

HOUSE No. 4542

Substituted, on motion of Mr. Walsh of Peabody, for a bill with the same title (House, No. 2244)
[Local Approval Received]. September 18, 2025.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to making the charter of the city of Chicopee gender neutral.

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. Chapter 239 of the acts of 1897 is hereby repealed.

2 SECTION 2. The following shall be the charter of the City of Chicopee:-

3 ARTICLE I

4 Municipal Government

5 § 1. City of Chicopee.

6 The inhabitants of the City of Chicopee shall continue to be a body politic and corporate,
7 under the name of the City of Chicopee, and as such shall have, exercise and enjoy all the rights,
8 immunities, powers and privileges, and be subject to all the duties and obligations, now
9 incumbent upon and appertaining to said city as a municipal corporation.

10 § 2. Administration of municipal affairs.

11 The administration of all the fiscal, prudential and municipal affairs of said city, with the
12 government thereof, shall, except the affairs of the public schools of said city, be vested in an
13 executive department, which shall consist of 1 officer, to be called the Mayor, and in a legislative
14 department, which shall consist of a single body, to be called the City Council, the members
15 whereof shall be called Councilor. The executive department shall never exercise any legislative
16 power, and the legislative department shall never exercise any executive power, except as herein
17 otherwise provided.

18 § 3. Nine wards.

19 The territory of said city shall continue to be divided into 9 wards, which shall retain their
20 present boundaries until the same shall be changed under the General Laws of the
21 commonwealth relating thereto. The number of wards may, in any year fixed by law for a new
22 division of wards in cities, be changed by vote of the City Council, with the approval of the
23 Mayor, at or prior to making such division, but the number of wards shall never be less than 7.

24 ARTICLE II

25 Elections and Meetings

26 §4. Meetings of qualified voters.

27 All meetings of the qualified voters of said city for the purpose of voting at elections of
28 national, state, county, district and municipal officers, and for other municipal or legal purposes,
29 shall be called by order of the City Council, and, so far as applicable, in the manner provided by
30 law for calling elections in cities.

31 §5. Municipal election and municipal year.

32 The annual municipal election shall take place on the first Tuesday of November, and the
33 municipal year shall begin at 10 o'clock in the morning on the first Monday of January next
34 following.

35 § 6. Certain officers to be elected by ballot.

36 At such annual municipal election the qualified voters shall give in their votes by ballot
37 for Mayor, City Clerk, City Treasurer, members of the City Council and of the School
38 Committee, or of such of them as are to be elected, and the person receiving the highest number
39 of votes for any office shall be deemed and declared to be elected to such office, and whenever 2
40 or more persons are to be elected to the same office the several persons up to the number
41 required to be chosen receiving the highest number of votes shall be deemed and declared to be
42 elected.

43 §7. Vacancies.

44 If it shall appear that there is no choice of a Mayor, or if the person elected Mayor shall
45 refuse to accept the office, or shall die before qualifying, or if a vacancy in said office shall occur
46 within the first year of the mayoral term, the City Council shall forthwith call for a new election
47 and the same proceedings shall be had in all respects as are hereinbefore provided for the
48 election of Mayor. Upon the election, the person so elected shall assume office and be sworn to
49 the faithful discharge of their duties, immediately, to complete the unexpired term. In case a
50 vacancy in the office of the Mayor shall occur within the second year of the mayoral term, the
51 President of the City Council shall assume the duties of the office of the Mayor. Thereafter, upon
52 the certification by the City Clerk at the biennial election, the person so elected Mayor shall
53 immediately assume the duties of Mayor for the remainder of the unexpired term and on the first

54 Monday of January next ensuing be sworn in to the office of Mayor to begin their term of office.
55 If the full number of members of the City Council has not been elected, or if a vacancy in the
56 office of City Councilor shall occur more than 6 months previous to the expiration of the
57 municipal year, the City Council may forthwith elect some person or persons to fill the vacancy
58 or vacancies until the next municipal election. In case of a vacancy in the office of the City Clerk
59 or City Treasurer, the City Council shall elect a City Clerk or City Treasurer to fill such vacancy
60 until the next municipal year, and in case of the temporary absence or disability of the City Clerk
61 or of the City Treasurer the City Council shall elect a City Clerk or City Treasurer Pro Tempore.
62 In each of such cases the City Clerk or City Treasurer shall be sworn and shall perform the duties
63 of the office to which they are elected.

64 § 8. General meeting of qualified voters.

65 General meetings of the citizens qualified to vote may from time to time be held,
66 according to the right secured by the Constitution of the commonwealth, and all such meetings
67 may, and upon the request in writing of 50 qualified voters, setting forth the purposes thereof,
68 shall be duly called by the City Council.

69 §9. Ward meetings may be held in adjacent wards.

70 The City Council may, when no convenient wardroom for holding the meeting of the
71 citizens of any ward can be had within the territorial limits of such ward, appoint and direct in
72 the warrant for calling the meeting of such ward that the meeting be held in some convenient
73 place within the limits of an adjacent ward of the city, and for such purposes the place so
74 assigned shall be deemed and taken to be a part of the ward in which the election is held.

75 ARTICLE III

76 Legislative Department

77 § 10. City Council; election, terms.

78 The City Council shall be composed of 10 members at large and 1 member from each
79 ward of the city, who shall be elected as follows: At the first municipal election held under this
80 charter said 10 members at large of the City Council shall be elected by the qualified voters of
81 the entire city, 5 to serve for the term of 2 years and 5 to serve for the term of 1 year, beginning
82 with the first Monday in January next ensuing, and thereafter 5 members at large of said City
83 Council shall be elected in like manner at each annual municipal election, to serve for the term of
84 2 years, beginning with the first Monday in January next ensuing. At said first municipal election
85 1 member of the City Council from each ward shall be elected by and from the voters of each
86 ward, to serve for the term of 1 year, beginning with the first Monday in January next ensuing
87 and thereafter 1 member of the City Council from each ward shall be elected by and from the
88 voters of each ward at each annual municipal election, to serve for a term of 1 year, beginning
89 with the first Monday in January next ensuing. At said first municipal election no voter shall vote
90 for more than 3 of the candidates for members at large of the City Council to be elected for each
91 term, and the 5 candidates for members at large of the City Council having the highest number of
92 votes for each term shall be declared elected. At all municipal elections, except an election to fill
93 a vacancy, subsequent to the first municipal election, no voter shall vote for more than 3 of the
94 candidates for members at large of the City Council to be elected at an annual municipal election
95 on 1 ballot, and the 5 candidates for members at large of the City Council having the highest
96 number of votes shall be declared elected. The members at large of the City Council shall hold
97 office for 2 years, except as is herein otherwise provided, and the members of the City Council
98 from the wards shall hold office for 1 year, beginning with the first Monday in January next

99 succeeding their election, and until their successors shall be elected and qualified. In case it
100 should become necessary to fill at an election a vacancy or vacancies in the City Council a voter
101 may vote for the City Councilor necessary to fill such vacancy or vacancies, in addition to the
102 number to be voted for, as above-provided. In case any City Councilor elected by the voters of
103 any ward shall remove to another ward in the city subsequent to their election, such removal
104 shall not disqualify them from performing the duties of their office during the term for which
105 they were elected.

106 § 11. Oath of office of Mayor and City Councilors.

107 The Mayor-Elect and the City Councilors-Elect shall, on the first Monday in January, at
108 10 o'clock in the forenoon, meet and be sworn to the faithful discharge of their duties. The oath
109 shall be administered by the City Clerk or by any justice of the peace, and a certificate that such
110 oath has been taken shall be entered in the journal of the City Council. In case of the absence of
111 the Mayor-Elect on the first Monday in January, or if a Mayor shall not then have been elected,
112 the oath of office may at any time thereafter be administered to them in the presence of the City
113 Council, and at any time thereafter in like manner the oath of office may be administered in the
114 presence of the City Council to any member of the City Council who has been previously absent
115 or who has been subsequently elected, and a certificate of every such oath shall be entered in the
116 journal aforesaid.

117 § 12. Organization of City Council.

118 After the oath has been administered to the City Councilors present they shall be called to
119 order by the City Clerk, or in case of the absence of the City Clerk by the oldest senior member
120 present. The City Council shall then proceed to elect by ballot 1 of their own members the

121 President of the City Council. No other business shall be in order until a President is chosen. The
122 President shall be sworn by the City Clerk, or in case of the absence of the City Clerk by any
123 Justice of the Peace. The President may be removed from the presidency of the City Council by
124 the affirmative vote of two-thirds of all the members thereof, taken by roll call. The President of
125 the City Council shall have the same right to vote as any other member thereof.

126 § 13. Meetings of City Council.

127 The City Council shall hold regular meetings at such times as may be designated by the
128 Council by general rule. The Mayor may at any time call a special meeting of the Council, and
129 shall call a special meeting upon the request in writing of one-third of the members. Such request
130 shall state the subjects to be considered at the meeting. The Mayor shall cause a written notice of
131 such special meeting, stating the subjects to be considered thereat, to be given in hand to each
132 member or to be left at their usual place of residence, or at any address designated by them in a
133 writing filed with the City Clerk, at least 24 hours previous to the time appointed for the meeting,
134 and no final action shall be taken at such special meeting on any business not stated in such
135 notice, except with the unanimous consent of all the members of the Council. For the purpose of
136 drawing jurors it shall not be necessary to formally call a meeting of the Council, but a majority
137 of the members of the Council, meeting with the Mayor and the City Clerk in the Council
138 chamber, may draw jurors whenever required, in the manner provided by law, and a record
139 thereof, containing the names of the Councilors present, shall be entered by the City Clerk upon
140 the records of the Council.

141 § 14. To determine rules of its proceedings, be judge of election of its members.

142 The City Council shall determine the rules of its own proceedings and shall be the judge
143 of the election and qualifications of its own members. In case of the absence of the President the
144 City Council shall choose a President Pro Tempore, and a plurality of the votes cast shall be
145 sufficient for a choice. All meetings of the Council shall be public, and a journal of its
146 proceedings shall be kept, which journal shall be open to public inspection. The vote of the
147 Council upon any question shall be taken by roll call when the same is requested by at least 3
148 members. A majority of the members of the Council shall constitute a quorum, but a smaller
149 number may adjourn from day to day. The Council shall, so far as is not inconsistent with this
150 charter, have and exercise all the legislative powers of towns and of the inhabitants thereof, and
151 shall have and exercise all the powers now vested by law in the City of Chicopee and in the
152 inhabitants thereof, as a municipal corporation, and be subject to all the liabilities of the City
153 Council and of either branch thereof, under the General Laws of the commonwealth, and it may
154 by ordinance prescribe the manner in which such powers shall be exercised. Its members shall
155 receive no compensation for their services as members of the City Council or of any committee
156 thereof.

157 § 15. Certain officers to be entitled to seats with City Council.

158 The Chair of the Board of Public Welfare and the member of the School Committee
159 appointed for that purpose shall be respectively entitled to seats with the City Council, and shall
160 have the right to discuss all matters relating to their respective departments of city affairs, but
161 without the right to vote. They shall be notified in like manner with members of the Council of
162 all special meetings in which action may be taken affecting the interests of their respective
163 departments.

164 §16. City Council to elect certain officers by ballot.

165 The City Council shall annually in the month of January elect by ballot a City Auditor, a
166 City Collector, and a City Messenger, each of whom shall hold their office for a term of 1 year,
167 beginning with the first Monday in February in the year of their election and until their successor
168 is elected and qualified, unless sooner removed. The City Council shall also annually in the
169 month of January elect by ballot: 1 Assessor of Taxes, 1 member of the Board of Health, and 1
170 Trustee of the Public Library, each of whom shall hold their office for a term of 3 years,
171 beginning with the first Monday in February in the year of their election and until their successor
172 is elected and qualified, unless sooner removed. Any of said officers may be removed at any time
173 by the City Council for sufficient cause, after hearing. The present Assessors of Taxes, members
174 of the Board of Health, and members of the Library Committee, shall continue to hold their
175 respective offices, unless sooner removed, for the terms for which they were originally elected,
176 the Library Committee to be hereafter known as Trustees of the Public Library. Elections to the
177 Board of Health shall be so made that at least 1 member thereof shall be a doctor of medicine.

178 § 17. Not to take part in employment of labor, making of contracts.

179 Neither the City Council nor any member or committee thereof shall directly or indirectly
180 take part in the employment of labor, the making of contracts, the purchasing of materials or
181 supplies, the construction, alteration or repair of any public works, buildings or other property, or
182 the care, custody or management of the same; or in the conduct of any of the executive or
183 administrative business of the city, or in the expenditure of public money, except as herein
184 otherwise provided, and except such as may be necessary for the contingent and incidental
185 expenses of the City Council; nor in the appointment or removal of any officers, except as is

186 herein otherwise provided. But nothing in this section contained shall affect the powers or duties
187 of the City Council in relation to aid granted under the laws relating to state aid, military aid,
188 soldiers' relief, and from the war relief fund of the city.

189 § 18. Appropriations; expenditures.

190 The City Council shall appropriate annually in the month of March the amount necessary
191 to meet the expenditures of the city for the current municipal year, and shall fix by order or
192 otherwise the appropriations for the several departments and officers which may be expended
193 during the year. It shall take care that no money is paid from the treasury unless granted and
194 appropriated, and shall secure a just and proper accountability by requiring bonds with sufficient
195 penalties and sureties from all persons intrusted with the receipt, custody or disbursement of
196 money. It shall, as often as once in each year, and not later than the 15th day of November, cause
197 to be published for the use of the inhabitants a complete account of the appropriations, receipt
198 and expenditures of the city, and a statement of the city debt.

199 § 19. City ordinances; penalties.

200 The City Council shall have the power within said city to make and establish ordinances,
201 and to affix thereto penalties for the violation thereof, as herein or by the General Laws of the
202 commonwealth provided, without the sanction of any court or Justice thereof.

203 §20. Fire Department.

204 The City Council may establish a Fire Department for said city, to consist of a Chief of
205 the Fire Department and such other officers and members as the City Council by ordinance shall
206 from time to time prescribe; and the City Council shall have authority to fix the time of their

207 appointment and the term of their service, to define their powers and duties, and in general to
208 make such regulations concerning the pay, conduct and government of such Department, the
209 management of fires and the conduct of persons attending fires, as they may deem expedient, and
210 may fix such penalties for any violation of such regulations, or any of them, as are provided for
211 the breach of the ordinances of said city. The appointment of all officers and members of such
212 Department shall be vested in the Mayor exclusively, who shall also have authority to remove
213 from office, after hearing, any officer or member for such cause as they shall deem sufficient.
214 The engineers so appointed shall be firewards of the city; but the City Council may authorize the
215 appointment of additional firewards. The compensation of the officers and members of the
216 Department shall be fixed by ordinance.

217 § 21. Fire limits may be established.

218 The City Council shall have power to establish fire limits within the city, and from time
219 to time change or enlarge the same; and by ordinance the City Council may regulate the
220 construction of all buildings, erected within said fire limits, stipulating their location, size, and
221 the material of which they shall be constructed, and may make such other rules and regulations
222 as shall tend to prevent damage by fire; provided, that such rules and regulations shall not be
223 inconsistent with the General Laws of the commonwealth.

224 § 22. Police Department.

225 The City Council shall establish by ordinance a Police Department, consisting of a Chief
226 of Police and of such subordinate officers and other members of the police force as it may
227 prescribe, and may make regulations for the government of said Department. The power of
228 appointment of said Chief of Police, subordinate officers and members of the police force shall

229 be vested in the Mayor exclusively, and they shall have power to remove the members of the
230 regular police force, after hearing, for such cause as they shall deem sufficient. All the members
231 of the present regular police force except the Chief of Police or Marshal, and such members as
232 may hereafter be appointed except the Chief of Police, shall hold office during good behavior,
233 and be subject to removal in the manner above-provided. The Mayor shall have the power to
234 remove the Chief of Police at any time. The Chief of Police shall give a bond to the city in such
235 sum and with such sureties as the City Council may from time to time require.

236 § 23. Streets; highways.

237 The City Council shall, with the approval of the Mayor, have exclusive authority and
238 power to order the laying out, locating anew, altering or discontinuing and the making of specific
239 repairs and alterations in all streets, ways and highways within the limits of the city, and to
240 assess the damage sustained by any person thereby, and further, except as is herein provided, to
241 act in all matters relating to such laying out, locating anew, altering or discontinuing. Any person
242 aggrieved by the assessment of their damages, or other action of the City Council under this
243 section, shall have all the rights and privileges now allowed by law in such cases in appeals from
244 decisions of City Councils of cities.

245 § 24. Sidewalks.

246 The City Council may, with the approval of the Mayor, cause suitable sidewalks to be
247 laid, curbstones to be set between such sidewalks and the portion of the streets used by vehicles,
248 and grass plots to be laid out and graded between such sidewalks and curbstones, and shall assess
249 one-half the expense thereof upon the persons owning lands and estates against which such

250 sidewalks are to be made, apportioning the same equitably where there are 2 or more adjacent
251 owners.

252 § 25. Majority vote of all members necessary for the passage of certain ordinances.

253 Any ordinance, order, resolution or vote involving the appropriation or expenditure of
254 money to an amount which may exceed \$200 shall require for its passage the affirmative votes of
255 a majority of all the members of the City Council, and every such ordinance, order, resolution or
256 vote shall be read twice, with an interval of at least 2 days between the 2 readings, before being
257 finally passed, and the vote on its final passage shall be taken by roll call; provided, however,
258 that upon the written recommendation of the Mayor, the City Council may pass such ordinance,
259 order, resolution or vote on the same day by a two-thirds yea and nay vote.

260 §26. Members of City Council not to hold other city office.

261 No member of the City Council shall, during the term for which they are elected, hold
262 any other office in or under the city government, have the expenditure of any money
263 appropriated by the City Council, or act as counsel in any matter before the City Council or any
264 committee thereof, and no person shall be eligible for appointment to any municipal office
265 established by the City Council during any municipal year within which they were a City
266 Councilor, or until the expiration of the succeeding municipal year.

267 § 27. Certain ordinances subject to approval of Mayor.

268 Every ordinance, order, resolution or vote of the City Council, except such as relates to
269 its own internal affairs or to its own officers or employees, shall be presented to the Mayor. If the
270 Mayor approves thereof, the Mayor shall signify their approval by signing the same, but if not

271 they shall return the same with their objections, to the City Council, which shall enter the
272 objections of the Mayor at length upon its records, and proceed to reconsider said ordinance,
273 order, resolution or vote, and if after such reconsideration two-thirds of the City Council,
274 notwithstanding such objections, vote to pass the same, it shall be in force. In all cases the vote
275 shall be taken by yeas and nays. If such ordinance, order, resolution or vote shall not be returned
276 within 10 days after it shall have been presented to the Mayor the same shall be in force. The
277 Mayor may except from their approval of any ordinance, order, resolution or vote which they
278 have the power to veto, any portion involving a distinct item of expenditure, and in such case
279 instead of returning the original they shall transmit a copy of such portion not approved, which
280 portion shall be reconsidered in the manner and with the effect above-provided. The veto power
281 of the Mayor shall not extend to elections.

282 ARTICLE IV

283 Executive Department

284 §28. Executive power vested in Mayor.

285 The executive powers of the city shall be vested solely in the Mayor, and may be
286 exercised by the Mayor either personally or through the several officers or boards of the city in
287 their departments, under their general supervision and control. In case of any vacancy in any
288 office to which appointment is made by the Mayor they may personally perform the duties
289 thereof, but they shall not be entitled to receive any salary or pay attaching thereto. The Mayor
290 shall hold office for the municipal year beginning with the first Monday in January next
291 following their election and until their successor is elected and qualified.

292 § 29. Appointment and removal of municipal officers.

293 The Mayor shall have the sole power of appointment to all the municipal offices
294 established by or under this charter, unless herein otherwise provided, and the Mayor may,
295 except as herein otherwise provided, remove from office any officer so appointed hereunder for
296 sufficient cause, after hearing.

297 § 30. By whom duties may be performed in case of disability of Mayor.

298 Whenever by reason of sickness or other cause the Mayor shall be disabled from
299 performing the duties of the Mayor's office, the President of the City Council, or in their absence
300 or disability the City Treasurer, shall, under the style of acting Mayor, perform the duties of
301 Mayor. Such officer shall during the continuance of such disability have all the rights and powers
302 of the Mayor, except that they shall not when so acting have the power of removal, unless thereto
303 in any instance authorized by vote of the City Council, nor any power of appointment, unless
304 such disability of the Mayor has continued for a period of 30 days, and then subject to the
305 approval of the City Council, nor power to approve or disapprove any ordinance, order,
306 resolution or vote until within 24 hours of the time when it would take effect without the
307 approval of the Mayor. In case of such disability of the Mayor continuing for a period exceeding
308 60 days the City Council may at any time after the expiration of that period declare a vacancy to
309 exist in the office of the Mayor. While the President of the City Council is acting as Mayor they
310 shall not preside over the City Council nor have a vote therein.

311 §31. President of City Council to act in case of vacancy in office of Mayor.

312 Whenever there shall be a vacancy in the office of the Mayor the President of the City
313 Council shall act as Mayor, and possess all the rights and powers of the Mayor during such

314 vacancy, except that when so acting as Mayor they shall not have the power of appointment or
315 removal unless thereto in any instance authorized by vote of the City Council.

316 ARTICLE V

317 School Department

318 §32. School Committee; election; terms.

319 The management and control of the public schools of the city shall be vested in a School
320 Committee, consisting of the Mayor, 2 members at large and 1 member from each ward of the
321 city. The Mayor shall serve as Chairperson of the School Committee. The at large members shall
322 serve for 4-year terms with 1 being elected every 2 years, and the members from the wards shall
323 serve 2-year terms.

324 §33. Vacancies on School Committee; organization; Mayor may be present at sessions;
325 quorum.

326 In case of a vacancy in or nonelection to the office of a member of the School Committee
327 the Mayor shall call a joint convention of the City Council and of the School Committee, and
328 such vacancy shall, by vote of a majority of all the members of the 2 bodies, be filled by the
329 election of a member according as the vacancy or nonelection exists, to serve until the end of the
330 municipal year in which the order calling the next annual municipal election shall be passed; at
331 such election the further vacancy, if any, shall be filled for the remainder of the unexpired term,
332 in the same manner as the member whose office is vacant was elected. The Mayor may be
333 present at all sessions of the School Committee, and when present may participate in the
334 discussions. The Committee shall be the judge of the election and qualifications of its members

335 and shall determine the rules of its proceedings. A majority of the whole number provided to be
336 elected shall constitute a quorum for the transaction of business, but a smaller number may
337 adjourn from time to time.

338 § 34. Superintendent of Schools; appointment.

339 The School Committee shall annually appoint, but not from their own members, a
340 Superintendent of Schools, who shall act as Secretary of the Board. The Committee shall fix the
341 salary of such Superintendent and may remove them for cause. The Committee shall annually
342 elect one of their own members to attend the meetings of the City Council for the purpose
343 hereinbefore mentioned.

344 § 35. Powers and duties of School Committee; to submit an annual estimate of expenses.

345 The School Committee shall exercise the powers and discharge the duties imposed by
346 law upon School Committees. All orders, resolutions or votes of the School Committee, except
347 those fixing salaries, which involve the expenditure of money, shall be presented to the Mayor
348 for their approval, and thereupon the same proceedings shall be had by the Mayor and School
349 Committee as are provided in section 27 of this charter to be had by the Mayor and City Council;
350 but nothing in this charter contained shall affect the powers and duties of the School Committee
351 in relation to votes cast at elections. The School Committee shall, on or before the first Monday
352 in January in each year, submit to the Mayor an estimate in detail of the amount deemed by the
353 School Committee necessary to expend for its purposes during the ensuing financial year, and
354 the Mayor shall transmit the same with the estimates of the departments to the City Council, and
355 shall recommend such appropriation as they shall deem necessary.

356 §36. To be judge of necessity of additional accommodations.

357 The School Committee shall be the original judge of the expediency and necessity of
358 having additional or improved accommodations for any public school within the limits of the
359 city; and whenever in its opinion a schoolhouse is required or material alterations are needed it
360 shall send a communication to the City Council, stating the locality and the nature of the further
361 provisions for schools which are needed. The City Council shall not authorize the erection of a
362 schoolhouse or any addition thereto, nor pass any appropriation for such purpose, until plans of
363 the same have been approved by vote of the School Committee, and such approval has been
364 certified in writing to the City Council by the Chairperson of School Committee. Whenever the
365 City Council shall authorize the erection of a school building or any addition thereto 1 member
366 of the School Committee, to be designated by the Mayor, shall be a member of any commission
367 or committee which may be appointed to have supervision of the erection of such building or
368 addition.

369 § 37. Repairs, purchase of supplies.

370 The School Committee shall have the sole authority to make repairs to existing school
371 buildings, including the purchasing of furniture and supplies, and apparatus for heating and
372 ventilating said buildings.

373 ARTICLE VI

374 Administrative Officers

375 § 38. Administrative officers; appointment terms.

376 There shall be the following administrative officers, who shall be appointed by the Mayor
377 and who shall perform the duties by law and hereinafter prescribed for them respectively, and

378 such further duties, not inconsistent with the nature of their respective offices, as the City
379 Council may from time to time prescribe. A City Solicitor; a Chief of Police; a Superintendent of
380 Streets; a City Engineer; an Inspector of Wires; a Board of Public Welfare, to consist of 3
381 persons; a Board of Public Welfare under the Whiting Street Will, to consist of 3 persons; a
382 Board of Water Commissioners, to consist of 3 persons; a Board of Commissioners of Fairview
383 Cemetery, to consist of 3 persons. The City Solicitor and Chief of Police shall be appointed
384 annually in the month of January, and each shall hold their office for a term of 1 year beginning
385 with the first Monday in January in the year of their appointment, unless sooner removed, and
386 until their successor is appointed and qualified. The Superintendent of Streets, the City Engineer
387 and the Inspector of Wires shall be appointed annually in the month of January, and each shall
388 hold office for a term of 1 year beginning with the first Monday in February in the year of their
389 appointment, unless sooner removed, and until their successor is appointed and qualified. Each
390 of the present members of the Board of Public Welfare, the Public Welfare under the Whiting
391 Street Will, the Water Commissioners, and the Commissioners of Fairview Cemetery shall
392 continue to hold office for the term for which they were elected or appointed, unless sooner
393 removed, and until their successor is appointed and qualified. In the month of January in each
394 year 1 member of each of said Boards shall be appointed, who shall hold office for a term of 3
395 years beginning with the first Monday in February in the year of such appointment, unless sooner
396 removed, and until their successor is appointed and qualified.

397 ARTICLE VII

398 Powers and Duties of Officers

399 §39. City Clerk; duties.

400 The City Clerk shall be the Clerk of the City Council and shall have charge of all
401 journals, records, papers and documents of the city. They shall engross all ordinances passed by
402 the City Council, in a book provided for that purpose, and shall add proper indexes, which book
403 shall be deemed a public record of such ordinances. They shall perform such other duties as are
404 required by law or shall be prescribed by the City Council.

405 § 40. City Collector; duties.

406 The City Collector shall be Collector of Taxes, and shall have all the powers of a City
407 Treasurer when appointed Collector of Taxes. They shall also be the collector of all moneys due
408 the city from every source, except as may be otherwise provided by ordinance.

409 § 41. Superintendent of Streets; powers and duties.

410 The Superintendent of Streets shall, under the general direction of the Mayor, have all the
411 powers and be subject to all the duties, liabilities and penalties which are by law given to or
412 imposed upon Surveyors of Highways and Road Commissioners of towns, except as herein
413 otherwise provided.

414 § 42. Board of Health to appoint an agent.

415 The Board of Health shall annually appoint an Agent, who shall not be one of their own
416 members, whose compensation shall be determined by the City Council. The members of said
417 Board shall serve without compensation.

418 § 43. Trustees of Public Library.

419 The Trustees of the Public Library shall serve without compensation and shall have the
420 supervision, management and care of the public library of the city. Said Trustees shall annually

421 appoint, but not from their own members, 1 or more librarians, to be under the direction and
422 control of said Trustees, and may for sufficient cause remove said librarians. The compensation
423 of said librarians shall be fixed by the City Council.

424 § 44. City Physician and Welfare Agent; appointment; duties.

425 The Board of Public Welfare shall annually appoint a city physician and a Welfare Agent
426 neither of whom shall be one of their own members, who shall, under the direction of said Board,
427 severally perform such duties as may be required by ordinance, and such further duties as said
428 Board may from time to time require. They may be removed from office at any time by the
429 Board of Public Welfare for such cause as said Board may deem sufficient. Members of the
430 Board of Public Welfare serve without compensation.

431 § 45. Superintendent of Water Department; appointment; duties.

432 The Board of Water Commissioners shall annually in the month of February appoint a
433 Superintendent of the Water Department, who shall not be one of their own members, who shall
434 hold office for a term of 1 year from the first Monday in March next ensuing and until their
435 successor is elected, unless sooner removed, and who shall perform such duties as may be
436 required by ordinance, and such further duties as said Board may from time to time require. Said
437 Superintendent may be removed by said Board at any time for cause, and their compensation
438 shall be determined by the City Council. The members of said Board shall serve without
439 compensation.

440 § 46. Commissioners of Fairview Cemetery; powers and duties.

441 The Commissioners of Fairview Cemetery shall have general charge and control of all
442 public cemeteries owned by the city, subject to such ordinances as may from time to time be
443 adopted, and may make such regulations relative to the care and use thereof, not inconsistent
444 with such ordinances, as they may deem necessary. They may appoint and prescribe the duties of
445 a Superintendent of Cemeteries, who shall not be one of their own members, and who shall
446 receive such compensation as the City Council may from time to time determine. The sale of lots
447 in such cemeteries shall be regulated by ordinance. Said Commissioners shall serve without
448 compensation.

449 § 47. Commissioners of City Property; powers and duties.

450 The Mayor, the President of the City Council, and the City Engineer, shall constitute a
451 board, to be called Commissioners of City Property, who shall have general charge, care and
452 control of all property owned by the city, not herein otherwise provided for, shall keep the same
453 in repair and purchase supplies therefor, and shall also have general charge of all matters relating
454 to the executive or administrative departments of city affairs which are not included in the duties
455 of any other administrative officer or board.

456 § 48. Administrative officers may appoint or remove clerks.

457 All administrative officers and boards herein established, and all administrative officers
458 and boards hereafter established by the City Council not coming within the department of any
459 officer or board above-named shall have the power, except as herein otherwise provided, to
460 appoint or employ and remove or discharge all officers, clerks and employees in their respective
461 departments. Such appointments shall not be for any specified term, but shall hold good until
462 removal or discharge. Orders of removal shall state the reasons therefore, and shall be entered

463 upon the record of the officer or board making the same, and the removal shall take effect upon
464 the filing of a copy of such order with the City Clerk. The above-named administrative officers
465 and boards shall, in their respective departments, make all necessary contracts for work and for
466 the furnishing of the materials and supplies for the city, and for the construction, alteration,
467 repair and care of public works, institutions, buildings and other property, except that the repair
468 of schoolhouses shall be under the direction and control of the School Committee; and said
469 administrative officers and boards shall have, subject to the Mayor, direction and control of all
470 the executive and administrative business of the city. No permanent improvement shall be
471 commenced by any officer or board except upon the written order of the Mayor. Said
472 administrative officers and boards shall at all times be accountable to the Mayor, as the chief
473 executive officer, for the faithful discharge of their duties.

474 ARTICLE VIII

475 General Provisions

476 § 49. Certain persons not eligible.

477 No person shall be eligible to any of the offices of the city government except
478 Superintendent of Schools, City Solicitor and City Engineer unless they are a citizen and has
479 been a resident of the city at least 2 years.

480 § 50. Officers to be notified of appointment or election; oath of office.

481 Each officer who is elected by the City Council or appointed by the Mayor shall be
482 notified by the City Clerk of their election or appointment, and shall within 7 days after receiving
483 such notice file with the City Clerk their acceptance in writing, subject to the General Laws of

484 the commonwealth and the ordinances of the city, and take and subscribe an oath for the faithful
485 discharge of the duties of the office, and any officer failing so to do shall be deemed to have
486 declined the office.

487 §51. Certificate stating reason to be filed in case of removal of officers.

488 Whenever any officer shall be removed by the Mayor or by any board a certificate of
489 such removal, stating the reason therefor, shall be filed with the City Clerk, there to remain on
490 file for public inspection; and whenever any officer shall be removed by the City Council the
491 reason therefor shall be expressed in the vote of removal and the same shall be written at length
492 upon the records of the City Council. The City Clerk, upon receipt of any order of removal, or
493 upon the passage of any vote of removal by the City Council, shall cause a copy thereof to be
494 served forthwith upon the officer so removed, personally or by leaving the same at their last and
495 usual place of abode, and the office shall be deemed to be vacant from the time of the service of
496 such notice.

497 § 52. Offices to become vacant under certain conditions.

498 Any office established under and by virtue of this charter, excluding the Superintendent
499 of Schools, the City Solicitor and City Engineer, shall become vacant if the incumbent shall
500 cease to be a resident of the city. The conviction of the incumbent of any such office of a crime
501 punishable by imprisonment shall operate to create a vacancy in the office held by them.

502 § 53. Filling of vacancies.

503 Vacancies which may at any time occur in any office which is filled by election by the
504 City Council or by appointment by the Mayor may be filled for the unexpired term by election or
505 appointment, in the same manner as the officer whose place is vacant was elected or appointed.

506 § 54. Estimates of expenses.

507 The administrative officers and boards above-named shall, annually on or before the first
508 Monday in January, furnish to the Mayor an itemized and detailed estimate of the moneys
509 required for their respective departments or offices during the ensuing financial year. The Mayor,
510 President of the City Council, and the City Treasurer shall examine such estimates and shall
511 submit the same with their recommendations for appropriations in itemized and detailed
512 apportionment to the City Council on or before the first day of March.

513 § 55. Appropriations; expenditures.

514 No sum appropriated for a specific purpose shall be expended for any other purpose, and
515 no expenditure shall be made nor liability incurred by or in behalf of the city until an
516 appropriation has been duly voted by the City Council, sufficient to meet such expenditure or
517 liability, together with all prior unpaid liabilities which are payable out of such appropriation,
518 except in accordance with the written recommendation of the Mayor to the City Council,
519 approved by the yea and nay vote of two-thirds of the City Council; provided, however, that after
520 the expiration of the financial year and until the passage of the regular annual appropriations,
521 liabilities payable out of a regular appropriation to be contained therein may be incurred to an
522 amount not exceeding one-fourth of the total of such appropriation for the preceding year. Every
523 bill, payroll or other voucher covering an expenditure of money shall be approved by the
524 signatures on the back of such bill or voucher of the officer or of the majority of the board or

525 committee having control of or incurring such expenditure, and after such approval such bills,
526 payrolls or vouchers shall be turned over to the City Auditor. The financial year shall begin with
527 the first day of July in each year, and all provisions of law relating to the assessment of taxes and
528 temporary loans in anticipation of taxes shall be construed to apply to said financial year.

529 §56. Officers to give certain information upon request.

530 Every administrative board, through its Chair, and every officer having charge of a
531 department, shall at the request of the City Council, appear before it and give such information as
532 it may require in relation to any matter, act or thing connected with the discharge of the duties of
533 such board or officer; and when so requested to appear the officer who appears shall have the
534 right to speak upon all matters under consideration relating to their department.

535 § 57. Civil service.

536 Nothing herein contained shall effect the enforcement of the provisions of chapter 320 of
537 the acts of the 1884, being, "An act to improve the civil service of the commonwealth and the
538 cities thereof," and acts in amendment thereof and in addition thereto, or of the rules made by the
539 Commissioners appointed thereunder; and the City Council shall make sufficient and proper
540 appropriations for the carrying out and enforcement of said acts and rules in said city.

541 § 58. Certain contracts to be approved by Mayor.

542 All contracts made by any department of the city shall, when the amount involved is \$200
543 or more, be in writing, and no such contract shall be deemed to have been made or executed until
544 the approval of the Mayor is affixed thereto. All contracts, when the amount involved is \$1,000
545 or more, shall be accompanied by a bond, to an amount and with sureties satisfactory to the

546 Mayor, or by a deposit of money or other security for the faithful performance of such contracts;
547 and such bonds or other security shall be deposited with the City Treasurer until the contract has
548 been carried out in all respects; and no such contract shall be altered except by a written
549 agreement of the contractor, the sureties on their bond, and the officer or board making the
550 contract, with the approval of the Mayor affixed thereto.

551 § 59. Mayor not to make certain contracts.

552 Neither the Mayor nor any officer of the city, nor any member of any city board,
553 committee or commission having authority to expend money or to incur indebtedness on account
554 of the city shall directly or indirectly contract with themselves or with any other member of the
555 same board, committee or commission, for the rendering of services to the city or the furnishing
556 of materials or supplies to the city or to any person for or on account of the city, unless
557 authorized to do so by vote of the City Council, with the approval of the Mayor, and any contract
558 made in violation of this section shall be void: provided, that this section shall not apply to the
559 payment of the incidental and necessary expenses of such officer or board.

560 § 60. Salaries of city officers.

561 All salaries of city officers or heads of departments shall, except as is herein otherwise
562 provided, be established by ordinance by the City Council, but no ordinance changing any such
563 salary shall take effect until the municipal year succeeding that in which the ordinance is passed.

564 § 61. Certain authority not affected.

565 Nothing contained herein shall be construed to affect the authority, powers, privileges,
566 rights and obligations created and given by any special act of the general court and now vested in
567 and exercised by the City of Chicopee, unless specially mentioned in this act.

568 § 62. Repeal.

569 All acts and parts of acts inconsistent with this charter are hereby repealed, provided,
570 however, that the repeal of the said acts shall not affect any act done or any right accruing or
571 accrued or established, or any suit or proceeding had or commenced in any civil case before the
572 time when such repeal shall take effect; and that no offence committed and no penalty or
573 forfeiture incurred under the acts hereby repealed, and before the time when such repeal shall
574 take effect, shall be affected by the repeal; and that no suit or prosecution pending at the time of
575 said repeal, for any offence committed or for the recovery of any penalty or forfeiture incurred
576 under the acts hereby repealed, shall be affected by such repeal; provided, further, that all
577 persons who at the time when the said repeal shall take effect shall hold office under the said
578 acts, shall continue to hold the same according to the tenure thereof; and provided, further, that
579 all the by-laws and ordinances of the City of Chicopee which shall be in force at the time when
580 the said repeal shall take effect, and which are not inconsistent with the provisions of this charter,
581 shall continue in force until the same are repealed by the City Council, and all officers elected
582 under such by-laws and ordinances shall continue in office according to the tenure thereof.

583 SECTION 3. This act shall take effect upon its passage.