HOUSE DOCKET, NO. 2066 FILED ON: 1/17/2013

HOUSE . . . . . No. 3439

The Commonwealth of Massachusetts

PRESENTED BY:

Walter F. Timilty

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 adoption of the accompanying bill:

An Act amending the charter for the Town of Randolph.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Walter F. Timilty	*7th Norfolk*
Mark J. Cusack	*5th Norfolk*
Bruce J. Ayers	*1st Norfolk*
Brian A. Joyce	*Norfolk, Bristol and Plymouth*

HOUSE DOCKET, NO. 2066 FILED ON: 1/17/2013

HOUSE . . . . . No. 3439

By Mr. Timilty of Milton, a petition (accompanied by bill, House, No. 3439) of Walter F. Timilty and others (by vote of the town) relative to the charter of the town of Randolph. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act amending the charter for the Town of Randolph.

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. Article 2 of the charter of the town of Randolph, 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 striking out section 2-5 and inserting in place thereof the following section:-

Section 2-5.

(a) General Powers - Except as otherwise provided by general law or this charter, all powers of the town shall be vested in the town council which shall provide for the exercise thereof and for the performance of all duties and obligations imposed upon the town by such law. The town may enter into contracts for the exercise of its corporate powers on such terms and conditions as are authorized by the town council by ordinance.

The town council shall be the licensing authority of the town of Randolph for the following licenses only: licenses for the sale of Class 2 or Class 3 second hand motor vehicles pursuant to chapter 140 of the General Laws; and licensure of persons to carry on the business of pawnbrokers pursuant to said chapter 140. The town council shall, as authorized by the laws of the commonwealth, have all power to issue said licenses, to make all necessary rules and regulations regarding the issuance of such licenses, to attach conditions and restrictions to such licenses as it deems to be in the public interest and to enforce all laws relating to such licensed businesses.

(b) License Board - There shall be a license board and it shall be the licensing authority of the town of Randolph, and shall, as authorized by the laws of the commonwealth, have all

power to issue all licenses set forth this subsection, to make all necessary rules and regulations regarding the issuance of such licenses, to attach conditions and restrictions to such licenses as it deems to be in the public interest and to enforce all laws relating to such licensed businesses.

The license board shall consist of seven (7) full-time members, 1 of whom shall be a resident of the town of Randolph and three (3) alternates, all of whom shall be residents of the town of Randolph who shall be recommended by the council president and confirmed by the town council.

The full-time license board members shall consist of the following: the Randolph police chief; the Randolph fire chief; the Randolph building inspector; the Randolph health inspector; and three (3) town residents, 1 of whom shall be recommended the council president and confirmed by the council.

Each member shall serve a two (2) year term. All license board meetings shall be held at 7:00 P.M. during the workweek (excluding Mondays).

No elected official within the commonwealth shall be eligible to serve as a license board member. A license board member shall not be compensated by the town in his or her role as a license board member.

The license board shall have authority and jurisdiction over licenses issued pursuant to the General Laws for the following types of establishments and activities in the town of Randolph:

(1) Common victualler;

(2) Innholder, rooming house, hotel or motel;

(3) Weekday entertainment;

(4) Sunday entertainment;

(5) Automatic amusement, including coin-operated machines;

(6) Bowling and billiards, non-coin operated;

(7) General entertainment, including paintball;

(8) Taxis;

(9) Livery;

(10) Limos;

(11) Class 1 motor vehicles, new cars;

(12) Auctioneer, including one day auctioneers; and

(13) Psychic/palm reader;

The license board shall have licensing authority and jurisdiction regarding licenses granted under this authority consistent with the board's legal authority to regulate conduct which is in the best interests of the public and is intended to protect the public welfare and safety of the inhabitants of Randolph.

The license board shall regulate common victuallers licensed under chapter 140 of the General Laws and entertainment licenses granted under said chapter 140. Nothing contained within this section shall limit the authority of the license board in enforcing any provision of the General Laws that the board has authority over, under powers conferred to it by applicable law, or under powers conferred to it by any provision of the town charter or any applicable by-law.

SECTION 2. Subsection (b) of section 4-1 of article 4 of said charter is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- At each biennial election, 6 school committee members shall be elected at large and shall serve for a 2 year term.

SECTION 3. Subsection (a) of section 4-2 of article 4 of said charter is hereby amended by striking out the figure “4” and inserting in place thereof the following figure:- 2.

SECTION 4. The second sentence of subsection (a) of section 7-7 of article 7 of said charter is hereby amended by striking out the words “5 per cent of the total number of” and inserting in place thereof the following words:- 250 registered.

SECTION 5. The state secretary shall cause the following question to be placed on the official ballot to be used in the town of Randolph at the biennial state election to be held on November 4, 2014: Shall an act entitled “An Act amending the charter for the Town of Randolph” be accepted?

The town of Randolph solicitor shall prepare a summary of the proposed special act to amend the charter which shall appear on the ballot along with the question provided in this section.

If a majority of votes cast in answer to the question is in the affirmative, the town of Randolph shall be taken to have accepted the amendments to the charter of the town of Randolph, but not otherwise.