HOUSE DOCKET, NO. 4233 FILED ON: 1/24/2012

HOUSE . . . . . No. 3900

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Durant

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the charter of the Town of Southbridge.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Durant	*6th Worcester*
Richard T. Moore	
	☐ *[District]*
	☐

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HOUSE . . . . . No. 3900

By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3900) of Peter J. Durant and Richard T. Moore (by vote of the town) relative to amending the charter of the town of Southbridge. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

An Act relative to the charter of the Town of Southbridge.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1-2-1 of the charter of the town of Southbridge, which is on file in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by adding the following sentence:- The town of Southbridge shall be governed by those General Laws applicable to towns where the laws of the commonwealth distinguish between towns and cities, and all laws applicable to towns shall be applicable to the town of Southbridge, except as otherwise specifically provided in this charter; provided, however, that section 32 of chapter 40 of the General Laws shall not apply to the town of Southbridge.

SECTION 2. Section 2-2-2 of said charter is hereby amended by adding the following sentence:-

No qualified voter of the town shall be eligible to run for the office of councilor if he or she is not in good financial standing with the town by being current in all bills from the town.

SECTION 3. Said charter of the town of Southbridge is hereby further amended by striking out section 2-4-4 and inserting in place thereof the following section:-

Section 2-4-4: The council may establish committees, subcommittees and advisory committees as it deems reasonable and necessary and such committees may include non-councilor members; councilor appointments to such committees shall be made by the council chairperson; non-councilor member appointments to such committees shall be made by the council subcommittee members subject to confirmation by the council.

SECTION 4. Section 9 of chapter 2 of said charter is hereby amended by adding the following section:-

Section 2-9-5: The vice chairperson may be removed from said office by a two-thirds vote of the entire council (i.e. a minimum of 6 votes). Any member of the council at any point may make a motion to remove the vice-chairperson, and, if the motion is seconded, the motion shall be voted upon at that time, without exception, by the council. A new vice-chairperson shall be elected by a majority of the vote of the town council at the next regularly scheduled meeting.

SECTION 5. Section 1 of chapter 3 of said charter is hereby amended by adding the following section:-

Section 3-1-5: Any elected or appointed member of a quasi-judicial board shall be limited to 1 such board and ineligible to serve on any other such quasi-judicial board during their term.

SECTION 6. Clause (a) of section 4-3-1 of said charter is hereby amended by striking out the word “three” and inserting in place thereof the following figure:- 5 .

SECTION 7. Said section 4-3-1 of said charter is hereby further amended by inserting, after the words “conservation commission” in clause (e), the following clause:-

; (f) a 3-member liquor licensing board with 1 alternate member .

SECTION 8. Said charter is hereby further amended by striking out section 4-4-2.

SECTION 9. Said charter is hereby further amended by striking out section 4-6-1 and inserting in place thereof the following section:-

Section 4-6-1: Final removal of the manager shall be effected by a two-thirds vote of the entire council (i.e. a minimum of 6 votes) at an open council meeting.

SECTION 10. Said charter is hereby further amended by striking out section 9-1-2 and inserting in place thereof the following section:-

Section 9-1-2: A person appointed to the liquor licensing board shall not be engaged, directly or indirectly, in the commercial manufacture or sale of alcoholic beverages, and if once appointed a member engages in such commercial manufacture or sale, that member's office shall immediately become vacant.

SECTION 11. The second sentence of section 11-4-3 of said charter is hereby amended by striking out the words “twenty-five” and inserting in place thereof the following figure:- 15 .

SECTION 12. Notwithstanding section 42C of chapter 54 of the General Laws, this act shall be submitted to the voters of the town of Southbridge in the form of the following 11 questions which shall be placed on the ballot at a regular or special town election to be held in the year 2012 and the town council of the town of Southbridge shall cause a fair and concise summary of each question to be included below each ballot question.

QUESTION 1: “Shall section 1 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 2: “Shall section 2 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 3: “Shall section 3 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 4: “Shall section 4 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 5: “Shall section 5 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 6: “Shall section 6 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 7: “Shall section 7 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 8: “Shall section 8 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 9: “Shall section 9 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 10: “Shall section 10 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

QUESTION 11: “Shall section 11 of an act passed by the General Court in the year 2012, entitled ‘An Act Relative to the Charter of the Town of Southbridge’ be accepted?”

If a majority of the votes cast in answer to any of the questions is in the affirmative, the town shall be taken to have authorized the amendments to the charter as set forth in those sections of this act, but not otherwise.

SECTION 13. This act shall take effect upon its passage.