

LAWS OF DELAWARE  
VOLUME 84  
CHAPTER 346  
152nd GENERAL ASSEMBLY  
FORMERLY  
SENATE BILL NO. 253

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON RELATING TO ASSISTANT CITY SOLICITORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

Section 1. Amend Section 3-701 of the Charter of the City of Wilmington by making deletions as shown by strike through and insertions as shown by underline as follows:

CHAPTER 7. BUREAUS AND DIVISIONS; DEPUTIES; OTHER EMPLOYEES

Sec. 3-701 – Deputies.

(a) The head of any department, and the city treasurer, shall have the power with the approval of his appointing officer, or if he is an elective officer, on his own responsibility, to appoint such number of deputies as the mayor and the council shall approve at a compensation fixed by the council and the mayor. The deputies may be called assistants if the council so determines. Deputies, in the absence of the heads of their respective departments, or of the officers for whom they are deputies, shall have the right to exercise all the powers and perform all the duties vested in and imposed upon such department head or officers, except the power to appoint officers or employees, and may at any time exercise such of the powers and perform such of the duties of the head of the department or officer as may be prescribed by such head or officer.

(b) With the exception of the city solicitor, all persons appointed to serve as attorneys in the law department shall attain tenure upon three (3) years of continuous satisfactory full-time service in the law department and shall not thereafter be removed except for just cause. This subsection shall apply to any attorney who has served three (3) years of continuous satisfactory full-time service as of the date of the enactment of this subsection.

(c) Whenever there shall be a vacancy in the office of the head of any department or any other office to which this section applies, such deputy as shall be designated in writing by the appointing power or in the case of an elective department head or officer, by the mayor, shall exercise the powers and perform the duties of the department head or officer until the vacancy is filled. With the approval of the mayor in writing, the city auditor, the city treasurer, the city solicitor, the director of finance, the director of commerce or the human resources director, and any other department head may authorize any deputy to serve in his stead on any board or commission.

Approved August 2, 2024