

(As of February 20, 2001)

Section 4-104. Appointment, Confirmation and Removal of Officers and Employees --

1. All department heads and the managing director, as provided in Sections 5-201, 6-101, 6-103, 6-105, 6-201, 6-301, 6-501, 6-601, 6-701, 6-801, 6-901, 6-1101, 6-1201, 6-1301, 6-1401, 6-1501, and 6-1701, shall be nominated and, by and with the advice and consent of the council, appointed and may be removed by the mayor, except as otherwise provided by this charter. Department heads shall be duly registered voters of the city and qualifications of department heads shall be as required by this charter.

2. When the position of head of an executive agency becomes vacant and the mayor is the appointing authority, the mayor may temporarily fill the vacancy by granting a commission allowing the nominee to fulfill the responsibilities of the position. The commission shall begin when the mayor submits to the council a request for confirmation. The commission shall expire when the council makes the confirmation decision. If the nominee fails to be confirmed by the council, the nominee shall not be eligible for another interim appointment to the same office.

3. Department heads may appoint the necessary staff for which appropriations have been made by the council.

4. No appointing authority shall appoint any person to any office or position exempted from civil service until satisfied by proper investigation that the person to be appointed is fully qualified by experience and ability to perform the duties of the person's office or position. (*Reso. 83-357 and 89-389; 1992 General Election Charter Amendment Question Nos. 11 and 32A(1); Reso. 94-267 and 95-80; 1998 General Election Charter Amendment Question Nos. 1(I) and 2(II)*)