

**Ordinance Establishing an Exception to the Elector Requirement of the Charter and City Residency for the Incumbent Coordinators.**

**Purpose:** *To transfer from the Charter to the Code of Ordinances the organizational language pertaining to the following Boards and Commissions required by Article VII, Section 4 of the Charter:*

- *Financial Review and Audit Commission*
- *Board of Fire Commissioners*
- *Board of Public Health*
- *Board of Police Commissioners*
- *Board of Parks Commissioners*
- *Board of Library Directors*
- *Civilian Review Board*

*With the exception of the Board of Parks Commissioners the intent was not to engage in a wholesale modification of the current structures; although the Board of Alders has the inherent legislative authority to do so. Rather, the intent was to allow modifications to Boards and Commissions to be made by Ordinance, providing the flexibility needed to address local concerns within the guidelines of the Charter in real time. The current provisions of the Charter will remain in full force and effect until they are replaced by an Ordinance. As the Historical Transition Provision” states: “Upon (1) the effective date of the approved Ordinance accompanied by (2) an opinion of an attorney, designated by the Board of Alders, certifying that (a) the functions of the pertinent section pertaining to the Board or Commission have been addressed by the Ordinance; and (b) the Ordinance complies with the administrative requirements of this Charter in particular, §1 and 2 of this Article, the pertinent provision or provisions of the Charter shall expire and may be removed from the Charter.”*

**ORDINANCE RE – TRANSFER OF BOARDS AND COMMISSIONS REQUIRED BY ARTICLE VII, SECTION 4 OF THE CHARTER FROM THE CHARTER TO THE CODE OF ORDINANCE, INCLUDING MODIFICATION OF THE COMPOSITION OF THE SCOPE AND COMPOSITION OF THE BOARD OF PARKS COMMISSIONERS.**

*The New Haven Code of Ordinances is amended by adding new Chapter 2¼ entitled “Boards and Commissions Required by the Charter,” including the transfer and recodification of Chapter 2, Article X, Division 10 pertaining to the “Civilian Review Board” and as follows:*

**ARTICLE I - THE FINANCIAL REVIEW AND AUDIT COMMISSION<sup>1</sup>**

**Sec. 2¼-1. Establishment<sup>2</sup>.**

As required by Article VII, Sec. 4.A of the Charter there shall be a Financial Review and Audit Commission which shall be responsible for reviewing and reporting on the financial condition of the City.

**Sec. 2<sup>1</sup>/<sub>4</sub>-2. Composition<sup>3</sup>.**

The Financial Review and Audit Commission shall consist of nine (9) members.

(a) **Terms<sup>4</sup>.** Members shall be appointed for five (5) year terms, except that of the nine (9) first appointed, one (1) shall be appointed for a term of one (1) year, and two (2) shall be appointed to terms of two (2), three (3), four (4) and five (5) years, respectively.

(b) **Restriction on Service<sup>5</sup>.** No member of the commission shall hold any other office or position in the government of the City, appointed or elected, except as a member of said commission.

(c) **Additional Ground for Removal from Office<sup>6</sup>.** In addition to the reasons set forth in this Charter, a member of said commission may be remove for failure to attend a specified number of meetings of the commission within a specified period as the commission may set forth in its bylaws”

(d) **Experience<sup>7</sup>.** Not fewer than seven (7) members shall have training and experience in financial matters as evidenced by being a certified public accountant, having earned a bachelor's degree in business or public administration, having not less than five (5) years' service as the financial officer of a business, having not less than five (5) years' service as a public administrator, or having a similar degree or experience.

(e) **Chair of the Commission<sup>8</sup>.** The commission shall elect a chair from among its members to hold office for a term or terms of one (1) year each and may adopt bylaws to govern its procedures.

**Sec. 2<sup>1</sup>/<sub>4</sub>-3. Staff: Executive Director and Deputy Executive Director.**

The commission by affirmative vote of seven (7) of its members shall appoint or reappoint, for a term or terms not to exceed four (4) years each, an executive director and a deputy director, who shall not be members of the classified service, and who may be removed by the affirmative vote of seven (7) of the members of the commission<sup>9</sup>. The commission may appoint such other personnel as the City budget may provide, who shall be members of the classified service<sup>10</sup>. The expenses of the commission, including the salaries of its employees, shall be paid by the City<sup>11</sup>.

**Sec. 2<sup>1</sup>/<sub>4</sub>-4. General Duties and Powers of the Financial Review and Audit Commission.**

(a) The commission shall meet not less frequently than monthly to review the financial condition of the City as described in the monthly financial reports described in

§5 of Article VIII and in the audited financial statements, and to conduct such other business as may come before it<sup>12</sup>.

(b) The Mayor, the Controller and other Public Officials shall make available to the commission all information concerning the financial performance of the City as the commission may request<sup>13</sup>.

(c) Not later than the tenth (10<sup>th</sup>) day of each month, the commission shall submit a report to the Mayor and the Board of Alders containing such comments and recommendations concerning the financial report issued by the Mayor during the preceding month pursuant to §5 of Article VIII of the Charter and the City's financial condition as the commission may deem appropriate<sup>14</sup>.

(d) The commission shall make recommendations to the Board of Alders concerning the selection of the auditor of the City<sup>15</sup>.

**Sec. 2<sup>1</sup>/<sub>4</sub>-5 through 2<sup>1</sup>/<sub>4</sub>-9. Reserved**

## **ARTICLE II - BOARD OF POLICE COMMISSIONERS<sup>16</sup>**

**Sec. 2<sup>1</sup>/<sub>4</sub>-10. Establishment<sup>17</sup>.** As required by Article VII, Sec. 4.B of the Charter there shall be a Financial Review and Audit Commission There shall be a Board of Police Commissioners. Said Board shall advise and consult with the Chief of Police concerning matters pertaining to the chief's duties and to the conduct of the department, and together with the chief shall make all rules and regulations relating to the administration of the department which it may deem necessary or advisable, which rules shall be printed and made available to the public.

**Sec. 2<sup>1</sup>/<sub>4</sub>-10. Appointment and Membership<sup>18</sup>.**

The Board shall consist of six (6) members.

(a) **Terms<sup>19</sup>.** During the month of January each year the Mayor shall appoint two (2) members of said Board for a term of three (3) years from the first (1<sup>st</sup>) day of February next succeeding.

(b) **Police commissioners not to deal in intoxicating liquors<sup>20</sup>.** No commissioner on said police Board excepting a licensed druggist shall, either as principal, agent, or employee, be engaged in or directly or indirectly interested in the manufacture or sale of intoxicating liquors.

**Sec. 2<sup>1</sup>/<sub>4</sub>-10. General Duties and Powers of the Board of Police Commissioners<sup>21</sup>.**

In general, the Board of Police Commissioners shall be responsible for policy making, with the advice of the chief of police, and for the evaluation of such policies.

**Sec. 2¼-11 through 2¼-14. Reserved**

### **ARTICLE III - BOARD OF FIRE COMMISSIONERS<sup>22</sup>**

**Sec. 2¼-15. Establishment.**

As required by Article VII, Sec. 4.C of the Charter there shall be a Board of Fire Commissioners<sup>23</sup>. Said Board of Fire Commissioners shall advise and consult with the Fire Chief concerning matters pertaining to the chief's duties and to the conduct of the department, and together with the chief shall make all rules and regulations relating to the administration of the department which it may deem necessary or advisable, which rules shall be printed and made available to the public<sup>24</sup>.

**Sec. 2¼-16. Appointment and Membership<sup>25</sup>.**

The Board shall consist of five (5) members.

**(a) Terms<sup>26</sup>.** During the month of January each year the Mayor shall appoint for a term of three (3) years from the first (1<sup>st</sup>) day of February next succeeding such number of commissioners as may be necessary to fill vacancies arising by reason of the expiration of terms.

**Sec. 2¼-17. Duties<sup>27</sup>.**

Said Board of Fire Commissioners shall have authority to make a Contract with corporations and individuals outside of the areas now served by the municipality and outside of the limits of said City, granting such corporations and individuals fire protection for such compensation as may be deemed just and proper, subject to the approval of the Board of Alders.

**Sec. 2¼-18 through 2¼-20. Reserved**

### **ARTICLE IV - GENERAL PROVISIONS CONCERNING THE POLICE AND FIRE COMMISSIONERS<sup>28</sup>**

**Sec. 2¼-21. Power of Boards of Commissioners over employees<sup>29</sup>.**

Each of said Boards of Commissioners shall have sole power of appointment and promotion of all sworn members and employees of their respective Departments, under such rules and regulations as they may adopt for the purpose, and in accordance with

rules governing the Civil Service System and any applicable collective bargaining agreements.

**Sec. 2¼-22. Vote required for appointments, promotions.**

**(a) Board of Police Commissioners<sup>30</sup>.** No appointments or promotions in the police department shall be made except by the affirmative vote of not less than four (4) commissioners, except where otherwise provided.

**(b) Board of Fire Commissioners<sup>31</sup>.** No appointment or promotion in the fire department shall be made except by the affirmative vote of a majority of the members present.

**Sec. 2¼-23. Removal, demotion, suspension<sup>32</sup>.**

Each of said Boards of Commissioners shall have power, for cause, after a hearing on charges, made in writing, to remove, reduce in rank, or suspend without pay any sworn member or employee in its department that it has power to appoint.

**Sec. 2¼-23. Authorized Procedure<sup>33</sup>.**

No removal, reduction in rank, or suspension shall be made for political reasons. Charges against any sworn member or employee shall be preferred by the chief, served upon the person accused at least forty-eight (48) hours before the time fixed for a hearing, and presented to the Board of Commissioners of the department to which such sworn member or employee may belong<sup>34</sup>.

**Sec. 2¼-24 through 2¼-29. Reserved**

**ARTICLE V – THE PARK PRESERVATION AND RECREATION COMMISSION<sup>35 36</sup>**

**Sec. 2¼-30. Establishment<sup>37</sup>.**

**(a)** In accordance with Article VII, Sec. 4.D of the Charter there shall be a Park Preservation and Recreation Commission<sup>38</sup>. The Commission shall advise and consult with the Director of the Parks Department and the Director of Youth and Recreation Departments pertaining to duties of the directors and to the conduct of their respective departments<sup>39</sup>.

**(b) Board of Park Commissioners Abolished.** In accordance with the requirements of the Charter, the terms of office of the members of the Board of Parks Commissioners in office at the time of the adoption of this Ordinance shall conclude and said Board shall be abolished following the confirmation of the members of the Park

Preservation and Recreation Commission. At such time, all powers, duties and authority of the said Board and its members shall be terminated, null and void.

**(c) Authority of the Commission.** All property, rights of action and rights of every description, and all obligations established in the name of the City by the Board of Park Commissions shall be continued and assume by the Commission, which Commission shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by said Board and not inconsistent with the provisions of this Charter and the additional powers and privileges conferred by Law, unless otherwise terminated by Ordinance.

**Sec. 2¼-31. Membership<sup>40</sup>.**

The Commission shall consist of up to nine (9) Electors of the City.

**(a) Terms of Mayoral Appointees<sup>41</sup>.** During the month of December of each year the Mayor shall appoint Board members to hold office from the first (1<sup>st</sup>) day of February for staggered terms, as follows:

**(i)** Three (3) members to a term of three (3) years commencing on the 1<sup>st</sup> day of February, 2025 and thereafter to a term of three (3) years commencing on the 1<sup>st</sup> day of February, 2028.

**(ii)** Two (2) members to a term of two (2) years commencing on the 1<sup>st</sup> day of February, 2025 and thereafter to a term of three (3) years commencing on the 1<sup>st</sup> day of February, 2027.

**(iii)** Two (2) members to a term of one (1) year commencing on the 1<sup>st</sup> day of February, 2025 and, thereafter to a term of three (3) years commencing on the 1<sup>st</sup> day of February, 2026.

**(b) Representatives of the Board of Alders.** There shall be up to two (2) members of the Board of Alders to be selected by said board, on a bipartisan basis, in each year.

**(c) Political affiliations<sup>42</sup>.** Mayoral appointments shall take into account compliance with the minority party representation provisions of the General Statutes.

**(d) Rules of Procedure<sup>43</sup>.** The Commission shall adopt rules for the conduct of its business consistent with this Charter.

**Sec. 2¼-32. Role of the Commission.**

**(a) Policy Making Role<sup>44</sup>.** In general, the Commission shall be responsible for policy making regarding (i) parks preservation and management utilizing the advice of the Director of the Parks Department; and, (ii) recreational uses of the parklands of the City utilizing the advice of the Director of Youth and Recreation. The Commission shall be responsible for the evaluation of these policies<sup>45</sup>. This shall include, but not be limited to the adoption of such rules and regulations, on recommendation of the respective Department Heads. All policies developed u the Commission shall be consistent with the General Statutes or the provisions of this Charter, related to the use, preservation and enjoyment of all public parks and recreation areas of the City of New Haven.

**(b) Rules and Regulations.** The Commission is hereby empowered to make and alter, from time to time, all necessary rules and regulations for the maintenance of order, safety and decency in said parks and places, use of recreation facilities, the prevention of any depredation therein or misuse of the same, and the protection and preservation of said parks and places, both within and without the limits of the City. The Commission may adopt rules and regulations which shall have the force of the Ordinances of the City and may set penalties for violations thereof subject to approval by the Board of Alders, and then available in a Public Notice, at full length, in accordance with the provisions of the Charter and also printed and posted in conspicuous places within the limits of the parks or places to which such regulation is intended to apply<sup>46</sup>.

**(c) Enforcement<sup>47</sup>.** The Commission may enforce its order in accordance with Law.

**(d) Acquisition of Park Land.** The Commission, with the approval of the Board of Alders, shall have power, in the name and on behalf of the City of New Haven, to procure by gift, purchase, lease exchange or other Contract, or by condemnation as permitted by Law, real property, whether within or without the limits of the City of New Haven, for the purpose of providing public parks or the enlarging of existing parks, provided no expenditures shall be made in excess of the amount previously appropriated for such purpose, and provided no land shall be acquired by the Commission in the manner above specified in any other town except by Contract with the officials of the town in which such land shall be located<sup>48</sup>.

**(e) Authority of the Commission to accept, control property<sup>49</sup>.** The Commission is hereby authorized and empowered to accept, with the approval of the Board of Alders, any and all devises, legacies or gifts of property, either real or personal, of any kind or class, that may be given or left to it by will or devise; and the Commission is hereby given full power and authority, as trustees or otherwise, to invest, reinvest property of any class or kind, already given, or which may hereafter be given, either to Commission or the defunct Board of Park Commissioners, or to the City of New Haven in trust for the use of the Commission.

**Sec. 2¼-33. Applicability of budgeting, financial provisions to Director and park commission<sup>50</sup>.**

The Commission and departments related thereto shall be subject to all the provisions of this Charter pertaining to budgetary control and financial administration which are applicable to other departments, agencies and offices of the City except when the same is in conflict with the discretion of the director and the Board in the management and control of trust funds for park purposes.

**Sec. 2¼-34 through 2¼-39. Reserved**

**ARTICLE VI - BOARD OF PUBLIC HEALTH<sup>51</sup>**

**Sec. 2¼-40. Establishment<sup>52</sup>.**

As required by Article VII, Sec. 4.E of the Charter there shall be a There shall be a Board of Public Health.

**Sec. 2¼-41. Appointment and Membership.**

The Board shall consist of six (6) members<sup>53</sup>.

(a) **Terms.** Members of the Board shall be appointed by the Mayor for a term of five (5) years<sup>54</sup>. The Mayor shall appoint one (1) member every year from the first (1<sup>st</sup>) day of February, except in the year when two (2) members have completed their term of office in which year two (2) appointments shall be made<sup>55</sup>.

(b) **Qualifications<sup>56</sup>.** At least two (2) of the members shall be doctors of medicine, from an accredited school of medicine.

**Sec. 2¼-42. Employees<sup>57</sup>.**

The department shall have such a number of professional and clerical assistants as said Board shall prescribe.

**Sec. 2¼-43. Duties.**

(a) **Adoption of Rules and Regulations.** On recommendation of the Director of Public Health it shall have the power to adopt such rules and regulations, not inconsistent with the General Statutes or the provisions of this Charter, as in its judgment the prevention of disease and the preservation of public health shall require<sup>58</sup>. Such rules and regulations shall be published and enforced in the same manner as City Ordinances<sup>59</sup>.



(b) **Advisory Functions**<sup>60</sup>. The Board of Public Health shall advise with the Director of Public Health on matters pertaining to the duties of office and to the conduct of the department.

**Sec. 2¼-44 through 2¼-49. Reserved**

## **ARTICLE VII - BOARD OF LIBRARY DIRECTORS**

**Sec. 2¼-50. Statement of Purpose**<sup>61</sup>.

The City of New Haven recognizes the right of all its citizens to have full and unlimited access to information and knowledge so that they can meet the needs of daily living, have the opportunities for self-education and participate successfully in self-government.

**Sec. 2¼-50. Establishment.**

As required by Article VII, Sec. 4.F of the Charter, there shall be a Board of Library Directors<sup>62</sup>. Said Board shall have charge of all the property of said City used for the purposes of said library, and shall direct the expenditures of all money placed at its disposal by the City from whatever source derived<sup>63</sup>.

**Sec. 2¼-51. Appointment and Membership**<sup>64</sup>.

Notwithstanding the provisions of this Charter to the contrary, the Board shall consist of nine (9) directors and the Mayor who may preside ex officio over said Board and who shall vote only to dissolve a tie.

**(a) Terms.**

**(i)** In January, 1952 and in every third year thereafter, and in January, 1953, and in every third year thereafter, the Mayor shall appoint two (2) directors to hold office for three (3) years from the date of their appointment<sup>65</sup>.

**(ii)** In January, 1952, and annually in said month thereafter, the Mayor shall appoint one (1) Alder of the City to hold office as director for one (1) year; provided, however, that if said appointee shall at any time during the year cease to be a member of the Board of Alders, then said appointee's term of office as director shall also expire, and the Mayor shall fill the vacancy by the appointment of another Alder to hold the said office of director for the remainder of one (1) year<sup>66</sup>.

**Sec. 2¼-52. General Duties of the Board**<sup>67</sup>.

Said Board shall make and enforce such rules and regulations as it may deem proper, for the management, protection and preservation of the property of said library.

**(a) Regulation of use of library<sup>68</sup>.** Said Board may make rules, extending, upon such terms and under such conditions as to the Board may seem best, all of the privileges of said library to any or all of the following classes of persons, viz.: First, to nonresidents attending school or college within the limits of said City of New Haven; second, to nonresidents doing business in said City of New Haven who pay taxes therein; third, to all nonresidents on the payment of such sums as may be fixed by the Board of Library Directors.

**(b) Disposition of library receipts; books and records; debts exceeding available funds prohibited<sup>69</sup>.** All receipts of said library from fines, sales of books, catalogues and all other receipts shall be added to said fund, and shall be at the disposal of said Board. All bills and vouchers for expenses incurred shall be kept on file in said library, subject to inspection by the City Controller, the Corporation Counsel and the members of the board of directors of said library. In no case shall the Board of Library Directors incur any debt for the free public library beyond the amount of current funds on hand and the previous unexpended appropriations of the budget.

**(c) Gifts, devises, legacies for library purposes<sup>70</sup>.** The Department of the Public Library is hereby authorized and empowered to accept any and all devises, legacies or gifts of property, either real or personal, of any kind or class, that may be given or left to it by will or devise; and the Board of Library Directors of the Public Library is hereby given full power and authority, as trustees or otherwise, to invest, reinvest and to have complete direction and management over all such property of any class or kind, already given, or which may hereafter be given, either to said free public library of New Haven, or to the City of New Haven in trust for the use of the said free public library, and may, in connection therewith, engage the services of any bank or trust company maintaining a trust investment section, for advice and recommendations in connection with the management, investment and reinvestment of said trust funds. All funds, moneys, bonds, mortgages and securities of any class or kind which have been or may be hereafter given to the free public library of New Haven, or to the City of New Haven in trust for the use of the free public library, shall be kept by the City Treasurer who shall give a bond, in addition to the bond otherwise required by him, in an amount satisfactory to the Board of Library Directors, for the care and safekeeping of the said securities, and who, upon notification of a vote of said Board of said free public library, shall allow any bank or trust company chosen by the vote of said Board to have possession of the trust funds in common with said City Treasurer so that neither said City Treasurer nor such bank or trust company shall alone have access to the trust funds. The Board of Library Directors may maintain a common trust fund in which may be included all funds and investments of one or more trusts held by the City of New Haven or the Board of Library Directors for the benefit of the Department of the Public Library.

**Sec. 2¼-53 through 2¼-59. Reserved**

## ARTICLE VIII - CIVILIAN REVIEW BOARD<sup>71</sup>

### Sec. 2¼-60. Civilian Review Board<sup>72</sup>.

(a) As required by Article XII, Sec. 4.G of the Charter there shall be a Civilian Review Board<sup>73</sup>.

(b) The Civilian Review Board has the authority to monitor, review, and conduct independent investigations of civilian complaints of police misconduct by police officers empowered to act with municipal police powers in the City of New Haven.

(c) The office and the professional staff that provide assistance to the Civilian Review Board shall be located in, the Office of the Commission on Equal Opportunities.

(d) The Office of the Civilian Review Board shall be funded permanently by annual allotments for personnel, services, equipment, supplies, and facilities in an amount no less than that of similarly sized existing departments, offices, and agencies of the City of New Haven.

(e) The Office of the Civilian Review Board may not be eliminated by any action of any part of the executive branch of government of the City of New Haven.

(Ord. No. 1853, §1, 1-7-19); Ord. No. \_\_\_\_\_ 8-5-24, transferred from §2-796 (a) – (d) to §2¼-60 (b) – (e); §2¼-60 (a)(New).

### Sec. 2¼-61. Objectives<sup>74</sup>.

The civilian review board's function is to create a public, transparent, and impartial means by which to review, monitor and independently investigate any civilian complaints of police misconduct against a police officer employed by a police department empowered to act with municipal police powers in the City of New Haven.

(Ord. No. 1853, § 2, 1-7-19); Ord. No. \_\_\_\_\_ -\_\_-24 (transferred from 2-797 to 2¼-61)

### Sec. 2¼-62. Membership<sup>75</sup>.

(a) The Civilian Review Board shall consist of a number of members with no more than fifteen (15), and shall, at a minimum, consist of members selected as follows: one (1) member from each of the police districts in the City of New Haven, one (1) member of the Board of Alders, and, at least, two (2) at-large members.

(b) A non-at-large member, who moves from one policing district to another policing district, within six (6) months of the term expiration date, may complete the term to which that member was appointed.

(c) All members of the civilian review board shall be residents of the City of New Haven.

(d) No member of the civilian review board shall be a current sworn officer of any police department or law enforcement entity.

(e) Except for the member of the board of alders appointed by the president of the board of alders, no current elected official shall be a member of the civilian review board.

(Ord. No. 1853, §3, 1-7-19) (Ord. No. \_\_\_\_ 8-5-24, 2-798 (b) was add and sub sections (b) – (d) were modified to (c) – (e)) (Ord. No. \_\_\_\_ 8-5-24, transferred §2-798(a) - (e) to §2¼-62(a) – (e)).

**Sec. 2¼-63. Appointment<sup>76</sup>.**

(a) The Mayor shall nominate all members of the Civilian Review Board, except the at-large members, who shall be nominated by the Board of Alders, and the aldermanic representative, who shall be a member of the Board of Alders appointed by the President of the Board of Alders.

(b) All nominees shall be confirmed by a majority vote of the Board of Alders.

(c) The Board of Alders shall maintain a list of community engagement organizations or similar neighborhood-based organizations, who are interested in offering names of prospective civilian review board members.

(d) The civilian review board shall be reflective of the city's diversity.

(Ord. No. 1853, § 4, 1-7-19) (Ord. No. \_\_\_\_ 8-5-24, 2-799(c), (f) and (g) were repealed.) (Ord. No. \_\_\_\_ - \_\_\_\_-24, §2-799(a) - (d) transferred to §2¼-63(a) – (d))

**Sec. 2¼-64. Term<sup>77</sup>.**

Except for the initial term of the representatives for the odd number policing districts which shall be three (3) years, the term of office for each member shall be two (2) years. The terms shall be staggered as follows: initial appointments to odd-numbered police districts shall be for a period of three (3) years only, and all other and all subsequent appointments

shall be for a period of two (2) years. The initial term of the member of the board of alders shall end on December 31, 2019, or until a successor is appointed and duly qualified.

(Ord. No. 1853, § 5, 1-7-19)(Ord. No. \_\_\_\_\_, §2-800 transferred to 2¼ -64.)

**Sec. 2¼-65. Duties<sup>78</sup>.**

The Civilian Review Board shall have the following authority, and such other authority as may be set forth by ordinance:

**(a)** To monitor, review and independently investigate civilian complaints of alleged police misconduct against any police officer acting in the City of New Haven pursuant to municipal police powers to monitor and review the processing of internal affairs complaints by any police department acting within the City of New Haven pursuant to municipal police powers in order to make sure such processing is complete, accurate and factually supported; and to make recommendations to the police chief alongside any recommendations made by internal affairs<sup>79</sup>;

**(b)** To receive a copy of any civilian complaint of alleged police misconduct filed against any police officer acting in the City of New Haven pursuant to municipal police powers within five (5) days of the filing of said complaint;

**(c)** To receive, in writing, a copy of any findings of fact and/or recommended disposition of a complaint at the same time it is forwarded to internal affairs, before it is submitted for final action to the relevant chief of police and to interview the officer(s) preparing such proposed findings of fact and/or recommended disposition<sup>80</sup>;

**(d)** To hear appeals from any civilian complainant within ninety (90) days of the completion of an internal affairs investigation by any police department acting within the City of New Haven pursuant to municipal police powers<sup>81</sup>;

**(e)** To require any police department acting within the City of New Haven pursuant to municipal police powers to investigate civilian complaints of alleged police misconduct in the event no investigation has been commenced after an initial complaint<sup>82</sup>;

**(f)** To prepare an annual report to the Office of the Mayor and the Board of Alders indicating:

**(i)** The number, type, and basic facts of complaints filed;

**(ii)** The number of police officers against whom complaints were filed and the number of police officers against whom multiple complaints were received;

(iii) The civilian review board's findings and recommendations on the complaints;

(iv) Internal affairs' findings and recommendations on the same complaints; and

(v) The disposition of the complaints, provided such disclosure does not violate confidentiality laws and regulations;

(vi) To require any police department acting within the City of New Haven pursuant to municipal police powers to reopen any closed investigation and to continue an investigation, if in the judgment of the Civilian Review Board, an initial investigation was incomplete, unfair, or otherwise unresolved;

(vii) To recommend revisions to policies, the manner of processing civilian complaints, training protocols, and/or provisions of general orders or departmental standards, to any police department acting within the City of New Haven pursuant to municipal police powers<sup>83</sup>;

(viii) To develop policies and procedures for the filing and processing of civilian complaints to the Civilian Review Board, for the operations of said board, and for the training of members of said board and the community-based agencies and organizations, as selected by said board<sup>84</sup>;

(ix) To develop a memorandum of understanding with the Yale University Police Department designed to effectuate the goal of assuring transparent civilian review of any civilian complaint of an alleged police misconduct by an officer employed by a police department acting within the City of New Haven pursuant to municipal police powers.

(Ord. No. 1853, § 6, 1-7-19) (Ord. No. \_\_\_\_ - \_\_-24, §2-801(1) - (6) transferred to §2¼-65(a) – (f))

**Sec. 2¼-66. Investigations<sup>85</sup>.**

(a) When the Civilian Review Board by simple majority vote of members present determines it in the public interest, the Civilian Review Board shall contract or hire the services of certified independent investigators who are not active, sworn police officers. The Civilian Review Board shall rely upon the findings and investigative reports of the independent investigator in making recommendations.

(b) The independent investigator shall have access to the same files and reports as internal affairs, as allowed by existing statutes or requirements of law.

(c) In appropriate circumstances, the Civilian Review Board may take sworn testimony from witnesses concerning the alleged misconduct which is the subject of the complaint. Any officer or member of the police department may be called to attend and participate as allowed by existing statutes or requirements of law.

(d) Following the review of a civilian complaint, the Civilian Review Board will promptly report its findings and recommendations to the police chief, the board of police commissioners, and the complainant. These recommendations may include discipline or other actions the civilian review board deems appropriate.

(e) The police chief shall not make a decision regarding a civilian complaint until said chief has received the findings and recommendations of both the civilian review board and internal affairs. Should the police chief elect not to accept either the findings or the recommendations of the Civilian Review Board, the chief shall promptly notify the Civilian Review Board, in writing, of such decision and the reasons for said decision related to the specific civilian complaint. In the event the police chief adopts the findings or accepts the recommendation of the Civilian Review Board, she or he shall promptly notify in writing the Civilian Review Board.

(Ord. No. 1853, § 7, 1-7-19) (Ord. No. \_\_\_\_ -\_\_-24, §2-802(a) – (e) transferred to §2¼-66(a) – (e); §2¼-66(e) modified to reflect gender neutrality)

**Sec. 2¼-67. Staff<sup>86</sup>.**

The Civilian Review Board shall have the authority to hire, with the approval of the Board of Alders, such staff as is necessary to perform the duties herein described and to perform such other tasks as the Civilian Review Board may in its discretion require with the exception of the first Civilian Review Board coordinator, who shall be hired by the Board of Alders.

(Ord. No. 1853, § 8, 1-7-19) (Ord. No. \_\_\_\_ -\_\_-24, §2-803 transferred to §2¼-67)

**Sec. 2¼-68. Applicability of other Laws<sup>87</sup>.**

Nothing in this article shall exempt any person from applicable provisions of any other laws of the city, state, federal, or other appropriate jurisdiction.

(Ord. No. 1853, § 9, 1-7-19) (Ord. No. \_\_\_\_ -\_\_-24, §2-804 transferred to §2¼-68)

**Sec. 2¼-68. Confidentiality of Records<sup>88</sup>.**

The provisions of this chapter are intended to preserve and enhance the security of persons and property within the city. Where public release of certain information may put someone in jeopardy, it shall be the intent of the civilian review board to preserve the confidentiality, where permitted by law.

(Ord. No. 1853, § 10, 1-7-19) (Ord. No. \_\_\_\_ -\_\_-24, §2-805 transferred to §2¼-69)

**Sec. 2¼-69 - 74. Reserved<sup>89</sup>.**

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<sup>1</sup> Transferred from Article XV, Sec. 3.B of the Charter. The final version of this provision in the Charter was a 2023 recodification of current Article VII, Sec. 3.C which has been transferred to Article XV of the Charter and will be repealed and removed from the Charter upon the adoption of an implementing Ordinance by the Board of Alders. Pre-2013 §63 entitled "Creation, membership of the Financial Review and Audit Commission." See, Amend. of 7-1-93

<sup>2</sup> The language is transferred from Article XV, Sec. 3.B(1) which is derived from pre-2013 §64 (First and third sentences). See, Amend. of 7-1-93.

<sup>3</sup> The language is transferred from Article XV, Sec. 3.B(2) which is derived from 2013 modification and recodification of pre-2013 §63 (First sentence), in lieu of the following: "There shall be in the City a nine (9) member financial review and audit commission, whose members shall be appointed by the Mayor with the approval of the Board of Alders." See, Amend. of 7-1-93.

<sup>4</sup> The language is transferred from Article XV, Sec. 3.B(2)(a) which is derived from 2013 recodification of pre-2013 §63 (Fourth sentence). See, Amend. of 7-1-93.

<sup>5</sup> The language is transferred from Article XV, Sec. 3.B(2)(b) which is derived from 2013 recodification of pre-2013 §63 (Second paragraph). See, Amend. of 7-1-93.

<sup>6</sup> The language is transferred from Article XV, Sec. 3.B(2)(c) which is derived The from 2013 recodification of pre-2013 §63 (Fifth sentence), as follows: "~~Members shall serve until their successors have been appointed and qualified, unless removed for cause, which shall not be political,~~ but may include failure to attend a specified number of meetings of the commission within a specified period as the commission may set forth in its bylaws"

<sup>7</sup> The language is transferred from Article XV, Sec. 3.B(2)(d) which is derived from 2013 modification and recodification of pre-2013 §63 (Remainder of the third sentence), as follows: "~~and a~~ Not fewer than seven (7) members shall have training and experience in financial matters as evidenced by being a certified public accountant, having earned a bachelor's degree in business or public administration, having not less than five (5) years service as the financial officer of a business, having not less than five (5) years service as a public administrator, or having a similar degree or experience". See, Amend. of 7-1-93.

<sup>8</sup> The language is transferred from Article XV, Sec. 3.B(2)(e) which is derived from 2013 recodification of pre-2013 §63 (Ninth sentence). See, Amend. of 7-1-93.

<sup>9</sup> The language is transferred from the first sentence of Article XV, Sec. 3.B(3) which is derived from 2013 recodification of pre-2013 §63 (Sixth sentence). See, Amend. of 7-1-93.

<sup>10</sup> The language is transferred from the second sentence of Article XV, Sec. 3.B(3) which is derived from 2013 recodification of pre-2013 §63 (Seventh sentence). See, Amend. of 7-1-93.

<sup>11</sup> The language is transferred from the third sentence of Article XV, Sec. 3.B(3) which is derived from 2013 recodification of pre-2013 §63 (Eighth sentence). See, Amend. of 7-1-93.

<sup>12</sup> The language is transferred from the third sentence of Article XV, Sec. 3.B(4)(a) which is derived from 2013 recodification of pre-2013 §64 (First sentence). Pre-2013 section entitled "Meetings of the commission; duties." See, Amend. of 7-1-93.

<sup>13</sup> The language is transferred from the third sentence of Article XV, Sec. 3.B(4)(b) which is derived from 2013 recodification of pre-2013 §64 (Second sentence). See, Amend. of 7-1-93.

<sup>14</sup> The language is transferred from the third sentence of Article XV, Sec. 3.B(4)(c) which is derived from 2013 recodification of pre-2013 §64 (Third sentence). See, Amend. of 7-1-93.

<sup>15</sup> The language is transferred from the third sentence of Article XV, Sec. 3.B(4)(d) which is derived from 2013 recodification of pre-2013 §64 (Fourth sentence). See, Amend. of 7-1-93.

<sup>16</sup> Transferred from Article XV, Sec. 3.C of the Charter. The final version of this provision in the Charter was a 2023 recodification of current Article VII, Sec. 3.E which has been transferred to Article XV of the Charter and will be repealed and removed from the Charter upon the adoption of an implementing Ordinance by the Board of Alders. Pre-2013 Article XX entitled "Department of Police Service". Section 102 entitled "Board of Police Commissioners; created; appointment; term; general duties, powers".

<sup>17</sup> The language is transferred from Article XV, Sec. 3.C(1) which is derived from 2013 recodification of pre-2013 §102 (First sentence), as follows: "There shall be ~~in the Department of Police Service~~ a Board of Police Commissioners ~~consisting of six (6) commissioners~~ who shall advise and consult with the Chief of Police concerning matters pertaining to the chief's duties and to the conduct of the department, and together with the chief shall make all rules and regulations relating to the administration of the department which it may deem necessary or advisable, which rules shall be printed and made available to the public". Note: Authority for the commission is derived from Sp. L. 1899, p. 403, §§46, 48, 49 and 50; See also, Sp. L. 1901, p. 675, §1; Sp. L. 1905, p. 899, §§2 and 3; and, Sp. L. 1927, §§95, 97, 98 and 99. See, Amend. of 7-1-93.

<sup>18</sup> The language is transferred from Article XV, Sec. 3.C(2) which is derived from 2013 recodification of pre-2013 §102 (First sentence), as follows: "There shall be ~~in the Department of Police Service~~ a Board of Police Commissioners

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consisting of six (6) commissioners who shall advise and consult with the Chief of Police concerning matters pertaining to the chief's duties and to the conduct of the department, and together with the chief shall make all rules and regulations relating to the administration of the department which it may deem necessary or advisable, which rules shall be printed and made available to the public". Note: Authority for the commission is derived from Sp. L. 1899, p. 403, §§46, 48, 49 and 50; See also, Sp. L. 1901, p. 675, §1; Sp. L. 1905, p. 899, §§2 and 3; and, Sp. L. 1927, §§95, 97, 98 and 99. See, Amend. of 7-1-93. The language is transferred from Article XV, Sec. 3.C which is derived from 2013 recodification of pre-2013 §102 (First sentence), as set forth above.

<sup>19</sup> The language is transferred from Article XV, Sec. 3.C(2)(a) which is derived from 2013 recodification of pre-2013 §102 (Third sentence).

<sup>20</sup> The language is transferred from Article XV, Sec. 3.C(2)(b) which is derived from 2013 recodification of pre-2013 §109. Derived from Sp. L. 1899, p., 408, §63; See also, Sp. L. 1927, §111 (First sentence). See also, Amend. of 1-1-83.

<sup>21</sup> The language is transferred from Article XV, Sec. 3.C(3) which is derived from 2013 recodification of pre-2013 §102 (Second sentence)..

<sup>22</sup> Transferred from Article XV, Sec. 3.D of the Charter. The final version of this provision in the Charter was a 2023 recodification of current Article VII, Sec. 3.F which has been transferred to Article XV of the Charter and will be repealed and removed from the Charter upon the adoption of an implementing Ordinance by the Board of Alders. Pre-2013 Article XXI entitled "Department of Fire Service". Section 104 entitled "Board of Fire Commissioners; created; membership, appointment, duties". See, Amend. of 7-1-75.

<sup>23</sup> Transferred from the first sentence of Article XV, Sec. 3.D(1) of the Charter. The final version of this provision in the Charter was a 2013 modification and recodification of pre-2013 §104 (First sentence), as follows: "There shall be in the Department of Fire Service a Board of Fire Commissioners consisting of five (5) members". Note: Authority for the commission is derived from Sp. L. 1899, p. 495, §§54 and 56; See also, Sp. L. 1901, p. 1114, §§1 and 2; Id., p. 1117, §12; Sp. L. 1927, §§102 and 104.

<sup>24</sup> Transferred from the second sentence of Article XV, Sec. 3.D(1) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §104 (Second sentence).

<sup>25</sup> Transferred from Article XV, Sec. 3.D(2) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §104 (First sentence), as set forth above.

<sup>26</sup> Transferred from Article XV, Sec. 3.D(2) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §104 (Third sentence).

<sup>27</sup> Transferred from Article XV, Sec. 3.D(3) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §104 (Sixth sentence).

<sup>28</sup> Transferred from Article XV, Sec. 3.E of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G.

<sup>29</sup> Transferred from Article XV, Sec. 3.E(1) of the Charter. The final version of this provision in the Charter was a 2023 recodification, modification and intended repeal of Article VII, Sec. 4.G(1) derived from 2013 recodification of pre-2013 §110 (First sentence). Derived from Sp. L. 1899, p., 408, §64; see also, Sp.L. 1927, §112.

<sup>30</sup> Transferred from Article XV, Sec. 3.E(2)(a) of the Charter. The final version of this provision in the Charter was a 2023 recodification of Article VII, §3.G(2) derived form 2013 recodification of pre-2013 §110 (Third sentence). Derived from Sp. L. 1899, p., 408, §64; see also, Sp. L. 1927, §112.

<sup>31</sup> Transferred from Article XV, Sec. 3.E(2)(b) of the Charter. The final version of this provision in the Charter was new in 2023.

<sup>32</sup> Transferred from Article XV, Sec. 3.E(3) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G(3) derived from 2013 recodification of pre-2013 §111 (First sentence). Derived from Sp. L. 1899, p., 408, §65; See also, SP. L. 1901, p. 675, §1; See also, Sp. L. 1927, §113 (First paragraph).

<sup>33</sup> Transferred from Article XV, Sec. 3.E(4) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G.(4) derived from 2013 recodification of pre-2013 §111 (Second sentence). Derived from Sp. L. 1899, p., 408, §65; See also, SP. L. 1901, p. 675, §1. See also, Sp. L. 1927, §113 (First paragraph).

<sup>34</sup> Transferred from Article XV, Sec. 3.E(5) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G(5) derived from 2013 recodification of pre-2013 §112 (First sentence). Derived from Sp. L. 1903, p. 474, §1; See also, Sp. L. 1927, §113 (Second paragraph). The following provisions do not carry over to the Ordinances: "**Appeal from removal, demotion, suspension.** Any officer or employee aggrieved by the action of said Board may make application to any judge of a court of competent jurisdiction within and for New Haven County in the nature of an appeal from such order of the Board of Commissioners, which application shall be made returnable not more than twelve (12) nor less than three (3) Days from the date of such order

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of the commissioners, and a copy thereof shall be served upon the City Clerk at least forty-eight (48) hours before the day on which it is made returnable. (a) Said judge having given such further notice as deemed necessary by the court, shall forthwith hear said application, and may approve, modify, or revoke such order, and may award costs at the discretion of the court [Transferred from Article XV, Sec. 3.E(6) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G(6) derived from 2013 recodification of pre-2013 §112 (Second sentence). Derived from Sp. L. 1903, p. 474, §1; See also, Sp. L. 1927, §113 (Second paragraph)]. (b) During the pendency of said application such order of the commissioners shall have full force and effect, subject, however, to the power of said judge if such order shall be modified or revoked to make such judicial decree relate back to the date of such order [Transferred from Article XV, Sec. 3.E(7) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G(7) derived from 2013 recodification of pre-2013 §112 (Third sentence). Derived from Sp. L. 1903, p. 474, §1; See also, Sp. L. 1927, §113 (Second paragraph)].

<sup>35</sup> Replaces the current Board of Park Commissioners. Transferred from Article XV, Sec. 3.F of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.H. Pre-2013 Article XXIII entitled "Department of Parks and Recreation". Section 114 entitled "Board of Park Commissioners; compensation, qualifications, term appointment". See; Special Act pertaining to East Rock Park. See, Amend. of 7-1-75.

<sup>36</sup> **Drafting Note Based on Comment of the 2023 Charter Revision Commission:** It should be noted that at the time of the adoption of this Charter the Parks and Public Works Departments have been merged. The Board of Alders is authorized to replace the current Commission with a replacement entity that includes the park functions mandated by the Charter and the public works requirements as set forth in the Ordinance or other legislative enactments underlying the department. It goes without saying that the new Board or Commission must be enacted in compliance with §§1 and 2 of Article VII of this Charter.

<sup>37</sup> Transferred from Article XV, Sec. 3.F of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.G(5) derived from 2013 recodification of pre-2013 §112 (First sentence). Derived from Sp. L. 1903, p. 474, §1; See also, Sp. L. 1927, §113 (Second paragraph).

<sup>38</sup> Transferred from first clause of the first sentence of Article XV, Sec. 3.E(1) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.H(1) derived from 2013 recodification and derived from pre-2013 §114 (First clause of first sentence), in lieu of the following: "There shall be in said department a Board of Park Commissioners which shall consist of the Mayor and eight (8) commissioners who shall serve without pay, shall be electors and residents of the City and shall be chosen as follows:".

<sup>39</sup> Derived from the second sentence of Article XV, Sec. 3.F(1) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.H(1) derived from 2013 recodification of pre-2013 §115 (First sentence).

<sup>40</sup> Derived from Article XV, Sec. 3.F(2) of the Charter. The final version of this provision in the Charter was a 2023 recodification and intended repeal of current Article VII, Sec. 4.H(2) derived from 2013 recodification and derived from pre-2013 §114 (First clause of first sentence), in lieu of the following: "There shall be in said department a Board of Park Commissioners which shall consist of the Mayor and eight (8) commissioners who shall serve without pay, shall be electors and residents of the City and shall be chosen as follows:".

<sup>41</sup> Replacement of provision transferred from Article XV, Sec. 3.F(2)(b) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(2)(b) derived from 2013 /recodification of pre-2013 §114 (Fourth sentence). See also, 2023 modification, recodification and intended repeal of pre-2013 §3.H(2)(a), derived from Sp. L. 1899, p. 415, § 86-87; See also, Sp. L. 1905, p. 912, § 13; and, Sp. L. 1927, §162-163. See also, **Comment of the 2023 Charter Revision Commission:** In the event the Board of Alders seeks to retain the current structure of the Board of Park Commissioners, the clear intent of the Commission in its report is to eliminate the permanent membership. On the other hand, the Board of Alders is authorized to replace the current Commission with a replacement Board or Commission in compliance. See also, 2023 modification, recodification and intended repeal of the 2013 recodification of pre-2013 §114 (Second clause of the first sentence), by deleting the word "The" from the first line. The following provision is hereby repealed: "The three (3) citizen commissioners of the East Rock Park Commission shall continue to hold their respective positions, and their successors shall be appointed pursuant to the provisions of the act incorporating East Rock Park in the City of New Haven and the amendments thereto." The repealed provision was derived from 2013 recodification of pre-2013 §114 (Second sentence).

<sup>42</sup> Transferred from Article XV, Sec. 3.F(2)(c) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(2)(c) derived from 2013 recodification of pre-2013 §114 (Fifth sentence).

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<sup>43</sup> Transferred from Article XV, Sec. 3.F(2)(d) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(2)(d) derived from 2013 recodification of pre-2013 §114 (Sixth sentence).

<sup>44</sup> Transferred from second sentence of Article XV, Sec. 3.F(3)(a) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(a) (second sentence) derived from 2013 recodification of pre-2013 §115 (Third sentence). Derived from Sp. L. 1899, p. 415, § 88; See also, Sp. L. 1905, p. 912, § 13; See also, Sp. L. 1927, §164 First clause of second sentence).

<sup>45</sup> Transferred from the first sentence of Article XV, Sec. 3.F(3)(a) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(a) (first sentence) derived from 2013 recodification of pre-2013 §115 (Second sentence).

<sup>46</sup> Transferred from Article XV, Sec. 3.F(3)(b) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(b) derived from 2013 recodification of pre-2013 §117 (Fourth sentence). Derived from Sp. L. 1899, p., 415, §88; See also, Sp. L. 1911, p. 140; and, Sp. L. 1927, §164 (Second sentence following the first clause). The following is repealed: "(a) For the purpose of enforcing such rules and regulations, all such parks and places, whether within or without the limits of the City of New Haven, are hereby placed under the police jurisdiction of the City of New Haven, and complaints for violation of such regulations may be made by the State's Attorney for New Haven County; but nothing contained in this section shall be construed to affect the general police or governmental jurisdiction of any town within whose limits any portion of such public park or place may be situated [Transferred from Article XV, Sec. 3.F(3)(c) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(c) derived from 2013 recodification of pre-2013 §117 (Fifth sentence). Derived from Sp. L. 1899, p., 415, §88; See also, Sp. L. 1911, p. 140; and, Sp. L. 1927, §164 (Third sentence); and (b) "Any member of the police department or the superintendent of any park may arrest, without warrant, in any of such parks or places, whether within or without the limits of the City of New Haven, any person who has broken any park rules or committed any other offense in said parks; and the proper State court shall have jurisdiction of all misdemeanors committed within the limits of said parks. Transferred from Article XV, Sec. 3.F(3)(d) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(d) derived from 2013 recodification of pre-2013 §117 (Sixth sentence). Derived from Sp. L. 1899, p., 415, §88; See also, Sp. L. 1911, p. 140; and, Sp. L. 1927, §164 (Fourth sentence)]."

<sup>48</sup> Transferred from Article XV, Sec. 3.F(3)(e) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(e) derived from 2013 recodification of pre-2013 §117 (Seventh sentence). Derived from Sp. L. 1899, p., 416, §90; See also, Sp. L. 1901, p. 1114, §§1, 2; p. 1117, §12; Sp. L. 1927, §166; Sp. L. 1925, p. 1075, §1; and Sp. L. 1927, No. 267, p. 289. See, Amend. of 7-1-75. The following is repealed: "...provided no land shall be acquired by the Commission in the manner above specified within the Town of West Haven except within an area outlined in red on a map on file with the town clerk in West Haven, dated April 2, 1925, and known as 'Map of West River Park'"

<sup>49</sup> Transferred from Article XV, Sec. 3.F(3)(f) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(3)(f) derived from 2013 recodification of pre-2013 §119. See, Amend. of 7-1-75.

<sup>50</sup> Transferred from Article XV, Sec. 3.F(4) of the Charter. The final version of this provision in the Charter was a 2023 modification, recodification and intended repeal of pre-2013 §3.H(4) derived from 2013 recodification of pre-2013 §120. See, Amend. of 7-1-75.

<sup>51</sup> Transferred from Article XV, Sec. 3.G of the Charter. The final version of this provision in the Charter was a pre-2013 Article XXV entitled "Department of Public Health". Section 125 entitled "Created; composition".

<sup>52</sup> Transferred from the first sentence of Article XV, Sec. 3.G(1) of the Charter. The final version of this provision in the Charter was derived from pre-2013 §125 entitled "Created; composition", in lieu of the following: "There shall be a Department of Public Health in said City which shall consist of a Board of Public Health, Director of Public Health, and such a number of professional and clerical assistants as said board shall prescribe".

<sup>53</sup> Transferred from Article XV, Sec. 3.G(2) of the Charter. The final version of this provision in the Charter was derived from a 2013 recodification of pre-2013 §126 (First and second clauses of the first sentence), in lieu of the following: "The board shall consist of seven (7) members, one of whom shall be the Mayor,". Derived from Sp. L. 1899, p. 416, §93; See also, Sp. L. 1905, p. 912, § 19; and, Sp. L. 1927, §172.

<sup>54</sup> Transferred from the first sentence of Article XV, Sec. 3.G(2)(a) of the Charter. The final version of this provision in the Charter was derived from a 2013 recodification of pre-2013 §126 (Third sentence).

<sup>55</sup> Transferred from the second sentence of Article XV, Sec. 3.G(2)(b) of the Charter. The final version of this provision in the Charter was derived from a 2013 recodification of pre-2013 §126 (Fourth sentence).

<sup>56</sup> Transferred from Article XV, Sec. 3.G(2)(b) of the Charter. The final version of this provision in the Charter was derived from a 2023 edit of the 2013 recodification of pre-2013 §126 (Remaining clauses of the first sentence) entitled

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“Board of Public Health; membership; appointment, qualifications, terms”, as follows: ~~“and a~~ At least two (2) of ~~whom~~ the members shall be doctors of medicine, from an accredited school of medicine, and who shall each have not less than five (5) years of experience in any or all of the following: Clinical medicine, public health administration, or college or university teaching in any of the branches of medical sciences”.

<sup>57</sup> Transferred from Article XV, Sec. 3.G(2)(c) of the Charter. The final version of this provision in the Charter was derived from pre-2013 §128 (First sentence).

<sup>58</sup> Transferred from the first sentence of Article XV, Sec. 3.G(3) of the Charter. The final version of this provision in the Charter was derived from a 2013 recodification of pre-2013 §128 (Second sentence) entitled “Same--Duty to advise with Director; regulations authorized”.

<sup>59</sup> Transferred from the second sentence of Article XV, Sec. 3.G(3) of the Charter. The final version of this provision in the Charter was derived from a 2013 recodification of pre-2013 §128 (Third sentence). The following is repealed: “provided, however, no such rules or regulations shall be in full force and effect until Public Notice of the same is published on at least four (4) separate occasions.”

<sup>60</sup> Transferred from the second sentence of Article XV, Sec. 3.G(1) of the Charter. The final version of this provision in the Charter was derived from the 2013 recodification of pre-2013 §128 (First sentence).

<sup>61</sup> Transferred from Article XV, Sec. 3.H(1) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (First sentence). **Note:** The tenth through twelfth sentences have been recodified and placed in the Article dealing with Departments of the City Government, as follows: ~~“Said board shall have the power to appoint and remove a City librarian and such other officers and employees as it may deem necessary for the proper management of said library and reading room, and shall fix the duties of such officers and employees. The City librarian shall be appointed for a term as provided in Section 57 of this Charter. The City librarian shall reside in said City during such term of office. Said board shall recommend the compensation of such officers and employees to be established in the budget. Appointments and promotions to the positions of librarian, assistant librarians, and superintendents of the different departments may be made by said board subject to the provisions of this Charter”.~~

<sup>62</sup> Transferred from first sentence of Article XV, Sec. 3.H(2) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (Second sentence), in lieu of the following: “There shall be in said City a Department of the Public Library, which shall be under the management and control of a Board of Library Directors”.

<sup>63</sup> Transferred from the second sentence of Article XV, Sec. 3.H(2) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (Fourth sentence). Derived from Sp. L. 1899, p. 418, §99; See also, Sp. L. 1905, p. 905, § 11; and, Sp. L. 1927, §178 (Second sentence).

<sup>64</sup> Transferred from Article XV, Sec. 3.H(3) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (Third sentence). Derived from Sp. L. 1899, p. 418, §99; See also, Sp. L. 1905, p. 905, § 11; and, Sp. L. 1927, §178 (Third sentence).

<sup>65</sup> Transferred from Article XV, Sec. 3.H(3)(a)(i) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (Seventh sentence).

<sup>66</sup> Transferred from Article XV, Sec. 3.H(3)(a)(ii) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (Eighth sentence). Derived from Sp. L. 1899, p. 418, §99; See also, Sp. L. 1905, p. 905, § 11; and, Sp. L. 1927, §178 (Sixth sentence).

<sup>67</sup> Transferred from Article XV, Sec. 3.H(4) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §133 (Ninth sentence). Derived from Sp. L. 1899, p. 418, §100; See also, Sp. L. 1901, p. 1114, § 1, 2; Id, p. 1117, § 12; and, Sp. L. 1927, §179 (First sentence).

<sup>68</sup> Transferred from Article XV, Sec. 3.H(4)(a) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §137. Derived from Sp. L. 1899, p. 419, §103. See also, Sp. L. 1927, §182.

<sup>69</sup> Transferred from Article XV, Sec. 3.H(4)(b) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §135. Derived from Sp. L. 1899, p. 418, §102; See also, Sp. L. 1905, p. 906, § 3. See also, Sp. L. 1927, §181 (First, second and third sentences of the second paragraph); and, Amend. of 7-1-93.

<sup>70</sup> Transferred from Article XV, Sec. 3.H(4)(c) of the Charter. The final version of this provision in the Charter was a 2013 recodification of pre-2013 §136. Derived from Sp. L. 1899, p. 418, §102; See also, Sp. L. 1905, p. 906, § 3; and, Sp. L. 1927, §181 (Fourth, fifth and six sentences of the second paragraph).

<sup>71</sup> Corresponds to Article XV, Sec. 3.I of the Charter, which was adopted in 2013. The Board of Alders adopted a Civilian Review Board Ordinance in 2019. This draft revision includes the language current Ordinance and proposes elimination of the transitional Charter provisions in Article XV, unless otherwise stated.

<sup>72</sup> Transferred from Ord. Sec. 2-796.

<sup>73</sup> Corresponds to Article XI, Sec. 3.I(1).

<sup>74</sup> Transferred from Ord. Sec. 2-797. In lieu of the following provision of Article XV, Sec. 3.I(2) of the Charter: “It is in the interest of City residents and citizens generally and of the department responsible for police services (“department”)

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that investigations of complaints concerning misconduct by police officers involving members of the public be complete, thorough and impartial. These inquiries shall be conducted fairly and independently, and in such a manner that the public has confidence.” See also, Article XV, Sec. 3.1(7)(a), as follows: “The Board of Alders shall, by ordinance, establish such additional authority necessary to effectuate the purposes and duties of the Board.”

<sup>75</sup> Transferred from Ord. Sec. 2-798. In accordance with the General Statutes and with the following authority set forth in the transitional provisions of Article V, Sec. 3.1(3) of the Charter: “The Board shall consist of a number of members as shall be established by Ordinance. The Board of Alders shall consider, at a minimum, a number of members equal to the number of police districts throughout the City (“district representatives”) as well as, at least, two (2) additional at-large appointees. The number of members shall be odd.” Note: Where there is a difference in authority the express grant of authority of the State of Connecticut is controlling.

<sup>76</sup> Transferred from Ord. Sec. 2-799. In accordance with the General Statutes and with the following authority set forth in the transitional provisions of Article V, Sec. 3.1(4) of the Charter: “The Mayor shall appoint such members subject to the approval of the Board of Alders. The ordinance implementing the Commission shall require the Mayor to choose district representatives from among the names recommended by the community engagement organization or similar neighborhood-based organization from each of the police districts or geographical areas of the City; subject to recognition by the Board of Alders.” Note: Where there is a difference in authority the express grant of authority of the State of Connecticut is controlling.

<sup>77</sup> Transferred from Ord. Sec. 2-800. In accordance with the General Statutes and with the following authority set forth in the transitional provisions of Article V, Sec. 3.1(5) of the Charter: “The term of office shall be two (2) years and such terms shall be staggered.” Note: Where there is a difference in authority the express grant of authority of the State of Connecticut is controlling.

<sup>78</sup> Transferred from Ord. Sec. 2-801. In accordance with the General Statutes and with the following authority set forth in the transitional provisions of Article V, Sec. 3.1(6) of the Charter. See also, Article XV, Sec. 3.1(7)(a), as follows: “The Board of Alders shall, by ordinance, establish such additional authority necessary to effectuate the purposes and duties of the Board.”

<sup>79</sup> In lieu of the following provision of Article XV, Sec. 3.1(6)(a): “To examine complaints made by civilians pertaining to unprofessional conduct by members of the department and to review the processing of such complaints.”

<sup>80</sup> In lieu of the following provision of Article XV, Sec. 3.1(6)(c): “Require the internal affairs group of the department to investigate civilian complaints in the event no investigation has been commenced or to re-open and continue to investigate a complaint, if, in the opinion of the Board, the initial investigation was incomplete or unfair.”

<sup>81</sup> In lieu of the following provision of Article XV, Sec. 3.1(6)(b): “Hear appeals from complainants brought within ninety (90) days of the completion of an internal affairs report by the department.”

<sup>82</sup> In lieu of Article XV, Sec. 3.1(6)(c), as enumerated above.

<sup>83</sup> In lieu of the following provision of Article XV, Sec. 3.1(6)(d): “Recommend that revisions to departmental policies, processing of civilian complaints, training protocols and/or provisions of the General Orders (or a successor written directive document as may replace the said General Orders) be considered.”

<sup>84</sup> In lieu of the following provision of Article XV, Sec. 3.1(6)(e): “Develop policies and procedures for the filing and processing of civilian complaints, for the operations of the Board and for training members of the Board and community-based agencies and organizations designated by the Board.”

<sup>85</sup> Transferred from Ord. Sec. 2-802. See also, Article XV, Sec. 3.1(7)(b) of the Charter, as follows: “The City shall provide for the requisite staff assistance, supplies, equipment and facilities to the department responsible for police services or such other department designated by the Board in order to facilitate the administration of Board business.”

<sup>86</sup> Transferred from Ord. Sec. 2-803.

<sup>87</sup> Transferred from Ord. Sec. 2-804.

<sup>88</sup> Transferred from Ord. Sec. 2-805.

<sup>89</sup> Transferred from Ord. Sec. 2-806 -808.