

# CITY OF SOMERVILLE

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Charter Advisory Committee

July 9, 2008



## DEFINITION OF A “CHARTER”

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- A charter is the basic law that defines the organization, powers, duties, functions and essential procedures of the municipal government. It is comparable to the state constitution and to the constitution of the United States. ***The charter is, therefore, the most important single law of any local government.*** Through change in the charter, almost any desired change can be achieved in governmental organization, powers, functions and procedures.

-National Civic League



# TYPICAL CONTENTS OF A CHARTER

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- **INCORPORATION; SHORT TITLE; DEFINITIONS**
- **LEGISLATIVE BRANCH**
  - **COMPOSITION; TERM OF OFFICE; ELIGIBILITY**
    - (a) Composition –
    - (b) Term of Office –
    - (c) Eligibility –
  - **PRESIDENT**
    - (a) Election and Term –
    - (b) Powers and Duties –
  - **PROHIBITIONS**
    - (a) Holding Other City Office or Position –
    - (b) Interference with Administration –
  - **COMPENSATION**
  - **GENERAL POWERS**
  - **EXERCISE OF POWERS; QUORUM; RULES**
    - Exercise of Powers –
    - Quorum –
    - Rules of Procedure –
  - **FILLING OF VACANCIES**
  - **ACCESS TO INFORMATION**
  - **APPOINTMENTS OF THE LEGISLATIVE BRANCH**
  - **ORDINANCES AND OTHER MEASURES**
    - (a) Emergency Ordinances –
    - (b) Measures, In General –
    - (c) Posting –
  - **REVIEW OF CERTAIN APPOINTMENTS**



# TYPICAL CONTENTS OF A CHARTER

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- **EXECUTIVE BRANCH**
    - **MAYOR/MANAGER: QUALIFICATIONS; TERM OF OFFICE; COMPENSATION; PROHIBITIONS**
      - (a) Mayor, Qualifications –
      - (b) Term of Office –
      - (c) Compensation –
      - (d) Prohibitions –
    - **EXECUTIVE POWERS; ENFORCEMENT OF ORDINANCES**
    - **APPOINTMENTS BY THE MAYOR/MANAGER**
    - **REMOVAL OR SUSPENSION OF EXECUTIVE APPOINTMENTS**
    - **TEMPORARY APPOINTMENTS TO CITY OFFICES**
    - **VETO POWER**
    - **TEMPORARY ABSENCE OF THE MAYOR/MANAGER**
      - (a) Acting Mayor/Manager –
      - (b) Powers of Acting Mayor/Manager –
    - **DELEGATION OF AUTHORITY BY MAYOR/MANAGER**
    - **VACANCY IN OFFICE OF MAYOR/MANAGER**
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# TYPICAL CONTENTS OF A CHARTER

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- **SCHOOL COMMITTEE**
  - **COMPOSITION; TERM OF OFFICE; ELIGIBILITY**
    - (a) Composition –
    - (b) Term of Office –
    - (c) Eligibility –
  - **SCHOOL COMMITTEE CHAIR**
    - (a) Election and Term –
    - (b) Powers and Duties –
  - **PROHIBITIONS**
  - **COMPENSATION**
  - **SCHOOL COMMITTEE POWERS AND DUTIES**
  - **FILLING OF VACANCIES**
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- **ADMINISTRATIVE ORGANIZATION**
  - **ORGANIZATION OF CITY AGENCIES**
  - **HUMAN RESOURCES ADMINISTRATION**
- **FINANCE AND FISCAL PROCEDURES**
  - **ANNUAL BUDGET POLICY**
  - **SUBMISSION OF OPERATING BUDGET; BUDGET MESSAGE**
  - **ACTION ON THE OPERATING BUDGET**
    - (a) Public Hearing –
    - (b) Adoption of the Budget –
  - **CAPITAL IMPROVEMENT PROGRAM**
  - **LONG-TERM FINANCIAL FORECAST**
  - **INDEPENDENT AUDIT**



# TYPICAL CONTENT OF A CHARTER

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- **ELECTIONS**
  - **PRELIMINARY ELECTION**
    - (a) Determination of Candidates –
    - (b) Condition Making Preliminary Unnecessary –
  - **REGULAR CITY ELECTION**
  - **WARDS**
  
- **CITIZEN PARTICIPATION MECHANISMS**
  - **FREE PETITION**
  - **CITIZEN INITIATIVE MEASURES**
  - **CITIZEN REFERENDUM PROCEDURES**
  - **INELIGIBLE MEASURES**
  - **SUBMISSION OF OTHER MATTERS TO VOTERS**
  
- **GENERAL PROVISIONS**
  - **CHARTER CHANGES**
  - **SEVERABILITY**
  - **SPECIFIC PROVISION TO PREVAIL**
  - **PERIODIC REVIEW OF ORDINANCES**
  - **PERIODIC REVIEW OF CHARTER**
  - **UNIFORM PROCEDURES GOVERNING MULTIPLE-MEMBER BODIES**