

CITY OF MELROSE, MASSACHUSETTS

ADMINISTRATIVE CODE

REVISED

May 21, 2009

INTRODUCTION AND REGULATORY AUTHORITY

This Administrative Code is promulgated pursuant to Section 5-1 of the Charter of the City of Melrose. Section 5-1 authorizes the mayor to organize, reorganize, consolidate or abolish City agencies. This administrative code will remain in effect unless modified or amended pursuant to the provisions of Section 5-1.

The administrative code of the City of Melrose provides for the internal organization and administration of the Melrose government. The intention and purpose of this code is to establish a legal, practical, and efficient plan of organization and administrative procedures, which allows for and encourages the effective delivery of municipal services to the residents of Melrose. The duties and functions of agencies described herein are to be read broadly, and serve to illustrate, but not to circumscribe, the duties and responsibilities of the agencies of the City under the charter, ordinances, and general laws of the Commonwealth. The administrative code is to be applied harmoniously and in concert with the applicable requirements of the charter, ordinances and the general laws.

The administrative code is composed of two parts, the purpose of which is to describe the various responsibilities, authorities, and methods of administering municipal agency services. The parts describe the multiple-member appointive organization and the administrative organization. A brief description of each part follows:

Multiple-member appointive organization: This describes all multiple-member bodies whose members are appointed by the mayor, and further delineates manner and time of appointment, terms of appointment generally and its authorities and responsibilities.

Administrative organization: This describes all of the administrative agencies of the City under the jurisdiction of the mayor. It further delineates the mission and functions of each said agency and its authorities and responsibilities.

PART I. MULTIPLE-MEMBER APPOINTIVE ORGANIZATION

Section 1.00 Offices and Standards

1.01. Generally

This part of the administrative code describes all multiple-member bodies whose members are appointed by the mayor, and further delineates manner and time of appointment, terms of appointment generally and authorities and responsibilities. The City's representatives to regional governmental boards and committees shall, unless the organic law establishing such a committee provides otherwise, be appointed by the mayor.

1.02. Multiple-Member Bodies and Advisory Committees

This part of the administrative code lists and describes all current multiple-member bodies of the City. The mayor may, by administrative order, reorganize, consolidate, create, merge, divide, or abolish multiple-member bodies of the City. Administrative orders establishing multiple-member bodies shall specify the following: membership, term of office and authorities and responsibilities. Multiple-member bodies are considered to be city agencies as that term is defined in the charter.

Advisory Committees may be appointed by the Mayor from time to time for the purpose of assisting him in carrying out his responsibilities. Advisory Committees, however, shall have no official authority on behalf of the City of Melrose and shall not be considered a board, commission, committee or subcommittee of the City of Melrose. Appointments to advisory committees are not subject to board of aldermen approval or rejection.

1.03. Method of Appointment; Removal; Term of Office

The mayor appoints all members of multiple-member bodies, provided however, that appointments made by the mayor shall become effective on the forty-fifth day following the day on which notice of the proposed appointment is filed with the board of aldermen, unless the board of aldermen shall within such period by majority of the full board of aldermen vote to reject such appointment or has sooner voted to affirm it. All members of multiple-member bodies shall take the oath of office within four weeks of their appointment and

must take the oath of office prior to entering upon the duties of their office. The city clerk administers oaths of office.

Members of multiple-member bodies shall be deemed to have vacated office if said member fails to attend regularly scheduled meetings for a period of three consecutive months without express leave from the chair of such multiple-member body or if such member is absent from such duties for the period of one year notwithstanding the permission from the chair to be absent.

Unless otherwise provided by law, the terms of office of multiple-member bodies are arranged so that one-third of the terms or as nearly that number as may be possible, shall expire each year; vacancies are filled in the same manner of appointment for the remainder of the term; length of term is three years and appointments are effective the first day of March, and expire the last day of February. Numbers of members for multiple-member bodies will vary. Whenever a vacancy occurs on a multiple-member body, because of death, resignation, removal from the City, removal by the mayor or the pending expiration of a term for which a person has been appointed, public notice shall be given indicating the title, the length of term, a brief description of duties and a general indication of the qualifications desired of candidates. Members may be removed by the mayor for such cause as the mayor deems sufficient in accordance with the provisions of Section 3-4 of the charter.

1.04. Annual Reports

All multiple-member bodies shall prepare annual reports of their activities and submit it to the mayor and the city clerk on or before the fourth Friday in September. The annual report shall describe fiscal year activities for the year ending each June 30. Where required by state, regional and federal regulations, certain boards may be required to submit copies of their annual reports to appropriate state, regional and federal agencies.

1.05. Multiple-Member Body Internal Organization; Rules and Regulations; Setting Charges and Fees

In order to acquaint new members of multiple-member bodies with the affairs which will come before them, the chair shall make available to each new member, the minutes of the

meetings of the two previous years and copies of any applicable laws, ordinances, rules, or regulations governing such multiple-member body.

Each multiple-member body shall, at a minimum, annually elect from its membership, a chair, vice-chair and clerk, and such other officer or officers as are deemed necessary or as is required by statute. The annual election shall occur in March of each year. The mayor and city clerk shall be notified of the officers of each body upon their election.

Each multiple-member body shall use Robert's Rules of Order and shall provide for the keeping of minutes. Such minutes shall be available for public inspection. The chair presides over all meetings of the multiple-member body, and is the official representative of the multiple-member body in all proceedings before the board of aldermen and other officials of the City. The vice-chair performs the chair's functions in the absence of the chair. The clerk is responsible for the certification of the multiple-member body's meeting minutes, observance of the open meeting law, and maintenance of the journal of proceedings of the multiple-member body. If requested by any member, any vote shall be taken by a call of the roll and the vote shall be recorded in the journal provided. However, if the vote is unanimous, only that fact need be recorded. A majority of a multiple-member body shall constitute a quorum, but a smaller number may meet and adjourn from time to time. Regulatory multiple-member bodies shall make rules and regulations and adopt administrative processes for the proper function of activities under their care and control. Regulatory multiple-member bodies may set such charges and fees for services and the use of facilities as deemed appropriate. Such charges and fees shall be approved by the mayor and the Board of Aldermen. All aspects of financial management for all multiple-member bodies shall be prescribed by the city auditor.

1.06. Time and Place of Meetings

The clerk of each multiple-member body is responsible for notifying the city clerk on or before the first of April, of the regularly scheduled multiple-member body meeting times and dates for the ensuing calendar year. The notification shall also include a location for each regular meeting. This shall not prevent multiple-member bodies from amending the schedule or calling special meetings in addition to those regularly scheduled, provided that,

in all instances, provisions of the open meeting law are followed. The city clerk shall ensure posting of all meeting schedules, consistent with the open meeting law.

1.07. Authority to Establish Subcommittees

Each multiple-member body may, by a majority vote of its membership, establish subcommittees of the multiple-member body for the purpose of addressing a particular issue or issues. A report of their activities shall regularly be made to the full multiple-member body. Each subcommittee so established shall observe laws relevant to the keeping of public records, the open meeting law, and any other applicable law, charter or administrative order.

1.08. Multiple-Member Body Meetings with Board of Aldermen

The chair of each multiple-member body shall annually, upon election, meet with the chair of the respective board of aldermen committee to which the multiple-member body has a relationship, for the purpose of defining appropriate interaction and communication during the ensuing fiscal year. The meeting should establish the following: frequency and method of communications, official(s) or employee(s) responsible for communications, and multiple-member body and board of aldermen committee roles in the development of ordinances.

1.09. Authority of Multiple-Member Bodies

Multiple-member bodies may be:

Advisory: Wherein the body has no legal authority to promulgate rules or regulations, decide individual cases or enact policy;

Regulatory: Wherein the body has legal authority to promulgate rules and regulations, set charges and fees, decide individual cases and enact policy;

Ministerial: Wherein the body has legal authority to take actions which are essentially administrative in nature; or

Combinations of advisory, regulatory, and ministerial.

1.10. Eligibility for Service

Any resident of Melrose, except an elected official is eligible to be appointed to a multiple-

member body. The residency requirement may be waived by the mayor. Only where expressly authorized by the charter, the administrative code, or general law, shall an officer or employee be appointed to serve on a multiple-member body. This limitation shall not apply to advisory committees, as further defined in Part I, section 1.02.

Section 1.00. Aging, Council on

State law reference c.40, § 8B

1.01. Established

There shall be a council on aging, consisting of five members of which at least four members shall be over the age of sixty.

1.02. Authorities and Responsibilities

The council on aging coordinates and implements programs designed to meet the needs of residents age sixty and over. The council surveys the elderly population to better determine their needs, problems and concerns. The council develops criteria for program and supportive service development based upon an assessment of needs and participates in programs offered by the Commonwealth's executive office of elder affairs. The council has all of the other powers, duties and responsibilities that are given to council's on aging by the general laws.

The council on aging is an advisory multiple-member body of the City.

Section 2.00. Appeals, Board of

State law reference- c. 41, §81Z

2.01. Established

There shall be a board of appeals consisting of five members, and up to two associate members.

2.02. Authorities and Responsibilities

The board of appeals hears and decides individual cases brought by persons seeking relief from the requirements of the zoning ordinance, all as provided for by general laws, and by the City zoning ordinance. Specifically, the board hears and decides applications for

variances from the zoning ordinance requirements. It also hears and decides applications for special permits, and appeals relating to actions or refusals to act by the zoning enforcement officer. The board has all of the other powers, duties and responsibilities that are given to zoning boards of appeal by the general laws.

The board of appeals is a regulatory multiple-member body of the City.

Section 3.00. Assessors, Board of

State law reference c. 41 §24

3.01. Established

There shall be a board of assessors consisting of three members.

3.02. Authorities and Responsibilities

The board of assessors annually makes fair cash valuation of all estates, both real and personal, subject to taxation within the City. The board calculates and submits to the Board of Aldermen for their approval the annual tax rate information necessary to meet all sums voted by the City. The board hears and decides all questions relating to the abatement of taxes levied by it. The board has all of the other powers, duties and responsibilities that are given to boards of assessors by general laws.

The board of assessors is an advisory and regulatory multiple-member body of the City.

Section 4.00 Beebe Estates Trustees, Board of

4.01. Established

There shall be a Board of Trustees of the Beebe Estate consisting of seven members.

4.02. Authorities and Responsibilities

The Board of Trustees of the Beebe Estate shall have the management and control of the Beebe Estate house and gardens. The Board of Trustees shall have full power to use, rent or grant the use of the house and gardens and conditions and terms thereof, such conditions and terms shall be approved by the city solicitor. The City of Melrose shall continue to

occupy space in the building in perpetuity at no cost. All funds received by the Trustees shall be deposited in the city treasury and available for exclusive appropriation for Beebe Estate expenses. The Board shall annually submit a budget in the same manner as prepared by any other city department.

The Board of Trustees of the Beebe Estates is a regulatory and ministerial multiple-member body of the City.

Section 5.00. Cable Television Commission

5.01. Established

There shall be a cable television commission consisting of three members.

5.02. Authorities and Responsibilities

The cable television commission advises the mayor on matters relating to the licensing and administration of a contract for cable television services in the City. Consistent with the cable television contract, the committee may be designated by the mayor to exercise certain authorities under the contract. The commission provides a forum for citizen complaints and suggestions relating to the cable television services and refers subscriber complaints to the cable operator for appropriate resolution. The commission meets not less than once each quarter for the purpose of reviewing cable contract compliance, and advising on other licensing matters.

The cable television commission is an advisory multiple-member body of the City.

Section 6.00. Cemetery Committee

State law reference c. 114, § 10

6.01. Established

There shall be a cemetery committee consisting of three members.

6.02. Authorities and Responsibilities

The cemetery committee manages the Wyoming Cemetery and may convey the sole and exclusive right of burial in any lot and of erecting tombs and other monuments thereon. The committee has all of the other powers, duties and responsibilities that are given to cemetery commissioners by the general laws.

The Cemetery Committee is a regulatory multiple-member body of the City.

Section 7.00. Conservation Commission

State law reference- c. 40, § 8C

7.01. Established

There shall be a conservation commission consisting of seven members, and up to two associate members.

7.02. Authorities and Responsibilities

The conservation commission protects, promotes and enhances the quality of the natural resources within the City, especially wetlands and water resources. The conservation commission is responsible for the preservation and protection of flood plains, water bodies and other wetlands within the City. The commission is responsible for the stewardship of the City's conservation lands. The commission has all of the other powers, duties and responsibilities that are given to conservation commissions by the general laws.

The conservation commission is an advisory and regulatory multiple-member body of the City.

Section 8.00. Health, Board of

State law reference- c 111, § 26

8.01. Established

There shall be a board of health consisting of three members, one of whom shall be a physician.

8.02. Authorities and Responsibilities

The board of health preserves and maintains the City's public health standards and protects its environmental resources through community education, and by promulgating reasonable rules and regulations pertaining to those matters placed under its jurisdiction by this administrative code. The board takes evidence in appeals, considers plans required by law, holds hearings and issues findings relative to these matters, but has no administrative or executive functions. The director of public health exercises the administrative and executive functions of the board. The board may delegate the holding of hearings to the director; but retains the legal authority to vote on the ultimate disposition of the matter being heard. The board establishes policies and programs for implementation by the public health department. The board has all of the other powers, duties and responsibilities that are given to boards of health by the general laws.

The board of health is an advisory and regulatory multiple-member body of the City.

Section 9.00. Historical Commission

State law reference- Chapter 40, §8D

9.01. Established

There shall be a historical commission consisting of seven members.

9.02. Authorities and Responsibilities

The historical commission preserves, protects, and develops the historical and archaeological assets of the City. The commission may conduct research for places of historic and archaeological value. The commission may, subject to appropriation and approval by the mayor, advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which it deems necessary for its work. The commission, for the purpose of protecting and preserving such places, may make such recommendations as it deems necessary to the mayor and, subject to the approval of the board of aldermen, to the Massachusetts Historical Commission, that any such place be certified as an historical or archaeological landmark. The commission surveys and compiles a listing of all historical sites and buildings within the City, public and private; determines the functions and structures of all historical organizations within the City; and holds correlative seminars with historical organizations. It further

determines the requirements for repair, reconstruction, and protection of historical landmarks and assists and cooperates with public commissions in the conduct of public historical events. The commission has all of the other powers, duties and responsibilities that are given to historical commissions by the general laws.

The Historical Commission is an advisory multiple-member body of the City.

Section 10.00. Human Rights Commission

10.01. Established

There shall be a human rights commission consisting of eleven members. The commissioners shall, as far as it is practicable, be selected so as to ensure representation from those classes protected under state and federal law, including but not limited to, race, color, religious creed, national origin, sex, age, disability, veteran status, ancestry, sexual orientation, or public benefit status.

10.02. Authorities and Responsibilities

The human rights commission has the authority to initiate and conduct hearings, and conduct investigations into the existence of unlawful discrimination or denial of equal access to housing, employment, education, public accommodations, services and facilities affecting any group or individual on the basis of his or her race, color, religious creed, national origin, sex, age, disability, veteran's status, ancestry, sexual orientation, or public benefits status. It may attempt to resolve disputes through the use of mediation, and may report to the mayor on any matters that cannot be resolved through mediation. The commission has the authority to refer matters to the Massachusetts Commission Against Discrimination for enforcement. The commission does not hear complaints alleging discrimination on the part of any City agency or official.

The Human Rights Commission is a ministerial and advisory multiple-member body of the City.

Section 11.00. Library Trustees, Board of

11.01. Established

There shall be a board of trustees of the library consisting of six members.

11.02. Authorities and Responsibilities

The board of trustees represents to the City, the interests, issues, and concerns of the library. The board of trustees establishes a written policy for the selection of library materials and the use of materials and facilities in accordance with the standards adopted by the American Library Association. The board has all of the other powers, duties and responsibilities that are given to library trustees by the general laws.

The board of trustees is a regulatory and advisory multiple-member body of the City.

Section 12.00. Liquor Licensing Commission

State law reference- c. 138, § 4

12.01. Established

There shall be a liquor licensing commission consisting of three persons, who shall not be engaged, directly or indirectly, in the manufacture or sale of alcoholic beverages, who have been residents of the city for at least two years immediately preceding their appointment. One member shall be appointed from each of the two leading political parties and the third member may also be appointed from one of said parties. If any member of said commission engages directly or indirectly in such manufacture or sale, his office shall immediately become vacant. Members shall serve for six year terms.

12.02. Authorities and Responsibilities

The liquor licensing commission acts as the licensing board for the City with all power to grant, suspend, or revoke licenses and permits for intoxicating liquors. The commission has all of the other powers, duties and responsibilities that are given to liquor licensing commissions by the general laws.

The liquor licensing commission is a regulatory multiple-member body of the City.

Section 13.00. Park Commissioners, Board of

State law reference- c. 45, § 2

Chapter 124 of the Acts of 1936

13.01 Established

There shall be a board of park commissioners consisting of five members.

13.02. Authorities and Responsibilities

The board of park commissioners shall oversee the design, constructing, alteration, repair, maintenance and management of the public parks, squares, playgrounds and the lighting and watering thereof. The board of park commissioners shall have the exclusive care, management and control of the Mount Hood Memorial Park and Golf Course. The board shall have full power to use, rent or grant the use of the property under its jurisdiction and set the conditions and terms thereof, such conditions and terms shall be approved by the city solicitor.

The board of park commissioners is a regulatory multiple-member body of the City.

Section 14.00. Planning Board

State law reference- c. 41, § 81A

14.01. Established

There shall be a planning board consisting of nine members.

14.02. Authorities and Responsibilities

The planning board coordinates the development of the City's vision, policies, goals and objectives for the physical, environmental, economic and social growth and development of the community. The board provides advice for the incorporation of the vision, policies, goals and objectives into a comprehensive plan and reviews planning and development proposals for conformance with that plan. The planning board continuously develops and revises the comprehensive plan for the physical, environmental and social needs of the City, and its constituent functional plans for housing, transportation, parks and open space,

historic preservation, and geographic plans for the City's neighborhoods and retail business wards. It reviews and approves the subdivision plans for the City and decides applications for special permits for planned developments, hillside developments, and affordable housing. The planning board administers a site plan review process and issues site plans for new residential, commercial and industrial uses. The planning board is the agency assigned to review and provide comments on environmental impact reports. The board has all of the other powers, duties and responsibilities that are given to planning boards by the general laws.

The planning board is an advisory and regulatory multiple-member body of the City.

Section 15.00. Registrars of Voters, Board of

State law reference- c. 51, §15

c. 51, § 25 (Order No. 20907)

15.01. Established

There shall be a board of registrars of voters consisting of four members, one of whom shall be the city clerk with the city clerk also having the title of clerk of the board of registrars. As nearly as possible the members of the board shall represent the two leading political parties; provided, that the city clerk need not be enrolled in a political party; and provided further, that in no case shall an appointment be made so as to cause the board to have more than two members, including the city clerk, of the same political party.

15.02. Authorities and Responsibilities

The board of registrars of voters shall hold voter registration sessions, certify the signatures on nomination papers and petitions, hold hearings and decide disputes over signatures on nomination papers, prepare an annual list of persons, and employ poll workers and ballot counters. The board has all of the other powers, duties and responsibilities that are given to boards of registrars of voters by the general laws.

The board of registrars of voters is a regulatory multiple-member body of the City.

Section 16.00. Soldiers and Sailors Memorial Building, Board of Trustees of

State law reference- Chapter 78 of the Acts of 1926

16.01. Established

There shall be a board of trustees of the Soldiers and Sailors Memorial Building consisting of five members; at least two of whom shall be veterans.

16.02. Authorities and Responsibilities

The board of trustees of the Soldiers and Sailors Memorial Building shall have charge and control of the repairs, maintenance and management of the Soldiers and Sailors Memorial Building and any personnel assigned to perform repairs, maintenance and management of said facility. The trustees shall have full power to use, rent or grant the use of the property under its jurisdiction and set the conditions and terms thereof, such conditions and terms shall be approved by the city solicitor.

The board of trustees of the Soldiers and Sailors Memorial Building is a regulatory and ministerial multiple-member body of the City.

Section 17.00. Veterans' Services Advisory Board

State law reference- c 115, §12

17.01 Established

There shall be a veterans' services advisory board consisting of fifteen members.

17.02. Authorities and Responsibilities

The veteran's services advisory board renders such assistance to the veterans' agent relative to the provisions of services to veterans as said veterans' agent may request.

The veterans' services advisory board is an advisory multiple-member body of the City.

Section 18.00. The following multiple-member bodies are incorporated herein for

reference. They are created by a special act of the Legislature and may not be modified by ordinance or administrative orders.

Pine Banks Park Corporation established pursuant to the provisions of Chapter 393 of the Acts of 1905, Chapter 162 of the Acts of 1906 and Chapter 450 of the Acts of 1922.

Traffic and Parking Commission established pursuant to the provisions of Chapter 76 of the Acts of 1998.

PART II. ADMINISTRATIVE ORGANIZATION

Section 1.00. Offices and Standards

1.01. Generally

All agencies, except the office of the city clerk, are under the jurisdiction of the mayor and are described in this part of the administrative code. The description of agencies delineates the mission and functions of each agency and broadly highlights their authorities and responsibilities.

1.02. Coordination of Operations

The mayor coordinates administration, finance, operations and public safety activities by meeting regularly to discuss and coordinate activities to mitigate duplication of services where possible. The mayor develops action programs, evaluates program completion, and reviews management, financial, personnel, and legal issues. Significant attention is paid towards coordination of work programs, so as to ensure minimal work disruption and efficient service delivery. The delivery of services to the public requires coordination and cooperation among the various divisions, departments and programs within the City. Departmental managers identify those areas of concern where the various agencies can assist each other in the accomplishment of their mission.

1.03. Multiple-Member Body Coordination

It is an administrative obligation for the departmental liaison to a multiple-member body to regularly and accurately represent to management multiple-member body activities, policies and decisions, so as to ensure efficient implementation of said body's activities.

It is further an administrative obligation to assist multiple-member bodies in the pursuit of their missions and responsibilities. Administrative personnel ensure that multiple-member bodies receive objective, timely, professional and accurate information upon request, in order to better assist multiple-member bodies in their activities.

The mayor ensures proper staff support to multiple-member bodies. The mayor may discuss with the chair of any multiple-member body, the level and quality of administrative support provided, upon the multiple-member body chair's request. Multiple-member body chairmen are encouraged to communicate with the mayor, as necessary, in this and other matters.

1.04. Board of Aldermen Coordination

City departments provide professional support to the elective organization of the City primarily through the mayor and the school superintendent.

Coordination of reports to the board of aldermen occurs through the mayor. All agencies under the jurisdiction of the mayor ensure that the board of aldermen receives objective, timely, professional and accurate information upon request, in order to better assist the board of aldermen in its legislative and policy decision making process.

In order to ensure that the coordination of reports to the board of aldermen is effective, the mayor assumes responsibility for the information transmittal. The procedure for transmittal of reports from an agency to the board of aldermen is for information to route through the mayor. The procedure for transmittal of report or service requests from the board of aldermen to an agency is for such requests to route through the mayor.

Coordination of report or service requests involving the school committee and school superintendent from any municipal agency is similarly transmitted through the mayor.

Nothing in this section shall be construed to deny to members of the board of aldermen direct access to information that is readily available and provided by agencies to members of the general public in the pursuit of their civic responsibilities or private business, nor shall staff members be discouraged from providing such information through formal or informal means.

1.05. Annual Reports

All agencies shall prepare annual reports of their activities and submit it to the mayor, on or before the fourth Friday in September. The annual report shall describe fiscal year activities

for the year ending each June 30. Where required by state, regional and/or federal regulations, certain agencies may be required to submit copies of their annual reports to appropriate state, regional and/or federal agencies. The mayor shall provide for a standard reporting format.

Section 2.00. City Clerk, Office of

2.01. Established

There shall be an office of the city clerk under the supervision of a city clerk elected by the board of aldermen. The city clerk is clerk to the board of aldermen and also serves as a member of the board of registrars of voters and provides supervision to the elections administrator.

2.02. Authorities and Responsibilities-The city clerk is the keeper of vital statistics of the city and of ancient and public records. The city clerk records and preserves original birth, marriage, and death records, and is responsible for the maintenance, disposition, and preservation of municipal archival records. The city clerk is the custodian of the city seal and the official records of the city. The city clerk administers the oath of office to elected and appointed officers, notifies the mayor within thirty days of the expiration of a term of office of all officers appointed by the mayor, and furnishes copies of the open meeting and conflict of interest laws to elected and appointed officers. The city clerk posts meeting notices for agencies of the city and other governmental bodies. The city clerk is the custodian of planning board records, the rules, regulations, and minutes of multiple-member bodies and books, reports, and laws received from the Commonwealth, and under the zoning act, the city clerk receives copies of decisions and notices of appeal. The city clerk keeps the legislative record of the board of aldermen, and notifies the auditor and treasurer/collector of board of aldermen votes authorizing appropriations and assessments. The city clerk issues such licenses and permits as may be provided by law, including those for marriage, raffles, bazaars, businesses and dogs. The city clerk records state and federal tax liens, and uniform commercial code filings. The city clerk receives notice of claims and transmits these claims to the law department.

Section 3.00. Community Services Division

3.01. Established

There shall be a community services division under the supervision of a director of community services. The community services division shall ensure that programs and services delivered by the departments within are coordinated and responsive. There shall be the following departments within the community services division: council on aging, public library, recreation and cultural affairs, and veterans' services.

3.02. Authorities and Responsibilities

The community services division and the departments included therein ensure that Melrose residents have access to programs and services. To these ends the division seeks to collaborate with residents, other City departments and local, state and federal agencies in developing appropriate programs and services.

Council on Aging Department

3.01A Established

There shall be a council on aging department within the community services division under the supervision of a council on aging director.

3.02A Authorities and Responsibilities

The council on aging department operates a senior center to provide services and for the enjoyment of all elders within the City. The department is responsible for outreach to elders in the community, in particular to hard-to-reach elders, including those with limited English speaking abilities or with mobility impairments. The department develops health, cultural and recreational programs and will manage the operations of the center. The department provides administrative support to the council on aging and receives advisory information regarding program service delivery.

Section 3.00B Public Library

3.01B Established

There shall be a public library department within the community services division under the supervision of a library director.

3.02B Authorities and Responsibilities

The library provides for the free circulation of books and information technology and videotapes and for the maintenance of Melrose memorabilia for the community and may receive and hold gifts, bequests and devise for its use. The library makes available public meeting space.

Section 3.00C Recreation Department

3.01D Established

There shall be a recreation department within the community services division under the supervision of a recreation and cultural affairs manager.

3.01C Authorities and Responsibilities

The department is responsible for the establishment, coordination and/or implementation of community sports programs for all boys and girls as well as adults including working with the City's youth leagues; the planning and coordination of cultural events including celebrations of the 4th of July, Memorial Day, December holidays, and any festivals or public events; and the supervision and coordination of programmatic activities within the municipal parks. The department(s) stimulates community interest and participation in the area of recreation, offering diverse programs that promote and foster healthy lifestyles, encourage family involvement and expand community partnerships.

Section 3.00D Veterans' Services

3.01D Established

There shall be a veterans' services department within the community services division under the supervision of a veterans' agent.

3.02D Authorities and Responsibilities

The veterans' services department provides aid and assistance to veterans and/or their dependents, secures appropriate benefits for this service group, and provides outreach, counseling, medical, employment, and other support services.

Section 4.00. Emergency Management Department

4.01. Established

There shall be an emergency management department under the supervision of an emergency management director.

4.02. Authorities and Responsibilities

The emergency management department provides planning, resources, communications and recovery services in support of emergencies in the City, adjacent communities, and the Commonwealth. The department functions as the emergency preparedness department consistent with the Chapter 639 of the Acts of 1950 and is responsible for coordinating and planning all disaster emergency functions and services within the City amongst all municipal and non-municipal agencies and departments. The department updates and exercises a plan of pre-emergency actions known as the Comprehensive Emergency Management Plan and the Superfund Amendment and Reauthorization Act of 1980 Title III Plan, mitigates emergencies, assists in responses to hazardous materials incidents, and administers cost recovery and other reimbursement programs.

Section 5.00. Finance Division

Section 5.01. Established

There shall be a finance division under the supervision of a chief financial officer. The chief financial officer may serve as the city auditor or the treasurer/collector, but not both. The chief financial officer may also serve as the chief procurement officer. There shall be the following departments within the finance division: assessing, auditing, information technology, parking clerk and treasury/collecting.

Section 5.02. Authorities and Responsibilities

The finance division assists the mayor with the coordination and administration of the activities of the assessing, auditing, information technology, parking clerk and treasury/collecting departments. The finance division is responsible for ensuring that financial and internal support is provided to all departments, providing the general public

with departmental information, and improving accessibility to local government and its services.

Assessing Department

5.01A. Established

There shall be an assessing department within the finance division under the supervision of a director of assessing.

5.02A. Authorities and Responsibilities

The assessing department creates and maintains a database that includes property characteristics and ownership information for every parcel within the City. This information forms the basis for the department to apportion the tax levy fairly and equitably among all the taxpaying accounts. In addition, the department administers motor vehicle excise tax, acts on statutory exemptions, and considers grievances regarding property values.

Section 5.00B. Auditing Department

5.01B. Established

There shall be an auditing department within the finance division under the supervision of a city auditor.

5.02B. Authorities and Responsibilities

The auditing department produces monthly financial reports of revenues and expenditures. The department examines the books and accounts of all city agencies entrusted with the receipt, custody or expenditure of funds, and all original bills and vouchers on which funds have been or may be paid from the city treasury. The city auditor verifies the cash balance of the city treasury by actual count of the cash and review of the bank reconciliations, and sets out in his annual report the facts so found. The city auditor audits annually the accounts of the trustees of any property where the principal or income, in whole or in part, is bequeathed or given in trust for the benefit of the City, and examines and estimates the funds, securities, and property held by such trustees. The department examines all bills, drafts, orders and payrolls, and, if found correct, draws a warrant upon the treasury for their payment. The department disallows or refuses to approve for payment any claim found to be fraudulent,

unlawful or excessive. The department maintains a complete set of books and the accounts are kept, so far as practicable, in conformity with the classifications and forms prescribed by law. The department has custody of all contracts of the City. The department, at the close of the calendar year, compiles statements in tabulated form, showing the amounts appropriated and the amounts expended and encumbered from each appropriation during the preceding fiscal year, the amounts appropriated for the current fiscal year and the amounts expended and encumbered from such appropriations during the first six months of such year, the amounts estimated to be expended from such appropriations during the second six months of such year and the estimates for the next ensuing fiscal year, and furnishes a copy thereof to the mayor. The city auditor participates in the development of the annual operating budget, the capital improvements program, and long-term financial forecasts.

Section 5.00C. Information Technology Department

5.01C. Established

There shall be an information technology department within the finance division under the supervision of a director of information technology.

5.02C. Authorities and Responsibilities

The department is responsible for several major functional areas: systems development and planning, systems modification and enhancement, operations, central services, and management and administration of the hardware and software for the geographic information system in cooperation with the departments of planning and development and public works. The department provides computer hardware acquisition and maintenance support, software acquisition, development and enhancement to all departments. It further is responsible for computer supplies management, binding, printing, plotting and scanning services, as well as desktop publishing and data communications. The department is responsible for developing a program for computer training, and most significantly, for processing of all municipal software programs on the host computer system and the City's local area network(s). The department is the central depository for all electronic information and associated systems maintained and utilized by the City.

Section 5.00D. Office of the Parking Clerk

5.01D. Established

There shall be an office of the parking clerk within the finance division under the supervision of a parking clerk.

5.02D. Authorities and Responsibilities

The office of the parking clerk shall supervise and coordinate the processing of parking violations. The parking clerk shall have the authority, subject to the approval the mayor, to hire or designate such personnel and organize such divisions as the parking clerk may deem necessary or contract, by competitive bidding, for such services subject to appropriation to carry out the provisions of this section. The parking clerk, acting as a hearing officer, shall have the authority to hold hearings to adjudicate disputes arising from the issuance of parking violations. Said hearing shall be informal, the rules of evidence shall not apply and the decision of the hearing officer shall be final subject to judicial review.

Section 5.00E. Treasury/Collecting Department

5.01E. Established

There shall be a treasury/collecting department within the finance division under the supervision of the treasurer/collector.

5.02E. Authorities and Responsibilities

The treasury/collecting department collects and enforces the collection of committed taxes. The department receives all money belonging to the City, and expends and accounts for it according to the ordinances of the City or its authorized officers. The treasurer/collector is the negotiating officer for all municipal borrowing and arranges the terms of the borrowing. The treasurer/collector establishes and maintains an efficient cash management system reflecting the breakdown of all receipts, disbursements and cash balances. The treasurer/collector invests funds to ensure maximum yield on investments while maintaining adequate availability of cash. The treasurer/collector maintains all tax title accounts, prepares and maintains all collector's deeds, conducts sales of land of low value, and prepares documents required to petition for foreclosure. The treasurer/collector is responsible for

the closing and reconciliation of all books and accounts in the treasury/collecting department and for the preparation of related reports. The treasurer/collector is the custodian of the funds of the contributory retirement system.

Section 6.00. Fire Department

6.01. Established

There shall be a fire department under the supervision of a fire chief.

6.03. Authorities and Responsibilities

The fire department takes all necessary steps for the extinguishment of fires and the mitigation of hazardous incidents within the City, including the utilization of all necessary personnel and equipment thereof, the destruction of any building or structure and the removal of any obstruction for the purpose of checking or extinguishing fires or hazardous incidents. The department establishes the location, relocation or removal of all public fire alarm boxes. The department's fire alarm maintenance lineman shall be responsible for the municipal fire alarm system. The department assists in the re-establishment of order in the event of civil disturbance, disaster or riot or any other declared emergency. The department maintains a record of all fires that occur within the City requiring the services of the department. The department carries out the terms and provisions of all fire service agreements entered into with other governmental units. The department investigates the causes of all fires and provides written reports of all suspected arson, inspects all buildings and structures as provided for by the state fire code, and provides for the issuance and renewal of certificates of occupancy.

(Revised May 21, 2009 – Order No. 09-176)

Section 7.00. Human Resources Department

7.01. Established

There shall be a human resources department under the supervision of a human resources director.

7.02. Authorities and Responsibilities

The human resources department administers the classification and compensation plans,

collective bargaining agreements and personnel policies. The department provides advice and assistance to the mayor and departmental managers on personnel matters, including position classification and compensation levels, employee relations, employee grievances and disciplinary action. The department develops and administers recruitment, pre-employment physical and psychological examinations and employment processing programs designed to attract the best-qualified person to positions in the City's workforce. It plans, develops, supervises, and conducts training, education, employee assistance and career information programs. The department develops, establishes, and coordinates uniform personnel practices and procedures, including centralized personnel records, standardization of forms and records, position descriptions and compensation standards. It furnishes information relative to civil service and provides assistance to departments relative to civil service matters. The department investigates, authenticates, processes and resolves workers' compensation and active and retired police officer and firefighter indemnification claims. The department develops, establishes, and coordinates affirmative action and equal employment opportunity programs designed to reflect the diversity of the City's population in the workforce, ensures the City's compliance with the fair labor standards act, designs and administers the group health and life insurance programs, and manages the unemployment insurance program.

Section 8.00. Inspections, Department of

8.01. Established

There shall be a department of municipal inspections, also known as the inspectional services department under the supervision of a director of inspectional services who shall serve as the building commissioner and zoning enforcement officer consisting of building, electrical, plumbing and gas and sealer of weights and measures.

(Revised – May 21, 2009-Order No. 09-176)

8.02 Authorities and Responsibilities

The inspectional services department provides a variety of services relating to public safety, environmental and quality of life concerns of the city residents. The department has eight areas of responsibility; building, plan review, zoning, plumbing, electrical, gas, public safety

and sealer of weights and measures. The department reviews plans, issues permits, conducts inspections, enforces zoning ordinances and investigates and abates complaints. All permits issued, inspections made and enforcement conducted by the department shall be in accordance with all governing provisions of the Massachusetts General Laws and the Code of Massachusetts Regulations, which provide the department of municipal inspections with its authority.

The department regulates the sale of commodities by weight or measure, inspects and tests weighing and measuring devices, the operation and use of electronic retail check out systems, and the method of sale of commodities and the labeling of prepackaged commodities. The department abates nuisances declared by the board of aldermen.

(Revised May 21, 2009 – Order No. 09-176)

Section 9.00. Law Department

9.01. Established

There shall be a law department under the supervision of a city solicitor.

9.02. Authorities and Responsibilities

The city solicitor serves as legal counsel to the board of aldermen, school committee, mayor, and to all agencies and multiple-member bodies of the City. The city solicitor examines all titles to property purchased by the City; drafts such bonds, deeds, contracts and other legal instruments of whatever nature, as may be required by charter, ordinance or this administrative code for the orderly administration of the affairs of the City. He attends meetings of the board of aldermen as necessary, and at the request of the president of the board of aldermen, advises the board of aldermen on questions of law relating to the subject matters before the board of aldermen, and on the legality of any votes, motions, or other actions proposed to be taken by the board of aldermen. He provides legal advice and renders written opinions to the mayor and all elected or appointed City officers, departments and multiple-member bodies on matters pertaining to the functions of their respective offices, or on questions of law relating to matters within their authority. The city solicitor, or his designee, prosecutes all legal actions brought on behalf of the City or any officer or agency acting in its capacity as such; defends all actions brought against the City or any

officer or agency acting in its capacity as such in any court or other tribunal; and appears as legal counsel for the City in any other actions which may involve the rights and interests of the City or any officer or agency thereof. He advises the mayor on the advisability of resolving or settling claims or suits brought against the City. The city solicitor may settle such claims or suits if in his opinion they can be settled advantageously to the interests of the City.

Section 10.00. Planning and Community Development, Office of

10.01. Established

There shall be a planning and community development department under the supervision of a director of planning and community development. The planning board, the historic district commission, the board of appeals, the conservation commission, the industrial development financing authority and the Melrose Redevelopment Authority are consolidated under the administrative control of the director of planning and community development. This consolidated department shall not act as nor be construed as including the local housing authority organized under section 3 of Chapter 121B of the general laws. All books, papers, documents, equipment, building facilities, land and other property, both real and personal, which are or have been in the custody and control of the planning board, the board of appeals, the conservation commission, the industrial development financing authority and the Melrose Redevelopment Authority, shall forthwith be transferred by said agencies to the planning and community development department. All monies and assets including grants and reimbursements from whatever source of the planning board, the board of appeals, the conservation commission, the industrial development financing authority and the Melrose Redevelopment Authority are hereby credited to the account of the planning and community development. All contracts in force shall be continued in force by such department until they otherwise expire or are cancelled. Any judicial proceeding in which the planning board, the board of appeals, the conservation commission, the industrial development financing authority and the Melrose Redevelopment Authority is a party shall not be affected, but the planning and community department shall stand in place of said agencies.

10.02. Authorities and Responsibilities

The planning and community development department is organized so that it provides services in the following areas: housing planning and development, which includes all

housing programs and community development program applications and administration; economic planning and development, which includes industrial, commercial and retail activities; capital facilities planning and development, which includes transportation, parks and open space and public facilities planning, program and project implementation; planning and coordination, which includes the comprehensive planning process, including functional, geographic and capital improvement planning; land use review and controls such as zoning, site plan and design review process and other administrative and technical services.

The planning and community development department activities include, but are not limited to the following: conduct studies of the resources, possibilities and needs of the City and its relationship with other municipalities in the metropolitan region; collect data and create a database for the City and relevant components; provide analysis and interpretation of data and studies; initiate and propose policies, goals and objectives for the physical, economic, social and environmental needs of the City; prepare economic development policies, strategies and plans for the City; develop economic initiatives and proposals and implement specific economic development projects and programs; manage the planning, design, and construction of capital facilities, community and economic development projects, either independently or in cooperation with other agencies as appropriate; review and analyze proposals for housing, transportation, parking and traffic circulation, parks and open space, historic preservation, environmental resources, public facilities, industrial, commercial and retail development and related matters to assist the mayor, board of aldermen, multiple-member bodies, and other agencies in the making of any recommendations or rendering of any approvals, which they may be required to make concerning such matters; provide site plan review and design review services for public and private projects for the City and for all projects which seek City permits or approvals; act as administrative and technical advisor and render clerical support to the planning board, the board of appeals and the conservation commission, and provide technical support to the traffic and parking commission and; prepare applications for grants and provides grant administration for those received.

Section 11.00. Police Department

11.01. Established

There shall be a police department under the direction of a chief of police.

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11.02. Authorities and Responsibilities

The police department is responsible for the protection of life and property, the preservation of peace, order and safety, the safeguarding of constitutional guarantees, the prevention of crime and the detection and arrest of offenders. The department investigates incidents and is empowered to enforce laws and ordinances. The chief of police issues licenses and permits for firearms and gunsmiths, and makes recommendation to the mayor on individuals to be appointed as constables and special police officers.

Section 12.00. Public Health, Department of

12.01. Established

There shall be a public health department under the supervision of a director of public health.

12.02. Authorities and Responsibilities:

The public health department administers and enforces rules and regulations of the board of health local ordinances, and state laws and regulations relating to public health. The department investigates and controls the causes of diseases affecting the public health, and provides for the detection, reporting, prevention and control of any diseases or health hazard, considered dangerous or important, or which may affect the public health. The department establishes and maintains reasonable health programs as necessary or desirable for the promotion or protection of the public health and the control of disease as necessary to ameliorate the risk factors associated with the causes of injury, sickness, death and disability within the City. If resources are available, the public health department conducts periodic assessments in order to identify prevalent health needs and recurrent health problems of the community. The department operates programs including but not limited to school nurses, substance abuse prevention, emergency preparedness and canine control. The public health department prepares, publishes and disseminates such information as may be necessary to inform and advise the public concerning the health and wellness of the population, specific hazards and risk factors that may adversely affect the health and wellness of the population, and specific activities that individuals and institutions can engage in to

promote and protect the health and wellness of the population. The department makes inspections and issues permits, licenses, and certificates and promulgates and enforces reasonable rules and regulations and provides for appeals and variances as required under the state sanitary code, the state environmental code and the various state codes and city ordinances concerning food purity and quality, housing quality, trash disposal and dumpsters, and other areas of environmental quality. The department works cooperatively with other city departments as well as local, regional, and state agencies to achieve its mission.

Section 13.00. Public Works, Department of

13.01. Established

There shall be a department of public works under the supervision of a director of public works who may also serve as the city engineer.

13.02. Authorities and Responsibilities

The department of public works designs and administers the design and construction of public works projects including buildings, roads, bridges, drainage culverts, sidewalks, bike paths, drainage, traffic control devices including traffic signals; pavement markings and signs; provides technical support to other City departments and agencies; provides routine and special survey services in support of City projects; maintains record plans, drawings, reports, field books, easements, maps and documents; and preparation and updating of assessors maps. The department provides for the maintenance and repair of roads, sidewalks, drainage structures; sweeping of roads and parking lots; installation and maintenance of traffic markings; snow and ice control; and maintenance and repair of vehicles and equipment. The department manages solid waste programs including trash disposal, recycling and yard waste. The department maintains City buildings (excluding schools and the Mount Hood Memorial Park and Golf Course); provides for the maintenance of the Wyoming Cemetery; parks and open spaces through its own forces or through the management of private contractors; maintenance and field preparation of recreation areas; planting, care and maintenance of flower beds, trees, and ornamental shrubs along City maintained ways, active and passive parks, recreation areas and conservation lands; servicing of trash containers located

throughout the City. The department manages the wastewater collection system including operation and maintenance of pumping stations and gravity mains; maintenance of an accounts receivable and billing system for water and sewer use and trash fee billing.