

Introductory No. 357  
Introduced by:

CITY OF LONG BEACH

CHAPTER I LAWS OF 2020

A LOCAL LAW

AMENDING AND REVISING THE CHARTER OF THE CITY OF  
LONG BEACH RE: CITY MANAGER.

BE IT ENACTED, by the City Council of the City of Long Beach, New York as follows:

Sec. 1. Article 2, Sections 11, 20; Article 3, Sections 20, 29, 30; Article 4, Sections 44, 48, 49, 51, 52, 54, 58, 59, 60, 61, 62, 63; Article 9, Section 131, 132; Article 9A, Section 140; Article 10, Section 160, Article 11, Section 171, 172, 173, 174; Article 12, Section 191; Article 13, Section 256A, 256A(4), 264; Article 15, Sections 296, and Article 17, Section 330 of the Charter of the City of Long Beach, New York as set forth in Chapter 635 of the Laws of 1922, as heretofore amended, shall be and the same are hereby amended and/or repealed, rescinded and revoked, to read as follows:

**“CHARTER AND RELATED LAWS  
Article 2. CITY OFFICERS**

**Sec. 11. Appointive city officers enumerated; by whom appointed; their term of office.**

The appointive officers of the City of Long Beach **who are subordinate to the City Council**, shall be a city manager, a city treasurer, a corporation counsel, a city comptroller, one fire commissioner, a tax assessor and two (2) associate tax assessors, a city clerk, a commissioner of public works, and one or more deputy commissioners of public works who may also be superintendent of public works, a building commissioner, a police commissioner, one commissioner of public safety, one or more city marshals, a city engineer, one or more superintendents of departments, three (3) members of a civil service commission, as many commissioners of deeds as may be deemed necessary by the **City Council**, and such other appointive officers as such be established by law, local law, or ordinance. *[All of such officers except the City Manager shall be appointed by the City Manager.]* **The city manager shall be appointed by the City Council. All other officers shall be appointed by the City Council. The city manager may be consulted by the City Council regarding proposed appointments to officer positions but the same shall not be a prerequisite to appointment of persons to officer positions by the City Council. The City Council shall have the authority to appoint acting officers, including an acting city manager when a vacancy occurs in an officer position.**

*[The City Manager shall be appointed by the council.]* The council may provide for the holding of two (2) or more such offices by the same person, except that no member of the civil service commission or member of a city planning commission may hold any other office under the city government for which a salary may be paid. Any appointed official or employee may perform duties in one or more departments as the **City Council** may designate. *[Any officer or employee appointed as herein provided, except the City Manager, may be removed by the City Manager, except as otherwise provided by law, and the City Manager shall appoint his/her successor. The City Manager shall be removable by the council as provided in section twenty.]* **Any officer or employee appointed as herein provided may be removed by the City Council, except as otherwise provided by law, and the City Council shall appoint his/her successor as hereinbefore provided. The city manager may be removed by the City Council as provided in section twenty.** The head of each department, and each other officer appointed by the *[City Manager]* **City Council** as the single head of an office, shall appoint his/her subordinates with the approval of the City Manager. *[The City Manager may appoint a chief of police and the chief of police shall appoint, with the approval of the City Manager, as many regular and special patrolmen as the council determines to be necessary for the proper protection of the City of Long Beach. All appointive officers shall serve for an indefinite term except as otherwise provided by state law.]* **The City Council may appoint a police commissioner and the police commissioner shall appoint, with the approval of the City Manager, as many regular and special patrolmen as the City Manager determines to be necessary for the proper protection of the City of Long Beach.**

**The *[City Manager]* City Council may appoint a commissioner of public safety and as many subordinate employees and officers as the City Council may determine to be necessary for the proper protection of the City of Long Beach. *[All appointive officers shall serve for an indefinite term except as otherwise provided by state law.]* All appointive officers shall serve at the pleasure of the City Council for an indefinite term except as otherwise provided by state law.**

The City Manager, **with the approval of the City Council**, may combine two (2) or more of the city departments as are charged with the preservation of the public health, safety and welfare, and place them under the jurisdiction of the commissioner of public safety whose duty it shall be to supervise and administer said departments.”

...

**“ARTICLE 3. CITY OFFICERS; THEIR GENERAL POWERS AND DUTIES****Sec. 20. City manager.**

1. *[The City Manager shall be the chief executive officer of the city. Though his official title shall be City Manager and that [sic] mayor, he shall be the mayor of the city and shall have and exercise all powers conferred upon the mayor by this act or by the general statutes of the state not inconsistent with this act.]* **The city manager is subordinate to, and reports to, the City Council and shall be the Senior Executive running the day to day operations of the city.** It shall be his/**her** duty to see that the laws of his/her state and the local laws, ordinances and by-laws passed by the **City Council** are faithfully executed within the city. He/**she** shall sign, on behalf of the city, all contracts made by it, and cause the seal of the city to be affixed thereto. He/**she** shall have power and authority to call out and command the police and firemen of the city whenever in his/**her** discretion he/she shall deem it necessary, and such command shall be in all respects obeyed. Whenever necessary for the prevention or suppression of public disturbances, mobs or riots, it shall be his/**her** duty to take such action as is authorized by the laws of the state. It shall be his/**her** duty to exercise a constant supervision and oversight over the conduct of all city officers, departments, boards and commissions, and he/she shall have power and authority to examine at all times the books, vouchers and papers of any officer or employee of said city, and to take and hear testimony and proof in pursuance of sections three hundred fifty-seven to three hundred sixty-five inclusive and four hundred three to four hundred fourteen inclusive of the Civil Practice Act. It shall be the duty of the city manager to communicate to the **City Council** as soon after the first of each year as practicable a complete report on the finances and administrative activities of the city for the preceding year, and as often thereafter *[as he may deem expedient, or]*as the **City Council** may request, to communicate to the **City Council** a statement as to the affairs of the city in relation to its finances, government or improvement, with such recommendations as he/**she** may deem proper. The city manager, in addition to such other powers as may by law and this act be conferred upon him/her, shall have power to supervise all public utilities owned by the city and to exercise a general supervision over all public affairs of the city not otherwise provided for herein. He/she shall have such other rights and powers as may be provided by local law or ordinance not in conflict with this charter. He/**she** shall have the right to attend all meetings of the **City Council** and to speak on all questions coming before the **City Council**—but without vote. He/**she** shall have no veto power over the acts of the **City Council** and shall have no other legislative powers or duties. *[With the approval of the council he may fill any appointive administrative office in the city government instead of making a separate appointment thereto.]*
2. The city manager shall be appointed by vote of a majority of all the *[councilpersons]* **members of the City Council** for an indefinite term. He/she shall be chosen solely on the basis of his/her executive and administrative qualifications with special reference to his/her actual experience in, or his/her knowledge of, accepted practice in respect to the duties of his/her office as herein set forth. During his/her term of office

- he/she shall reside within the City of Long Beach within ninety (90) days of his/her appointment.
3. The city manager may be removed, **or suspended from his/her duties pending termination** by a majority vote of all the *[councilmen]* **members of the City Council** at any time for any reason or reasons the **City Council** may deem sufficient. Before making such action final, the **City Council** shall notify the city manager of its intention to remove him/**her** and shall give him/**her** *[a statement of reasons and notice of]* thirty **(30)** days **of notice of termination** during which time he/**she** shall continue to receive his/**her** salary **and benefits** but may be suspended from the performance of his/her duties. *[If the City Manager shall so request within ten days after such notice, he shall be given a public hearing before the council upon public notice of at least five days and in such case his removal shall not be voted on finally until a meeting of the council occurring after the day on which the public hearing is held.]*
    - (a) Notwithstanding any provision of this Charter or any ordinance, the City Council may enter into a written employment agreement with the city manager for a term not to exceed *[three]* **two** years and upon such terms and conditions as the City Council shall agree.
  4. To perform the duties of the city manager and to exercise his/**her** powers during any time when the city manager may be temporarily absent or incapacitated for serving, the *[City Manager]* **City Council** may *[designate by a letter filed with the city clerk another qualified administrative officer of the city. If the city manager fails to make such a designation, the council may]* appoint an administrative officer of the city to serve in such capacity for the duration of the absence or disability. The **City Council** may likewise designate an administrative officer of the city to serve temporarily as acting city manager during any time when the city manager is under suspension or when the office is vacant.
  5. The city manager shall have the power to authorize attendance of any city officer or employee, as the case may be, to attend an official or unofficial convention or conference of municipal officers or employees, or to attend any school conducted for the betterment of municipal government if believed to be of benefit to the city.
  6. The city manager, at each regular meeting of the **City Council**, shall make a report to the **City Council** and to the public, covering all personnel changes made in the period since the last regular meeting of the **City Council**, and such report shall include any changes made relating to the hiring, promotion, demotion, transfer or termination of any personnel in the employ of the city, whether salaried or unsalaried, including members of boards or commissions.
  7. The city manager shall have the power and authority to convert, in any calendar year, up to one per cent of all unclaimed abandoned vehicles not affected by subdivision 2

of Section 1224 of the Vehicle and Traffic Law of the State of New York, or two (2) such vehicles, whichever is greater, to the city's own use.”

...

**“ARTICLE 3. CITY OFFICERS; THEIR GENERAL POWERS AND DUTIES**

**Sec. 29. Office of consumer protection.**

A. [*Created.*] There shall be an office of consumer protection, the head of which shall be the director of consumer protection, who shall be appointed by the [*City Manager*] **City Council.**”

...

**“ARTICLE 3. CITY OFFICERS; THEIR GENERAL POWERS AND DUTIES**

**Sec. 30. Office for seniors.**

A. [*Created.*] There shall be an office for seniors, the head of which shall be the director of office for seniors, who shall be appointed by the [*City Manager*] **City Council**, and [who shall] serve at the pleasure of the **City Council.**”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 44. [*Mayor as commissioner*] Commissioner of Police.**

The [*mayor shall be*] **City Council may appoint** the commissioner of police of the City of Long Beach who shall have charge of the police **department and shall serve at the pleasure of the City Council.**”

...

Section 48 of Article 4, is hereby **repealed, rescinded and revoked** from the Charter of the City of Long Beach:

**“ARTICLE 4. POLICE DEPARTMENT**

[*Sec. 48. Appointment of commissioner of police.*

*The Mayor may, with the approval of the council, and when in the opinion of the mayor the growth of the city justifies his act, appoint a commissioner or police who shall have all the powers and assume all the responsibilities of the mayor while acting as commissioner of police as provided in this act.]”*

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 49. Deputy commissioner.**

The *[mayor may, with the approval of the council]* **City Council** may appoint a deputy commissioner of police during the sickness, absence or other temporary inability of the *[mayor]* **commissioner of police** to perform the duties of his office. The deputy commissioner shall perform the duties and have the powers of the *[mayor]* **commissioner of police** relating thereto, except that the deputy commissioner shall not have the authority to change any general rule or regulation or to make appointments or dismiss any member of the department.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 51. Patrolmen of other departments.**

The *[mayor]* **City Manager** may appoint persons in the employment of the city in other departments as special policemen or patrolmen. Such policemen shall possess the same powers as the regular patrolmen, except when otherwise restricted by direction of the City Council; obey the rules and regulations of the *[mayor]* **City Manager** and conform to the general discipline of the department.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 52. Privately employed patrolmen.**

The *[mayor]* **City Manager** may, on application of any person or persons showing the necessity therefor, appoint and swear in any number of additional patrolmen at the charge and expense of the person or persons by whom the application shall be made, to do duty at any place designated in the application or by the *[mayor]* **City Manager**. Such patrolmen shall hold office at the pleasure of the *[mayor]* **City Manager** subject to the rules and regulations of the department, and shall conform to the general discipline of the force and such regulations as shall be made for their government and may be removed at any time by the *[mayor]* **City Manager** without cause assigned therefor. They shall wear such dress and emblems as the *[mayor]* **City Manager** shall prescribe and shall possess, as conservators of the peace, all the powers and privileges and perform all the duties of the force herein prescribed. No such patrolman shall be appointed until he/she shall have paid to the *[mayor]* **City Manager** the sum of five dollars to be credited to the policemen's retirement fund, if any such fund be established, otherwise to a fund which shall be maintained for injured policemen or their families, and the appointment may be renewed annually upon the payment of a like sum.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 54. Oath of office.**

The *[mayor]* **City Manager** shall require each member of the force to take the constitutional oath of office, and provide for the registry of a certificate thereof in a book to be kept for that purpose, which oath may be taken before said *[mayor]* **City Manager** or the *[deputy clerk]* **City Clerk**, who are hereby empowered to administer oaths.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 58. Duties of policemen at polls on election day.**

Nothing herein shall give the *[mayor]***commissioner of police** or any patrolman power to do anything in conflict with the powers of inspectors of election. Policemen stationed at the polls on election days shall perform all the duties and be subject to all provisions of law relating to their attendance or to the attendance of constables at the polls on election days.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 59. Arrests.**

In every case of arrest, the commanding officer on duty in the precinct wherein such arrest is made shall as soon as practicable make written return thereof according to the rules and regulations of the department. The *[mayor]* **commissioner of police** shall provide suitable accommodations for the detention and care of persons arrested for offenses. He/she shall also provide accommodations for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings and such accommodations shall be in places other than those for the confinement of persons charged with crime, fraud or disorderly conduct.”

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 60. Monthly financial report.**

The *[mayor]* **commissioner of police** shall on the last day of each month cause to be filed with the treasurer a report giving the date of collection or receipt of all money collected or received by the department, and shall daily pay into the city treasury all moneys so collected or received.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 61. Application of funds.**

All moneys paid into the city treasury by the *[mayor acting as police commissioner]* **commissioner of police**, except such moneys as are herein required to be credited to the police pension and retirement fund, shall apply exclusively on the payment of all expenses incurred by the department.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 62. Annual report.**

The *[mayor acting as commissioner]* **commissioner of police** shall, on or before the fifteenth day of January in each year, make a written report to the **City Council** of the work of the department during the previous year. The report shall be certified by the *[mayor]* **City Manager**, entered of record by the city clerk and published in such manner as the **City Council** may direct. The *[mayor or deputy commissioner]* **commissioner of police** shall also make such other reports as the **City Council** may from time to time require.”

...

**“ARTICLE 4. POLICE DEPARTMENT**

**Sec. 63. Complaints.**

The *[mayor]* **commissioner of police** shall promptly investigate and *[make]* report to the bureau of complaints concerning all complaints referred by such bureau to the *[mayor]* **commissioner of police** relative to the administration of the department.”

...

**“ARTICLE 9. DEPARTMENT OF CITY PLANNING AND DEVELOPMENT**

**Sec. 131. Department of city planning and development; director of planning.**

There shall be a department of city planning and development, the head of which shall be the director of planning and development, who shall be appointed by and serve at the pleasure of the *City Manager]* **City Council**. Such director shall be a person experienced in planning and planning administration and techniques, and shall meet minimum qualifications of professional and administrative education and experience.”

...

**“ARTICLE 9. DEPARTMENT OF CITY PLANNING AND DEVELOPMENT**

**Sec. 132. Rules; employees.**

The director of planning shall adopt rules of procedure for the conduct of the department, subject to the approval of the *[City Manager]* **City Council**. Within the limits of the appropriation made by the *[common council]* **City Council** of the City of Long Beach, *[he]* **the director of planning** shall, with prior approval of the City Manager, employ such city planners, engineers, architects, assistants and clerical help as may be necessary in the performance of the duties of such department, and shall utilize the services of any department, or employees, as designated by the City Manager to aid and assist in the performance of the duties of the department.”

...

**“ARTICLE 9A. ZONING BOARD OF APPEALS**

**Sec. 140. Established, composition, compensation of members; appointments; term of office.**

A Zoning Board of Appeals consisting of seven (7) members shall be appointed by the *[City Manager]* **City Council**, and shall receive such salary as is fixed by the City Council. The *[City Manager]* **City Council** shall initially appoint two (2) members of said Zoning Board of Appeals for a term of one (1) year, two (2) members for a term of two (2) years, and three (3) members for a term of three (3) years. The term of office of all the successors of such members shall be three (3) years. An appointment to a vacancy occurring prior to the expiration of a member's term shall be for the remainder of the unexpired term. *[Appointments made to by the City Manager to the Zoning Board of Appeals must be confirmed by a majority vote of the City Council.]*”

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**“ARTICLE 10. FIRE DEPARTMENT**

**Sec. 160. Fire commissioners.**

The *[City Manager]* **City Council** may appoint a fire commissioner and a deputy fire commissioner. The board of fire commissioners shall be composed of a fire commissioner, a deputy fire commissioner, a member of the City Council designated by the City Council, the chief of the Long Beach Volunteer Fire Department, and the *[captain]* **senior officer** in charge of the paid department. The fire commissioner shall be the chairman of the fire board.”

**“ARTICLE 11. DEPARTMENT OF PUBLIC WORKS**

**Sec. 171. *[Mayor; acting commissioner]* Commissioner of Public Works.**

The *[mayor shall be the commissioner]* **City Council** shall appoint the commissioner of public works, with all the powers and duties of such office, as herein provided, and as provided by the laws of the state, *[until the council determines, as hereinafter provided, that a commissioner shall be appointed by the mayor]* **and shall serve at the pleasure of the City Council.”**

...

**“ARTICLE 11. DEPARTMENT OF PUBLIC WORKS**

**Sec. 172. Deputy commissioner.**

The *[mayor]* **City Council** shall appoint a deputy commissioner of public works at a salary to be fixed by **the City Council.”**

...

Section 173 of Article 11, is hereby **repealed, rescinded and revoked** from the Charter of the City of Long Beach:

**“ARTICLE 11. DEPARTMENT OF PUBLIC WORKS**

**[Sec. 173. When commissioner shall be appointed.**

*When the population of the city and the duties of the department justify, in the opinion of the council, the appointment of a commissioner of public works, other than the mayor, who will devote his entire time to the duties of the office, the council may, by resolution passed unanimously, at a regular meeting, or at a special meeting called for that purpose, at which all members are present, authorize the appointment of a separate commissioner of public works. Upon the passage of such resolution the mayor shall appoint a commissioner of public works, who shall have all the powers and duties herein provided or which may be provided by law. The compensation of such commissioner shall be fixed by the council.]”*

...

**“ARTICLE 11. DEPARTMENT OF PUBLIC WORKS**

**Sec. 174. Qualifications; term of office; vacancies; compensation.**

No person shall be eligible to appointment as such commissioner of public works who is not a citizen of the United States. The commissioner may be removed by the *[City Manager]* **City Council** at any time without cause assigned. The compensation of the commissioner shall be fixed by the **City Council**. The commissioner shall appoint, subject to the approval of the City Manager, such deputies, clerks and assistants as may be necessary and authorized by the **City Council**. The city engineer shall, under the supervision of the commissioner, or, if *[he himself]* **he/she himself** is the commissioner, under the supervision of the city manager, have charge of and do all the civil engineering for the department of public works. The commissioner shall prescribe the duties of such deputies, clerks and other assistants.”

...

**“ARTICLE 12. CITY COURT**

**Sec. 191. Acting city judge.**

The *[City Manager]* **City Council** shall appoint an acting city judge for a term of two (2) years, beginning on the first day of January in an even-numbered year and expiring on the last day of December of the next succeeding odd-numbered year. The person appointed must be eligible to the office of city judge, and shall take, subscribe and file with the city clerk the constitutional oath of office before entering upon his duties. Any vacancy which may occur during the term of the acting city judge shall be filled by appointment by the *[City Manager]* **City Council** for the remainder of the unexpired term.”

...

**“ARTICLE 13. MISCELLANEOUS PROVISIONS**

**Sec. 256A. Inspection and repair of sidewalk by [the] city.**

- (a) Whenever the owner or occupant of lands fronting or abutting on any street, highway, traveled road, public lane, alley or square, shall omit to make, maintain and repair the sidewalk, curbstone and gutter adjoining his land, within ten (10) days after notice of failure so to do to the person, firm or corporation appearing on the assessment roll as the owner thereof, at the address appearing on the assessment roll, *[the City Manager, as]* the commissioner of public works, shall cause the same to be made, maintained and repaired.
- (b) The sum of five thousand dollars (\$5,000.00) is hereby transferred from unappropriated surplus account to the sidewalk repair fund.
- (c) The *[City Manager, as]* commissioner of public works, shall certify to the treasurer the cost of making, maintaining and repairing the sidewalk, curbstone and gutter adjoining each such lot or parcel of land, in each case where the said city manager shall have caused the same to be made after the failure of the owner or occupant thereof to comply with the notice referred to herein.

- (d) Upon the receipt of the certification of such cost, the treasurer shall assess and enter as a lien against such property the certified cost thereof and shall, within ten (10) days after the entry of such assessment of lien, send notice thereof and demand for payment thereof to the person, firm or corporation appearing on the assessment roll as the owner thereof. If such lien shall not be paid within forty (40) days after the entry thereof, interest shall be payable thereon from the date of such lien at the rate of one percentum per month or fraction thereof.
- (e) All payments received by the treasurer for and on account of the cost of making, maintaining and repairing sidewalks, curbstones and gutters in accordance with the foregoing, shall be credited to the sidewalk repair fund.”

...

**“ARTICLE 13. MISCELLANEOUS PROVISIONS**

**Sec. 256A(4). City tree board.**

1. *Definitions:*

*Street trees:* "Street trees" are herein defined as trees, shrubs, bushes, and all other woody vegetation on land lying between property lines on either side of all streets, avenues, or ways within the city.

*Park trees:* "Park trees" are herein defined as trees, shrubs, bushes and all other woody vegetation in public parks having individual names, and all areas owned by the city or to which the public has free access as a park.

2. *Creation and Establishment of a City Tree Board:* There is hereby created and established a city tree board for the City of Long Beach, New York, which shall consist of five (5) members, citizens and residents of this city, who shall be appointed by the *[City Manager]* **City Council**.

3. *Term of Office:* The term of the five (5) persons to be appointed by the *[City Manager]* **City Council** shall be three (3) years except that the term of two (2) of the members appointed to the first board shall be for only one (1) year and the term of two (2) members of the first board shall be for two (2) years. In the event that a vacancy shall occur during the term of any member, his/her successor shall be appointed for the unexpired portion of term.

...

19. *Review by [City Manager]City Council:* The *[City Manager]***City Council** shall have the right to review the conduct, acts and decisions of the city tree board. Any person may appeal from any ruling or order of the city tree board to the*[City Manager]* **City Council**, who may hear the matter and make final decision.”

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**CHARTER AND RELATED LAWS**

**ARTICLE 13. MISCELLANEOUS PROVISIONS**

**Sec. 264. Issuance and service of summonses.**

**Subsection 264.2.** *Authority of other enumerated city officials to issue and serve summonses.* Notwithstanding any provisions of the Uniform District Court Act and Article 12 of the city charter, or any other provision contained in the Municipal Code, the following officials, officers, employees and personnel of the City of Long Beach shall have the power to issue and

serve, within the City of Long Beach, summonses in cases arising in connection with the performance of their duties. Such service shall have the same force and effect as if served by a peace officer without their being a peace officer:

- (A) Animal shelter:
  - (a) Humane commissioner.
  - (b) Dog warden.
  - (c) Assistant dog warden.
- (B) Department of public works:
  - 1) Deputy commissioner of public works.
  - 2) Division of sanitary services.
    - (a) Superintendent of operations.
    - (b) Supervisor of sanitation department.
    - (c) Collection foreman of the sanitation department.
    - (d) Supervisor of plant maintenance--Sewage treatment plant.
    - (e) Such foremen in the sanitation department as the superintendent of operations shall designate.
  - 3) Division of highways.
    - (a) Supervisor of highways and street maintenance department.
  - 4) Division of beaches.
    - (a) Superintendent of beach maintenance.
- (C) Building department:
  - (a) Building commissioner.
  - (b) Plumbing inspector.
  - (c) Sanitation inspector.
  - (d) Such building inspectors as the building commissioner shall designate.
- (D) Fire department: Such fire inspectors as the fire commissioner shall designate.
- (E) Designees of the *[City Manager]* **City Council**: Such other officials, officers, employees and personnel of the City of Long Beach as the *[City Manager]* **City Council** shall designate.”

...

**“ARTICLE 15. DEPARTMENT OF BUILDINGS AND PROPERTY CONSERVATION**

**Part B Bureau of Buildings**

**Sec. 296. Director of buildings.**

There shall be a bureau of buildings, the head of which shall be appointed by and removed at the pleasure of the *[City Manager]* **City Council**. He/she shall assist the commissioner in enforcing provisions of laws, ordinances, rules and regulations relating to new construction, and shall perform such additional duties and responsibilities as may be delegated to him/her by the commissioner or specifically provided by law.”

...

...

**“ARTICLE 17. ENVIRONMENTAL QUALITY REVIEW ACT**

**Sec. 330. Environmental Quality Review Act.**

*7. Environmental Review Procedures.*

a. *Environmental Administration.* The *[City Manager]* **City Council** shall appoint an Environmental Administrator who shall be delegated the authority to coordinate among City agencies the procedures of the New York State Environmental Quality Review Act. The appointment must be made in writing and filed with the City Clerk. In the absence of any such appointment by the *[City Manager]***City Council**, the Planning Director or Building Commissioner of the City shall be appointed to serve as the Environmental Administrator.”

...

Sec. 2. This Local Law shall take effect immediately upon being filed in the Office of the New York Secretary of State.