

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2
ADMINISTRATION

ARTICLE I
IN GENERAL

No..... Date.....

Approved.....Mayor

Be it ordained by the City of Warwick:

Section I. Chapter 2 Article I of the Code of Ordinances of the City of Warwick is hereby amended to add the following:

Sec. 2-30. – Notice to City Council when personnel leave the service of the City.

Notice shall be given to all members of the City Council within twenty four (24) hours of when a Department Director, Department Deputy Director, acting Director, acting Deputy Director, Division Chief or other person in charge of a City agency or Authority separates from the service of the City, whether said separation occurs by retirement, resignation or other type of termination of service.

Notice shall also be given to all members of the City Council within twenty-four hours of when a person is appointed or contracted to serve in any of the above positions.

Section II. This Ordinance shall take effect upon passage and publication as prescribed by law.

SPONSORED BY: COUNCILMAN LADOUCEUR
COUNCILMAN HOWE

COMMITTEE: HEALTH, EDUCATION AND WELFARE

EXECUTIVE CHAMBER

CITY OF WARWICK



RHODE ISLAND

SCOTT AVEDISIAN
MAYOR

March 8, 2019

Honorable Joseph Solomon, President and
City Council Members
WARWICK CITY COUNCIL
2075 Post Road
Warwick, Rhode Island 02886

Re: Veto of PCO-4-18, Sub A

Dear President Solomon and Council Members:

Pursuant to the authority set forth in the Warwick City Charter at Article III, Mayor, Section 3-7 Veto of Ordinances, I hereby veto an ordinance amendment passed unanimously by the City Council at their meeting on March 5, 2018, amending Section 2-21 of the Code of Ordinances; set forth in PCO-4-18, Sub A.

My objections to each of the ordinance amendments is based on my assertion that this action by the City Council exceeds its authority as set forth in the Warwick Charter and the Code of Ordinances whereby the City Council has no authority to direct and/or intrude into the executive or administrative branch of Warwick's government. All administrative and executive authority in the City's government is reserved in the office of the Mayor. (See Warwick City Charter, Art. III, Secs. 3-2 and 3-3). Furthermore, the City Council's demand to be notified of certain employee activities within twenty-four (24) hours of particular events is unrealistic and unduly burdensome. For instance, if a Department Director were to resign on a Saturday, I would need to have staff come to work on a Sunday to meet the notice requirement.

Respectfully, I urge the City Council not to override this veto. This ordinance amendment represents an overreach by a separate branch of government, the City Council – vested with the legislative authority, intruding into the jurisdiction of another, separate, branch of government—the office of the Mayor. Warwick's Charter is modelled upon the federal Constitution in regards to the separation of the legislative and administrative branches of the government. Each has separate spheres of jurisdiction and serves as a check and balance on the other's activities. This ordinance amendment unreasonably and unnecessarily intrudes into and interferes with the role and duties of the Mayor.

March 8, 2018

Veto Message

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Please consider my objections – they are grounded to uphold the legal and philosophical values established in the Warwick City Charter designed to establish a legislative branch of government with separate authority and duties and from those of the administrative and executive branch of City government.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Avedisian". The signature is written in a cursive style with a horizontal line underneath the name.

Scott Avedisian, Mayor

cc: City Solicitor