

By Mr. King of Boston, petition of Melvin H. King, Mary H. Goode and Elaine Noble that cities and towns be authorized to establish neighborhood service councils to perform certain governmental functions. Local Affairs.

---

---

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH NEIGHBORHOOD SERVICE COUNCILS TO PERFORM CERTAIN GOVERNMENTAL FUNCTIONS.

*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. Cities and towns are hereby authorized to  
2 delegate limited governmental responsibilities to neighborhood  
3 councils representing certain sub-areas of cities and towns. The  
4 governing body of any city or town may establish within its  
5 borders one or more neighborhood areas to undertake in whole  
6 or in part governmental services or functions that the city or  
7 town is authorized to undertake.

1 SECTION 2. The neighborhood council shall consist of  
2 between nine and fifteen members. The term of each member  
3 shall be two years. A neighborhood council may exercise powers  
4 and perform functions within the neighborhood service area  
5 authorized by the city or town governing body. This may  
6 include but shall not be limited to, advisory or delegated  
7 substantive authority or both, with respect to said program and  
8 urban renewal, relocation, public housing, planning zoning and  
9 other physical development programs, crime prevention, juvenile  
10 delinquency program health service, code inspection, recreation,  
11 education, refuse collection, manpower training. It shall include  
12 self-help projects and beautification, minor street and sidewalk  
13 repairs, establishment and maintenance of neighborhood  
14 community centers.

1 SECTION 3. Neighborhood service areas shall mean, a  
2 geographic sub-area within a city or town which meets the  
3 following criteria: —

4 (a) the extent to which the area constitutes a neighborhood  
5 with common concern and capacity for local neighborhood  
6 initiative, leadership and decision making with respect to a city  
7 or town;

8 (b) the existence of natural service boundaries for the conduct  
9 of governmental functions;

10 (c) population density distributions and youth within a  
11 neighborhood service area to assure that its boundaries reflect  
12 the most effective territory for local participation and control.  
13 Under no circumstances shall a neighborhood service area  
14 contain less than five thousand people or more than fifteen per  
15 cent of the municipalities' population within its boundaries or  
16 twenty thousand inhabitants, whichever is greater;

17 (d) in case of an established project area's committee or one  
18 under urban renewal, the local governing body may recognize  
19 this committee as a neighborhood service area council.

1 SECTION 4. These neighborhood service areas shall be  
2 established by considering, but shall not be mandatory, the  
3 neighborhood service area's criteria of boundaries, each city or  
4 town's governing body for the purpose of establishing bound-  
5 aries for voter petition and may hold advertised public hearings  
6 in potential neighborhood service areas. The various local public  
7 agencies and private non-profit community organizations and  
8 groups in each such area shall be notified of said meetings.  
9 Following the meetings the governing body of each city and  
10 town shall prepare a map which divides the municipality into  
11 neighborhood service areas. A copy of the minutes of the  
12 hearing together with the maps shall be filed with the  
13 department of community affairs.

1 SECTION 5. Within ninety days of the filing date established  
2 by the city or town governing body, there shall be a duly  
3 advertised public hearing in each of the proposed neighborhood  
4 service areas. At such hearings, the city or town governing body  
5 shall explain the purpose of delineating neighborhood service

6 areas and the rights of citizens to petition for the establishment  
7 of neighborhood service areas as described in plan. A written  
8 record of such hearing shall be submitted to the department of  
9 community affairs.

10 If a petition requesting the establishment of a neighborhood  
11 service area is signed by at least ten per cent of the registered  
12 voters within the neighborhood service area boundary, it shall  
13 be submitted to the city or town governing body. Such petition  
14 may specify the number of members of the neighborhood  
15 council within the provision that no more than two thirds of the  
16 members to be elected from district. If a petition provides for  
17 such district said petition shall delineate districts of equal  
18 population based upon census data provided in census form by  
19 the city or town governing body.

1 SECTION 6. The department of community affairs shall  
2 provide technical assistance upon request to neighborhood  
3 residents involved in drawing up said petition.

4 The petition shall be submitted to the city or town clerk who  
5 shall within fifteen days of receipt thereof, certify that there  
6 exists a sufficient number of signatures. Upon verification of the  
7 signatures thereon, the city or town governing body, within  
8 thirty days following verification shall hold duly advertised  
9 public hearings on questions of whether or not the requested  
10 neighborhood service area shall be established. A hearing may  
11 be adjourned from time to time but shall be completed within  
12 sixty days of its commencement. A written record of said  
13 hearing shall be submitted to the department of community  
14 affairs.

1 SECTION 7. Within thirty days following the public hearing,  
2 a referendum concerning the acceptance of a neighborhood  
3 service area and of the proposed boundaries shall be submitted  
4 to the area's registered voters. A majority vote shall constitute  
5 approval. Within thirty days following the referendum, the city  
6 or town governing body shall approve or disapprove the  
7 establishment of the requested neighborhood service area.  
8 Failure to act shall be deemed to constitute approval. If  
9 disapproved, the city or town governing body shall state its  
10 reasons in writing.

11 Failure of the petition or referendum or failure of the city or  
12 town governing body to approve the establishment of the  
13 neighborhood service area shall not preclude the possibility of  
14 future petition.

15 The city or town governing body pursuant to a petition signed  
16 by at least ten per cent of the registered voters living within the  
17 neighborhood service area may enlarge, diminish, otherwise  
18 alter the boundaries of any existing neighborhood service area,  
19 except that said referendum must secure a majority vote in areas  
20 affected by proposed boundary changes.

21 A city or town governing body, after a duly advertised public  
22 hearing may dissolve a neighborhood service area pursuant to a  
23 petition signed by at least ten per cent of the registered voters in  
24 the neighborhood service area and a majority vote for  
25 dissolution in the resulting referendum.

1 SECTION 8. Members of the neighborhood council shall  
2 receive no compensation but may receive reimbursement of  
3 actual and necessary travel and other expenses incurred in the  
4 performance of official duties up to a sum authorized by the  
5 local governing body.

6 The neighborhood council shall make an annual report of its  
7 activities to the local governing body. The local governing body  
8 shall determine whether services and functions performed by the  
9 neighborhood councils have been satisfactory by holding public  
10 hearings to give the neighborhood councils an opportunity to  
11 present information showing that it has satisfactorily performed  
12 delegated responsibilities or to show legitimate cause as to why  
13 it has not been able to perform such responsibilities adequately.  
14 Residents of the neighborhood service area shall be allowed to  
15 testify.

16 Upon finding that the neighborhood council has satisfactorily  
17 performed its responsibilities or that there is legitimate cause  
18 why it has not so performed its responsibilities, the local  
19 governing body may renew its contract with the neighborhood  
20 council. Consideration shall be given to additional resources and  
21 costs in preparation of new budgets.

22 If the local governing body determines that the neighborhood  
23 council has been negligent in its performance of delegated

24 responsibilities, the governing body shall not renew the  
25 neighborhood council's contract for provision of services and  
26 functions. Upon approval by the governing body, the council  
27 may employ staff and consult and retain experts, as it deems  
28 necessary.

29 Upon request by the council, the department of community  
30 affairs shall provide continuing staff assistance to each  
31 neighborhood service area council established under this act.  
32 Such assistance to be provided during, but not limited to the  
33 first year at housing rehabilitation and sale.

1 SECTION 9. If any clause, sentence, paragraph, section or  
2 part of this act shall be adjudged by any court of competent  
3 jurisdiction to be invalid, such judgment shall not affect, impair  
4 or invalidate the remainder thereof, but shall be confined in its  
5 operation to the clause, sentence, paragraph, section or part  
6 thereof, directly involved in the controversy in which such  
7 judgment shall have been rendered.

The first part of the history of the...  
 The second part of the history of the...  
 The third part of the history of the...  
 The fourth part of the history of the...  
 The fifth part of the history of the...  
 The sixth part of the history of the...  
 The seventh part of the history of the...  
 The eighth part of the history of the...  
 The ninth part of the history of the...  
 The tenth part of the history of the...  
 The eleventh part of the history of the...  
 The twelfth part of the history of the...  
 The thirteenth part of the history of the...  
 The fourteenth part of the history of the...  
 The fifteenth part of the history of the...  
 The sixteenth part of the history of the...  
 The seventeenth part of the history of the...  
 The eighteenth part of the history of the...  
 The nineteenth part of the history of the...  
 The twentieth part of the history of the...  
 The twenty-first part of the history of the...  
 The twenty-second part of the history of the...  
 The twenty-third part of the history of the...  
 The twenty-fourth part of the history of the...  
 The twenty-fifth part of the history of the...  
 The twenty-sixth part of the history of the...  
 The twenty-seventh part of the history of the...  
 The twenty-eighth part of the history of the...  
 The twenty-ninth part of the history of the...  
 The thirtieth part of the history of the...  
 The thirty-first part of the history of the...  
 The thirty-second part of the history of the...  
 The thirty-third part of the history of the...  
 The thirty-fourth part of the history of the...  
 The thirty-fifth part of the history of the...  
 The thirty-sixth part of the history of the...  
 The thirty-seventh part of the history of the...  
 The thirty-eighth part of the history of the...  
 The thirty-ninth part of the history of the...  
 The fortieth part of the history of the...  
 The forty-first part of the history of the...  
 The forty-second part of the history of the...  
 The forty-third part of the history of the...  
 The forty-fourth part of the history of the...  
 The forty-fifth part of the history of the...  
 The forty-sixth part of the history of the...  
 The forty-seventh part of the history of the...  
 The forty-eighth part of the history of the...  
 The forty-ninth part of the history of the...  
 The fiftieth part of the history of the...  
 The fifty-first part of the history of the...  
 The fifty-second part of the history of the...  
 The fifty-third part of the history of the...  
 The fifty-fourth part of the history of the...  
 The fifty-fifth part of the history of the...  
 The fifty-sixth part of the history of the...  
 The fifty-seventh part of the history of the...  
 The fifty-eighth part of the history of the...  
 The fifty-ninth part of the history of the...  
 The sixtieth part of the history of the...  
 The sixty-first part of the history of the...  
 The sixty-second part of the history of the...  
 The sixty-third part of the history of the...  
 The sixty-fourth part of the history of the...  
 The sixty-fifth part of the history of the...  
 The sixty-sixth part of the history of the...  
 The sixty-seventh part of the history of the...  
 The sixty-eighth part of the history of the...  
 The sixty-ninth part of the history of the...  
 The seventieth part of the history of the...  
 The seventy-first part of the history of the...  
 The seventy-second part of the history of the...  
 The seventy-third part of the history of the...  
 The seventy-fourth part of the history of the...  
 The seventy-fifth part of the history of the...  
 The seventy-sixth part of the history of the...  
 The seventy-seventh part of the history of the...  
 The seventy-eighth part of the history of the...  
 The seventy-ninth part of the history of the...  
 The eightieth part of the history of the...  
 The eighty-first part of the history of the...  
 The eighty-second part of the history of the...  
 The eighty-third part of the history of the...  
 The eighty-fourth part of the history of the...  
 The eighty-fifth part of the history of the...  
 The eighty-sixth part of the history of the...  
 The eighty-seventh part of the history of the...  
 The eighty-eighth part of the history of the...  
 The eighty-ninth part of the history of the...  
 The ninetieth part of the history of the...  
 The ninety-first part of the history of the...  
 The ninety-second part of the history of the...  
 The ninety-third part of the history of the...  
 The ninety-fourth part of the history of the...  
 The ninety-fifth part of the history of the...  
 The ninety-sixth part of the history of the...  
 The ninety-seventh part of the history of the...  
 The ninety-eighth part of the history of the...  
 The ninety-ninth part of the history of the...  
 The hundredth part of the history of the...