

TOWN GOVERNMENT STUDY COMMITTEE

Informational Session: Forum for Questions on Article 11

Wednesday, April 26, 2017 at 7:00 pm in the Veteran's hall

ARTICLE 11: To see if the Town will vote to accept the optional form of municipal administration set forth in M.G.L. c.43C §13, and to amend the Town of Pembroke By-laws by adding a new Article IX – A “Consolidated Department of Municipal Inspections” to read:

SECTION 1

There shall be a consolidated Department of Municipal Inspections (the DMI) as authorized under M.G.L. c.43C §13 and this By-law.

SECTION 2

This Department shall include the following town departments or offices of the commissioner of buildings; health agent; conservation agent; and others as this By-law may from time-to-time be amended.

SECTION 3

This Department shall be administered by a Director of Municipal Inspections who shall be appointed by and shall be responsible to the Board of Selectmen. The term of office for said position shall be three (3) years, subject to removal as provided for in this By-law. The Director of Municipal Inspections, acting in an ex officio capacity, shall coordinate all inspection functions of the following committees: Board of Health, Conservation Commission and Zoning Board of Appeals.

SECTION 4

Subject to the favorable recommendation of the Board of Selectmen, The Director of Municipal Inspections shall appoint all other personnel necessary to staff the Department, provided that the appointment of personnel who will staff the office of the commissioner of buildings, health agent, and conservation agent shall also be subject to the respective recommendations of those officials.

In performing duties where approval of the Board of Health is statutorily required, the health agent may be directed by the Director of Municipal Inspections, but any final decisions will be made by the Board of Health.

In performing duties where approval of the Conservation Commission is statutorily required, the conservation agent may be directed by the Director of Municipal Inspections, but any final decisions will be made by the Conservation Commission.

In performing duties where approval of the Zoning Board of Appeals is statutorily required, the Zoning Enforcement Agent may be directed by the Director of Municipal Inspections, but any final decisions will be made by the Zoning Board of Appeals.

SECTION 5

The Director of Municipal Inspections may also be appointed to hold other positions in Town.

SECTION 6

The Director of Municipal Inspections may be removed at the discretion of the Board of Selectmen during the first year of his or her term. Thereafter, the Director of Municipal Inspections may be removed during the term of appointment by the Board of Selectmen after being afforded the opportunity to respond to written notice of the reasons for removal.

SECTION 7

The Director of Municipal Inspections shall be responsible for the following:

1. coordination of administrative functions for the Department of Municipal Inspections,
2. coordination of all inspection functions carried out by the aforementioned municipal officers and agents;
3. maintenance of all records relating to inspections in a central place;
4. utilization of a single application which would indicate all inspections which may be necessary, including, but not necessarily be limited to, any inspections under the Town's Zoning and General By-laws, building code, wire code, plumbing and gas code, state sanitary code, board of health rules and regulations, conservation commission, and any other local inspections as may be otherwise authorized by this by-law as amended.

SECTION 8

The Director of Municipal Inspections shall be responsible for the functions of the Department of Municipal Inspections, subject to the direction of the Board of Selectmen.

SECTION 9

This Bylaw shall take effect July 1, 2017, or upon the approval of the Attorney General, if after July 1, 2017.

or take any other action relative thereto.

Submitted by the Town Government Study Committee

ADVISORY COMMITTEE RECOMMENDATION:

Favorable Action

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *Passage of this article will allow the Department of Municipal Inspections to unify the administration of Pembroke's inspectional operations. The restructuring will create opportunities to streamline processes and increase the efficiency of providing services to residents and businesses within the town. By logically aligning roles in town government, the burden of day-to-day administration will be lifted from elected boards, allowing them to spend more time focused on important policy decisions.*