

shall faithfully perform their contract, and in event of their failure so to do it shall be his duty to report the same to the Mayor. He shall also have and exercise general supervision over the construction of all railways which may at any time be constructed through the streets of said City, requiring them to conform to the established grade so as not to impede the use and passage of said streets. It shall be his duty, when it shall be decided necessary by the Mayor and City Council for the proper execution of any engineering work, to employ such professional or technical advisers and experts as he may deem requisite, subject to the approval of said Mayor and City Council, and he shall perform such other duties as may be prescribed by the Mayor and City Council.]

be and the same is hereby repealed.

SECTION 3: AND BE IT FURTHER RESOLVED, That Section 34 of the Charter of the City of Cumberland is hereby re-enacted to read as follows:

“SEC. 34. (A) EFFECTIVE SEPTEMBER 1, 1972, THERE IS HEREBY CREATED THE POSITION OF DIRECTOR OF PUBLIC WORKS. THE PERSON DESIGNATED TO FILL SUCH POSITION SHALL BE A PROFESSIONAL CIVIL ENGINEER.

“(B) IT SHALL BE HIS DUTY TO ASCERTAIN THE ESTABLISHED MONUMENTS OF SAID CITY, AND FROM THEM TO EXTEND SURVEYS THEREOF, AND ESTABLISH OTHERS, AND TO LOCATE, ESTABLISH AND SURVEY ALL STREETS AND ALLEYS WITHIN THE TERRITORIAL LIMITS OF SAID CITY WHEN SO CALLED ON OR REQUIRED TO DO SO. HE SHALL MAINTAIN THE GRADE OF ALL STREETS AND ALLEYS IN SAID CITY AND EXERCISE GENERAL SUPERVISION AND SUPERINTENDENCE OVER ALL WORK UNDERTAKEN ON THE STREETS, ALLEYS AND PUBLIC SQUARES THEREOF, MAKE ESTIMATES AND PLANS AND GIVE INSTRUCTIONS AS TO GRADING OR OTHERWISE IMPROVING THE SAME, AND WITH RESPECT TO THE CONSTRUCTION OF SIDEWALKS, SO AS TO SECURE AND PRESERVE PROPER PROPORTIONS AND UNIFORMITY IN THE HEIGHT AND WIDTH THEREOF; AND ALSO TO SUPERINTEND THE CONSTRUCTION OF ALL CULVERTS, BRIDGES, DRAINS, WATER WORKS AND OTHER IMPROVEMENTS PROJECTED BY THE SAID MAYOR AND CITY COUNCIL; AND HE SHALL SEE THAT ALL PARTIES CONTRACTING WITH THE SAID MAYOR AND CITY COUNCIL TO DO ANY WORK AS AFORESAID SHALL FAITHFULLY PERFORM THEIR CONTRACT, AND IN EVENT OF THEIR FAILURE SO TO DO IT SHALL BE HIS DUTY TO REPORT THE SAME TO THE MAYOR. HE SHALL ALSO HAVE AND EXERCISE GENERAL SUPERVISION OVER THE CONSTRUCTION OF ALL RAILWAYS WHICH MAY AT ANY TIME BE CONSTRUCTED THROUGH THE STREETS OF SAID CITY, REQUIRING THEM TO CONFORM TO THE ESTABLISHED GRADE SO AS NOT TO IMPEDE THE USE AND PASSAGE OF SAID STREETS.

“(C) IT SHALL BE HIS DUTY, WHEN IT SHALL BE DECIDED NECESSARY BY THE MAYOR AND CITY COUNCIL FOR THE PROPER EXECUTION OF ANY ENGINEERING WORK, TO EMPLOY SUCH PROFESSIONAL OR TECHNICAL ADVISERS AND EXPERTS AS HE MAY DEEM REQUISITE, SUBJECT TO THE APPROVAL OF SAID MAYOR AND CITY COUNCIL, AND HE SHALL PERFORM SUCH OTHER DUTIES AS MAY BE PRESCRIBED BY THE MAYOR AND CITY COUNCIL.