

HOUSE No. 4697

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act Authorizing the City of Everett to Create an Inspectional Services Department in the City of Everett..

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

1 SECTION 1.

2 (a) There is hereby established under the provisions of chapter 43B § 13 of the
3 Massachusetts General Laws in the City of Everett a Department of Inspectional Services, which
4 shall be responsible for the coordination and management of the inspection related activities of
5 the city assigned by this act. Said department of inspectional services shall be responsible for and
6 shall perform the following functions:

7 (1) Coordination of all inspection functions carried out by any officer or employee who
8 falls within the scope of this ordinance;

9 (2) Maintenance in a central place of all records relating to inspections;

10 (3) Coordination of enforcement actions for violations of any provision of the General
11 Laws, state building code, city ordinances, including but not limited to Chapter 13A, rules or
12 regulations which are subject to enforcement by any officer or employee of the city. The

13 Department of Inspectional Services shall be available to consumers in order to assist them in
14 implementing the intent of this act;

15 (4) The rendering of advice, assistance and guidance to all city offices and agencies in
16 any matter relating to city inspection services; and

17 (5) The rendering of advice, assistance and guidance to all members of the public relating
18 to city inspection services and the development of user friendly systems for the convenience of
19 the public. All inspections performed by or under the authority of the building inspector, board
20 of health, inspector of gas piping and gas appliances, plumbing inspector, zoning enforcement
21 officer and every other local inspection as may be authorized shall be coordinated through the
22 Department of Inspectional Services.

23 (b) The Department of Inspectional Services shall be headed by a director of
24 inspectional services. The director of inspectional services shall have the following specific
25 powers and duties:

26 (1) To establish a full and complete inventory of all inspection services performed by any
27 officer of the city that falls within the scope of this ordinance;

28 (2) To establish common files, by property address, which will be accessible to all
29 persons performing inspection services for the city, containing recordings of all inspections
30 performed by any city officer or employee; and

31 (3) To provide common services for all inspection related personnel and centralized
32 location for consumers of city inspection services; the chief of inspectional services shall also be
33 available to said consumers in order to assist them in implementing the intent of this act.

34 (c) The director of inspectional services shall assure quality control by:

35 (1) Expediting the issuance or denial of all permits;

36 (2) Establishing a service manual within 90 days of appointment; and

37 (3) Performing such other duties and responsibilities as may be established by city

38 ordinance.

39 (d) The Department of Inspectional Services shall consist of the following divisions:

40 (1) The division of building inspection and maintenance, which shall be responsible for
41 the enforcement of the provisions of the state building code pertaining to buildings and other
42 structures and for enforcement of related ordinances in the Revised Ordinances of the City of
43 Everett, including, but not limited to the Zoning Ordinance;

44 (2) The division of plumbing, which shall be responsible for the enforcement of all
45 provisions of the state building code applicable to plumbing and for enforcement of related
46 ordinances in the Revised Ordinances of the City of Everett;

47 (3) The division of gas fittings and gas appliances, which shall be responsible for the
48 enforcement of all provisions of the state building code applicable to gas fittings and gas
49 appliances and for enforcement of related ordinances in the Revised Ordinances of the City of
50 Everett;

51 (4) The division of electrical inspections and maintenance, which shall be responsible for
52 the enforcement of all the provisions of the state building code applicable to electrical wires and
53 electrical fixtures and shall be responsible for the ordinary maintenance of electrical wires and
54 fixtures in city buildings and other structures including all city recreational facilities and for the

55 operation and maintenance of the electrical components of the traffic regulatory signals and
56 devices and fire alarm signals and devices and for enforcement of related ordinances in the
57 Revised Ordinances of the City of Everett;

58 (5) The division of health and sanitation, which shall be responsible for enforcement of
59 all provisions of the state sanitary code promulgated by the department of public health of the
60 commonwealth which are subject to enforcement by cities and towns and to adopt from time to
61 time additional regulations as are necessary or desirable to protect the public health of the
62 citizens of Everett and to enforce all regulations so promulgated.

63 (6) The division of code enforcement, which shall be responsible for enforcement of all
64 provisions of the City of Everett Revised Ordinances Chapter 13A

65 (7) The following multiple member bodies shall, for administrative and communication
66 purposes only, be considered to be within the department of inspectional services:

67 (i) Board of Appeals

68 Nothing in this act shall be construed as giving the director of inspectional services
69 authority to direct the activities of any of these multiple member bodies when they are exercising
70 their official duties.

71 SECTION 2. The provisions of this act shall not affect the civil service status of any of
72 the positions within the divisions of the Department of Inspectional Services.

73 SECTION 3. The Mayor of the City of Everett shall appoint a director of inspectional
74 services who shall be the executive and administrative head of the department subject to Board
75 of Alderman confirmation. The term of office shall be for three years without any tenure and

76 shall not be extended, without reappointment, beyond said three-year term. Such director shall
77 possess all the necessary qualifications, experience and certification required for an inspector of
78 buildings or building commissioner under the provisions of chapter 143 of the General Laws.

79 SECTION 4. The Mayor of the City of Everett may remove the director of the Department of
80 Inspectional Services from office before the term of appointment has expired.

81 SECTION 5. The appointment of a chief of inspectional services shall satisfy the
82 requirement of chapter 143 of the General Laws as to the appointment of an inspector of
83 buildings or building commissioner. SECTION 6. Any agency performing an inspection function
84 outside of the scope of this ordinance shall be continued.

85 SECTION 7. All books, papers, documents, equipment, land and any other property,
86 which is in the custody and control of any agency or department affected by this consolidation
87 shall be transferred by the former department to the Inspectional Services Department. All
88 contracts in force shall be continued in force by the Department of Inspectional Services until
89 they expire or are otherwise cancelled. Any judicial proceedings in which any department
90 affected by this consolidation is a party, shall not be affected by the consolidation, but the
91 Inspectional Services Department shall stand in the place of this former department.

92 SECTION 8. This act shall take effect upon its passage.