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§ 5-2 Heads of departments; duties.

- A. Duties of department directors. In addition to the duties prescribed in general law, each director of a department shall, under the general direction of the Mayor:
- (1) Direct the performance of all duties and responsibilities required of his department or its subordinate agencies provided by state law, this Administrative Code, or other ordinances of the City, and such other duties as may be required by the Mayor which are not in conflict with law or ordinances;
 - (2) Prescribe the internal organization of the department and the duties of subordinate officers and employees within the department;
 - (3) Assign functions, powers and duties to subordinate officers and employees within the department and modify such assignments as need appears;
 - (4) Supervise the work of the department through the provisions provided by this Administrative Code and such other organization units as the director of the department may find necessary or desirable and supervise and direct the work of the employees of the department;
 - (5) Delegate to division heads such of their powers as they may deem necessary for efficient administration; **[Amended 1-20-1970 by Ord. No. 11787]**
 - (6) Report at least semiannually, on or near January 31 and July 31, to the Mayor and Council in such form as shall be approved by the Director of Administration on the work of the department during the preceding year and upon request of the Mayor and/or Council, file interim monthly reports for periods requested. **[Amended 9-5-1984 by Ord. No. 12620; 11-7-1990 by Ord. No. 13013]**
- B. Temporary absence of head of department. **[Amended 8-21-2019 by Ord. No. 15555]**
- (1) When a department head position is not vacant, but the department head is temporarily unable to fulfill his or her daily responsibilities due to military service or to absence authorized by applicable law, regulations, or policy, the Mayor may name an existing City employee as "temporary department head" to fulfill the department head's responsibilities until the department head is able to resume his or her duties.
 - (2) When invoking this provision, the Mayor shall notify Council as soon as practicable, in writing, in general terms: the circumstances requiring the need for the temporary department head; the name of the person who will serve as the temporary department head; and of the expected time frame that the temporary department head will serve.
 - (3) When the department head is again available to resume fulfilling his or her duties as department head, the Mayor shall provide Council notice in writing of the date the department head will be resuming his or her responsibilities. If circumstances require it, the Mayor may extend the time the temporary department head serves in this position by notifying Council in writing, as soon as practicable, of the circumstances requiring the extension of time and of the expected duration of the extension.
 - (4) The temporary department head shall cease in that position immediately when the department head resumes the department head duties and responsibilities. At that time, the temporary department head will immediately return to the position he or she was serving in prior to being named the temporary department head.
 - (5) If a temporary department head leaves the temporary department head position for any reason prior to

the department head resuming his or her duties, the Mayor shall be required to appoint an interim head of department by following the applicable procedures for interim appointments.

- (6) If a department head position has been filled on a temporary department head basis for nine months, Council may, by resolution, require the Mayor to name an interim head of department using the applicable procedures for interim appointments. Extensions made by the Mayor as to the length of time the temporary department head will serve in the position do not limit Council's ability to invoke this subsection.
- C. Interim status of head of department. When a head of department position is vacant, the Mayor may name an interim head of department without Council approval, provided the person named is a current City employee. No individual may serve as an interim head of department for more than 90 calendar days; such status shall cease automatically at the conclusion of the 90th day, and the employee will automatically return to the position the employee had prior to being named interim head of department. An individual may continue as a head of department past this interim period only if, prior to the conclusion of the interim status, the Mayor appoints the individual for the head of department position or Council extends the interim status by resolution specifying the date the interim status shall cease. The appointment of a head of the department will be subject to the appointment procedures described in Charter § 503. **[Amended 11-7-2006 by Ord. No. 14432]**