

RECREATION, LIBRARIES & AUTHORITIES COMMITTEE

09-018-0

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER IV, SECTION 21, OF THE CITY CHARTER RELATING TO CITY EMPLOYEES RUNNING FOR CITY OFFICES.

BY COUNCILOR ANDERSON:

The city of Duluth does ordain:

Section 1. That Chapter IV, Section 21, of the 1912 Home Rule Charter of the city of Duluth, as amended, is hereby amended, to read as follows:

Section 21. At the head of each department there shall be an officer of the city, who shall have control and direction of the department subject to the general supervision of the chief administrative officer. The head of each department shall, with the approval of the chief administrative officer, have the power to appoint and remove all officers and employees of the department subject to the civil service provisions of this Charter; provided, that the equal opportunity representative shall be appointed by the mayor with the approval of the city council and may only be removed by the mayor with the approval of the city council. Two or more departments may be headed by the same individual and the chief administrative officer may head one or more departments, and heads of the departments may also serve as chiefs of divisions thereof as may be established by ordinance, upon recommendation by the mayor. The authority herein conferred upon the chief administrative officer is granted subject to the limitations contained in Section 19 of this Charter.

Each department head shall possess the necessary qualifications to insure efficient administration of such department. The council by ordinance shall establish appropriate minimum qualifications for department heads, the deputy fire chief, the deputy chief of police and the equal opportunity representative.

A ~~municipal permanent, full-time city~~ employee who wishes to run for ~~political~~ the office of mayor of the city of Duluth or the Duluth City Council shall, before commencing the campaign for such office, apply for and obtain a leave of absence from such employee's municipal position. Except in the case of municipal emergency, leave of absence shall be granted by the appropriate authority to every municipal employee desiring such leave for the purpose of running for any political office. ~~For the purposes of this Section, the term "political office" shall not be deemed to include a position on the board of education of the city of Duluth.~~

All city employees shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates.

Section 2. That this ordinance shall take effect 90 days after its passage and publication.

Approved as to form:

Attorney

CCREQ/ATTY JA/GBJ:cjk 4/13/2009

STATEMENT OF PURPOSE: Section 1 of this ordinance eliminates the requirement that a city employee running for political office other than mayor of Duluth or Duluth City Council must take a leave of absence from city employment.

This amendment was proposed and unanimously recommended by the Charter commission at its meeting of April 8, 2009.