

ADMINISTRATIVE CODE

Introduction and Regulatory Authority

PART I. ELECTIVE ORGANIZATION

- 1.0 Offices and Standards**
- 2.0 City Council**
- 3.0 School Committee**

PART II. MULTIPLE-MEMBER APPOINTIVE ORGANIZATION

- 1.0 Office and Standards**
- 2.0 Appeals, Zoning Board of**
- 3.0 Assessors, Board of**
- 4.0 Cable Television Advisory Committee**
- 5.0 Conservation Commission**
- 6.0 Cultural Council**
- 7.0 Economic Development Board**
- 8.0 Elder Affairs, Council of**
- 9.0 Reserved**
- 10.0 Health, Board of**
- 11.0 Human Rights Commission**
- 12.0 Board of Trustees of the Library**
- 13.0 Licensing Commission**
- 14.0 Planning Board**
- 14.10 Registrars of Voters, Board of**
- 15.0 Traffic and Parking Commission**
- 16.0 Youth Commission**
- 17.0 Community Schools Advisory Board**
- 18.0 Chelsea Affordable Housing Trust Fund Board**
- 19.0 Chelsea Tree Board**
- 20.0 Permitting Authority for Excavation and Trench Safety**

PART III. ADMINISTRATIVE ORGANIZATION

1.0 Office and Standards

Division A. Executive Department

2.0 City Manager

3.0 Law Department

Division B. Administration and Finance Division

4.0 Assessing Department

5.0 Auditing Department

6.0 Office of the City Clerk

7.0 Information Systems Department

8.0 Personnel Department

9.0 Procurement Department

10.0 Treasurer/Collecting Department

11.0 Health and Human Services Department

11.00-A Elder Affairs Division

11.00-B Workforce Development Division

11.00-C Health Division

11.00-D Public Library

11.00-E Recreation and Cultural Affairs Division

11.00-F Veteran's Services

Division C. Operations Division

12.0 Emergency Management Department

13.0 Department of Municipal inspections

14.0 Planning and Development Department

15.0 Department of Public Works

16.0 Fire Department

17.0 Police Department

17.00-A Division of Emergency Management

17.00-B Harbormaster

**PART IV. ADMINISTRATIVE POLICIES AND
PROCEDURES**

- 1.0** **Generally**
- 1.15** **Board and Commission Administrative Procedures**
- 2.0** **City Manager implementation and Reporting
Responsibilities**
- 3.0** **Administration of Non-Criminal Citation**
- 4.0** **Citywide Video Surveillance**

INTRODUCTION AND REGULATORY AUTHORITY

This Administrative Code is promulgated pursuant to Section 6-1 of the Charter of the City of Chelsea. Section 6-1 authorizes the city manager under the administrative code to organize or reorganize city departments or agencies and to "prescribe the functions and administrative procedures to be followed by all such agencies." Further, Section 2(b) of Chapter 103 of the Acts of 1994, which established the City's Charter, directed the Receiver for the City of Chelsea to promulgate the administrative code, "providing for the organization of city government into operating agencies in accordance with . . . section 6-1," of the charter. This administrative code, promulgated by the Receiver, pursuant that mandate, will remain in effect, unless modified or amended by the Receiver under Chapter 200 of the Acts of 1991 (the receivership legislation), or by the city manager upon taking office.

The administrative code of the City of Chelsea provides for the internal organization and administration of the Chelsea city 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 Chelsea. The duties and functions of the departments and agencies described herein are to be read broadly, and serve to illustrate, but not to circumscribe, the duties and responsibilities of the departments and 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, recognizing the broad authority given to the city manager to allocate, reallocate, or prescribe the functions city agencies under Section 6-1 of the charter.

The administrative code is composed of four parts, the purpose of which is to detail the various responsibilities, authorities, and methods of administering municipal agency services. The parts describe the elective organization which is based on charter provisions and cannot be changed administratively, the multiple-member appointive organization, the administrative organization, and the administrative procedures of the city. A brief description of each part follows:

Elective organization: This describes all elective officers of the city, their manner and time of election, term of office, authorities, responsibilities and interrelationship with the other sections of the organization. It is based largely upon the provisions of the charter and is provided as a section of this code for information purposes only and is not subject to the provisions of section 6-1 of the charter.

Multiple-member appointive organization: This describes all multiple-member body appointments made by the city manager, and further delineates manner and time of appointment, terms of appointment generally, authorities, responsibilities and interrelationships with the other sections of the organization.

Administrative organization: This describes all of the administrative agencies of the City under the jurisdiction of the city manager. It further delineates the mission and functions of each said agency, the authorities, responsibilities and interrelationships amongst and between the administrative agencies, the multiple-member bodies, and the elective organization.

Administrative procedures: This describes all administrative procedures of the City. This part establishes procedures by which rules and regulations are adopted by administrative agencies. It specifies the manner in which all the entities of the City function administratively, through the promulgation of policies and procedures.

PART I. ELECTIVE ORGANIZATION

Section 1.00 Offices and Standards

1.01. Generally

The offices to be filled by the voters shall be a city council and a school committee.

1.02. Eligibility

Any voter shall be eligible to hold the office of councillor-at-large or school committee member; a district councillor shall be a voter and resident of the district from which the councillor is elected. No person shall simultaneously hold more than one elective city office.

1.03. City Elections

A preliminary election is held for the nomination of candidates on the sixth Tuesday preceding every regular city election. The regular city election is held on the first Tuesday following the first Monday in November of each odd-numbered year.

1.04. Term of Office

The term of office of all elective city officers shall be two years beginning on the first city business day in January in the year following election and continuing until their successors are qualified.

Section 2.00 City Council

2.01. Composition and Authority

There shall be a city council composed of eleven members that shall exercise the legislative powers of the city. Three members, to be known as councillors-at-large, shall be nominated and elected by and from the voters at large. Eight members, to be known as district councillors, shall be nominated and elected by and from the voters of each district, one such district councillor to be elected from each of the eight council districts into which the city is divided. The city council shall exercise all of the legislative powers of the city.

2.02. Eligibility

Any voter shall be eligible to hold the office of councillor-at-large. A district councillor shall be a voter and resident of the district from which the councillor is elected. A councillor-at-large who shall remove from the city

during the term for which such councillor-at-large was elected shall be deemed to have vacated the office of councillor-at-large and the office shall be considered vacant. A district councillor who shall remove from one district to another during the term of office for which such district councillor was elected shall be deemed to have vacated the office of district councillor and the office shall be considered vacant.

2.03. City Council Organization

After the councilors-elect have taken the oath of office, the city council shall be called together by the city clerk for the purpose of conducting an election among city council members for the office of city council president and vice-president to serve at the pleasure of the city council. The president presides at all meetings of the city council, and performs such other functions as may be assigned by the charter, by ordinance or by vote of the city council. The vice-president performs the duties of the president during the president's absence or disability.

2.04. General Powers and Duties

Except as otherwise provided by law or by the charter, specifically section 1-4 Powers of the City, section 1-5 Interpretation of Powers, and section 2-3 General Powers and Duties; all powers of the City of Chelsea shall be vested in the city council that shall provide for their exercise and for the performance of all duties and obligation imposed on the city by law. No member of the city council, nor any committee of the city council shall be directly involved in the conduct of the administrative business of the city.

2.05. Filling of City Council Vacancies

If a vacancy occurs in the office of city councillor, whether by failure to elect or otherwise, the remaining councillors shall, within thirty days following the date of such vacancy, act to fill said vacancy. The city council shall fill the vacancy for the remainder of the unexpired term by choosing the defeated candidate for said seat at the last regular city election, provided however, that the defeated candidate shall have received at least twenty percent of the total votes cast for that office. If there was no other candidate for said office or the defeated candidate shall not have received at least twenty percent of the total votes cast, the city council shall at their discretion choose an individual, who may be the defeated candidate, for among the voters entitled to vote for such office to serve for the remainder of the unexpired term. Any person so chosen shall take the oath of office and commence to serve forthwith. No vacancy shall be filled, in the manner herein provided, if a regular city elected is to be held within 120 days following the date the vacancy is declared to exist.

2.06. Exercise of Powers

Except as otherwise provided by the laws of the Commonwealth or the charter, the legislative powers of the city council may be exercised in a manner determined by the city council.

2.07. Interrelationships

The city council interacts with all elective officers of the city, all multiple-member appointive boards, and the administrative organization of the city. A description of said interactions appears as part of the administrative code under each appropriate part and section that describe the officers and agencies of the city.

Section 3.00 School Committee

3.01. Composition

There shall be a school committee composed of seven members elected by and from the voters at large.

3.02. Powers and Duties

The school committee shall have all the powers and duties given to school committees by the laws of the commonwealth. The school committee shall have general charge of the public schools of the city. The school committee shall have the power to select and terminate a superintendent of schools, establish educational goals and policies for the schools consistent with the requirements of the laws of the commonwealth and standards established by the commonwealth.

3.03. Filling of School Committee Vacancies

If a vacancy occurs in the membership of the school committee either by failure to elect or otherwise, the president of the city council shall, within thirty days following the date such vacancy, call a joint meeting of the city council and the school committee to act to fill said vacancy. At any such joint meeting a majority of those present and voting shall choose to fill the vacancy for the remainder of the unexpired term by choosing the defeated candidate for said seat at the last regular city election, provided however, that the defeated candidate shall have received at least twenty percent of the total votes cast for that office. If the defeated candidate shall not have received at least twenty percent of the total votes cast, the city council and the school committee shall at their discretion choose an individual, who may be the defeated candidate, for among the voters to serve for the remainder of the unexpired term. Any person so chosen shall take the oath of office and commence to serve forthwith. No vacancy shall be filled, in the manner herein provided, if a regular city election is to be held within 120 days following the date the vacancy is declared to exist.

3.04. Interrelationships

City Council: The school committee and the city council shall meet prior to the commencement of the budget process to review the financial condition of the city, revenue and expenditure forecasts, and other relevant information. The school committee chairman and city council president preside over each joint meeting. The charter serves as the basis for establishing and maintaining this interrelationship.

Other Multiple-member bodies: The school committee interacts with any multiple-member body within the city as necessary to ensure furtherance of the committee's responsibility to educate the children of the city.

PART II. MULTIPLE-MEMBER APPOINTIVE ORGANIZATION

Section 1.00 Offices and Standards

1.01. Generally

This describes all multiple-member body appointments made by the city manager, and further delineates manner and time of appointment, terms of appointment generally, and authorities, responsibilities and interrelationships with the other agencies of the organization. City of Chelsea representatives to regional governmental boards and committees shall, unless the organic law establishing such a committee provides otherwise, be appointed by the city manager.

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 city manager 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, authorities and responsibilities, and interrelationships with both the city council and other agencies within the organization.

The city manager may establish advisory committees to assist him in carrying out his responsibilities. Advisory committees shall be limited to a particular subject area and serve only in that capacity for any duration of time the city manager deems necessary. Meetings and proceedings of advisory committees shall not be subject to the open meeting laws.

1.03. Method of Appointment; Removal; Term of Office

The city manager appoints all members of multiple-member bodies, provided however, that appointments made by the city manager shall become effective on the thirtieth day following the day on which notice of the proposed appointment is filed with the city council, unless the city council shall within such period by majority of the full city council 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. Oaths of office are given by the city clerk.

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.

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. A vacancy shall be filled in the same manner of appointment for the remainder of the term. Length of term is three years, except as noted. 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 city manager 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 city manager for such cause as the city manager deems sufficient. Such cause shall be stated in the order of removal.

1.04. Annual Reports

All multiple-member bodies shall prepare annual reports of their activities and submit same to the city manager 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 and/or federal regulations, certain boards may be required to submit copies of their annual reports to appropriate state and/or federal agencies.

1.05. Multiple-Member Body Internal Organization

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, 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 city manager and city clerk shall be notified of the officers of the boards upon their election.

Each multiple-member body shall use Robert's Rules of Order, unless another provision is made by administrative order, and shall provide for the keeping of a journal of its proceedings. Such rules and journals shall be available for public inspection in the office of the city clerk. 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 city council 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 public records 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.

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, standards of the open meeting law are followed. The city clerk shall ensure posting of all meeting schedules, consistent with the open meeting law. No multiple-member body shall schedule a regular meeting which conflicts with a regularly scheduled meeting of the city council.

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 City Council

The chairman of each multiple-member body shall annually, upon election, meet with the chairman of the respective city council committee to which the multiple-member body has an interrelationship, for the purpose of defining an appropriate relationship 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 city council committee roles in the development of legislation.

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, 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 the City of Chelsea, except an elected official, is eligible to be appointed to a multiple-member body of the city. The residency requirement may be waived by the city council upon the recommendation of the city manager. Only where expressly authorized by the charter, the administrative code, or general law, shall an official or employee be appointed by the city manager for service on a multiple-member body. This limitation shall not apply to advisory committees, as further defined in Part I, section 1.02.

Section 2.00 Appeals, Zoning Board of

2.01. Established

There shall be a zoning board of appeals consisting of three members, one of whom shall be the executive director of the planning and development department who shall serve as chairman, and up to two associate members.

2.02. Authorities and Responsibilities

The zoning 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 state legislation, and by the city zoning ordinance. Specifically, the board hears and decides cases which involve variances from the zoning ordinance. It also hears and decides applications for special permits and special permits for planned developments. The zoning board of appeals is a regulatory multiple-member body of the city.

2.03. Interrelationships

City Council: The zoning board of appeals interacts with the city council committee which addresses matters concerning planning and development policy in order to regularly apprise said committee on current activities and concerns of the zoning board of appeals.

City Manager: The zoning board of appeals interacts with the city manager and the administrative organization primarily through the planning and development department, which provides administrative, technical and clerical staff support for the purpose to the board and coordinates interaction with the municipal inspections, public works, police and fire departments and the licensing and consumer affairs division.

Other Boards: The zoning board of appeals interacts with the planning board, the conservation commission, the board of health, the economic development board, the traffic and parking commission and the licensing commission in order to accomplish the board's responsibilities.

Section 3.00 Assessors, Board of

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 a fair cash valuation of all estates, both real and personal, subject to taxation within the city. The board determines the annual tax rate 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 which are given to boards of assessors by general laws. The board of assessors is an advisory and regulatory multiple-member body of the city.

3.03. Interrelationships

City Council: The board of assessors interacts with the city council for the purpose of annually providing

the city council with the necessary classification rate information for the holding of classification hearings, to include exemption recommendations, as well as to advise the city council on legislative and policy matters concerning valuation, classification, abatements, and otherwise. The board of assessors interacts primarily with the city council committee which addresses matters concerning financial policy, in order to advise on the aforementioned issues.

City Manager: The board of assessors interacts with the city manager primarily through the management and budget division within the executive department to implement the board's determinations. The city manager otherwise provides support as requested or required by law.

Section 4.00 Cable Television Advisory Committee

4.01. Established

There shall be a cable television advisory committee consisting of five members.

4.02. Authorities and Responsibilities

The cable television advisory committee advises the city manager 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 city manager to exercise certain authorities under the contract.

The committee 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 committee meets not less than once each quarter for the purpose of reviewing cable contract compliance, and advising on other licensing matters.

The cable television advisory committee is an advisory multiple-member body of the city.

4.03. Interrelationships

City Council: The cable television advisory committee interacts with the city council for the purpose of advising the city council on matters relating to issues and legislation concerning cable television matters.

City Manager: The cable television advisory committee meets regularly with the city manager, and otherwise provides advice and recommendations to the city manager in the matter of licensing for the cable contract. The city manager provides administrative staff support to the committee, through the licensing and consumer affairs division within the office of the city clerk, in order to effectuate efficient management of the cable license.

Section 5.00 Conservation Commission

5.01. Established

There shall be a conservation commission consisting of five members.

5.02. 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 and other wetlands within the city.

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

5.03. Interrelationships

City Council: The conservation commission interacts with the city council committee which addresses matters concerning planning and development policy for the purposes of developing policies and legislation for the city designed to protect, promote and enhance the quality of the wetlands and water resources within the city.

City Manager: The conservation commission interacts with the city manager, primarily through the planning and development department, which provides administrative and technical support and coordinates the interaction of city departments including, the department of municipal inspections, the public health division, the department of public works, and the harbormaster.

Other Multiple-member bodies: The conservation commission interacts with the planning board, the economic development board, the zoning board of appeals, the board of health, the licensing commission, and the traffic and parking commission.

Other Agencies: The conservation commission interacts on the state level with the Department of Environmental Protection, the Coastal Zone Management Program, and the Executive Office of Environmental Affairs to accomplish the commission's mission.

Section 6.00 Cultural Council

6.01. Established

There shall be a cultural council consisting of five members. No member shall serve more than two consecutive terms. Members shall have demonstrated scholarship or creativity in, or distinguished service to, the arts, humanities, or interpretive sciences.

6.02. Authorities and Responsibilities

The cultural council decides the distribution of arts lottery funds or other funds that may be available to it and may also conduct other activities to promote and encourage the arts, humanities, or interpretive sciences. The cultural council is an advisory and ministerial multiple-member body of the city.

6.03. Interrelationships

City Council: The cultural council interacts with the city council for the purpose of discussing policies and legislation designed to promote and encourage the arts within the city. The cultural council interacts primarily with the city council committee which addresses matters concerning health and human services policy for this purpose.

City Manager: The cultural council interacts with the city manager and the administrative organization primarily through the recreation and cultural affairs division within the health and human services department, which

provides administrative staff support to the cultural council. The cultural council provides advisory information to the recreation and cultural affairs division concerning program and supportive service delivery.

Section 7.00 Economic Development Board

7.01. Established

There shall be an economic development board under the administrative control of the executive director of planning and development, hereinafter called the board, which shall consist of five members, one of whom shall be appointed by the secretary of the executive office of communities and development. The board shall serve as the community development board organized under chapter 43C, section 12 of the general laws. Members shall serve for a term of five years.

7.02. Authorities and Responsibilities

The economic development board advises and assists in the preparation of economic development plans and strategies, in the development of economic development initiatives and proposals, and in the implementation of specific economic development projects and programs to promote the growth and development of existing local businesses, new businesses, and businesses interested in locating in the city. In particular, the economic development board is responsible for coordinating and approving industrial development projects for financing by means of industrial revenue bonds. The economic development board provides for the increased economic health and strength of the city and its residents by developing an economic development policy and a comprehensive plan for the economic development of the city, and strategies for carrying out the plan's goals and objectives. The board shall be and operate as an urban renewal agency within the meaning and requirements of chapter 121B of the General Laws. The board shall be and operate as an urban redevelopment corporation within the meaning and requirements of chapter 121A of the General Laws. The board shall be, and operate as an economic development and industrial corporation within the meaning and requirements of chapter 121C of the General Laws. In all such capacities the board shall operate as in conformity with the restrictions contained in these chapters. The board shall be an industrial development financing authority within the meaning of chapter 40D of the General Laws.

The powers, duties, and functions reserved to the city are as follows:

- (a) to have, with respect to the board, all of the powers and liabilities of a municipality with respect to an authority under chapter 121B of the general laws;
- (b) to enter into agreements with the state and/or federal government upon recommendation of the executive director of planning and development and approval of the city council relative to the acceptance or borrowing of funds for any project it determines to undertake and containing such covenants, terms, and conditions as it may deem desirable; provided, however, that nothing shall be construed to require approval by the city council or the appropriate state and/or federal agency of requisition agreements and similar contracts between an agency and

the state and/or federal government which are entered into pursuant to an agreement approved by them; and

(c) to enter into, execute, and carry out contracts and all other instruments necessary or convenient to the exercise of the powers granted by this act.

The city, or the board acting pursuant to chapters 121A, 121B and 121C of the general laws, may obligate itself, in any contract with the state and/or federal government for a loan or the payment of annual contributions authorized by general law or this section, to convey to the state and/or federal government the project to which such contract relates, upon the occurrence of a substantial default with respect to the covenants, terms and conditions of such contract to which the city or the board is subject. Such contract may further provide that, in case of such conveyance, the state and/or federal government may complete, operate, manage, lease, convey, or otherwise deal with the project in accordance with the terms of such contract, provided that the contract shall require that, as soon as practicable, after the state and/or federal government is satisfied that all the defaults on account of which it acquired the project have been remedied, and that the project will thereafter be operated in compliance with the terms of the contract, the state and/or federal government shall reconvey to the city or the board the project in the condition in which it then exists. The obligation of the city or the board under such contract shall be subject to specific enforcement by any court having jurisdiction.

The provisions of this section are hereby declared to be severable and if any such provision or the application of such provision to any person or circumstances shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions of this section or the application of such provisions to persons or circumstances other than those as to which it is held invalid. It is hereby declared to be the intent that this section would have been adopted had such invalid or unconstitutional provisions not been included therein.

The economic development board is an advisory, ministerial and regulatory multiple-member body of the city.

7.03. Interrelationships

City Council: The board interacts with the city council primarily through the city council committee which addresses matters concerning planning and development policy on those matters concerning economic development activities within the city.

City Manager: The board interacts with the city manager for the purpose of seeking review and approval for bond approvals made on behalf of the city by the board. Administrative and technical support is provided through the planning and development department. Technical support may also be provided by the public works department, the department of municipal inspections, and the licensing and consumer affairs division.

Other Multiple-member bodies: The economic development board interacts with the planning board, the traffic and parking commission, the conservation commission, the zoning board of appeals, and the board of health in the furtherance of its responsibilities.

Other Agencies: The economic development board interacts with relevant federal and state agencies, including the U.S. Economic Development Administration, the U.S. Department of Housing and Urban Development, the state Executive Office of Communities and Development, and the Executive Office of Economic Affairs.

Section 8.00 Elder Affairs, Council of

8.01. Established

There shall be a council of elder affairs, consisting of seventeen members of which at least sixty percent of the membership shall be over the age of sixty.

8.02. Authorities and Responsibilities

The council of elder affairs coordinates and implements programs designed to meet the needs of the aging. The council of elder affairs surveys the elderly population to better determine their needs, problems and concerns. The council develops criteria for program and supportive services development based upon an assessment of needs and participates in programs offered by the Commonwealth's department of elder affairs. The council of elder affairs is an advisory multiple-member body of the city.

8.03. Interrelationships

City Council: The council of elder affairs interacts with the city council in the matter of developing policies and legislation concerning issues and needs facing the elderly within the city. The council of elder affairs interacts primarily with the city council committee which addresses matters concerning health and human services policy, in order to regularly apprise said committee on current activities and concerns of the council of elder affairs.

City Manager: The council of elder affairs interacts with the city manager and the administrative organization primarily through the elder affairs division within the health and human services department, which provides administrative staff support to the council of elder affairs. The council of elder affairs provides advisory information to the elder services division concerning program and supportive service delivery. council information on the provisions of the elections laws.

Section 9.00 Reserved

Section 10.00 Health, Board of

10.01. Established

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

Amended January 31, 2002.

10.02. 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, which shall include the communicable diseases, the sanitary code, the environmental code, food purity and quality, housing quality, solid waste, establishments possessing, processing, operating, or dealing in hazardous and/or toxic waste, solid waste haulers, septage haulers, noisome trades, fuel and chemical storage systems, dilapidated structures and lead paint, and all other areas of environmental quality. The board of health provides for appeals and variances as allowed for under state law, the state sanitary code, the state environmental code and the various state codes and city ordinances concerning food purity and quality, housing quality, solid waste disposal and dumpsters, and other areas of environmental quality. The board of health shall be responsible for site assignment for cemeteries, sanitary landfills, refuse treatment and disposal facilities, hazardous waste facilities, transfer stations, other solid waste handling facilities, and trades dangerous to public health. The director of the division of health serves as the secretary of the board, but has no vote. 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 the division of health exercises the administrative and executive functions of the board, in cases of emergency, concerning the public health as allowed by law. The board may delegate the holding of hearings to the director of the division of health services, or the director of municipal inspections. The board establishes policies and programs for implementation by the division of health.

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

10.03. Interrelationships

City Council: The board of health interacts primarily with the city council committee which addresses matters concerning health and human services to discuss public health policies and legislation.

City Manager: The board of health interacts with the city manager and the administrative organization primarily through the health division of the health and human services department, which provides administrative staff support to the board of health, for the purpose of ensuring the implementation of the board's rules, regulations, and decisions.

Other Multiple-member bodies: As necessary, the board of health interacts with other multiple-member bodies within the city on issues of concern to the public health, including the planning board, conservation commission, the economic development board, the zoning board of appeals and the licensing commission.

Section 11.00 Human Rights Commission

11.01 Established

There shall be a human rights commission consisting of seven 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.

There shall be an executive director of the commission, who shall be so designated, and who shall coordinate and supervise the administrative duties of the commission, as directed by the commission.

11.02 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 their race, color, religious creed, national origin, 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 city manager on any matters which 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.

Any contract entered into by the city or the Chelsea School Committee or any of their agencies, departments, or subdivisions shall contain a covenant by the contractor and his subcontractors not to discriminate on the basis of race, color, national origin, sex, age, disability, veteran status, ancestry, sexual orientation, or public benefit status. Breach of this covenant shall be considered a material breach of the contract, but shall not impair the obligation of any presently existing city or school department contracts.

11.03 Interrelationships

City Council: The human rights commission reports annually to the city council on its investigation, hearing and enforcement activities with respect to discrimination affecting Chelsea residents.

City Manager: The commission informs the city manager issues pertaining to discrimination against Chelsea residents, and reports to him regarding any matters with the its jurisdiction which could not be resolved through mediation.

Other Departments and Multiple-Member Bodies: The commission may obtain and utilize the services of all city departments and agencies, in particular the procurement department, in order to effectuate the policy of the city to combat discrimination against protected groups.

Section 12.00 Board of Trustees of the Library

The board of trustees provided advice, and shall be available for consultation, in the management of the public library and all property of the city under the care and custody of the public library. The board of trustees represents to the city the interests of the public 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.

12.01. Established

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

12.02. Authorities and Responsibilities

The board of trustees of the library manages the library and all property of the city relating to the library. 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 of trustees is an advisory multiple-member body of the city.

12.03. Interrelationships

City Council: The board of trustees meets annually with the city council committee which addresses matters concerning health and human services policy for the accomplishment of the purposes described herein.

City Manager: The board of trustees interacts with the city manager and the administrative organization primarily through the library division within the health and human services department, which provides administrative staff support to the board of trustees.

Section 13.00 Licensing Commission

13.01. Established

There shall be a licensing commission consisting of five members, one of whom shall be the director of the municipal inspections department, and four residents. A resident member serves as chairman. The city clerk, or his designee, shall serve as the executive secretary to the licensing commission. The members shall not be engaged, directly or indirectly, in the manufacture or sale of alcoholic beverages. If any member of said commission engages directly or indirectly in such manufacture or sale, his office shall immediately become vacant.

Amended December 12, 2002.

13.02. Authorities and Responsibilities

The licensing commission acts as the licensing authority for the city with all power to grant, suspend, or revoke licenses and permits for intoxicating liquors, and all licenses and permits now or hereafter vested by the general laws in the mayors and city councils of cities of the commonwealth, including all licenses and permits not placed within the jurisdiction of another municipal department, agency, officer or employee by the charter, ordinances, or this code.

The licensing commission is an advisory and regulatory multiple-member body of the city.

13.03. Interrelationships

City Council: The licensing commission annually reports to the city council on the commission's licensing

and regulatory activities.

City Manager: The licensing commission interacts with the city manager primarily through the city clerk, who provides administrative staff support to the licensing commission. The licensing commission receives technical support from the planning and development department and the department of municipal inspections. The licensing commission interacts with the police department, which attends its meetings and performs investigations requested by the licensing commission.

Other Boards: The licensing commission interacts with the planning board, the economic development board, the zoning board of appeals, the conservation commission, the traffic and parking commission, and the board of health, in the furtherance of its responsibilities.

Section 14.00 Planning Board

14.01. Established

There shall be a planning board consisting of nine members established pursuant to chapter 41, section 81A of the general laws.

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 districts. The planning board assists in the development and review of the city's capital improvements program. It reviews and approves the subdivision plan for the city. The planning board is the agency assigned to review and provide comments on environmental impact reports.

The planning board also acts as the historical commission for the city, with its authorities and responsibilities to preserve, protect and develop the historical assets of the city. To meet this responsibility it may conduct research on places of historic value, and cooperate with the state historic preservation officer in conducting such research. It may also make recommendations to the city council, and subject to the approval of the council, to the Massachusetts Historical Commission, that certain places be certified as historical landmarks.

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

14.03. Interrelationships

City Council: The planning board interacts with the city council, primarily through the city council committee which addresses matters concerning planning and development policy, concerning items related to land use planning and development, making recommendations to amend the zoning ordinance, and historic preservation.

City Manager: The planning board interacts with the city manager primarily through the planning and development department, receiving administrative, technical and clerical assistance staff support. It advises the city manager on land use and development policy.

Other Multiple-member bodies: The planning board interacts with the zoning board of appeals by providing recommendations on special permit applications and special permits for planned development, conservation commission, economic development board, licensing commission, traffic and parking commission, and board of health in furtherance of its responsibilities. The planning board may render recommendations of applications for chapter 91 licensing.

14.04 – 14.09. Reserved.

Section 14.10 Registrars of Voters, Board of

14.11 Establishment

There shall be board of registrars of voters consisting of the city clerk and three residents appointed so that the members, as nearly as possible, represent the two leading political parties. In no case will an appointment be made as to cause the board to have more than two members, including the city clerk, or the same political party.

14.12 Authorities and Responsibilities

The board of registrars has exclusive authority to carry out the duties and responsibilities assigned to it by the laws of the Commonwealth. Registrars of voters shall hold such day and evening sessions for the registration of voters as are prescribed by law, and such other sessions as they deem necessary. Registrars, at such times and places as are appropriate, may receive affidavits of registration and applications to qualify for voting for electors of president and vice-president. The registrars shall, in accordance with the law, prepare an annual register containing the names of all qualified voters for the current year, by district, and seasonably furnish the same to election officers. Upon personal application of a person listed or omitted from such registrar for the correction of any error, the registrars shall investigate and correct the list. Upon submission of a properly filed petition for recount, the board of registrars shall hold a recount as required by law. The board of registrars of voters is a ministerial and regulatory board of the city.

14.13 Interrelationships

City Council: The board of registrars of voters interacts with the city council on those matters which concern the city council, to the extent the board of the board registrars may legally do so.

Section 15.00 Traffic and Parking Commission

15.01. Established

There shall be a traffic and parking commission consisting of five members; one of whom shall be the chief

of police who shall serve as chairman; one of whom shall be the fire chief; one of whom shall be the director of public works; one of whom shall be the director of planning and development, or their designees, and one resident.

15.02. Authorities and Responsibilities

The traffic and parking commission has the exclusive authority , subject to approval of the City Council, to adopt, amend, alter and repeal rules and regulations, not inconsistent with general laws, relative to vehicular traffic in the city, and to the movement, stopping or standing of vehicles on, and their exclusion from, all or any streets, ways, highways, roads, and parkways under the control of the city, including rules and regulations, designing any way or part thereof as a through way under and subject to the provisions of section nine of chapter eighty-nine of the general laws, and may prescribe penalties for violation of any rule or regulation adopted

The traffic and parking commission is an advisory and regulatory board of the city.

Amended December 12, 2002.

15.03. Interrelationships

City Council: The traffic and parking commission interacts with the city council committee which addresses matters concerning public safety policy, to apprise that committee on the commission's activities and concerns.

City Manager: The traffic and parking commission interacts with the city manager, primarily through the office of the city clerk, which provides administrative staff support to the commission. The commission received technical support from the planning and development department, the department of public works, the department of municipal inspections, and the police and fire departments.

Other multiple-member bodies: The traffic and parking commission interacts with the planning board, the zoning board of appeals, the economic development board, the licensing commission, and the conservation commission in order to accomplish the commission's responsibilities.

Section 16.00 Youth Commission

16.01 Established

There shall be a youth commission consisting of fifteen (15) members. The composition of the youth commission shall be as follows: one of whom shall be the Chelsea High School freshman class president, one of whom shall be the Chelsea High School sophomore class president, one of whom shall be the Chelsea High School junior class president, one of whom shall be the Chelsea High School senior class presidents, two of whom shall be upper class students at Chelsea High School who shall be appointed by the City Manager upon recommendation of the Superintendent of Schools, no more than eight members shall represent the recognized youth organizations within the city as determined by the city manager, and at least one, but no more than the number necessary to provide for a full commission of fifteen, shall be appointed by the city manager after a solicitation of interest advertised by the city manager in a manner s/he shall see fit.

16.02 Term and Eligibility

The youth commission is an advisory multiple-member body of the city, pursuant to Section 9.5 of the City Charter. Notwithstanding Section 9.5, the city manager shall make an annual appointment of commission members for a term of one-year. To fulfill this section, the city manager shall recommend to the Council for its approval at its first meeting in November the youth commission appointees. Should any member resign or otherwise fail to serve, the city manager shall make an additional recommendation for approval to Council that number of additional appointments necessary to maintain the youth commission at fifteen.

Youth commission appointees must be age 13 and no older than age 18 by December 1 of the calendar year of appointment.

16.03 Authority and Responsibilities

The youth commission advises and assists the city council, the school committee and the city manager in the development of policies, programs and delivery of services for the health and welfare of youth and their families. The commission regularly assesses the needs of youth as individuals and community members, in order to advocate for, coordinate and/or develop policies and programs to address these needs. The commission further advises and otherwise assists the city manager, the president of the city council and the chairman of the school committee on utilization of all federal, state, and municipal programs and services available to youth, and provides education and referral resources to all members of the community. At least bi-annually, the youth commission shall organize a public meeting, in a manner so directed by the commission, to solicit the input of youth and other interested parties as to the status of youth in the community and to aid the commission in establishing goals for enhancing the health, welfare, education, recreation and empowerment of youth, as broadly defined as the commission shall see fit to adopt. The youth commission shall file with the city manager an annual report of its activities by October 31st.

16.04 Staffing and Staff Responsibilities

Unless otherwise directed by the city manager, the youth commission shall be staffed by an employee of the City's health and human services department. That staff will provide administrative support to the youth commission, including meeting notices, meeting room coordination, and minute keeping, and other administrative support as deemed necessary and appropriate by the director of the health and human services department.

16.05 Interrelationships

City Council: The youth commission interacts with the city council subcommittee which addresses issues concerning health and human services policy relative to the establishment of policies and legislation concerning youth and family service programming within the city.

City Manager: The youth commission interacts with the city manager primarily through the recreation and cultural affairs division of the health and humans services department, unless otherwise directed by the city manager, with that department providing administrative staff support to the youth commission, and the police and school departments to encourage that the development and delivery of youth and family services are effective and responsive.

Other Multiple-member bodies: As necessary, the youth commission interacts and meets with the school committee, the board of health, the cultural council and the council on elder affairs, or another board the may be appropriate and/or necessary, in pursuit of those issues noted.

November 20, 2008.

Section 17.00 Community Schools Advisory Board

17.01. Established

There shall be a Community Schools Advisory Board consisting of nine (9) members.

17.02. Authorities and Responsibilities

The Community Schools Advisory Board advises the Director of Community Schools on matters relating to the administration, operation, and further development of the Chelsea community schools program.

The Community Schools Advisory Board is an advisory multiple member body of the City.

17.03. Interrelationships

Other Agencies: The Community Schools Advisory Board interacts with the Department of Health and Human Services, through the Director of Community Schools and user agencies of the community schools program for purposes of providing advice and recommendations on matter relating to the administration, operation and further development of the Chelsea community schools program.

Section 18.00 Chelsea Affordable Housing Trust Fund Board

18.01 Established

There shall be an affordable housing trust fund board under the administrative control of the City Manager or his/her designees, hereinafter called "Board", which shall consist of seven trustees, including the City Manager or his/her designee, all others to be appointed by the City Manager. The Board shall serve as the municipal affordable housing trust fund organized under Chapter 44, Section 55C of the Massachusetts General Laws.

18.01 (a) The Board shall be comprised of seven members, four of whom are residents of the City of Chelsea. There

shall be at all times appointed to the Board an individual with financial/lending experience and an individual with experience in housing development. Trustees shall be appointed for a two (2) year term.

The Board oversees the City of Chelsea's Affordable Housing Trust Fund. The Board advises and assists in the creation of a new affordable housing and the preservation, rehabilitation and maintenance of existing affordable housing in the City of Chelsea. The Board is authorized to receive and accept contributions to the trust Fund. The Board ensures the monies in the Trust Fund are used appropriately.

18.02 (a) Powers, duties and functions of the Board are as follows:

- (1) To accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or by-law or any other ordinance or by-law;
- (2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;
- (3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the Board deems advisable notwithstanding the length of any such lease or contract;
- (4) to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, loans, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the trust;
- (5) to employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
- (6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
- (7) to apportion receipts and charges between incomes and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;
- (8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- (9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of trust property, such portion of expenses and compensation of such committee as the Board may deem necessary and appropriate;

- (10) to carry property for accounting purposes other than acquisition date values;
- (11) to borrow money on such terms and conditions and from such sources as the Board deems advisable, to mortgage and pledge trust assets as collateral;
- (12) to make distributions or divisions of principal in kind;
- (13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the Board may deem appropriate;
- (14) to manage or improve real property; and to abandon any property which the Board determined not to be worth retaining;
- (15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and
- (16) to extend the time for payment of any obligation to the trust.

18.02 Interrelationships

City Council: The Board interacts with the City Council primarily through the City Manager and the City Council's Sub-Committee on Community Development and Housing.

City Manager: Administrative and technical support is provided through the Planning and Development Department, Finance Department and the Department of Inspectional Services.

Multi-Member Bodies: The Board in the furtherance of its stated purpose interacts with the Planning Board, Zoning Board of Appeals, Conservation Commission and the Board of Health.

Amended June 16, 2003.

Section 19:00 Chelsea Tree Board

19:01 Established

There shall be a Tree Board under the administrative control of the City Manager or his/her designee, hereinafter called "Board" which shall consist of five (5) members, including the City Manager or his/her designee, all other to be appointed by the City Manager. The Board shall serve in an advisory role to the City Administration as to the management of public shade trees.

19:01 (a)

The Board shall be comprised of five (5) members, four (4) of whom are residents of the City of Chelsea.

19:02

The Board shall advise and assist the City's management of all "Public Shade Trees" as described in Mass. Gen. Laws c. 87; and more specifically described as those trees within the public rights-of-way and adjacent to public buildings and commons. The Board shall establish rules and regulations as to the care and control of all trees within the control of the City.

19:02 (a) Powers, duties and functions of the Board are as follows:

- 1) To develop rules, regulations, tree inventory, manuals and other data, in conjunction with the City administration, to carry out the purposes and content of City ordinances;
- 2) To work with and advise City administration to seek grants or other assistance concerning the preservation and maintenance of trees; and
- 3) To hold public hearings in order to advise the City as to the removal, replacement, repair and planting of public shade trees.

19:03 Interrelationships

City Council: The Board interacts with the City Council primarily through the City Manager.

City Manager: Administrative and technical support is provided through the Department of Public Works and the Department of Planning and Development.

Multi-Member Bodies: The Board in furtherance of its stated purpose interacts with the Planning Board and the Conservation Commission.

Amended August 24, 2006.

Section 20.00 Permitting Authority for Excavation and Trench Safety

20.01 Pursuant to Mass. General Laws c.82A, the Director of Public Works and/or his/her designee is designated as the Permitting Authority or Officer to issue permits for the purpose of creating a trench as that term is defined by M.G.L. c.82A §4 and 520 CMR 14.00.

20.02 The Permitting Authority is responsible for the issuance of required trench Permits and the collections of permit fees.

20.03 The Department of Public Works, Inspectional Services, Fire Department and Police Department, are all responsible for the enforcement of that which is required in the Commonwealth's regulations.

PART III.

ADMINISTRATIVE ORGANIZATION

Section 1.00 Offices and Standards

1.01. Generally

All departments of the city are under the jurisdiction of the city manager and are described in this part of the administrative code. The description of departments delineates the mission and functions of each department, their authorities and responsibilities, and the interrelationships among and between the departments, the multiple-member bodies, and the elective organizations.

1.02. Administration and Finance Division and the Operations Division

The departments of the city, except the police, fire and law departments, are organized under the executive department's administration and finance and operations divisions. The administration and finance division consists of the assessing department, the auditing department, the office of the city clerk, the information systems department, the personnel department, the procurement department and the treasury/collecting department. The operations division consists of the emergency management department, the health and human services department, and the department of municipal inspections, the planning and development department, and the department of public works.

1.03. Coordination of Operations

The city manager coordinates administration and finance, operations and public safety activities by meeting regularly to discuss division activity, seeking coordination of activities to mitigate duplication of services where possible. The city manager 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.

Department managers are accountable to the city manager, through such subordinate executive department employees as may be authorized for the achievement of department activities.

The delivery of services to the public requires coordination and cooperation among the various divisions, departments and programs within the city. Departmental managers within the administration and finance division, the operations division, the police department, the fire department and the law department identify those areas of concern where the various departments and divisions can assist each other in the accomplishment of their mission.

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

1.05. Elective Organization Coordination

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

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

In order to ensure that the coordination of reports to the city council is effective, the city manager assumes responsibility for the information transmittal. The procedure for transmittal of reports from a department to the city council is for information to route through the city manager. The procedure for transmittal of report or service requests from the city council to a department is for such requests to route through the city manager.

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

Nothing in this section shall be construed to deny to members of the city council direct access to information that is readily available and provided by departments to citizens 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.

1.06. Annual Reports

All departments shall prepare annual reports of their activities and submit same to the city manager, 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 and/or federal regulations, certain departments may be required to submit copies of their annual reports to appropriate state and/or federal agencies. The city manager shall provide for a standard reporting format.

A. Executive Department

Section 2.00. City Manager

The administration of all city fiscal, business and municipal affairs are vested in the executive branch headed by the city manager. The city manager is the chief administrative officer of the city and is the primary officer

responsible for the implementation of city council policy, as reflected by the city council's votes and resolutions, enactment of ordinances, appropriation orders and loan authorizations.

2.01. Authorities and Responsibilities

The city manager appoints all department heads, officers, and employees, except employees of the city council and the school department. All multiple-member body appointments made by the city manager are subject to rejection by the city council. The city manager consults with multiple-member bodies as appropriate, concerning the appointments of certain department managers.

Consistent with the charter, the powers, duties and responsibilities of the city manager include, but are not intended to be limited to, the following:

To supervise, direct and be responsible for the efficient administration of all officers and employees appointed by the city manager and their respective departments and of all functions for which the city manager is given responsibility under the charter, by ordinance, or by vote of the city council;

To administer, either directly or through a person or persons supervised by the city manager, in accordance with the charter, all provisions of general or special laws applicable to the city, all ordinances, and all regulations established by the city council;

To coordinate all activities of city departments or agencies;

To attend all regular and special meetings of the city council, unless excused, and to answer all questions addressed to the city manager which are related to matters under the general supervision of the city manager;

To keep the city council fully informed as to the needs of the city, and to recommend to the city council for adoption such measures requiring action by them as the city manager deems necessary or expedient;

To insure that complete and full records of the financial and administrative activity of the city are maintained and to render reports to the city council as may be required;

To be responsible for the rental, use, maintenance and repair of all city facilities, except those under the jurisdiction of the school committee. Rental agreements of more than five years in duration shall be subject to the approval of the city council;

To act as the chief procurement officer and be responsible for the purchase of all supplies, materials, and equipment. The city manager may delegate this function to some other officer or employee as deemed necessary;

To develop and maintain a full and complete inventory of all city owned real and personal property;

To administer personnel policies, practices, or rules and regulations, any compensation plan and any related matters for all city employees and to administer all collective bargaining agreements, except for school department agreements, entered into by the city;

To fix the compensation of all city employees and officers appointed by the city manager within the limits established by appropriation and any applicable compensation plan or collective bargaining agreement;

To be responsible for the negotiation of all collective bargaining agreements with city employees over wages, and other terms and conditions of employment. The city manager may employ special counsel to assist in the

performance of these duties. Cost items of collective bargaining agreements shall be subject to the approval of the city council;

To be responsible for the implementation and administration of the code of ethics for city officers and employees appointed by the city manager including the holding of disciplinary proceedings or removal, or to take other appropriate action involving any appointed official and to take any disciplinary action as provided for by Article II of Chapter 1 of the ordinances of the city of Chelsea;

To prepare and submit an annual operating budget, a capital improvements program and a long term financial forecast as provided for in the charter;

To keep the city council fully informed as to the financial condition of the city and to make recommendations to the city council as the city manager determines necessary or expedient; To inquire into the affairs of any city department, agency or office;

To delegate, authorize or direct any employee of the city to exercise any power, duty or responsibility which the office of city manager is authorized to exercise, provided, that all acts that are performed under such delegation shall be considered to be the acts of the city manager;

To perform such other duties as necessary or as may be assigned by the charter, by ordinance, or by vote of the city council.

2.02. Interrelationships

The city manager interacts with the city council on all matters noted above, and as the chief administrative officer of the city, interacts as necessary with all other agencies, multiple-member bodies, and officers of the city. Detailed interaction descriptions specific to either the elective, multiple-member appointive or administrative organization are contained in this section of the administrative code.

Section 3.00 Law Department

3.01. Established

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

3.02. Mission

The law department provides accurate, timely legal advice to all elected and appointed officials, multiple-member bodies and agencies of the city, so as to assure that municipal decisions are informed by appropriate legal authority, and the legal interests of the city are protected. In addition, the law department provides legal representation for the city in judicial and administrative proceedings involving the city, its officers, and agencies.

3.03. Authorities and Responsibilities

The city solicitor serves as legal counsel to the city council, school committee, city manager, and to all departments, 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 regularly attends meetings of the city council, and at the request of the president of the city council, advises the city council on questions of law relating to the subject matters before the city council, and on the legality of any votes, motions, or other actions proposed to be taken by the city council. He provides legal advice and renders written opinions to the city manager, 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, including the application of the city's code of ethics to the performance of their duties of office.

The city solicitor prosecutes all legal actions brought on behalf of the city or any officer or agency; defends all actions brought against the city or any officer or agency 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 city manager on the advisability of compromising 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. In the case of legal claims for damages proposed to be settled in an amount in excess of five thousand dollars (\$5,000.00), approval by the city manager shall be required. In the case of legal claims for damages proposed to be settled in an amount in excess of ten thousand dollars (\$10,000.00), approval by the city council shall be required.

In order to provide for the varied legal needs of the city, the duties and responsibilities of the city solicitor may, with the approval of the city manager, be performed by assistants and outside counsel, acting under the city solicitor's supervision and direction. Nothing in this section shall be construed to abrogate the authority of the school committee to employ legal counsel, as provided under the general laws of the commonwealth or the city council or the city manager, as provided under the charter.

3.04 Interrelationships

City Council: The city solicitor interacts with the city council by attending city council meetings and advising the city council on questions of law relating to any matter before the city council, on the form of proposed votes or motions to be taken, the legality of proposed resolves or ordinances, or the legality of any other action proposed to be taken by the city council.

City Manager: The city solicitor interacts with the city manager to assist him in pursuing his responsibilities, as set out in the charter, ordinances, and votes of the city council and serves further advise the city manager on all matters of law related to the specific functions of city administration.

Other Departments and Multiple-member bodies: The city solicitor interacts with all elected and appointed officials, departments and multiple-member bodies, so as to meet the responsibilities set forth in this section. Elected and appointed officials, the city manager, departments, and multiple-member bodies are to consult on an ongoing basis and cooperate with the city solicitor to enable him to assure the protection of the legal interests of the city.

B. ADMINISTRATION AND FINANCE DIVISION

The administration and finance division within the executive department assists the city manager with the coordination and administration of the activities of the assessing, auditing, office of the city clerk, information systems, personnel, procurement, and treasury/collecting departments. The administration and 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.

Section 4.00 Assessing Department

4.01. Established

There shall be an assessing department under the supervision of the board of assessors.

4.02. Mission

The assessing department provides for the city's fiscal stability by assuring that the personal and real property in the city, which serve as its tax base, are promptly, fairly and equitably evaluated and classified. The department also carries out its duties in a manner that assures that taxpayers are fairly and equitably treated.

4.03. Authorities and Responsibilities

The assessing department creates and maintains an accurate list of all properties for ownership identification and for tax billing purposes. The department appraises each account or parcel of taxable property within the city at its market value, so as to ensure an equitable distribution of the total tax burden within the city, and conducts a city-wide revaluation on a regular basis. The department also provides for the classification of real property as determined by the city council. The department administers motor vehicle excise tax, acts on statutory exemptions and grievances regarding property values.

4.04. Interrelationships

City Council: The assessing department interacts with the city council pursuant to the requirements of chapter 40, section 56 of the general laws with regard to property tax classification by providing administrative information and recommendations to the board of assessors, which makes recommendations to the city council.

City Manager: Interaction occurs on a regular basis in order to accomplish those areas of responsibilities noted.

Other Departments: Interaction with the departments of information systems, public works, and planning and development, and other financial departments for purposes related to providing and receiving support on a variety of administrative matters.

Section 5.00 Auditing Department

5.01. Established

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

5.02. Mission

The auditing department protects the fiscal interests of the city by assuring that financial records are accurately maintained and preserved; supervising and controlling the expenditures of city funds; utilizing sound accounting procedures; and performing all other auditing and accounting functions required by sound fiscal practice, pursuant to the charter, ordinances and the laws of the commonwealth.

5.03. Authorities and Responsibilities

The auditing department produces monthly financial reports of revenues and expenditures. The department examines the books and accounts of all city departments and 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 all 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 city auditor provided information to the city manager for the development of the annual operating budget, the capital improvements program, and long-term financial forecasts.

5.04. Interrelationships

City Council: The city auditor interacts with the city council by participating, if requested, in the selection of a certified public accountant(s) to perform the annual audit. The auditor shall make all information available for the completion of the annual audit.

City Manager: The city auditor is responsible for management of the city's financial resources. All matters of a financial nature receive city auditor and city manager approval. The city auditor advises the city manager, through the administration and finance division, on all financial matters so as to ensure the proper and efficient financial management of the city.

Other departments: All departments and agencies authorized to collect revenues, or expend funds, interact with the city auditor for the purposes stated herein. As indicated, interrelationships occur throughout the city, where matters of payroll, or other budgetary activities take place.

Section 6.00 Office of the City Clerk

6.01. Established

There shall be an office of the city clerk under the supervision of a city clerk.

6.02. Mission

The office of the city clerk symbolizes the stability and continuity of the government of Chelsea and takes great care in preserving and maintaining the city's official records, and providing ready access to those records. The office of the city clerk exhibits the city's responsibility of providing efficient, courteous and responsive public services to all individuals requiring its assistance. The office of the city clerk is the primary agency responsible for the issuance of certificates, licenses, permits, and the enforcement of the Open Meeting Law.

6.03. 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 certificates, marriage licenses, and death records. The city clerk is responsible for the maintenance, disposition, and preservation of city archival records. The city clerk is responsible for all aspects of elections in accordance with federal, state, and local laws. The city clerk provides administrative support to the licensing commission, the traffic and parking commission, the cable television advisory commission, the water and sewer abatement board, and the harbormaster. The city clerk serves as the parking clerk, and, if required, acts as hearing officer for all other non-criminal citations issued by city agencies. The city clerk is the executive secretary of the licensing commission. The city clerk is the issuing authority for all licenses, permits, and other decisions of those agencies, and such other licenses, or permits as may be authorized by law, ordinance or regulation. The city clerk records all business related filings, including state and federal tax liens, uniform commercial code filings, and business name registration.

The city clerk provided administrative assistance to all other multiple-member bodies For the city, including the city council. The city clerk posts meeting notices for agencies, boards, commissions, and the city council. The city clerk administers the oath of office to elected and appointed officials, and notifies the city manager to thirty days prior to the expiration of an appointed official's term of office. The city clerk furnishes copies of the open meeting and conflict of interest laws to all elected and appointed officials. The city clerk is the custodian of the rules, regulations, records, reports, minutes, and decisions of all city officers, agencies, and multiple-member bodies, and those received for the commonwealth. The city clerk keeps the legislative record of the city council, notified the auditor and treasurer of city council authorizations of appropriations and assessments. The city clerk received official notice of all claims against the city, and promptly transmits those notices to the city

manager and the city attorney. Under the Zoning Act, the city clerk receives copies of all decisions, and notices of appeal. The city clerk is the custodian of the city seal.

6.04. Interrelationships

City Council: The city clerk interacts with the staff of the city council to ensure that the record of official acts of the city council are accurately maintained in the office of the city clerk. The city clerk also administers the oath of office to city council members, and calls together councillors-elect in order to organize a newly elected city council.

City Manager: The city clerk interacts with city manager by keeping the records of the city manager's official acts and appointments.

Other Boards and Departments: The city clerk cooperates with all other multiple-member bodies and departments by keeping original records, including rules, regulations, and meeting minutes, posting meeting notices, and providing copies of need municipal records in a timely and accurate manner. All multiple-member bodies cooperate by providing original documents for safekeeping by the city clerk in a timely fashion.

Section 7.00 Information Systems Department

7.01. Established

There shall be an information systems department under the supervision of a director of information systems.

7.02. Mission

The management information systems department provides support and professional services to all city departments related to information systems, so as to assist those departments in better meeting their responsibilities under this code. The department works to facilitate the coordination, integration, standardization, centralization and automation of the city's information resources.

7.03. 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 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 desk top 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.

7.04. Interrelationships

City Manager: The department interacts on a regular basis through the administrative and finance division, for the purpose of ensuring adherence to information systems procedures and practices by all departments, development and maintenance of information systems planning, and procurement, and compliance by all departments with the information systems policies and procedures for management of information systems.

Other Departments: There is ongoing interaction with all departments to ensure accomplishment of the department's goals and objectives. The department works with other departments on special projects, development of software and/or hardware enhancements as needed, and provides for consistency with management policy. There is regular and recurring interaction with all users of information systems technology so as to ensure the effective and efficient integration of information systems within the city.

Section 8.00 Personnel Department

8.01. Established

There shall be a personnel department under the supervision of a personnel director.

8.02. Mission

The personnel department establishes and maintains an equitable personnel system that promotes the efficiency and economy of government, the morale and well being of city employees, and equal employment opportunity for all employees and candidates for employment. The personnel department is guided by the following principles: recruiting, selecting, and developing employees on the basis of their abilities, knowledge, and skills; providing equitable compensation; training employees as needed to assure high quality performance in delivering quality services to the public; retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose performance does not adequately improve; assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, age, sex, creed, mobility limitations, or any other non-merit factor, except where such factor is a bona fide occupational requirement, and with proper regard for their privacy and constitutional rights as citizens; prohibiting discrimination against any person on the basis of such non-merit factors; and assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for any purpose other than those duties and responsibilities directly associated with their positions in city government.

8.03. Authorities and Responsibilities

The personnel department administers the classification and compensation plans, collective bargaining agreements and personnel policies. The department provides advice and assistance to the city manager 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.

8.04. Interrelationships

City Manager: The personnel department is the primary department for management of the city's human resources. All personnel policies, directives, rules and regulations promulgated by the city manager and all provisions of collective bargaining agreements are implemented and enforced by the personnel department for all departments under the city manager's jurisdiction.

Other Departments: The personnel department interacts with all city departments in any matter concerning management of the city's employees for the purpose of observing and enforcing the city's human resources management system.

Section 9.00 Procurement Department

9.01. Established

There shall be a procurement department under the supervision of a chief procurement officer.

9.02. Mission

The procurement department helps to preserve and protect the fiscal resources of the city by ensuring that the process for procurement of goods and services will be conducted under procedures assuring fair competition and objective standards for selection of contractors, through the development of fair, impartial, and uniform bidding, contract development and awarding procedures. The procurement process serves to assure the purchase of quality goods and services at a fair and reasonable cost in quantities necessary to accomplish service delivery objectives.

9.03. Authority and Responsibilities

The procurement department, through the requisition process, approves purchase orders and encumbers funds. The department prepares and distributes bids, request for proposal, and request for qualification and specifications. It makes awards, prepares contract documents for execution, and sees that contracts are reviewed and executed by the appropriate city officials. The chief procurement officer keeps a central file of all executed contracts and distributes fully executed contracts to the city clerk, city auditor and the vendor. The procurement department addresses questions involving the awarding or implementation of contracts. The procurement department also disposes of property in the manner prescribed by law.

9.04. Interrelationships

City Manager: The procurement department is responsible for the management of the city's contracting and procurement process. The chief procurement officer will interact with the city manager, through the administration and finance division, for all purposes herein stated and the city manager will execute all contracts. The chief procurement officer works with the executive department to maintain accurate, efficient and consistent procurement practices.

Other Departments: All agencies and departments interact with the procurement department to contract for goods and services and expend funds. The department provides prompt service to all departments to assist in the requisition of goods and services and interacts with all agencies and departments on a continuing basis to update policies and procedures and provide training on the procurement process.

Section 10.00 Treasury/Collecting Department

10.01. Established

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

10.02. Mission

The treasury/collection department preserves, protects, and manages the fiscal resources of the city by receiving and taking charge of all money belonging to the city, assuring that the city's finds are properly expended under state and city fiscal procedures and properly accounted for. The treasury/collecting department is also responsible for assuring that the city borrowing or investment of city funds are conducted in a prudent manner, which is most advantageous to the fiscal needs of the city.

10.03. 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 order 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 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 treasury/collecting department maintains all tax title accounts and maintains all deeds. The treasurer/collector is the custodian of the funds of the contributory retirement system.

10.04. Interrelationships

City Council: The treasury/collecting department interacts with the city council with respect to municipal borrowing.

City Manager: The treasury/collecting department interacts extensively with the city manager by providing him with necessary information on the fiscal status of the city's receipts, expenditures, borrowing, and investments.

Other Departments: The treasury/collecting department interacts with all other departments in order to meet its responsibilities set out above. The treasury/collecting department interacts with the assessing, auditing, and procurement departments in connection with the management of city funds, as well as the department of public works and the division of licensing and consumer affairs in connection with liens for water and sewer fees.

B. OPERATIONS DIVISION

The operations division within the executive department assists the city manager with the coordination and administration of the activities of the health and human services, municipal inspections, planning and development, and the public works departments. The operations division is responsible for establishing and maintaining direct service delivery systems to the residents of the city in the most efficient and economical means possible, providing the general public with departmental information, and improving accessibility to local government and its services.

Section 11.00 Health and Human Services Department

11.01. Established

There shall be a health and human services department under the supervision of an executive director. There shall be the following divisions within the health and human services department: elder services, employment and training, health, public library, recreation and cultural affairs, and veterans' services.

11.02. Mission

The health and human services department and the divisions included therein ensure that Chelsea residents,

including linguistic and cultural minorities and members of the disability community, have access to programs and services of high quality; which encourage self sufficiency, offer opportunities to develop their full potential, and celebrate the proud history of diversity, racial tolerance, and cultural harmony in the City of Chelsea. It combats potential threats to the overall health of the community and promotes the economic, physical and emotional well being in Chelsea neighborhoods. To these ends the department seeks to collaborate with residents, other city departments, local, state and federal agencies in developing appropriate programs and services.

11.03. Interrelationships

The health and human services department interacts with the planning and development department on those issues such as lead paint prevention, jobs and economic development, recreation and open space, and community schools. The department interacts with the department of public works on issues of park maintenance; the police department on issues of safety in the parks and concerted efforts to prevent crime in the Weed and Seed target area. It interacts with other departments in order to bring an inter-departmental approach to issues affecting the health and human services of the residents of Chelsea.

Section 11.00-A Elder Affairs Division

11.01-A Established

There shall be an elder affairs division within the health and human services department.

11.02-A Mission

The elder affairs division identifies the total needs of the city's elderly population in order to design, promote and implement services to fill the needs of the city's elderly population and to coordinate present existing services in the city. It ensures that extensive outreach is made to linguistic minority elderly communities within Chelsea, as well as other difficult-to-reach elders, so as to ensure their equal access to elder services.

11.03-A Authorities and Responsibilities

The division of elder affairs operates a senior center for the recreation and enjoyment of all elders within the city in coordination with the council of elder affairs. The division 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 division will develop health, cultural and recreational programs and will manage the operations of the center.

11.04-A Interrelationships

City Manager: The elder affairs division interacts with the city manager primarily through the operations division, for program approval, budget expenditures, and other matters.

Other Departments: The elder affairs division interacts with the department of public works relative to

facilities program preparation, maintenance, and improvement. It interacts with the public health department for cooperation in providing appropriate health services. Ongoing interaction with all other departments to insure accomplishment of the department's goals and objectives.

Multiple-member Bodies: The elder affairs division provides administrative support to the council of elder affairs and receives advisory information regarding program service delivery.

Section 11.00-B Workforce Development

Section 11.01-B Established

There shall be a workforce development division with the health and human services department.

11.02-B Mission

The division of workforce development ensures the provision of a comprehensive employment and training system within the city available to all residents in need of these services. The goals of this system are to provide services, which will prepare residents for meaningful employment and assist them in achieving economic self-sufficiency. The division of workforce development coordinates efforts with providers of job training and development, and local area employers, so as to ensure that local and regional workforce development services of high quality are available to all residents in an adequate and appropriate manner.

11.03-B Authorities and Responsibilities

The division will participate along with other employers and providers in the implementation of a comprehensive workforce development system for residents, supervises the provision of state and federal youth employment programs, develops and coordinates a comprehensive and unified internship program for high school students, and will monitor any job ordinances the city council may adopt.

11.04-B Interrelationships

The division of workforce development will interact with the planning and development department in order to provide local employers with a well-trained pool of employees from the city; the division of recreation and cultural affairs in order to coordinate summer jobs for youth programs, involving the maintenance of municipal parks; and the school department in the development of internships for high school students.

Section 11.00-C Health Division

11.01-C Established

There shall be a health division within the department of health and human services under the supervision of a director of health who shall be the executive and administrative head of the board of health.

11.02-C Mission

The division of health promotes and protects the health and wellness of the people within Chelsea, and carries out the core functions of public health assessment, assurance, and policy as developed by the board of health. The division of health provides administrative support to the board of health and works with other divisions of the department of health and human services to bring an integrated and multi-faceted approach to issues of human services.

11.03-C Authorities and Responsibilities:

The health division administers and enforces rules and regulations of the board of health and enforces all state and local laws, regulations and standards relating to public health, as provided for in the administrative code. The division 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 division establishes and maintains reasonable health programs, consistent with general laws, as necessary or desirable for the promotion or protection of the public health and the control of disease or necessary to ameliorate the risk factors associated with the causes of injury, sickness, death and disability within the city of Chelsea. The health division conducts periodic assessments in order to identify prevalent health needs and recurrent health problems of the community, and assures that health-related services offered by private, non-profit and public organizations meet standards of quality and need. It assesses the availability of necessary or desirable health services. The division operates the school nursing program, and provides supervision and support to the animal control officer. The health division 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.

Specific areas of responsibility include, but are not limited to, the promulgation, enforcement and administration of reasonable rules and regulations and enforcement of laws concerning communicable diseases, immunization and vaccination of residents; investigations of all disease related complaints; site assignment for cemeteries, sanitary landfills, refuse treatment and disposal facilities, hazardous waste facilities, transfer stations, other solid waste handling facilities, and trades dangerous to public health, burial permits, animal control and the school nursing program.

11.04-C Interrelationships

The health department interacts with the planning and development department on lead paint prevention projects and site assignments and the school department in order to serve as an internship site for high school students interested in public health related experience. The health division works closely with the school department

on issues of school nursing and with the police department on issues of animal control.

Section 11.00-D Public Library

11.01-D Established

There shall be a public library division within the health and human services department.

11.02-D Mission

The Chelsea Public Library provides for access free of charge to the public to the print and other education media resources of the city.

11.03-D Authorities and Responsibilities

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

11.04-D Interrelationships

In addition to interacting with all the municipal departments of the city, including the school department, who may be in need of its services, the library also participates in a regional library consortium in order to increase the availability of library services.

Section 11.00-E Recreation and Cultural Affairs Division

11.01-E Established

There shall be a recreation and cultural affairs division within the department of health and human services.

11.02-E Mission

The recreation and cultural affairs division creates, coordinates and/or implements a comprehensive recreational and cultural activities program for all residents which enhance the quality use of leisure time.

11.03-E Authorities and Responsibilities

The division is responsible for the establishment, coordination and/or implementation of community sports programs for all boys and girls as well as adults and including working with the city's youth leagues; the supervision and coordination of a community schools program within the new public schools scheduled to be opened in 1996; the planning and coordination of cultural events including celebrations of the 4th of July, Memorial Day, December holidays, and any festivals or public events; collaboration with, and coordination of Weed and Seed and Safe Haven programs within the designated target area; and the supervision and coordination of programmatic activities within

the municipal parks.

11.04-E Interrelationships

City Manager: The recreation and cultural affairs division interacts with the city manager for the purpose of program approval, budgeting, expenditure, and grant assistance.

Other Departments: Department of public works interaction on a regular basis to prepare, maintain, and improve facilities. The recreation and cultural affairs division and public works staff meet on a regular basis to review facilities management issues. Police department interaction in scheduling of recreation and cultural and public events programs, special details, patrols and coordination of recreational services with public safety concerns. The recreation and cultural affairs division meets periodically with the chief of police to review public safety and coordination issues. School department interaction concerns utilization of school gyms, fields, coordination of special needs activities with the school department's special needs division; and scheduling activities for athletic fields.

Multiple-member bodies: The recreation and cultural affairs division provides administrative support to the youth commission and the cultural council, implementing the policies of said multiple-member bodies through the promulgation of rules and regulations that are subject to approval by the city manager.

Section 11.00-F Veterans' Services

11.01-F Established

There shall be a veterans' services division within the health and human services department.

11.02-F Mission

The veterans' services division provides assistance in obtaining benefits from federal, state, and local programs for veterans and their dependents, as well as aiding them financially for ordinary living expense and medical needs.

11.03-F Authorities and Responsibilities

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

11.04-F Interrelationships

City manager: The veterans' services division interacts with the city manager who approves programs, and budgets.

Other departments: Interactions with auditing and treasury/collecting to provide the financial needs of veterans in an acceptable manner under law and in a timely fashion. Interaction with assessing to assist veterans with

real estate tax abatements.

DIVISION C. OPERATIONS DIVISION

Section 12.00 Emergency Management Department

12.01. Established

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

12.02. Mission

The department seeks to maximize survival of persons and preservation of property in the city in the event of a natural or man-made disaster by effective planning and by making use of all manpower, equipment, available shelter protection and other resources during an actual emergency.

12.03. 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.

12.04. Interrelationships

City Manager: The department, in fulfilling its role, provides assistance to the city manager in a declared emergency.

Other Departments: Extensive interaction with the fire department, the police department, the department of public works and the department of municipal inspections.

12.05 Incident Management System

(1) The City of Chelsea hereby adopts the National Incident Management System (“NIMS”) as the common foundation for incident management, coordination and support activities.

(2) All departments, offices, multi-member boards and agencies responsible for managing and/or supporting incident response and disaster operations shall incorporate into their planning and operations the NIMS as prescribed by the United States Department of Homeland Security as implemented by the City of

Chelsea Emergency Management Department.

(3) The City of Chelsea hereby adopts Incident command System (“ICS”) for command and control of all incident response operations. All departments, offices, multi-member boards and agencies responsible for managing and/or supporting incident response and disaster operations shall:

- a. Integrate ICS into functional and system-side emergency operations policies, plans and procedures.
- b. Train responders in the appropriate level of ICS, as prescribed by the United States Department of Homeland Security as implemented by the Chelsea Emergency Management Department.
- c. Conduct and/or participate in ICS-oriented exercises involving responders from multiple disciplines and cooperating jurisdictions.

(4) The Director of Emergency Management shall possess authority and responsibility for ensuring all cabinets, departments, offices, and agencies take appropriate and timely measures to ensure expedient NIMS compliance and full implementation of this Administrative Order.

(5) All Public Safety Officers, Department Heads and City Employees are hereby directed to render such aid and assistance as is required for the implementation of the foregoing policy.

Amended September 11, 2006.

Section 13.00 Department of Municipal Inspections

13.01. Established

There shall be a department of municipal inspections, also known as the inspectional services department, established in accordance with the provisions of Chapter 43B, section 13 of the general laws under the supervision of a director of municipal inspections who shall serve as the building inspector. All books, papers, documents, equipment, building facilities, land and any other property, both real and personal, which is in the custody and control of any agency or department affected by the consolidation set forth in this section, shall forthwith be transferred by the former department to the department of municipal inspections. All monies which have been appropriated to any department or agency which is included in any consolidation under the provisions of this section, shall be credited to the account of department of municipal inspections. All contracts in force shall be continued in force by the department of municipal inspections until they otherwise expire or are cancelled. Any judicial proceeding in which any department affected by any consolidation under this section is a party, shall not be affected by the consolidation, but the department of municipal inspections shall stand in the place of the former department. All inspectional service agencies currently performing an inspection function, except the conservation commission and the fire prevention bureau of the fire department, shall continue in full force and effect except that for administrative purposes, all personnel performing inspection functions for the existing department, shall, when performing such inspection services, be subject to the administrative control and direction of the director of municipal inspections, but not otherwise.

13.02. Mission

The department of municipal inspection enforces laws and state codes, and promulgates and enforces reasonable rules and regulations relating to building construction, zoning enforcement, health and sanitation, and weights and measures for the purpose of protecting public health and safety. The department coordinates the various jurisdictions to simplify public access to these services and streamline the permitting process. The purpose of coordinated inspections to make each inspector aware of the various activities being performed, thus improving consistency of enforcement. Specifically, the department coordinates all inspection functions which are to be carried out by any municipal officer or agent under this section; maintains in a central location and recorded in a common index all the record keeping functions relating to all municipal inspections, which shall be under the supervision and control of the director; provides a single application process, which would record all inspections which might be necessary, including, but need not be limited to, any inspections under the zoning law or zoning ordinances, the state building code, wire code, plumbing and gas code, state sanitary code, and any other local inspections as may be otherwise authorized.

13.03 Authorities and Responsibilities

The department of municipal inspections provides a variety of services relating to the health, safety, and environmental concerns of the city and its residents. The department has three areas of responsibility: buildings; health and sanitation; and weights and measures. Interaction of the areas is essential to providing efficient and effective public service.

The department makes inspections, issues such permits, enforces ordinances and promulgates and enforces reasonable rules and regulations as may be required under the state building, wiring, plumbing and gas code. The department enforces the provisions of the zoning ordinance. The department abates nuisances declared by the city council.

The department makes inspections and issues permits, licenses, and certificates and promulgates and enforces reasonable rules and regulations, enforces, 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.

Specifically, the department makes inspections and issues permits, licenses, and certificates and promulgates and enforces reasonable rules and regulations and enforces laws, state codes and regulations, provides for appeals and variances relative to: noisome trades; fuel and chemical storage systems; establishments possessing hazardous and/or toxic waste; food establishments; swimming pools; seasonal rental units; motels; campgrounds; saunas; vapor baths; bed & breakfast; retail food; continental breakfast; frozen dessert and mixes; food units; milk pasteurization; funeral homes; masseuse; garbage haulers; septate haulers; adulteration and misbranding of food; bottling of carbonated and non-carbonated non-alcoholic beverages, bakeries; cold storage or refrigerating warehouses; carcasses of slaughtered animals and all meat, fish, vegetable, produce, fruit, or provisions and may seize and destroy same; articles of food kept or stored for sale; poultry dressing; false labelling of products as

kosher; manufactured housing communities; nursing homes, infirmaries, charitable homes for the aged, intermediate care facilities for the mentally retarded; tanning facilities; atmospheric pollution; stables; house drainage and connection with common sewers; dilapidated structures and lead paint.

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.

13.04. Interrelationships

City Manager: Interaction primarily for program approval, budget, expenditures, and to further provide city manager information concerning public safety and environmental health issues and problems. Secondly, and through the operations division, for all other matters.

Other Departments: Extensive interaction with most departments. Daily work with the prevention division of the fire department and planning and development department on areas of permitting and zoning; daily involvement with police and fire departments and the licensing and consumer affairs and health divisions on areas of mutual concern.

Multiple-member bodies: Interaction with the board of health on public health matters and policy under its jurisdiction. Provides information to the zoning board of appeals and conservation commission. Provides technical support to the licensing commission.

Section 14.00 Planning and Development Department

14.01. Established

There shall be a planning and development department under the supervision of an executive director. The planning and development department shall serve as the department of community development organized under the provisions of chapter 43C, section 12 of the general laws. The redevelopment authority of the city, and the industrial development financing authority are hereby abolished; the office of community development, the planning board, the zoning board of appeals and the conservation commission are consolidated into the department. The planning board, the zoning board of appeals and the conservation commission are consolidated under the administrative control of the executive director of planning and 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 redevelopment authority, the office of community development, the planning board, the industrial development financing authority, the zoning board of appeals and the conservation commission, shall forthwith be transferred by the said agencies to the department of planning and development.

All monies and assets including grants and reimbursements from whatever source, to the redevelopment authority, the office of community development, the planning board, the industrial development financing authority,

the zoning board of appeals and the conservation commission are hereby credited to the account of such department. 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 redevelopment authority, the office of community development, the planning board, the industrial development financing authority, the zoning board of appeals and the conservation commission, is a party, shall not be affected but the department shall stand in place of said agencies.

14.02. Mission

The planning and development department provides professional planning, project and program management services to city residents and businesses, multiple-member bodies, the city manager, the city council and other city departments as regards the physical, economic, social and environmental needs of the city.

The department develops the city's vision, policies, goals and objectives for the physical, environmental, economic, and social growth and development of the community, and incorporates this vision, policies, goals and objectives into a comprehensive plan and reviews planning and development proposals for conformance with that plan.

14.03. Authorities and Responsibilities

The planning and 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; responsible for the enforcement of the city's construction jobs program, and other administrative and technical services.

The planning and development department activities include, but are not limited to the following:

Research and database development: 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.

Planning: initiate and propose policies, goals and objectives for the physical, economic, social and environmental needs of the city. Incorporate these in a comprehensive plan and its constituent functional plans for land use and zoning, housing, transportation, parks and open space, public facilities, capital improvement plan, historic preservation, and geographic plans for the city's neighborhoods, waterfront and downtown, and update them as required.

Economic development: prepare economic development policies, strategies and plans for the city, develop economic initiatives and proposals, and implement specific economic development projects and programs.

Project management: manage the planning, design, and construction of capital facility, community and

economic development projects, either independently or in cooperation with other agencies as appropriate.

Program management: develop and implement programs to carry out community policies, goals and objectives, including the construction jobs programs.

Policy/project/program review and recommendations: 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 city manager, city council, 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.

Site plan review and design review: provide site plan review and design review services for public and private projects for the city, for all projects which seek city permits or approvals.

Multiple-member bodies: act as administrative and technical advisor and render clerical support to the planning board, the zoning board of appeals, the economic development board and the conservation commission, and provide technical support to the traffic and parking commission and licensing commission.

Agency participation/representation: act as lead city agency with appropriate federal, regional and state agencies. Represent city to agencies, organizations and individuals in relation to relevant planning and development matters.

Resource development: prepare applications for grants and provide grant administration for those received.

Community participation: encourage and facilitate participation of, and input from, residents, businesses and institutions in relevant planning and development matters.

Administration: carry out, as necessary and appropriate, all administrative and financial functions, including budgeting, contract management, financial management, grant administration, and record keeping and reporting.

14.04. Interrelationships

City Manager: City Manager interaction is most often through the executive director of the department, encompassing approval for programs of work, budgeting, expenditures, and specific issues of concern to the city.

Other Departments: Extensive interaction with other city departments, including: public works department on a variety of planning, engineering and operational issues related to the maintenance and improvement of the city infrastructure; administrative and financial services departments concerning procurement, operational budgeting and capital planning; department of municipal inspections for coordinated project review and approvals; and licensing and consumer affairs divisions for coordination of land use and environmental controls; and health and human services for coordination of social programs, the construction jobs programs, and physical improvements.

Multiple-member bodies: As noted, providing administrative, clerical and technical support.

Outside agencies: Significant interrelationships exist between the department and a number of federal, regional and state agencies. In particular, on the federal level with the department and housing and urban

development, the national parks service, small business administration, and the department of transportation. At the state level, interaction occurs with the executive offices of communities and development, economic affairs, environmental affairs and its subsidiary land use and regulatory agencies, the division of capital planning and operations, MassPort, the Turnpike Authority, the MBTA, the Massachusetts Government Land Bank, Metropolitan Area Planning Council and other public agencies and quasi-public agencies, as appropriate.

Section 15.00 Department of Public Works

15.01. Established

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

15.02. Mission

The department of public works provides professional quality maintenance, repair and construction services under each of the following areas: infrastructure; parks and playgrounds; general government buildings; transportation control devices; environmental protection through stormwater control, sewage treatment and general construction procedures; operation and maintenance of the water distribution system including fire hydrants, sanitary, storm and combined sewer collection systems including operation and maintenance of the stormwater drain pump station; solid waste disposal and recycling and collection and disposal contract administration with others; the Garden Cemetery; and general engineering survey, design and construction management for all segments of city government.

15.03. Authorities and Responsibilities

15.03.1. Administration

Provides centralized administrative and management support. Activities include policy, program planning and procedural guidance, operations procedures, procurement and contract administration, position and budgetary management, establishment of community relations.

15.03.2. Engineering

Design and administration of design and construction of public works projects including buildings, roads, bridges under the direct control of the city, culverts, sidewalks, bike paths, drainage, traffic control devices; providing technical support to other city departments and agencies; providing routine and special survey services in support of city projects; maintenance of drawings and maps; preparation and updating of assessors maps. Operation, jointly with other departments and agencies, the hardware and software for the geographic information system.

15.03.3. Streets and Sidewalks

Maintenance and repair of roads, sidewalks, drainage structures; sweeping of roads and parking lots; roadside brushing; installation and maintenance of traffic markings; snow and ice control; and maintenance and

repair of vehicles and equipment.

15.03.4. Solid Waste/Recycling

Management of solid waste programs including management of contracts for solid waste collection and recycling and promoting and conducting a recycling program.

15.03.5. Structures and Grounds

Maintenance and custodial care of city buildings; operation and maintenance of the Garden Cemetery; maintenance and field preparation of recreation areas; planting, care and maintenance of flower beds, trees, and ornamental shrubs along city maintained ways, parks, recreation areas and conservation lands; servicing of trash containers located throughout the city.

15.03.6. Water/Sewer

Management of the wastewater collection system including operation and maintenance of a pumping station, and gravity mains; maintenance of an accounts receivable and billing system for water and sewer use, and relative thereto all abatement as allowed by law.

15.04. Interrelationships

City Manager: In respect to most activities, significant interaction through the operations division is commonplace.

Other Departments: As the department services most departments, interaction is recurring, dependent upon the specific activity to be undertaken.

Multiple member bodies: The department interacts with the planning board, and provides technical support to the traffic and parking commission.

Section 16.00 Fire Department

16.01. Established

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

16.02. Mission

The fire department provides protection of life and property for individuals and businesses within of the city against the ravages of fire, medical emergencies, hazardous incidents and other dangerous conditions. The department prevents fires; prevents loss of life and property if a fire starts; confines fire to where it started; and extinguishes fires.

16.03. 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 therefor, 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 assists in the re-establishment of order in the event of civil disturbance, disaster or riot or any other declared emergency. The department provides for and administers a program for the training of firefighters. The department maintains a record of all fires which 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 for written reports of all suspected arson; inspects all buildings and structures as provided for by the state fire code, and for the issuance and renewal of certificates of occupancy.

16.04. Interrelationships

City Manager: As the chief administrative officer of the city, the department has extensive interaction with the city manager concerning issues of budget, policy and personnel.

Other Departments: Interaction with many municipal departments for a variety of reasons. Particular interaction with the department of public works, information systems, and municipal inspections. Other agency involvement includes most federal, state and regional fire service agencies.

Section 17.00 Police Department

17.01. Established

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

17.02. Mission

The police department is committed to the protection of life and property, respect for individual rights and human dignity, and the delivery of high quality police services. Members of the department work with other city agencies, officials and community members to identify public safety issues, design and implement strategies that enhance community safety and improve the quality of life within the city.

17.03. Authorities and Responsibilities

The police department acts pursuant to the authorities vested to police departments under MGL Chapter 41, ss. 97A and 98. The police department is responsible for the protection of life and property, the preservation of peace, order and safety, the safeguarding 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 department administers and enforces regulations and laws regulating, directing, controlling and restricting the movement of vehicular and pedestrian traffic, and the general use of the streets by vehicles and the public. The

department operates a training program to maintain and improve the competency and efficiency of members of the department. The department prepares reports on injuries to persons and property occurring by accident or otherwise on the streets and other public places within the city as required by law. The department provides for a procedure for the sale, destruction or other disposition of all weapons or other articles used in the commission of crime or coming into the custody of the department. The police department provides for a procedure for the sale of unclaimed, lost or stolen articles coming into the custody of the department. The chief of police issues licenses and permits for firearms and gunsmiths, and appoints constables and special police officers.

17.04. Interrelationships

City Manager: As the chief administrative officer of the city, the department has extensive interaction with the city manager concerning issues of budget, policy and personnel.

Other departments: Interaction with many municipal departments for a variety of reasons. Particular interaction with the department of public works, information systems, municipal inspections and schools. The police department conducts investigations for the department of municipal inspections, the licensing commissions and the law department. Other agency involvement includes most federal, state and regional law enforcement agencies.

17.00-A Division of Emergency Communications

17.01-A Established

There shall be a division of emergency communications within the police department.

17.02-A Mission

The division of emergency communications is committed to the prompt and courteous receipt of all emergency calls; the proper referral of said calls for intervention and maintenance of all necessary communications and electronic equipment.

17.03-A Authorities and Responsibilities

The division of emergency communications is responsible for the receipt and appropriate dispatch of all public safety service requests including, but not limited to, calls for police, fire, emergency medical services or animal control services. The division is responsible for the operation of the City's Public Safety Answering Point and all matters relating to the implementation and operation of the "E-911" operation. The division provides twenty-four (24) hour a day, seven (7) day a week communications.

The division is responsible for maintaining proper communications interfaces with the Massachusetts Criminal Histories Systems network and assuring compliance with all state and federal laws regarding the proper collection and dissemination of criminal offender record information (CORI). The division maintains and coordinates proper regional communication links with the Boston Area Police Emergency Radio Network (BAPEREN), the Metropolitan Fire Control Network and any similar public safety emergency communications network.

17.04-A Interrelationships

Other Departments: The division closely interacts with the fire and emergency management departments.

17.00-B Harbormaster

17.01-B Established

The City Manager shall appoint the Harbormaster and any Assistant harbormasters deemed necessary. The Harbormaster and Assistant Harbormasters(s) shall have all the powers and duties imposed upon Harbormasters by law. The Harbormaster and any Assistant Harbormasters, as deemed necessary, shall be under the supervision of the Chief of Police.

17.02-B Mission

The Harbormaster is committed to insuring the safe and orderly operation of vessels and placement of buoys and moorings within City waters.

17.03-B Authorities and Responsibilities

The Harbormaster shall set rules and regulations related to the operation of vessels and the placement of buoys and moorings within City waters.

17.04 Interrelationships

Other departments: the Harbormaster interacts with the police department, planning and development department and the conservation commission.

Amended June 30, 2003.

PART IV. ADMINISTRATIVE POLICIES AND PROCEDURES

Section 1.00 Generally

This section describes administrative policies established for the purpose of guiding the development and implementation of administrative procedures within the city. The administrative policies and hence, the administrative procedures describe all administrative and adjudicatory procedures of the city. It establishes policies and procedures by which rules and regulations are adopted by administrative agencies. It specifies the manner in which departments and agencies function administratively, through the promulgation of policies and procedures. It delineates the method and manner in which adjudicatory proceedings are to be conducted by the various agencies and officials who have the responsibility of deciding individual cases.

1.00-A Officers and Department Heads

Each officer and department head shall perform all duties required of their office or position by state law, the charter, the administrative code and the ordinances of the city, and such other duties as may be required by the city manager.

The officers and departments heads shall:

Be immediately responsible to the city manager for the effective administration of their respective departments and all activities assigned thereto;

Inaugurate sound practices and keep informed as to the latest practices in their particular fields and inaugurate, with the approval of the city manager, such new practices as appear to be of benefit and service to the public;

Submit annual reports of the activities of their department to the city manager;

Establish and maintain systems of filing and indexing records and reports in sufficient detail to furnish all information necessary for proper control of department activities and to form a basis for the periodic reports to the city manager;

Supervise all subordinates under them;

Be responsible for the proper maintenance of all city property and equipment used in their departments.

1.02 Bonds

Officials required by law shall each, before entering upon the duties of their respective offices, give a good and sufficient surety company bond to the city, duly approved by the city solicitor, and conditioned upon the faithful performance and discharge of their respective duties, and for proper application and payment of all money or property coming into their hands by virtue of their offices. The city shall pay the cost of each official bond. Official bonds of city officers shall be in the custody of the city auditor.

1.03 City Hall Business Hours

City Hall shall be open between the hours of 8:00 AM to 4:00 PM on Mondays, Wednesdays and Thursdays and between the hours of 8:00 AM to 7:00 PM on Tuesdays and between the hours of 8:00 AM and 12:00 PM on Fridays.

1.04 Communications

It is the policy of the City of Chelsea that effective communication, whether written, oral, or graphic, be exhibited on all occasions in order to convey all relevant goals, policies, procedures, and facts related to all issues.

Effective management is based on effective communication. The nature of communicating is ever changing as more people are involved and depend on information; information is more complex, subtle, and subliminal; and communication depends far more on technology. In light of these realities, the city's communication practices are based on the following goals: clarity, succinctness, and timeliness.

The city manager shall prescribe a standard format of city stationery for external written communications and an a standard format for internal communications for all departments and agencies under his jurisdiction.

1.05 Computers and Automation

The purpose of this policy is to establish guidelines for the selection and utilization of computers. This policy is also intended to establish support procedures and personnel for assisting users in acquiring and utilizing computers.

Computers are currently being acquired and used in all departments. This occurrence is streamlining work and changing the way many employees view information and its affect on their jobs. The decreasing costs and increasing power have put computers in the reach of all departments. The city recognizes the need to define the appropriate role for the computer.

While acknowledging the power of the computer to increase productivity, there is a need to set standards for ensuring compatibility. There is also a need to review uses for appropriate minicomputer applications and ensure that information systems needs could not be handled better in some other manner. These computer policies are specifically intended to attain the following objectives:

- Encourage the use of technology of all types to improve and enhance the efficiency of the city's procedures and practices whenever and wherever possible.
- Maintain and promulgate standards for computer technology and general electronic information management. Provide policy guidance to management on the review and purchase of computer technology (hardware, software, and communications) so as to insure compliance with published standards.
- Maintain procedures and policies to insure that the city's electronic resources are properly managed. Emphasis is placed on insuring that electronic information is easily accessible by those departments requiring access.
- No deviation from published hardware, software, communications, or information management policies/standards without a written waiver signed by the city manager or his designee.
- Centralize functions which can be automated and/or centralize so as to maximize the utilization of the city's personnel and/or other financial resources.

1.06 Deposits

All departments and agencies shall make a daily deposit to the treasury of any monies received directly from the public.

1.07 Financial

It is the policy of the City of Chelsea that financial management be conducted with the objectives of providing municipal service in a predictable manner and alignment with public policy goals as set forth by the city

council.

The City of Chelsea faces continuing operational and capital requirements to meet the increasing needs of its residents. These requirements have to be met within the constraints of proposition 2 1/2. To help ensure the city's financial stewardship, an established program of managing the city's finances becomes essential. To this end, the city manager seeks policies and procedures that are financially prudent and in the city's best economic interest. The city manager promulgates these financial policies consistent with his responsibilities pursuant to the provisions of Part V, Financial Procedures, of the charter.

In following this policy, the city shall pursue the following goals:

- to develop effective financial management within the city which conform to generally accepted accounting principles;
- to simplify, clarify, and modernize the financial systems of the city as the need occurs;
- to provide increased public confidence in public financial management;
- to provide increased economy and financial performance and to maximize to the fullest extent practicable the use of public funds of the city; and
- to provide safeguards to ensure quality and integrity of the financial systems.

In order to obtain the above goals, the city adopts the following policies:

1.07-A Accounting, Auditing and Financial Planning

1. The City will establish accounting practices which conform to generally accepted accounting principles (GAAP) as set forth by the authoritative standard setting body for units of local government.
2. An annual audit will be performed by an independent public accounting firm selected by the city council, and an official, comprehensive annual financial report (CAFR) shall be issued no later than six months following the end of the fiscal year.
3. A management letter, a by-product of an annual audit, shall be provided by the independent public accounting firm no later than February 1. Additional findings and recommendations may be communicated in a separate letter to be provided no later than March 1.
4. A capital improvements program shall be prepared annually by the city manager, in accordance with the charter, section 5-4, which shall include a summary of its contents; an itemization of all capital improvements, including those of the school department, proposed to be undertaken during the next five or more fiscal years with supporting data; cost estimates, method of financing, and recommended time schedules; and, the estimated annual cost of operating and maintaining the facilities included. The capital improvements program shall be submitted within ninety days prior to the date for submission of the operating budget, unless some other time is provided by ordinance.
5. A long-term financial forecast shall be prepared annually by the city manager, in accordance with the charter, section 5-5, projecting revenues and expenditures for all operating funds. This forecast shall be used as a planning

tool in developing the following year's operating budget and capital improvements program. The forecast shall be submitted no later than October 1.

1.07- B Insurance Reserve Funds

A self insurance reserve fund will be maintained to cover workers' compensation as authorized by MGL chapter 40, section 13A and property losses as authorized by MGL chapter 40, section 13.

In order to cover losses arising out this fund, amounts will be appropriated to cover the stop loss premium and a sum to establish the fund for future losses.

It is the intention of this fund to cover all losses arising out of employment injury, fire, vandalism, burglary, theft and repairs. A stop loss insurance through an insurance carrier will be provided for catastrophic losses.

1.07-C Gifts and Grants

All grants shall be managed to comply with the laws, regulations and guidance of the grantors. All gifts and donations shall be managed and expended according to the wishes and instructions of the donor consistent with the requirements of the constitution, general laws, charter, and ordinances.

All gifts and grants shall be evaluated for suitability and consistency with city policies. They shall also be formally accepted by the city council.

1.08 Fleet Services

It is the policy of the City of Chelsea to authorize the acquisition and utilization of vehicles for use by officials and employees of the city, in the conduct of their employment responsibilities. Municipal officials and employees are obligated to comply with the provisions of this policy when their employment responsibilities require use of a municipal vehicle.

This policy is based on the following guidelines:

- legal compliance with all federal and state laws, rules, and regulations;
- appropriate financial security;
- proper maintenance of all city vehicles; and
- superior ethical conduct by city employees when using vehicles.

1.09 Financial

It is the policy of the City of Chelsea that, giving due regard to the financial limitations of the city, prudent managerial oversight should limit risks and exposures.

Local governments are subject to four basic types of risks: real and personal property loss; loss of income or increased costs associated with property loss; personnel loss; and liability. In response to these potential losses, the City of Chelsea shall always consider and pursue the best action or combination of actions to control risk: risk

avoidance; risk prevention; risk assumption; and risk transfer.

The purpose of this policy is to provide a functional tool for insurance management. In pursuing this policy, the city shall abide by the following goals:

- the city should not insure itself against minor recurrent losses;
- self insurance should be used where risks are recurrent and financially manageable; and
- insurance should be sought for potential major losses.

1.10 Investment

It is the policy of the City of Chelsea that, giving due regard to the safety and risk of investment, all available funds shall be invested in conformance with legal and administrative guidelines and maximize yields with the minimal risk and utilization of collateralization when requested.

Effective cash management is recognized as essential to good fiscal management. An aggressive cash management and investment policy will be pursued to take advantage of investment interest as a viable revenue source. The city's portfolio shall be designed and managed in a manner responsive to the public trust and consistent with state and local law. Investments shall be made with the primary objectives of:

- preservation of capital;
- maintenance of sufficient liquidity to meet operating needs;
- security of city funds and investments;
- diversification of investments to avoid unreasonable or avoidable risks; and
- maximization of return on the portfolio.

1.11 Oaths of Office

All officers, members of multiple-member bodies, police officers, special police officers, constables and firefighters shall be required to take an oath of office, before entering upon the discharge of his duties, which oath shall be subscribed by the person taking it and shall be filed and preserved in the office of the city clerk.

1.12 Personnel

It is the policy of the City of Chelsea to establish and maintain an equitable personnel system. This system should also promote the efficiency and economy of government, to promote the morale and well being of city employees, and to promote equal employment opportunity for all employees and candidates for employment.

The dynamics of personnel management must mediate between organizational change and the need for technical stability through affirmative action, human resource planning and cutback management, productivity, and labor relations. Effective personnel management must also balance the four values of social equity, responsiveness, efficiency, and individual rights. The personnel policies are based on the following principles in order to balance these values:

Recruiting, selecting, and developing employees on the basis of their abilities, knowledge, and skills.

Providing equitable compensation.

Training employees as needed to assure high quality performance in delivering quality services to the public.

Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose performance does not adequately improve.

Assuring fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, age, sex, creed, mobility limitations, or any other non-merit factor, except where such factor is a bona fide occupational requirement, and with proper regard for their privacy and constitutional rights as citizens; prohibiting discrimination against any person on the basis of such non merit factors, and assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for any purpose other than those duties and responsibilities directly associated with their positions in city government.

1.12.01 Residency

It is the policy of the City Manager that residency is a legitimate factor for determination of merit and fitness for employment. When knowledge, skills and ability are, in the opinion of the City Manager equal, the City Manager shall give preference to the Chelsea resident.

Officers and employees appointed by the City Manager, on or after January 1, 1996, except those appointed to the police department and the fire department, shall become residents, as defined by section 9-3 (i) of the charter, within six months of the date of appointment and shall not cease to be residents of the city during employment.

Upon employment, and by January 15 of each year thereafter, officers and employees subject to the provisions of this section, shall certify their name and place of residence to the Personnel Department on a form prescribed.

If upon certification of residence of a place not within the city, or failure to file such certification, a hearing shall be held by the city manager upon the matter. Any officer or employee subject to a hearing shall receive notice at least ten calendar days before such hearing containing a general statement of its purpose and the disciplinary action that may result.

A waiver from the provisions of this section may be granted by the city manager. The city manager shall by written communication inform an applicant or employee of a grant of waiver, including the reason(s) therefore. Waivers shall become part of the personnel record, filed with the city clerk with a copy transmitted to the city council.

The requirements in this section shall be subject to and in compliance with provisions of chapter 150E of the General Laws.

These provisions shall become effective thirty days following the effective date of this amendment.

1.13 Procurement

Disposal of tangible supplies owned or otherwise controlled by the City shall be disposed through the solicitation of three quotes for the sale of such tangible supplies and shall be awarded to the responsible party providing the highest quote. When, after solicitation of three quotes, no such quote is received for the sale thereof, the chief procurement officer shall make a disposal of such goods as will be in the best interests of the City as allowed under law. For tangible supplies or goods with an estimated value of less than Five Thousand Dollars (\$5,000.00), the City shall not be required to solicit three quotes for disposal of same, but instead, may make a disposal of such goods as will be in the best interests of the City as allowed under law.

Amended December 18, 2002.

1.14 Property Management

It is the policy of the City of Chelsea to manage its public land and waters, buildings and structures in order to protect the public's investment.

Effective property management is based on the following basic principles:

1. Protect against liability.
2. Preserve and enhance financial and natural assets.
3. Provide for appropriate access.
4. Maintain visual and cultural character.
5. Use of public lands and facilities shall be consistent with applicable open space, recreation, historic, building, and land management plans.

These principles are best served by the pursuit of the following goals:

Protect against liability:

- a. Ensure that insurance policies provide for asset replacement where practical,
- b. Provide appropriate security for all properties,
- c. Provide for appropriate maintenance and improvement of buildings, structures and lands,
- d. Seek the removal of attractive nuisances,
- e. Educate users as to safe and appropriate activities.

Preserve and enhance financial and natural assets.

- a. Implement long - range capital improvement plan,
- b. Develop management plans for all lands and facilities,
- c. Establish guidelines for asset acquisition and disposition,
- d. Provide for appropriate maintenance and improvement of buildings, structures and lands,
- e. Enforce rules and regulations regarding public use and access.

Provide for appropriate access.

- a. Enforce rules and regulations regarding public use and access,

- b. Educate users as to safe and appropriate activities,
- c. Provide for appropriate maintenance and improvement of buildings, structures and lands,
- d. Implement American with Disabilities Act plans for access,
- e. Develop management plans for all lands and facilities.

Maintain visual and cultural character.

- a. Provide for appropriate maintenance and improvement of buildings, structures and lands,
- b. Enhance and preserve the physical appearances and vistas
- c. Ensure conformity to existing zoning, historic guidelines, and local comprehensive plan guidelines.

Use of public lands and facilities shall be consistent with applicable management plans for open space, recreation, historic, building, and land.

- a. Develop management plans for all lands and facilities, and update every ten (10) years, or more often as is required, except as noted below.
- b. Ensure conformity to existing zoning, historic district guidelines, and local comprehensive plan guidelines.
- c. Provide appropriate security for all properties.
- d. Provide for appropriate maintenance and improvement of buildings, structures and lands.
- e. Ensure that all maintenance and improvements to existing buildings and structures or the development of new ones are energy efficient.
- f. Seek the removal of attractive nuisances.
- g. Educate users as to safe and appropriate activities.
- h. Develop and implement the City's open space and recreation plan, and update every five (5) years, or more often as is required.
- i. Follow appropriate federal and state grant guidelines to ensure eligibility for funding property management objectives.
- j. Establish effective coordination with the state and federal government, other municipalities, suffolk county fire department, not for profit organizations, and others where necessary.

In order to effectuate this policy, the city should ensure consistency in the application of all other administrative policies, which have a direct interrelationship to the property management policy of the city.

1.14-A Property Management Procedures

It is the policy of the City of Chelsea to provide access to public lands open spaces in a manner which harmonizes, to the extent reasonably possible, the various and divergent interests of the community.

This policy shall be construed and understood to comply with the property management policy expressed in

Part IV, section 1.14 of the Administrative Code. Neither the public ways, under the jurisdiction of the Traffic Commission, or any property dedicated to the use of any particular department be subject to this policy.

In carrying out the property management policies of the City of Chelsea, City departments, agencies and officers shall adhere to the following practices, procedures, and guidelines:

1. The appropriate City agency, upon designation by the City Manager, shall coordinate the scheduling of all events occurring on public lands and open spaces subject to this policy.
2. The appropriate City agency, upon designation by the City Manager, shall coordinate the granting of permits and shall by permit give prior authorization to all organized uses of the public spaces, including the parks, recreation areas, and city hall environs. Proof of an organized use shall be shown if an attendance of more than ten people is expected. Permits shall be handed out on a first come first serve basis, based upon the time and date of filing of the request.
3. Appropriate City agencies, upon designation by the City Manager, shall cause a registration form to be completed prior to any authorization being granted. This registration form shall at a minimum include questions regarding (i) name, address and phone number of sponsoring organization, (ii) name, address, and phone number of principal contract, (iii) site and time(s) and date(s) desired, (iv) expected crowd, (v) use of equipment, (vi) existence of fires, cooking, etc., (vii) use of amplification devices, (viii) use of the public ways, (ix) presence of vendors, (x) expected entertainment, if any.
4. Persons requesting the use of the public lands and open spaces shall obtain the prior approval of the following departments: Police, Fire, Inspectional Services, and Public Works, except as otherwise determined by the coordinating City agency, and also the prior approval of the Licensing Commission and the Traffic Commission shall be required in the requisite circumstances. The coordinating City agency, upon designation by the City Manager shall ensure that all requests carry such approval(s) prior to authorizing such an event.
5. No promise of the use of public services, in-kind, financial or otherwise shall be made except by the department authorized to provide such services.
6. The City shall have no obligation to provide special facilities for the use of the permittees, unless generally such facilities are made available to the public.
7. There shall be no guarantee given to any person for the use of public lands or open spaces. Persons using public property shall be informed that the use is at all times subject to public health and safety concerns. Persons using public property shall be informed that they must comply with all directions and orders of the of the Police Department, Fire department, Inspectional Services, the Public Works Department, Emergency Management Director, and other appropriate officials. Any grievance of such action may be subsequently filed by the permittee with the City Manager, or his designee, who shall investigate the matter and recommend and appropriate response to the City Manager for final action.

8. Authorized events shall be scheduled so as not to interfere with one another, and may be so regulated so as not to cause such interference.
9. The use of public lands and open spaces shall be limited by the size of the expected crowd, and the capacity of the site as determined by the Chief of the Fire Department, taking into account the estimated capacity, and the opinion of the Chief of Police taking into account access, traffic conditions, and availability for other spaces.
10. The use of the public lands and open spaces shall not result in the deterioration of the space for subsequent users. The sponsoring person(s) and/or organization(s) shall be responsible for cleaning of the site when finished. When sponsoring person(s), and/or organization(s) fail to clean the site when finished, the department of public works is authorized to undertake such clean up and charge the actual cost for such services to the sponsoring person(s) or organization(s).
11. Persons requesting use of the public property shall make such a request at least fourteen days prior to the date requested, unless the circumstances of unfolding political events cause or create a need for quicker response or activity.
12. It is the policy of the City that no application fee in excess of five (\$5.00) dollars shall be charged per event.
13. The following additional regulations shall guide the use of public property for First Amendment protected activities.
 - a. No person or organization shall demonstrate, picket, make speeches, march, hold a vigil or undertake other like forms of conduct which involve the communication or expression of views or grievances engaged in by one or more persons, the conduct of which has the effect, intent or propensity to attract a substantial crowd of on-lookers, participants or counter-demonstrators unless a permit thereof has first been obtained from the City.
 - b. The City shall honor all requests for such permits, except that the Division may by reasonable regulation, policy or procedure regulate as to time, place and manner of the activity in order to accommodate competing demands for public use, and to protect the public safety and convenience.
 - c. The City shall have the authority to modify the time, place and manner of the requested activity to facilitate crowd control in order to protect the public safety and relieve congestion. In doing so the City shall leave open ample alternative channels of communication.
 - d. No authorization shall be granted for public speaking within one hundred (100) feet of a residential dwelling before 9:00 a.m. on a Saturday or Sunday, or shall be granted which otherwise conflicts with the Noise Control Ordinance, being sec. 2-16 of the City Ordinances. Amplification shall be allowed in appropriate circumstances.
 - e. The granting of a permit by the City shall not be construed to be an endorsement of the

actions, ideas, or message of any such individual or group. No permitted event shall, in reliance upon having been permitted, be exempt, by application of the provisions of sec. 2-16(c), from the Noise Control Ordinance.

- f. Portions of City property which carry out special functions, which are intrinsically unsuited for speech activities, such as flower beds, swimming facilities, etc., shall not be available for such use.
- g. No charge shall be made for police protection at otherwise permitted events, when no admission or revenue is otherwise generated.
- h. Use of the City hall environs shall not interfere with the effective use of the facility for government purposes, to that end no permitted individual or group shall block or otherwise impede the passage of individuals or otherwise harass, threaten, or coerce individuals, seeking entry or exit during the business hours or City Hall.
- i. Permits may be denied on the following grounds:
 - (1) where the sole purpose of the activity is the advertising of any product or event, or is designed to be held for private profit.
 - (2) Where the activity is of such a size or nature that it will require the diversion of such a number of police officers to properly police the activity that allowing the activity would deny reasonable police protection to the rest of the City.
- j. Permits may be modified where a request for a parade or other event during times of high vehicular traffic shall reasonably place an intolerable strain on the essential flow of traffic.
- k. Any permitted individual or group who does not comply with these regulations, or any event specific condition imposed hereunder, shall have their permit suspended by order of any of the department granting approval, including police, fire, public works and inspectional services, pending a determination pursuant to the grievance procedure contained in the seventh (7th) requirement of this policy.
- l. All permits granted shall contain a statement that the granting of the permit, or any authorization therein, is neither an assurance of health, fire or other public safety nor a guarantee of other assistance.

1.15 Board and Commission Administrative Procedures

1.15.1. Definitions

“Affected person” shall mean the person or persons directly benefited or injured by a proceeding of a board. In either licensing or permitting proceedings it shall mean the license or permit applicant or holder. The term shall include any person named or admitted as a party or entitled by constitution or statutes to be so admitted.

“Board” shall mean any board, commission or other multiple-member body set out in the Administrative

Code, or mandated by state law.

“Emergency” shall mean a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.

“Individualized Action” shall mean any proceeding before a board in which the legal rights, duties, or privileges of specific parties (affected persons) are to be determined. It includes, but is not limited to, license applications, renewals, modifications, suspensions and revocations. It does not include rule-making procedure except where the proposed rule will affect fewer than six known parties.

“Interested person” shall mean any person with a significant interest in a proceeding. This interest need not be a property interest.

“Person” shall mean individual, partnership, corporation, association, public or private organization of any charter, other than the board engaged in the particular rule-making, declaratory ruling or individualized action.

“Rule” shall mean and include the whole or any part of every rule, regulation, standard or other requirement of general application and future effect adopted by a board to implement or interpret the law enforced or administered by it, but shall not include:

- 1) advisory ruling(s) issued under the provision of these regulations; or
rules concerning only the internal management or discipline of any board, and not directly affecting the rights of, or the procedures available to the public or that portion of the public affected by the board’s activities; or decisions issued in individualized actions; or
interpretative statements and statements of general policy.

1.15.2. Rule-making.

Prior to adoption or amendment of any rule as to which a hearing is required by any provision of the General laws or by charter, ordinance, or any other rule the violation of which is punishable by criminal or civil fine, or imprisonment, except a rule of board practice or procedure, a board shall comply with the following procedure:

The board shall, within the time specified by any provision of the general law, charter or ordinance, or, if no time is specified, then at least fourteen (14) days prior to the public hearing: publish notice of such hearing in such a manner as is specified by the requisite provision of the general law or charter or ordinance, or, if none is specified then posted at the city bulletin board, the public library, and published once in full on a newspaper of general circulation, unless such proposed rules are greater in length than eight (8) single pages typed, then a published summary of such rules should be deemed satisfactory; and notify any person specified by any provision of the general laws or city charter or ordinance.

The public hearing shall comply with any requisites imposed by the general law or by charter or ordinance.

For the purposes of this section, the notice shall:

- refer to the statutory authority which the action is proposed;

give the time and place of the public hearing;
either state the express terms or describe the substance of the proposed regulation or amendment, or state the subjects and issues involved;
include any additional matter required by the requisite provision(s) of the general law or charter or ordinances.

The board shall afford interested persons an opportunity to present, orally or in writing, data, views, or arguments in regards to the proposed action. If the board finds that oral presentation is unnecessary, impracticable or disruptive, it may require that presentation be made in writing.

This section shall not relieve any board from compliance with any provision of the General Law requiring that its regulations be approved by designated persons or bodies before such rule or rules become effective.

The aforementioned administrative procedure shall not be applicable to regulations of the traffic and parking commission, or to temporary or emergency regulations of any board promulgated for less than thirty (30) days duration.

Regulations of the traffic and parking commission shall not be promulgated under the provisions of this section. They shall be promulgated in accordance with the provisions of section 6-3(b) of the charter.

1.15.3. Recording Regulations

All boards shall file with the city clerk a certified copy of each rule adopted by it.

The city clerk shall keep copies of the rules which boards have adopted and filed. They shall be maintained in electronic form and in paper form, compiled and indexed to permit easy reference, as appendices to this administrative code. They shall be available for inspection by the public at the city clerk's office. Copies of these rules shall be provided to persons requesting such copies upon payment of reproduction costs.

1.15.4. Individualized Actions

Upon receipt of a request for an individualized action the board shall conduct a preliminary investigation, including in that investigation material in application form, if one is involved, its files, and information known or determinable by it or its staff.

Evidence may be admitted and given probative effect only if it is the kind of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence.

The board shall prepare an official record, which shall, at a minimum include the exhibits and a summary of the testimony in each individualized action, but it shall not be necessary to transcribe stenographic or shorthand notes, or tapes, unless requested for purposes of rehearing or court review.

All evidence, including records and documents in the possession of the board of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence shall be

considered in the determination of the

Action. Documentary evidence may be received in the form of copies or excerpts or by incorporation by reference.

Every party shall have the right of cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence.

1.15.5. Records of Individualized Proceedings.

Each board shall transmit the original of all elements, including exhibits, recording and electronic data, of the records of individualized proceedings before it to the city clerk, who shall keep them safely. The city clerk shall ensure that any person requesting the same shall promptly, upon payment of the costs of reproduction, be provided with a copy thereof, attested if so requested, but said originals shall not be yielded up upon request of the city solicitor pursuant to a legal necessity. Such records shall be maintained in a manner similar to that provided under section 15.20 of part IV. Of the Administrative Code.

1.15.6 Emergency Action

In an emergency a board may validly take action and dispense with the Open Meeting Law public notice requirement:

where such action is necessary for the public health or welfare; but subject to change after a hearing, if requested, to be held at the earliest convenient time but in no case more than thirty (3) days after the action; or

in other cases where delay would render the action useless, and where there are no substantial adverse interests affected, except that upon the timely good faith objection of an interested person the provisions of section 15.2 of Part IV of this Administrative Code.

This aforementioned administrative procedure shall not be applicable to regulations of the traffic and parking commission. Regulations in accordance with the provisions of section 6-3(b) of the charter and the requirements of the Open Meeting law.

1.16 Trust Fund Management

It is the policy of the City of Chelsea that trust fund management be consistent with the legal requirements, and spirit of each respective trust document and, to the maximum extent possible, realize the purposes the trusts were intended to achieve.

Trust fund management will be conducted with the primary objectives of:

Conformance to each trust document's specified purpose, legal requirements, and administrative guidelines;

- preservation of capital;
- maintenance of security of trust funds and investments;
- maximization of total return for each trust fund;

- efficient disbursement of funds on an equitable basis; and
- effective collection of all due monies.

1.17 Volunteers

The City of Chelsea recognizes that volunteers are an integral part of the city's government. Their participation in the process of government contributes to the uniqueness of the city's quality of life.

Volunteers choose to act in recognition of social responsibility and without concern for monetary gain. A resident may choose to be a policy making volunteer or a service volunteer.

The City of Chelsea is committed to providing adequate support, training, leadership, and recognition for all its volunteers. It expects commitment and excellence from the volunteers. The city has the right to determine duties, authorities and appropriateness of volunteers. Following established volunteer management protocol, the city has the right to both select and remove volunteers.

Section 2.00 City Manager Implementation and Reporting Responsibilities

The city manager shall develop and promulgate regulations and procedures for the efficient and effective implementation of the city council administrative policies. All such regulations or procedures shall be inconsistent with the provisions of these policies, the ordinances of the city, the charter, state or federal law.

The publication of these regulations and procedures shall be a part of Part IV of the administrative code of the city.

Section 3.00 Administration of Non-Criminal Citations

3.01. Generally

Non-criminal citations are issued by various officers, and employees of the City of Chelsea to protect the health, welfare, safety and morals of the community. These procedures promote an aggressive program for the insurance, adjudication and collection, of these non-criminal citations.

Citations involving violations of city ordinances, rules or regulations are issued on a continuous basis by authorized officers and employees of the City of Chelsea, including but not limited to, members of the police department, the department of municipal inspections and the animal control officer within the health and human services department.

The city clerk shall be generally responsible for the administration of this non-criminal disposition process, and for the collection and processing of fines associated with the issuance of such citations.

3.02. Issuance

Department having issues non-criminal citations(s) shall forward the appropriate copy of the non-criminal citation to the city clerk's office daily. The city clerk's office shall timely process the information from this non-criminal citations. The city clerk's office shall furnish department the names of all individuals to who, they issued

citations within three (3) business days.

3.03 Adjudication

Twice monthly, the city clerk shall forward to each department a listing of all outstanding citations issued by that department which are beyond the twenty-one (21) day limit allowed for by law for the payment of such violations.

Each department shall be responsible for filing the appropriate complaint application for all individuals who have not paid their fine after the expiration of the twenty-one (21) day period. Once completed these applications shall be forwarded to the prosecuting attorney for the scheduling of appropriate court proceedings. Upon receipt of the scheduled hearing date a copy of the notice shall be forwarded to the city clerk who, if deemed appropriate, shall send a notice to the violator of such sate and the fines outstanding.

It will be the responsibility of the members of the issuing department to attend any and all hearings before the appropriate court.

3.04 Collections

The city clerk's office shall be responsible for the processing of all citation fines associated with the issuance of non-criminal citations. The treasury/collecting department shall be responsible for the collections of all monies received from the issuance of non-criminal citations and shall furnish the city clerk with a list of all citations paid in a timely fashion. When necessary, the city clerk's office shall be responsible for notifying the appropriate

court once payment has been made by individuals who are to appear before the court or who appeared before the court for a hearing and were thereby ordered to pay the fine.

4.00 Citywide Video Surveillance System "Chelsea View"

The City of Chelsea has established and implemented a citywide video surveillance system, known as Chelsea View. Rules and regulations have been adopted for the access and use of the system.

Amended October 25, 2005.