

RESOLUTION NO. 2024-

***RELATIVE TO THE ACKNOWLEDGMENT OF THE SEPARATION OF POWERS
UNDER THE CITY CHARTER***

BY:

Council Chairman James Perry

WHEREAS, the City Council acknowledges that it is required to comply with the provisions of the Niagara Falls City Charter that delineate the general and separate powers of the legislative and executive branches of City government in order to effectuate the Charter's lawful purposes and objectives; and

WHEREAS, the City Council recognizes and acknowledges that, except for the Mayor, the City Charter does not authorize any other officer, body, or employee of the City to negotiate contracts, franchises, and other agreements on behalf of the City; and, therefore, pursuant to Chapter 4.3 (6) of the Niagara Falls City Charter, the Mayor alone, as chief executive and administrative officer of the City and head of the executive branch of government, shall negotiate all contracts, franchises, and other agreements on behalf of the City subject to ratification by the Council, and the Mayor shall further assure that all terms and conditions imposed in favor of the City or its residents in any such undertaking are faithfully kept and performed; and

WHEREAS, the City Council also recognizes that, pursuant to its general powers enumerated in Chapter 3.4 (F) of the City Charter, the Council is responsible for the approval of such contracts, franchises, and other agreements negotiated by the Mayor.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Niagara Falls, New York, acknowledges that it is required to comply with the provisions of the Niagara Falls City Charter that delineate the general and separate powers of the legislative and executive branches of City government, specifically Chapters 3.4(F) and 4.3(6) regarding the negotiation and approval of contracts, franchises, and other agreements on behalf of the City, and acknowledges that adherence to said provisions is necessary to effectuate the Charter's lawful purposes and objectives.

Archie _____ **Bax** _____ **Myles** _____ **Zajac** _____ **Perry** _____