

PREAMBLE

We, the people of Newton, in order to reaffirm the customary and traditional liberties of the people with respect to the conduct of our local government, adopt this Charter with the expectation and intent that the Charter will continue and enhance the city's strong traditions of active voter participation; ethical, transparent and responsive leadership; wise use of public resources; respect for all in the community; and an engaged citizenry. We expect and intend that our government will be welcoming and inclusive and will promote equality and respect for all people.

Definitions

Unless the context clearly requires otherwise, the following words as used in this charter shall have the following meanings:

"Charter", the city charter and any amendments to the charter made through any of the methods provided under Article LXXXIX of the Amendments to the [State Massachusetts Constitution of the Commonwealth of Massachusetts](#).

"City", the city of Newton.

"City agency", any board, commission, committee, council, department or office of the city government; provided, however, that "city agency" shall not include a neighborhood area council as provided in article 9.

"Council member", a councilor-by-ward or councilor-at-large.

"Full council", the entire authorized complement of the city council notwithstanding any vacancies which might exist.

"Initiative measure", a measure proposed by initiative procedures under the charter.

"Majority vote", a majority of those present and voting; provided, however, that a quorum of the body shall be present.

"Measure", an ordinance passed or which could be passed by the city council or an order, resolution, vote or other proceeding passed or which could be passed by the city council or the school committee.

"Multiple member body", - any board, commission or committee consisting of 2 or more persons, whether elected or appointed.

“Referendum measure”, a measure that is protested by referendum procedures under this charter.

“Reorganization plan”, a plan submitted by the mayor to the city council, which proposes the abolition or consolidation of 1 or more city agencies, including the reassignment of functions from 1 agency to another, or the establishment of 1 or more new city agencies as deemed necessary to deliver 1 or more municipal services.

“Voters”, the registered voters of the city of Newton.

ARTICLE 1.

INCORPORATION; FORM OF GOVERNMENT; POWERS OF THE CITY

SECTION 1-1. Incorporation

The inhabitants of the City of Newton, within the corporate limits as now established or as hereafter may be established in the manner provided by law, shall continue to be a body corporate and politic with perpetual succession under the name "City of Newton."

SECTION 1-2. Form of Government

The administration of the fiscal, prudential, and municipal affairs of the city, with the government ~~thereof of the city~~, shall be vested in an executive branch, to consist of the mayor, and a legislative branch, to consist of the city council. The executive branch shall never exercise any legislative power, and the legislative branch shall never exercise any executive power.

SECTION 1-3. Powers of the City

Subject only to express limitations on the exercise of any power or function by a city in the constitution or statutes of the Commonwealth, it is the intent and the purpose of the charter to confer upon the city all powers it is possible to confer under the constitution and statutes of the Commonwealth, as fully and as completely as though each such power were specifically and individually enumerated ~~herein~~ in this charter.

SECTION 1-4. Construction

The powers of the city under the charter shall be construed liberally in favor of the city, and the specific mention of particular powers is not intended to limit in any way the general powers of the city as stated in Section 1-3.

SECTION 1-5. Intergovernmental Relations

Subject only to express ~~requirements-limitations~~ of the constitution and statutes of the Commonwealth, the city may exercise any of its powers and perform any of its functions, and may participate in the financing ~~thereof~~ of any of its powers and functions, jointly or in cooperation, by contract or otherwise, with the Commonwealth or any civil division or agency ~~thereof of the Commonwealth~~ or the United States government or any agency ~~thereof of the~~ Unites States government.