

## Potential Options for Additional General Provisions Sections

*Already included provisions:*

1. *Charter Changes*
  2. *Severability*
  3. *Specific Provision To Prevail*
  4. *References To General Laws*
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### **Periodic Review of Charter**

The [Mayor? Mayor and Council? Council] shall provide, in every year ending in [?], for a review of the charter by a special committee to be established by bylaw. The committee shall file a report within 1 year recommending any changes to the charter which it deems necessary or desirable, unless an extension is authorized by vote of the Town Council. All members of the committee shall be voters of the town. The Town Council shall vote upon the recommendations in the report within 90 days of receipt of the recommendations.

### **Periodic Review of Bylaws**

The [Mayor? Mayor and Council? Council?] shall provide, in every year ending in [?], for a review of the Town's general bylaws by a special committee to be established by bylaw. The committee shall file a report within 1 year recommending any changes to the charter which it deems necessary or desirable, unless an extension is authorized by vote of the Town Council. All members of the committee shall be voters of the town. The Town Council shall vote upon the recommendations in the report within 90 days of receipt of the recommendations.

### **Rules and Regulations**

A copy of all rules and regulations adopted by boards and committees which are subject to the Massachusetts Public Records Act shall be placed on file in the office of the Town Clerk when approved by vote of the board or committee and shall be available for review by any person who requests such information at any reasonable time. Unless an emergency exists, as determined by the [Mayor?], no rule or regulation adopted by boards and committees shall become effective until at least 5 days following the date it is filed.

### **Certification of Election or Appointment**

Every person who is elected or appointed to an office or as a member of a multiple-member body shall receive a certificate of that election or appointment from the Town Clerk. Except as otherwise provided by law, every person who is elected or appointed to an office or as a member of a multiple-member body, before performing any act under this election or appointment, shall take and subscribe to an oath or affirmation to qualify to enter upon the duties. A record of this oath or affirmation shall be kept by the Town Clerk.

### **Uniform Procedures Applicable to Multiple Member Bodies**

(a) Meetings- All multiple member bodies of the town shall meet regularly at such times and places as they may, by their own rules, prescribe, unless some other provision is made by bylaw. Special meetings of any multiple member body may be held if called by the chair or by one-third of the members thereof, provided that at least 48 hours personal notice which contains a list of the item or items to be acted upon shall be given to each member. All meetings must be posted and comply with the Open Meeting Laws of the Commonwealth.

(b) Rules and Minutes- Each multiple member body shall determine its own rules and order of business unless another provision is made by bylaw and shall provide for the keeping of minutes and supporting documentation of its proceedings. These rules and minutes shall be a public record and kept on file in the office of the Town Clerk.

(c) Voting- If requested by any member, any vote of any multiple member body shall be taken by a call of the roll and the vote of each member shall be recorded in the minutes; provided, however, that if the vote is unanimous only that fact need be recorded.

(d) Composition of Multiple-Member Bodies - All multiple-member bodies when established with the exception of the Library Trustees, shall be composed of an odd number of members, of not less than three. Whenever the terms of office of a multiple-member body are for more than one year such terms of office shall be so arranged that as nearly an equal number of terms as is possible will expire each year.

### **Removal of Member of Multiple Member Bodies**

Any officials appointed by the council to a multiple member body may be removed from office by the town council if said official fails to attend regularly scheduled meetings for a period of three consecutive months without express leave from the chairman of such multiple member body, unless the town council shall determine otherwise. Any such appointed official shall be automatically removed from office if such person is convicted of a felony or if such person is absent from such duties for the period of one year notwithstanding the permission from the chairman to be absent.

### **Limitation on Office Holding**

No person shall simultaneously hold more than 1 full-time town office or position of employment. Any hours worked in any part-time position shall not be the same or otherwise conflict with the hours worked in a full-time position.

### **Notice of Vacancies**

Whenever a vacancy occurs, or is about to occur, in any town office or town employment, except for positions covered by the civil service law, the appointing authority shall immediately cause public notice

of the vacancy, or impending vacancy, to be posted on the town bulletin board for a period of not less than 14 days. Any person who desires to be considered for appointment to the office or employment may file with the appointing authority a statement in clear and specific terms setting forth the person's qualifications for the position. No permanent appointment to fill a vacancy in an office or employment shall be effective until at least 14 days have elapsed following the posting, and until all persons who have filed statements in application have been considered.

### **Felony Conviction**

An elected official who has been convicted of a state or federal felony while holding office shall be deemed to have vacated the office.

### **Enforcement of Charter Provisions**

It shall be the duty of the mayor to see that the charter is faithfully followed and complied with by all town agencies and town employees. Whenever it appears to the mayor that a town agency or town employee is failing to follow this charter the mayor shall, in writing, cause notice to be given to that agency or employee directing compliance with the charter. If it shall appear to the town council that the mayor personally is not following the charter it shall, by resolution, direct the attention of the mayor to those areas in which it believes there is a failure to comply with the charter. The procedures made available in chapter 231A of the General Laws may be used to determine the rights, duties, status or other legal relations arising under this charter, including any question of construction or validity which may be involved in such determination.

### **Public Forums**

(a) Scheduled Meetings – The council president shall convene at least two open, public citizen forums, annually, for the purpose of providing an opportunity for the public to bring matters to the attention of the elected and appointed officers of the town.

One such citizen's forum shall be held in the fall, during the month of October, and shall primarily focus on the delivery of services by the town, and one such citizen's forum shall be held in the spring, during the month of March, and shall primarily focus on budgeting and other spending matters.

The council president shall preside, regulate the proceedings and decide all questions of order. The [Mayor?] and all elected and appointed officials of the town shall be required to attend in order to be available to respond to questions raised by the public and to hear comments, criticisms and suggestions made with respect to areas within the scope of the responsibilities of such elected and appointed officials.

All citizens' forums shall be held in a place convenient for the public and at least two weeks notice shall be given by newspaper advertisement and such other methods as are deemed to be necessary or desirable. The notice shall state the date, time and place at which each citizen's forum will be held and the subjects to be discussed.

(b) Meetings on Petition of Voters – The council president shall call public forums upon the receipt of a written request setting forth the purpose, or purposes for which such meeting is to be called, and signed by three hundred, or more voters. The council president shall preside and regulate the proceedings of such meetings. The council president, in conjunction with the [Mayor?], shall cause the attendance of town officials and employees as may be necessary to respond to the issues and concerns raised by the voters in their petitions.

### **Annual Report of the Town**

An annual report which contains a general summary of the activities of all town agencies shall be published within one hundred and twenty days following the close of each fiscal year. The annual report, to be published under the direction of the [Mayor? Council president?], shall contain reports by the [Mayor?], the council president, the town council, the treasurer, the school committee, the board of library trustees and such other town agencies as may be required by ordinance to provide such reports. Copies of the annual report shall be made available for distribution to the public at the office of the town clerk and at one or more convenient places within the town.