

# DUNKIRK CITY CHARTER - ARTICLE VI

## ARTICLE VI Department of Law

### **§ 6.00. Department of Law.**

There shall be a Department of Law, the head of which shall be the City Attorney who shall be appointed by the Mayor with the consent of the Common Council to serve at the pleasure of the Mayor.

### **§ 6.01. Qualifications.**

The City Attorney shall be qualified on the basis of being admitted to practice as an attorney and counselor before the Courts of the State of New York.

### **§ 6.02. Powers and Duties.**

The powers and duties of the City Attorney shall include:

- (a) Being the chief legal adviser of and attorney for the City, the Common Council and all City departments, boards, commissions and offices in matters relating to their official powers and duties;
- (b) Appearance for and protection of the rights and remedies of the City in all actions, suits or proceedings brought by or against it or any City department, office, board or commission;
- (c) Prosecution of all offenses against the ordinances of the City and such offenses against the laws of the State as may be required by law;
- (d) Preparation of all local laws, ordinances, resolutions, contracts, deeds and other instruments for the City except in such instances where special counsel has been retained to perform such duties and as otherwise required by law;
- (e) Attendance at Common Council meetings;
- (f) Giving legal advice and opinion, oral or written when so requested by the Common Council, the Mayor or the executive head of any department;
- (g) Subject to the Civil Service Law, Rules and Regulations, the City Attorney shall appoint such assistants and other employees of the Department to fill such positions within the Department as

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authorized by the Common Council; the City Attorney may also suspend and remove all assistants and other to employees of the Department subject to the Civil Service Law, Rules and Regulations;

- (h) In addition to the duties imposed upon the City Attorney by this Charter or required by local law, ordinance or resolution of the Common Council, he or she shall perform any duties imposed upon the chief legal officers of municipalities by law of those duties incident to the Department.

### **§ 6.03. Employment of Special Counsel.**

The Common Council may, upon the request of the City Attorney, employ bond counsel and other special counsel and experts at such compensation as may be authorized by the Common Council, to handle or assist the Department in difficult and unusual or specialized matters or proceedings in which the City is interested or in which the City is a party.