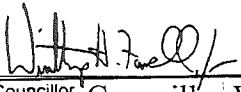


567

AMENDMENT

I hereby move to amend the Ordinance as follows:

The limitation as to the number of licenses set forth herein shall not apply to the holder of a Class 1 License as described in M.G.L. Ch. 140, sec. 58(b). The limitation as to the number of licenses set forth herein shall not apply to the holder of a Garage License, so-called, issued under the provisions of M.G.L. Ch. 148, sec. 13 so long as such licensee applies for a motor vehicle repair license within one hundred twenty (120) days of the effective date of this Ordinance.


Councillor Councillor Winthrop Farwell

In City Council, November 14, 2016

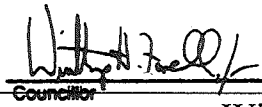
ORDINANCE:

An Ordinance Amending Chapter II of the Revised Ordinances

Chapter II, Section 11-211 of the Revised Ordinances is hereby amended by adding the following subsection:

“Section (d):

There shall be one (1) license issued for each two thousand (2,000) population as recorded in the most recent federal census at the time of application for a license. No additional licenses shall be issued until the number of existing licenses corresponds to this provision.”

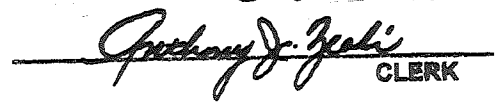


Councilor

Winthrop H. Farwell, Jr.
Councilor at Large

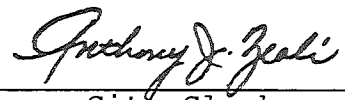
IN CITY COUNCIL

November 14, 2016
READ AND REFERRED TO STANDING
COMMITTEE ON Ordinance


CLERK

In City Council May 22, 2017

Amendment passed by a hand vote.
Passed to a third reading as amended.



City Clerk

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AMENDMENT

I hereby move to amend the foregoing ordinance by deleting the third paragraph of Section 8-3.4 in its entirety and inserting in place thereof the following:

“The City of Brockton, or its contractor, shall be responsible for the collection of yard waste on a weekly basis between May 1 and June 30 and between November 1 and December 15. Collection from July 1 through October 31 will be bi-weekly (every other week). The collection shall be made from all premises, excepting commercial, industrial and multi-family (over five (5) units) dwellings, provided that the material is properly stored for collection in containers complying with the provisions of this chapter.”



Councillor

Councillor Dennis Eaniri

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AMENDMENT

I hereby move to amend the foregoing ordinance by adding the following at the end of the third paragraph of Sec. 8-9:

“The Commissioner shall submit a schedule of fees to the City Council for its approval prior to the implementation of such fees or any increase thereafter.”



Councillor

Councillor Thomas Monahan

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ORDINANCE

AN ORDINANCE AMENDING CHAPTER 8 OF THE REVISED ORDINANCES OF THE CITY OF BROCKTON.

Be it ordained by the City Council of the City of Brockton as follows:

I. Chapter 8. GARBAGE AND TRASH is hereby amended as follows: Sec. 8-3.1. - Definitions.

- (a) *Bulky Items* shall mean waste items too large or too heavy for a bag or barrel, but not classified as White Goods or CRT items, including, but not limited to, upholstered furniture, wooden furniture, beds, mattresses, rolled carpeting and the like.

(Ord. No. F006, 10-10-01)

Sec. 8-3.2. - Collection of solid waste, recyclables, yard waste, Bulky Items and holiday trees.

- (a) For collection by the City of Brockton or its contractor, each household must place solid waste in a City provided or approved solid waste container at a rate of one (1) barrel per household per week. Any solid waste in excess of the allowable one (1) barrel per household shall be placed in "City of Brockton bags" with the contents weighing no more than fifty (50) pounds.
- (b) For collection by the City of Brockton or its contractor, recyclables shall be placed in a City provided or approved recycling container properly identified.
- (d) For collection by the City of Brockton or its contractor, Bulky Items, with a limit of one (1) item per household per week, shall be placed at the curbside. The City may require a fee to be paid for pick up of Bulky Items in the future to offset the cost of managing these items. Any fee assessed must be paid to the City of Brockton or the City's Agent or authorized designee at the time the pick-up is scheduled.

(Ord. No. F006, 10-10-01)

Sec. 8-3.4. - Collection intervals.

The City of Brockton or its contractor shall be responsible for the collection of solid waste, and Bulky Items on a weekly basis year round. The collection shall be made from all premises, excepting commercial, industrial and multifamily (over five (5) units) dwellings, at least once each week, provided that the material is property stored for collection in containers complying with the provisions of this chapter.

The City of Brockton or its agent shall be responsible for the collection of recyclables on a bi-weekly (every other week) basis year round.

The City of Brockton or its agent shall be responsible for the collection of yard waste on a weekly basis between April 1 and December 15.

(Ord. No. F006, 10-10-01)

Sec. 8-3.5. - White goods and CRTs.

The City of Brockton or its agent shall be responsible for the collection of white goods and CRTs. The City of Brockton or the City's Agent or authorized designee must be informed of the need for the collection of the white good or CRT at least forty-eight (48) hours prior to the regular collection day. The City may require a fee to be paid for pick up of CRTs in the future to offset the cost of managing these items. Any fee assessed must be paid to the City of Brockton or the City's Agent or authorized designee at the time the pick-up is scheduled. The item shall not be placed at the curbside any earlier than 5:00 p.m. of the day before and no later than 7:00 a.m. of the regular collection day.

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(Ord. No. F006, 10-10-01)

Sec. 8-3.6. - Fines and fees.

Any person that places or causes to be placed solid waste, recyclables, yard waste, Bulky Items, white goods or CRTs for collection by the City of Brockton or its contractor on any street, sidewalk or other public place prior to 5:00 p.m. of the day before their regular collection day shall be subject to a fine of twenty-five dollars (\$25.00). Each day shall constitute a separate violation.

Any person that allows solid waste, recyclables, yard waste, Bulky Items, white goods or CRTs to remain on the curb after the regular collection day, shall be subject to a fine of one hundred dollars (\$100.00) for the first violation in a year. All subsequent violations shall be subject to a fine of three hundred dollars (\$300.00). Each day shall constitute a separate violation.

Any person who receives five (5) violations in a calendar year shall be considered a chronic abuser and may be subject to revocation of trash collection.

Removal for public safety reasons of solid waste, recyclables, yard waste, hazardous waste, Bulky Items, white goods and/or CRTs in violation of section 8- 7 by an agent of the City of Brockton shall be charged a fee at the city's current cost.

(Ord. No. F006, 10-10-01)

Sec. 8-9. - Trash disposal fee.

There shall be in the City of Brockton a fee structure for trash disposal sufficient to recover the cost of the trash service offered by the city to its eligible citizens. Effective on all bills mailed on or after April 1, 2002, each dwelling unit receiving said service shall be charged two hundred seventy-four dollars (\$274.00) per year, billed at sixty-eight dollars fifty cents (\$68.50) per billing four (4) times a year.

Effective on all bills mailed on or after July 2, 2003, the fee shall be increased to two hundred eighty dollars (\$280.00), billed at seventy dollars (\$70.00) four (4) times per year.

The commissioner of the department of public works shall have the authority to set a fee or fees for the disposal of household hazardous waste, televisions, computer monitors, or other cathode ray tubes, Bulky Items and tires.

Prior to March 1 of each year, the commissioner of department of public works and the chief financial officer shall communicate to the city council their opinions of the fee necessary to accomplish the objective of recovering the cost of the trash service.

(Ord. No. D275, 10-26-89; Ord. No. GOO1, § 1, 4-25-02)

Sec. 8-10. -Abatement of fee.

- (a) Owners of owner-occupied multifamily dwellings of two (2) or three (3) units may arrange for the abatement of forty (40) percent of the trash disposal fee for the second or third unit of their dwellings if the unit is not being utilized for rental purposes. The abatement may be obtained by presenting the following to the department of public works within forty-five (45) days of the issuance of a bill for the trash disposal fee by the city:
 - (1) A sworn statement from the property owner stating that the second or third unit will not be used for rental purposes during the billing period and that the property owner receives no rental income from the second or third unit.
 - (2) A certified copy of the most recent census listing indicating those persons residing at the property address.
 - (3) A copy of the property owner's previous year's federal and state tax return, not to be

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placed on file.

- (b) Property owners subject to the trash disposal fee who have contracted with a private company for trash disposal may arrange for the full abatement of the fee by presenting a hardcopy or electronic copy of proof of private service by a licensed disposal contractor during the most recent billing period. Invoice must include the property owner's account number and list all property addresses serviced under the disposal contract. The invoice must be provided to the department of public works within forty-five (45) days of the issuance of a bill for the trash disposal fee.

Property owners who are age seventy (70) and entitled to exemptions under Massachusetts General Laws chapter 59, section 5, clauses 17D and 41C as determined annually by the board of assessors, shall be entitled to a full abatement of the trash disposal fee.

Property owners who are age sixty-five (65) by December 31 of the previous year and are entitled to exemptions under Massachusetts General Laws chapter 59, section 5, clauses 17D and 41C, if seventy (70), must apply annually to the commissioner of public works between January 1 and March 1 of the current year to be granted a full abatement of the trash disposal fee.

(Ord. No. D282, 3-29-90; Ord. No. D291, 7-27-90; Ord. No. D292, 7-27-90; Ord.

No. D308, 9-8-91; Ord. No. F006, 10-10-01; Ord. No. GOOL, § 2, 4-25-02)

This Ordinance shall be effective upon passage.

Shirley Asack

Councillor

Councillor Shirley Asack

IN CITY COUNCIL

March 13, 2017
READ AND REFERRED TO STANDING
COMMITTEE ON Ordinance
Anthony J. Zeali
 CLERK

In City Council May 22, 2017

Amendment passed by a hand vote.
Passed to a third reading as amended.

Anthony J. Zeali

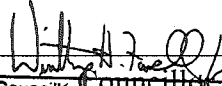
City Clerk

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AMENDMENT

I move to amend the last sentence in Sec. 2-381A(c)(2) ordinance as follows:

- by deleting the word "relative" and inserting in place thereof the words "family member"; and
- by inserting the word "directly" between the words "above" and "supervise".



Councilor Councilor Winthrop Farwell

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In City Council, February 27, 2017

**AN ORDINANCE AMENDING CHAPTER II OF THE REVISED
ORDINANCES OF THE CITY OF BROCKTON**

Be it ordained by the City Council of the City of Brockton as follows:

Article V. Departments, Division 7. Department of Personnel. is hereby amended by adding the following new section:

SECTION 2-381A. Requirements.

(a) It is the policy of the City of Brockton that no applicant for any position shall suffer discrimination based on race, sex, religion, national origin, physical disability, age, or sexual orientation. This shall apply to an original appointment or promotional position. The Personnel Director shall ensure that this policy is followed with regard to all hiring and promotions.

(b) Every vacant position shall be advertised on the city's website, in the news media and/or social media, and on such other job boards or websites as the Personnel Director shall deem appropriate. The posting of an open position shall be for at least fourteen (14) calendar days. If a position is posted and remains vacant after ninety (90) days a new posting shall be made to attract an updated list of applicants. A record shall be kept of each posting and the dates and places when the posting appeared.

(c) Subject to the provisions of applicable collective bargaining agreements and applicable law, the following shall apply to employment with the city:

(1) All applications for employment or promotion received by the Personnel Director shall be time stamped, recorded in an appropriate log, and maintained for a minimum period of three (3) years after date of receipt, or longer if required by state or federal law.

(2) On all applications for employment there shall be a question as to whether the applicant has a family member currently employed by the city, or employed by the city within the past year. The term "family member" shall be defined as "spouse, parent, sister, brother, grandparent, uncle, aunt, or cousin." Every applicant shall provide an answer to this question. In no case shall a relative as defined above supervise another family member.

(3) The Personnel Director shall ensure that all relevant information from prior employment references and personal references is obtained prior to selection for employment with the City of Brockton and is part of the screening process.

(4) For all new hires applying for a position which requires the use of a keyboard, computer, or software programs, a suitable administrative test shall be administered to ensure an applicant is capable of performing the duties and responsibilities of the position and to measure the proficiency of the applicant. The results of testing shall be retained for a minimum of three (3) years.

(5) For all new hires where a requirement is that the candidate be bilingual, a suitable test shall be administered to ensure proficiency in the preferred language.

(6) Every appointment or promotion in a department shall be accompanied by written certification from the department head that the most qualified person was selected.

(7) Where equal qualifications exist, the City of Brockton shall choose candidates for employment or promotion so as to reflect the diversity of the population of the city. However, in no event shall a less qualified person be selected over a more qualified person as supported by testing, interviews, personal

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and employment references, or training and experience relevant to the position for which application was made.


(8) An applicant providing false or misleading information on an application or during an interview shall be subject to termination even after employment begins if it is later determined that false information was provided. This statement shall be printed on each application form.

(9) The Personnel Director shall also certify in writing that the most qualified person was selected for any position.

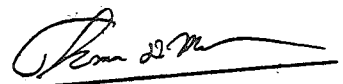
Positions which are covered by M.G.L. ch. 31, the Civil Service Law, shall be governed by the provisions of that law.

(d) No elected or appointed official shall use his or her position to gain special consideration or to exert undue influence in favor of any applicant. This shall not include a personal reference attesting to the competency or character of an applicant. Any person violating this provision shall be subject to a fine of two hundred dollars (\$200) for each offense.

(e) Persons hired for positions on Mayor's Staff shall be at the sole discretion of the Mayor.



Councilor William H. Farwell, Jr.
Councilor at Large



Councilor Thomas Monahan

IN CITY COUNCIL

February 27, 2017
READ AND REFERRED TO STANDING
COMMITTEE ON Ordinance



CLERK

In City Council May 22, 2017

Amendment passed by a hand vote.
Passed to a third reading as amended.



City Clerk