

ARTICLE 9: NEIGHBORHOOD AREA COUNCILS

Sec. 9-1. Purpose.

It is the purpose of this article to encourage citizen involvement in government at the neighborhood level by permitting limited self-government through the establishment of neighborhood area councils as legal entities of the city government.

Sec. 9-2. Establishment of Neighborhood Service Areas.

The city council may establish 1 or more neighborhood service areas to provide services or functions that the neighborhood area council is authorized to undertake.

Sec. 9-3. Creation by Petition.

(a) A petition may be submitted to the city council requesting the establishment of a neighborhood service area to provide any service or services which the city is otherwise authorized by law to provide. The petition must be signed by 20 per cent of the voters residing in the area. The petition shall describe the territorial boundaries of the proposed service area, shall specify the services to be provided, and shall indicate the size of the neighborhood area council.

(b) Upon receipt of the petition, the council shall submit the petition for verification of signatures on the petition and, within 30 days following verification, the city council shall hold a public hearing on the question of whether or not the requested neighborhood service area shall be established. The hearing may be adjourned from time to time but shall be completed within 60 days of its commencement.

(c) Within 30 days following the public hearing, the city council shall by resolution approve or disapprove the establishment of the requested neighborhood service area.

(d) A resolution approving the creation of the neighborhood service area may contain amendments or modifications of the area's boundaries, functions, or the size of the neighborhood area council as set forth in the petition. (Referendum of 11-04-75.)

Sec. 9-4. Boundary Changes of a Neighborhood Service Area.

The city council may, pursuant to a request from a neighborhood area council accompanied by a petition signed by at least 20 per cent of the voters residing in the area to be added or deleted, enlarge, diminish or otherwise alter the boundaries of any existing neighborhood service area following the procedures set forth in subsections (b) to (d), inclusive, of section 9-3.

Sec. 9-5. Considerations in Setting Boundaries.

In establishing neighborhood service area boundaries and determining those services to be undertaken by a neighborhood area council, the city council shall study and take into consideration, but not be limited to, the following:

- (i) the extent to which the area constitutes a neighborhood with common concerns and a capacity for local neighborhood initiative, leadership and decision making with respect to city government;
- (ii) city agency authority and resources which may appropriately be either transferred or shared with the neighborhood council;
- (iii) population density, distribution and growth within a neighborhood service area to assure that its boundaries reflect the most effective territory for local participation and control; and
- (iv) citizen access to, control of and participation in neighborhood service area activities and functions.

Sec. 9-6. Dissolution of a Neighborhood Service Area.

- (a) The city council may, after a public hearing, dissolve a neighborhood service area on the initiative of the city council or pursuant to a petition signed by at least 20 per cent of the voters living within the neighborhood service area.
- (b) The city council shall give notice, in a newspaper of general circulation in the neighborhood service area, of its intention to hold a public hearing on a proposed dissolution. The notice shall be given not less than 14 days before the date of the public hearing.

Sec. 9-7. Election of Neighborhood Area Councils; Vacancies.

- (a) A neighborhood area council shall consist of 5 to 9 members. The term of office of each member shall be 2 years and until a successor is qualified.
- (b) The neighborhood area council members shall be elected at large by and from voters residing in the neighborhood service area at the time of the election. The city council shall determine the time and manner of holding the elections. The ward city councilor or ward city councilors who represent any portion of the area included in a neighborhood service area shall serve, ex officio with no power to vote, as members of the neighborhood area council.
- (c) A vacancy shall be filled by the neighborhood area council by appointment. Members so appointed shall serve for the remainder of the unexpired term and until their successors are qualified.

Sec. 9-8. Neighborhood Area Council Powers and Functions.

A neighborhood area council may exercise any powers and perform any functions within the neighborhood service area expressly authorized by the city council, which may include but not be limited to:

Newton Charter Article 9: Neighborhood Area Councils September 14, 2016 Panel Discussion Guide

- (i) advisory or delegated substantive authority or both, with respect to such programs as a community action program, urban renewal, relocation, public housing, planning and zoning actions and other physical development programs, crime prevention and juvenile delinquency programs, health services, code inspection, recreation, education, and workforce training; provided, however, that nothing contained herein shall be construed to authorize the city council to delegate to any neighborhood area council any substantive authority with regard to zoning;
- (ii) self help projects, such as supplemental refuse collection, beautification, minor street and sidewalk repair, establishment and maintenance of neighborhood community centers, street fairs and festivals, cultural activities, recreation and housing rehabilitation and sale; and
- (iii) acceptance of funds from the public, but not including the city and private sources, including public subscriptions; and
- (iv) expenditure of monies to meet overhead costs of council administration and support for neighborhood service area projects.

Sec. 9-9. Compensation; Meetings; By-Laws; Quorum.

(a) Members of a neighborhood area council shall receive no compensation but may receive reimbursement of actual and necessary travel and other expenses incurred in performance of official duties.

(b) A neighborhood area council shall adopt by-laws providing for the conduct of its business and the selection of a presiding officer and other officers. Copies of all by-laws adopted by neighborhood area councils shall be made available to the public upon request.

(c) A majority of the voting members of a neighborhood area council shall constitute a quorum for the transaction of business. Each member entitled to vote shall have one vote.

Sec. 9-10. Annual Report.

Each neighborhood area council shall make an annual report of its activities to the city council which annual report shall be open to the public.

Sec. 9-11. Financial Records.

Each neighborhood area council shall keep complete financial records which shall be subject to city audit.

Article 9 Panel Discussion Guide

We look forward to a robust discussion with the Commission and the community about what is viewed as suitable for our charter with regard to Article 9: Neighborhood Area Councils.

Other questions may emerge as we proceed, but the following will be the basis for much of our panel discussion:

1. What do you believe is the mission/purpose of your area council, (i.e. community building events, beautification, addressing safety-related concerns, communications/outreach, etc.)?
2. Newton's area councils are formed on a grass roots level and are not uniform across the city in their missions and practices. What do you see as advantages and disadvantages?
3. Please comment on the area council elections process (i.e. creation of boundaries, gathering signatures, voting sites, etc).
4. Newton's charter states that the area councils may exercise powers and perform functions within the neighborhood service area as authorized by the city council which may include advisory or substantive authority on a range of topics. (see Sec. 9-8). What do you perceive as the relationship between the City Council and your area council?
5. Please describe your sources of funding, expenditures, and accounting practices.
6. Please describe how you communicate with the residents in your area both formally and informally to include the full range of opinions on important topics.