

Town of Reading, Massachusetts - Home Rule Charter

Adopted March 24, 1986
Amended through March 1990
Reprinted April 1996

(e) Majority Vote - The word "majority vote" shall mean as to the Town Meeting a majority of those present and voting provided that a quorum of the body is present. As to all multiple member bodies, the affirmative vote of a majority of all its members shall be necessary to adopt any motion, order, appointment or approval to take any action not entirely procedural in nature.

(f) Multiple-member Body - The word "multiple-member body" shall mean any board, commission or committee consisting of two or more persons, whether elected or appointed.

(g) Town - The word "Town" shall mean the Town of Reading.

(h) Town Agency - The words "Town agency" shall mean any board, commission, committee, department or office of the Town government whether elected, appointed or otherwise constituted.

(i) Town Bulletin Boards - The words "Town Bulletin Boards" shall mean the bulletin boards on which official Town notices are posted.

(j) Town Meeting - The words "Town Meeting" shall mean the representative Town Meeting of the Town established by Article 2.

(k) Town Officer - The words "Town Officer" shall mean an elected or appointed official of the Town who in the performance of his duties of office exercises some portion of the sovereign power of the Town, whether great or small; however, it shall not include a Town Meeting Member. A person may be a Town Officer whether or not he receives any compensation for his services.

(l) Voters - The word "Voters" shall mean registered voters of the Town.

Section 8-8: Rules and Regulations

A copy of all Rules and Regulations adopted by any Town agency shall be filed in the office of the Town Clerk, and made available for review by any person who requests such information. Such Rules and Regulations adopted subsequent to the adoption of this Charter shall not become effective until ten (10) days following the date they are so filed.

Section 8-9: Re-Enactment and Publication of Bylaws

Within one year of the adoption of this Charter and at intervals of not more than ten years thereafter, proposed revisions or recodification of the bylaws of the Town shall be presented to Town Meeting by the Bylaw Committee.

At least four (4) months prior to the Town Meeting at which action under this section is to be taken, the Committee shall cause to be published in a local newspaper (a) a report summarizing its recommendations and noting the times and places within the Town where complete copies of the

report shall be available for inspection by the public and (b) the date, time and place not less than two weeks following such publication when a public hearing shall be held by the committee on the preliminary report.

Section 8-10: Procedures of Multiple-Member Bodies

(a) Meetings - All multiple-member bodies of the Town whether elected, appointed or otherwise constituted shall meet at such times and places within the Town as they may, by their own rules, prescribe. Special meetings of any multiple-member body shall be held on the call of the respective chairman, or by a majority of the members thereof by suitable written notice delivered to the residence or place of business of each member at least twenty-four (24) hours in advance of the time set. A notice of each meeting shall be posted at least forty-eight (48) hours in advance on the Town Bulletin Board, except in the event of an emergency meeting within the meaning of General Laws C. 39. All meetings of all multiple-member bodies shall, at all times, be open to the public and to the press except as may otherwise be authorized by law.

(b) Rules and Minutes - Each multiple-member body shall determine its own rules and order of business unless otherwise provided by the Charter or by bylaw, and shall provide for keeping minutes of its proceedings. These rules and minutes shall be a public record kept available in a place convenient to the public at all reasonable times, and copies shall be kept available in the library.

(c) Voting - Except on procedural matters, all votes of all multiple-member bodies shall be taken by a show of hands, or roll call vote, the results of which shall be recorded in the minutes.

(d) Quorum - A majority of the members of the multiple-member body shall constitute a quorum but a smaller number may adjourn from time to time.

Section 8-11: Elections

(a) Annual Town Elections - The election of Town Officers and Town Meeting Members, and referenda questions shall be acted upon and determined by voters on official ballots without party or other designation on the date fixed in the bylaws of the Town.

(b) Procedures - All elections conducted pursuant to this Charter shall be conducted in accordance with the election laws of the Commonwealth of Massachusetts.

(c) Any townwide election shall be held at the same time in each precinct at the place designated by the Selectmen.

Section 8-12: Notice of Vacancies

Whenever a vacancy occurs and is to be filled in any Town office requiring appointment by Board of Selectmen or in any multiple member body except for positions covered under the civil service law of the Commonwealth, whether by reason of death, resignation, expiration of a fixed term for which a person has been appointed, or otherwise, the Board of Selectmen or other appointing authority shall forthwith cause public notice of the vacancy to be posted on the Town Bulletin

Boards for fifteen (15) days. Any person who desires to be considered for appointment to the position may, within fifteen (15) days following the date notice is posted, file with the Town Clerk a statement setting forth in clear and specific terms his qualifications for the position. No permanent appointment to fill such a position shall be effective until at least twenty-eight (28) days have elapsed following such posting and until all persons filing such statements shall have been considered. [Amended November 13, 1986 (Art. 17) and approved by vote of the Town on March 23, 1987]

Section 8-13: Recall Procedures

(a) Application - any holder of an elective office, other than a Town Meeting Member, with more than six (6) months remaining in the term for which he was elected, may be recalled therefrom by the voters in the manner provided in this section.

(b) Recall Petition - Two hundred and fifty (250) or more voters may file with the Town Clerk an affidavit containing the name of the officer whose recall is sought and a sworn statement of the grounds upon which the petition is based. At least twenty-five (25) names of voters shall be from each of the eight precincts into which the Town is divided. The Town Clerk shall, within twenty-four (24) hours of receipt, submit the petitions to the Registrars of Voters who shall forthwith certify thereon the number of signatures that are names of voters. If the petitions contain sufficient signatures, the Town Clerk shall thereupon deliver to the first ten voters listed upon the affidavit, petition blanks in such number as requested demanding such recall, printed forms of which he shall keep available. The blanks shall be issued by the Town Clerk with his signature and official seal attached thereto. They shall be dated, shall be addressed to the Board of Selectmen, shall contain the names of all persons to whom they are issued, the name of the person whose recall is sought, the grounds for recall as stated in the affidavit, and shall demand the election of a successor to the said office. A copy of the affidavit shall be entered in a record book to be kept in the office of the Town Clerk. The recall petitions shall be returned and filed with the Town Clerk within twenty-one (21) days following the date of the filing of the affidavit, signed by at least ten (10%) percent of the voters and containing their names and addresses. However, not more than twenty-five (25%) percent of the total number shall be from any one precinct.

(c) Recall Election - If the petition shall be certified by the Town Clerk to be sufficient, he shall forthwith submit the same with his certificate to the Board of Selectmen. Upon its receipt of the certificate, the Board of Selectmen shall forthwith give written notice of such petition and certificate to the officer whose recall is sought by mailing the same postage prepaid to his address as shown on the most recent voting list and posting such notice on one or more of the Town Bulletin Boards. If said officer does not resign his office within five (5) days after the date of such notice, the Board of Selectmen shall order an election to be held not less than thirty-five (35) nor more than sixty (60) days after the date of the Town Clerk's certificate of the sufficient petition. If, however, any other Town Election is to occur not less than thirty-five (35) nor more than sixty (60) days after the date of the certificate, the Board of Selectmen shall hold the recall election on the date of such other election. If a vacancy occurs in said office after a recall election has been