



JUN 22 2017

CITY OF NEW BEDFORD

In the Year Two Thousand and Seventeen

AN ORDINANCE

RELATIVE TO THE MEMBERS OF BOARDS AND COMMISSIONS

31- 509

Be it ordained by the City Council of the City of New Bedford as follows:—

SECTION 1.

Article I of Chapter 2 of the Code of Ordinances is hereby amended by inserting, after section 2.10, the following new section:—

2.10.1 – Expiration of board, commission member term.

Notwithstanding any ordinance to the contrary, any member of a board, commission, committee or task force appointed by the mayor and confirmed by the city council shall not serve beyond 90 days after the expiration of the member's term unless the member's reappointment has been submitted by the mayor to the city council. If the member's term has been expired for more than 90 days and a reappointment has not been submitted, the member's seat shall be considered vacant.

The provisions of this section shall not apply to any member of a board or commission whereby a special or general law or state regulation establishing said board or commission explicitly provides that the respective members shall serve until a replacement is duly appointed and qualified.

Section 2.

~~This ordinance shall take effect in accordance with the provisions of Chapter 43 of the General Laws.~~
This Ordinance shall become effective 90 days after the date of final passage.

Referred to the Committee on Ordinances.

Passed, to a Second Reading, as Amended.

Passed, to be Ordained – Yeas 10, Nays 0.

Presented to the Mayor for Approval June 26, 2017.

RETURNED UNSIGNED JULY 10, 2017.

IN CITY COUNCIL, April 27, 2017

Dennis W. Farias, City Clerk

IN CITY COUNCIL, May 23, 2017

Dennis W. Farias, City Clerk

IN CITY COUNCIL, June 22, 2017

Dennis W. Farias, City Clerk

Dennis W. Farias, City Clerk

a true copy, attested

Dennis W. Farias

City Clerk

Boards that new ordinance WILL control

Board of Health
Cemetery Board
Citizens with Disabilities
Community Preservation
Condominium Review
Conservation Commission
Council on Aging
Dog Attack Prevention
Energy Resource Commission
Exhibition Hall
GNB Reg Refuse District
Historical Commission
Human Relations
Library Trustees
Licensing Board
Planning Board
Problem Properties Appeals
Retirement Board
Sign Design Review
Trustees, Bequests, Gifts & Trust Funds
Veterans Advisory
Water Board
Zoning Board of Appeals

Boards that new ordinance WILL NOT control

Airport Commission
Assessors

Election Commission
GNB Vocational District

Harbor Development

Housing Authority Board
Industrial Dev. Finance Authority
NB School Committee

Park Board
Redevelopment Authority
Traffic Commission

Description	Enabling legislation	Serve until replaced	New ordinance	
			will control	Notes
Airport Commission	Code 3-1; c. 90 s.51E	yes	no	
Assessors	Code 10-80; charter c.43 s.60	no	no	C.43 s. 60 of GL exempts assessors from mayoral appt.
Trustees, Bequests, Gifts & Trust Funds	Code 10-100	no	yes	
Building Board of Appeals	780 CMR 113.1	n/a	n/a	This board appears not to exist locally
Cemetery Board	GL 114 s.22; Code 7-1	no	yes	State law appears to be for Towns only
Citizens with Disabilities	C. 75 of Acts of 1983; Code 2-180	Code: no; Act no	yes	
Community Preservation	Code 2-24; c.44B s.5	no	yes	
Condominium Review	Code 13-5	no	yes	
Conservation Commission	GL c.40 sec. 8C	no	yes	
Council on Aging	Code 2-140; c.40s.8B	Code: yes; GL no	yes	
Dog Attack Prevention	Code 4-38	no	yes	
Election Commission	GL c.51 sec. 16A	yes	no	
Energy Resource Commission	Code 2-200	no	yes	
Exhibition Hall	C.486 of Acts of 1980; Code 2-171	Code: no; Act no	yes	
Harbor Development	c. 762 of Acts of 1957	yes	no	Act states "until his successor is appointed and qualified"
Board of Health	Code 12-1; GL c.111 s.26	Code: no; GL no	yes	Code has charter reference 1847 s.3
Historical Commission	Code 2-150; c.40 s.8D	Code: no; GL no	yes	
Housing Authority Board	Code 13-1; c.121B s.5	Code: yes; GL yes	no	
Human Relations	Code 2-130	no	yes	
Industrial Dev. Finance Authority	GL C.40D s.3	yes	no	
Library Trustees	Code 14-1	no	yes	
Licensing Board	GL c. 138 sec.5; Code 15-90	no	yes	
Park Board	GL c.45 s.2; Code 18-1	GL: yes	no	
Planning Board	GL c.41 s.81A; Code 20-1	no	yes	
Problem Properties Appeals	Code: 6-125	no	yes	
Redevelopment Authority	GL c.121B s. 5	GL: yes	no	
GNB Reg Refuse District	GL c. 40 s. 44A -K; Regional agreement	no	yes	
GNB Vocational District	C. 428 of Acts of 1971	Act: no	no	Enabling Act makes appointments by agreement of participating cities and towns
Retirement Board	GL c.32 s.20	no	yes	for appointed slots
NB School Committee	GL c.43 s.31; also c.43 s.60	no	no	C.43 s. 60 of GL exempts school committee from mayoral appt.
School Traffic Committee				
Sign Design Review	Code 6-85	no	yes	
Traffic Commission	c.630 of Acts of 1958; C. 3 of Acts of 1976	yes	no	Act states "until qualification of his successor"
Veterans Advisory	GL c. 115 sec.12; Code 25-10(a)	GL: no; Code: no	yes	Code only requires appointment by mayor
Water Board	Code 16-40	yes	yes	
Zoning Board of Appeals	Code 9-5210; C. 40A	Code: yes; GL no	yes	