

CHAPTER 13

APPOINTMENT, ELECTION AND REMOVAL OF CITY OFFICERS

SECTION ANALYSIS

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13.1 Appointment of Department Heads, Officers and Employees in Administrative Service of City.

In accordance with the provisions of Sections 15 and 18 of the Rochester City Charter, the City Manager shall appoint all department heads, officers and employees in the administrative service of the City, except the School Department and the Police Department as provided for in Sections 23, 24, and 25 of the Rochester City Charter. All such appointments shall be without definite term unless for provisional, temporary, or emergency service not to exceed the maximum periods, which may be prescribed by the rules and regulations of the merit plan established pursuant to Section 60 of the Rochester City Charter.

13.2 Removal of Department Heads, Officers and Employees in Administrative Service of City.

In accordance with the provisions of Section 15 of the Rochester City Charter, the City Manager may remove all department heads, officers and employees in the administrative service of the City, except the School Department and Police Department as provided for in Sections 23, 24 and 25 of the Rochester City Charter.

13.3 Election of Chairman of Board of Supervisors of the Checklist.

The City Council shall, during January following each regular municipal election, by ballot and majority vote, elect one Supervisor of the Checklists, who shall act as Chairman of the Board of Supervisors of the Checklist.

13.4 Public Notice of Vacancy.

Within three (3) days of the receipt of a report of a vacancy in an office to be filled pursuant to Section 74 of the Rochester City Charter, the City Clerk shall cause a notice of such vacancy to be posted in a public place in Rochester City Hall. Said notice shall contain the following statement:

6/6/95

Any person interested in being considered for this [these] office[s] shall file a written statement to that effect with the Rochester City Clerk. The Mayor and City Council are not obligated to nominate any person who files such a statement, and may nominate a person who has not filed such a statement. All statements filed, however, will be given to each member of the City Council before the vacancy is filled. The City Council may fill this vacancy at any regular or special meeting of the City Council.

Each such notice may list as many offices as are then vacant. The City Clerk shall provide a copy of each such notice to each member of the City Council as soon as practicable.

13.5 Form of Statement of Interest.

A person's statement of interest in an office to be filled pursuant to Section 74 of the Rochester City Charter shall be legible, shall contain writing or printing on only one side of the paper, and shall be 8.5 inches by 11 inches or smaller. The statement shall include the person's name and address, a statement that he/she is eighteen years old or older, whether he/she is a registered voter, the ward in which he/she resides, and such other information as he/she desires. The City Clerk shall maintain a supply of forms to be used by those filing such statements, and may also accept a statement on any other paper that otherwise complies with this section.

13.6 Filing Vacancy – Procedure.

When the Mayor intends to make a nomination to fill a vacancy pursuant to Section 74 of the Rochester City Charter, the Mayor shall so advise the City Clerk when preparing the agenda for the meeting at which such nomination shall be made. The City Clerk shall then provide to each member of the City Council a copy of each written statement received by the City Clerk pursuant to section 13.5 and pertaining to such vacancy. All statements filed with the City Clerk shall at all times be available for public inspection.

13.7 Notice of Resignations and Vacancies.

The Chairman of each Board or Committee whose members are appointed pursuant to Section 74 of the Rochester City Charter shall be responsible for reporting to the City Clerk all vacancies in the membership of that Board or Committee. Each such Chairman shall file with the City Clerk a written report of each such vacancy, whether arising by resignation, death or otherwise, as soon as practicable after learning of the vacancy. For the purpose of Section 13.4 of this Chapter, vacancies shall be deemed to exist upon the filing of such report, without further action of the City Council, the Mayor, the City Manager, or any other body or person.