

CITY OF SOMERVILLE

**Commented [HS1]:** 3/24/2023: Incorporated Harriotte's suggestions.

**Commented [HS2]:** Step 1 - harmonized article headings

Step 2 - reordered articles to reflect harmonized article headings

Step 3 - included MOD bylaws

## COMMISSION FOR PERSONS WITH DISABILITIES

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## BYLAWS

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~~(Updated February 2022)~~ January 31<sup>st</sup> 2023

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V4 word doc with recommentaions inline prior to February 9<sup>th</sup> removal of tracked changes includes all recommend modifications to be reviewed at 2/14/2023 meeting of commission

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NAME OF THIS DOCUMENT IS BELOW – and was emailed to HES on 2/9/2023

SCPD Bylaws January 31 2023 per commission vote CLEAN COPY additronal recommendations to be reviewed have been removed V5

~~(Proposed changes as of January 31<sup>st</sup> 2023)~~

SOMERVILLE COMMISSION ON DISABILITY (MOD)

ARTICLE I: TITLE AND PURPOSE (MOD)

- 1. The name of this organization Commission shall be the Somerville Commission for Persons with Disabilities (hereafter referred to as the Commission) as amended and incorporated into the general ordinances of the City of Somerville, Ordinance 130.
- 2. The purpose of the Commission is to coordinate or carry out programs, with support from the City of Somerville and guidance from the Massachusetts Office on Disability when requested by the Commission, in order to bring about full and equal participation in all aspects of life in the City of Somerville for people with disabilities.
- 3. To cause the full integration and participation of people with disabilities in the City of Somerville
- 4. The Disability Commission provides information, referral, guidance, and technical assistance to ensure equal access to all public facilities, services and programs, Commission including public education and programs for students and families living in Somerville.
- 5. The purpose of these bylaws is to establish principles and procedures for the governance of this Commission.

ARTICLE II. POWERS AND DUTIES (MOD)

- 1. Act as a centralizing force in the City of Somerville by providing information, referral, guidance, coordination, and technical assistance to all public and private agencies and entities, individuals,

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organizations and institutions engaged in all public activities, public places, and public programs, intended to eliminate discrimination against persons with disabilities and ensure maximum participation of persons with disabilities. ~~(Arlington COD)~~

~~2.~~

- ~~2.~~ Assist the City, ~~it's~~ residents, ~~Citizens,~~ and those who work in and visit Somerville in bringing about full integration and participation of people with disabilities in the City of Somerville through the following activities.

- ~~3.~~ Research local problems of people with disabilities.

~~a.~~

- ~~4.~~ Advise ~~see~~ and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities.

~~b.~~

- ~~5.~~ Coordinate or carry out programs designed to meet the problems of people with disabilities using the Massachusetts Office on Disability as a resource when requested by the Commission.

~~c.~~

- ~~6.~~ Review and make recommendations about policies, procedures, services, ~~activities,~~ and facilities, infrastructure, ~~of~~ departments, boards, and agencies of Somerville as they affect people with disabilities.

~~d.~~

- ~~7.~~ Provide information, referrals, guidance, and technical assistance to individuals, public agencies, businesses, and organizations in all matters pertaining to disability.

~~e.~~

- ~~8.~~ Guide and support the activities of other local groups organized to meet the needs of people with disabilities.

- ~~9.~~ Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities and

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ensure that appropriate regulations are adopted and enforced pursuant to such legislation.

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10. Encourage public awareness of disability issues.

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11. Continuously recruit and recommend prospective Commission members to the Mayor seeking a diverse membership.

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12. File an annual report, which shall be printed in the City of Somerville Annual report.

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13. Receive gifts of property, both real and personal in the name of the City/Town subject to the approval of the city council; such gifts to be managed and controlled by the Commission.

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14. Take such action as the Commission considers appropriate to ensure the equal access status of persons with disabilities.

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### ARTICLE III.— MEMBERSHIP ~~(MOD)~~

1. The Commission shall consist of ~~nine (9)~~ thirteen (13) Commissioners, all of whom shall be appointed by the mayor, ~~and are~~ residents of Somerville at the time of initial appointment or reappointment representing as many disabilities as possible and will consist of the following, the ~~majority~~ of members shall consist of people with disabilities.

Commented [HS3]: Step 4 - "section" labels are now numbered under each Article

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• One (1) seat shall be filled by an elected or appointed municipal official

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• One (1) seat shall be filled by an individual who is a parent or family member of a person with a disability.

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~~Five (5) seats shall be filled by persons with disabilities.~~

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~~Two (2) seats may be filled by any Somerville resident.~~

2. An unspecified number of additional members, hear-by known as “Associate Commissioners” who are not appointed by the mMayor, m, m, must be residents of Somerville This unspecified number of Associate Commissioners must be residents of Somerville who either have a disability, have a family member with disabilities or represent the interests of individuals with disabilities. To be considered an Associate Commissioner, an individual must attend three meetings and be voted in by the Commission. Associate Commissioners serve at will, with no designated terms and have no voting capability. Associate Commissioners may be considered as candidates for Commission seats, as opportunities arise from vacancy or term completion

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One elected or appointed municipal official

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B One individual who is a parent or family member of a person with a disability

C. Seven individuals, the majority of whom will be persons with disabilities, the majority of whom will be persons with disabilities, representing as many disabilities as possible.

Associate Commissioner

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This unspecified number of Associate Commissioners must be residents of Somerville who either have a disability, have a family member with disabilities or represent the interests of individuals with disabilities.

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Associate Commissioners may be considered as candidates for Commission seats, as opportunities arise from vacancy or term completion.

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3. Commissioners who reach their term limit, and do not have a replacement from their seat may choose to remain in said seat until a replacement can take the seat. This “stay-put” rule is at the discretion of the Chair and requires a simple majority vote.. They may also choose to

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continue with the Commission in the capacity of Associate Commissioner.  
after vacating their seat.

Section II. – Term of Appointment for Commissioners

4. ~~A.~~ Commissioners shall be appointed to three-year terms, serving up to 3 consecutive terms.

~~B. After serving two consecutive terms), , an individual must take leave of the position for a period of one term (three years) before serving again in that capacity. Said individual may serve as Associate Commissioner in the interim.~~

56. 90 days ~~One month~~ prior to a seat becoming open ~~making appointments to~~ the Commission, the Mayor shall solicit nominations from as many organizations and individuals who represent a broad cross-section of disabilities and disability related concerns. ~~interests and disabilities.~~

~~B. The Commission members shall actively recruit, review and recommend prospective members of the Commission to the Mayor.~~

68. If a member misses three unexcused meetings of the Commission during the year, the position of said member will be reviewed by the Commission and a recommendation shall be provided to the mayor. If a vacancy ensues it shall be filled as soon as possible according to the process above.

79. Resignations must be submitted in writing (assistance provided if needed) to the mayor and Chairperson.

8. All members shall have full voting rights, except per Article III Membership - Associate Commissioners.

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#### ARTICLE IV. OFFICERS ~~(MOD)~~

1. Commission ~~(HH)~~ Officers of the Commission shall consist of a chairperson, vice chairperson, treasurer ~~(MOD)~~ and a secretary to be elected for a term of one year. After serving two consecutive one-year terms - 2 years total ~~(HH)~~, an individual must take leave of that officer ~~(HH)~~ position for a period of one year before serving as an elected officer ~~(HH)~~ again in that capacity. An exception to this term ~~(HH)~~ limitation applies in the event that no other members run for office.

2. Officers shall be elected annually by a simple ~~(SGPD)~~ majority vote of the Commission ~~(MOD)~~.

A. Staff person shall set the agenda for the meetings of the Commission. (Due to the Health Department Commission reorganization plan, The ADA Coordinator is requesting that this item be place on hold until support staff is assigned)

3. B. The Chairperson sets the agenda, presides over all ~~(MOD)~~ at meetings; represents the Commission in an official capacity, and ~~(HH)~~ when necessary, appoints members of standing committees as well as special and ad hoc committees, and notifies the mayor when vacancies occur.

4. The vice chairperson shall perform all of the functions of the chairperson in their absence ~~(MOD)~~

5. The Chair shall notify the members of any Officer ~~(HH)~~ the vacancies y and the election to fill any vacancies ~~(HH)~~ at least seven days in advance of the meeting.

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65. The secretary shall prepare the minutes of the meetings for the approval at the next meeting, ;preside at Commission meetings in the absence of the chairperson and vice chairperson (HH); enassure that meeting notices and agendas are distributed to members. Send notice of meeting minutes prior to the next meeting at least (MOD) **<MOD SAYS 14 DAYS WE SHOULD VOTE IF 7 DAYS IS ACCEPTABLE (HOLLY)>** Keep records of all meetings attendance, minutes and correspondence (MOD) in a location publicly accessible (HH)

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76. In the event that a vacancy shall occur in any office before the natural expiration of the term, the Commission shall hold at its next regular meeting a special election to elect a member to serve out the remainder of the term.

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8 The Treasurer shall keep records of all financial matters, develop a budget in coordination with the Commission (MOD) to be submitted to City Council and the Mayors office for approval and inclusion in the City of Somerville Annual Budget. This budget is separate from the HP Fines account (HH) Prepare a financial statement for inclusion in the annual City of Somerville report (MOD) to the citizens (HOLLY)

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## ARTICLE V.ARTICLE V. MEETINGS

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### Section I. -- Regular Meetings

A. 1. The Commission will hold at least ten (10) regular meetings during the year, to be held the second Tuesday of the month at a location within the City of Somerville which is accessible to people with disabilities. If a holiday falls on the second Tuesday, then the meeting will be postponed until the third Tuesday of the month. Meetings shall begin promptly at 7pm and convene at 9pm (HOLLY)

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2. Notice of the regular meetings, including the business to be conducted, will be mailed and/or e-mailed to each member at his or her home address or place of business one week prior to the meeting.

3. The Annual Meeting will be held in June. Business shall include election of officers and annual reports.

## Section II. -- Special Meetings

4. Special Meetings of the Commission may be called by the Chairperson or any two members of the Commission, upon notice to all the members of the Commission.

5. Quorum for the conducting of official business shall consist of a simple majority of current Commissioners. Passage of a motion requires the presence of a quorum. The Chairperson may break a tie vote.

6. Meetings shall adhere to Robert's Rule of Order (MOD).

7. Education materials for Robert's Rule of Order shall be provided to the membership upon request, and in the format of their choice.  
(HOLLY)

Article V. Officers

## Section I. -- Election

~~Officers of the Commission shall consist of a chairperson and a secretary to be elected for a term of one year. After serving two consecutive one-year terms, an individual must take leave of that position for a period of one year before serving again in that capacity. An exception to this limitation applies in the event that no other members run for office.~~

## Section II. -- Duties

~~A. Staff person shall set the agenda for the meetings of the Commission.  
(Due to the Health Department Commission reorganization plan, The ADA~~

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~~Coordinator is requesting that this item be place on hold until support staff is assigned)~~

~~B. The Chairperson presides at meetings; represents the Commission in an official capacity when necessary, appoints members of standing committees as well as special and ad hoc committees, and notifies the Mayor when vacancies occur. The Chair shall notify the members of the vacancy and the election at least seven days in advance of the meeting.~~

~~C. The secretary shall prepare the minutes of the meetings for the approval at the next meeting; preside at Commission meetings in the absence of the chairperson; assure that meeting notices and agendas are distributed to members.~~

~~D. In the event that a vacancy shall occur in any office before the natural expiration of the term, the Commission shall hold at its next regular meeting a special election to elect a member to serve out the remainder of the term.~~

## ARTICLE VI. AMMENDMENTS

These bylaws may be amended at any time by ~~a 50% plus one~~ a simple majority of the members present at a meeting where there is a quorum. However, the amendments must be in conformance with the Commission's establishing ordinance.

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