

SENATE No. 139.

To accompany the petition of George W. Durfee and others that a Board of Public Works may be established in the city of Fall River. Cities.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Six.

AN ACT

To establish a Board of Public Works for the City of Fall River.

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. In the month of December, in
2 the year one thousand nine hundred and six, the
3 mayor of the city of Fall River shall appoint
4 three persons who when confirmed by the board
5 of aldermen shall thereafter constitute a board of
6 public works, and who shall hold office, one for
7 one year, one for two years and one for three
8 years from the first day of February in the year

9 nineteen hundred and seven, and until their suc-
10 cessors are appointed and are qualified; and there-
11 after, in the month of January in each year, after
12 the year nineteen hundred and seven, the mayor
13 shall appoint one member of said board who shall
14 be confirmed by the board of aldermen to serve
15 for a term of three years from the first day of
16 February in the year in which he shall be ap-
17 pointed, and until his successor is appointed and
18 qualified. Whenever any vacancy shall occur in
19 said board by death, resignation or otherwise,
20 such vacancy shall be filled by appointment for
21 the remainder of the unexpired term. The mem-
22 bers of said board shall be sworn to the faithful
23 discharge of their duties. Any member of said
24 board may be removed for cause by the mayor,
25 after due notice and hearing. The compensation
26 of said board shall be fixed by the board of alder-
27 men of the city of Fall River.

1 SECTION 2. Said board shall organize annually
2 by the choice of some one of its members as
3 chairman, and may appoint such other officers,
4 not members of the board, as it may determine.
5 The city clerk shall be clerk of the board
6 and as such shall keep a record of the doings of
7 the board, and shall perform all the duties now
8 required of the city clerk in said city, in relation
9 to the laying out, locating anew, alteration, or
10 discontinuance of streets, establishing or altering
11 the grade of streets, the laying, making and
12 maintaining of main drains, sewers and side-

13 walks, and all other matters by this act placed
14 under the control of said board.

1 SECTION 3. All duties, power and authority
2 relating to the laying out, locating anew, alteration
3 or discontinuance of streets or ways, the estab-
4 lishing or altering the grade of streets or ways,
5 the laying, making and maintaining all main
6 drains, sewers and sidewalks, the keeping of
7 streets and ways in repair, now vested by law in
8 the board of aldermen of the city of Fall River,
9 in the superintendent of streets or in the surveyor
10 or surveyors of highways, together with all the
11 rights, powers and duties of said board of alder-
12 men as public officers or otherwise, relating to the
13 streets, ways, sewers, drains, commons and public
14 squares in said city of Fall River, together with
15 all the rights, powers and authority granted
16 to said city under chapter one hundred and
17 fourteen of the acts of the year one thousand
18 eight hundred and ninety-one, and chapter three
19 hundred and sixty-two of the acts of the year one
20 thousand eight hundred and ninety-two, are
21 hereby vested in and shall be exclusively ex-
22 ercised by said board of public works.

1 SECTION 4. Said board in relation to the pow-
2 ers, duties, and authority conferred upon it by this
3 act shall have the same right as that heretofore
4 invested in the board of aldermen, to make con-
5 tracts in behalf of and binding upon said city. It
6 may appoint, subject to the provisions of chapter

7 three hundred and twenty of the acts of the year
8 one thousand eight hundred and eighty-four and
9 any acts in amendment thereof, agents and em-
10 ployees, define their duties and fix their compen-
11 sation; and in general may do all things necessary
12 to a proper performance of their duties.

1 SECTION 5. All plans of streets, main drains,
2 sewers, squares and public places, electric tele-
3 phone and telegraph poles and other structures in
4 the streets, heretofore required by law to be filed,
5 and now on file in the city clerk's office, shall be
6 placed on file in the office of said board, and here-
7 after all such plans shall be filed in the office of
8 the board.

1 SECTION 6. This act shall take effect upon the
2 first day in December in the year nineteen hun-
3 dred and six; *provided*, it shall be ratified by a
4 majority of the persons voting upon this proposi-
5 tion at an election previously holden in said Fall
6 River, proper and legal notice of the submission
7 of this act having been previously given.