1993.

**Severability**

Amended by L.L. No. 14-1978, § 1.

**When effective**

Amended by L.L. No. 14-1978, § 1; L.L. No. 5-1994, §84; L.L. No. 6-1994.