

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

March 13, 2023

AN AMENDMENT TO AN ORDINANCE DEFINING RESPONSIBILITIES THERETO PURUSANT TO VARIOUS SECTIONS OF CHAPTER 2 ADMINISTRATION OF THE MUNICIPAL CODE

Be it ordained by the City Council of the City of Newburyport as follows:

Chapter 2	Administration
Article VI	Finance
Section 2-394	Departmental Revolving Funds

Amend Section 2-394 by deleting a clause, as follows, with deletions ~~double stricken through~~:

Sec. 2-394. Departmental revolving funds.

- (a) *Purpose.* This section establishes and authorizes revolving funds for use by city departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by M.G.L.A. c. 44, § 53E½.
- (b) *Expenditure limitations.* A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this section without appropriation subject to the following limitations:
 - (1) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
 - (2) No liability shall be incurred in excess of the available balance of the fund.
 - (3) The total amount spent during a fiscal year shall not exceed the amount authorized by city council on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the city council and mayor.
 - (4) Any capital expenditure from the fund shall be made upon the recommendation of the mayor and approval of the city council. A capital expenditure is defined as a fixed asset costing fifteen thousand dollars (\$15,000.00) or more with an expected useful life of five (5) years or more.
- (c) *Interest.* Interest earned on monies credited to a revolving fund established by this section shall be credited to the general fund.

- (d) *Procedures and reports.* Except as provided in M.G.L.A. c. 44, § 53E½ and this section, the laws, charter provisions, ordinances, rules, regulations, policies or procedures that govern the receipt and custody of city monies and the expenditure and payment of city funds shall apply to the use of a revolving fund established and authorized by this section. The city auditor shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the city auditor provides the department, board, committee, agency or officer on appropriations made for its use.
- (e) *Authorized revolving funds.* The table establishes:
- (1) Each revolving fund authorized for use by a city department, board, committee, agency or officer;
 - (2) The department or agency head, board, committee or officer authorized to spend from each fund;
 - (3) The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the city auditor; and
 - (4) The expenses of the program or activity for which each fund may be used.

A Revolving fund	B Department, Board, Committee, Agency or Officer Authorized to Spend from Fund	C Fees, Charges or Other Receipts Credited to Fund	D Program or Activity Expenses Payable from Fund
Council on aging	Director of council on aging	Program fees	Senior citizen programs
Recreational services	Director of youth services	Program fees	Funds recreational services in the city including program supplies, materials and equipment, class instructor fees, fees for reservations and tickets related to trips and functions, other costs related to the provisions of recreational services and transfers to the general fund for the purpose of funding salaries
Historical commission	Director of planning and development	Application fees	Administration of the historical commission operations, including office supplies and technical assistance
Electrical inspector	Building commissioner	Electrical permit fees	Charges and/or salaries for wiring inspector, assistant wiring inspector, building inspector and

			related supplies and equipment for the department
Plumbing inspector	Building commissioner	Plumbing permit fees	Charges and/or salaries for plumbing inspector, assistant plumbing inspector, building inspector and related supplies and equipment for the department
Gas inspector	Building commissioner	Gas permit fees	Charges and/or salaries for gas inspector, assistant gas inspector, building inspector and related supplies and equipment for the department
Disabilities commission	Americans with Disabilities Act (ADA) coordinator	Handicapped parking fines and Massachusetts Architectural Access Board (MAAB)/ADA enforcement fines	Assist the commission on disabilities in their efforts to advise, assist, research, coordinate, review and make policy recommendations, provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability; and to coordinate activities of other local groups organized for similar purposes
Emma Andrews Library	Director of public services	Income received from the rental of the apartment located on the second floor of the South End Branch Library, commonly known as the Emma Andrews Library	Expenses associated with building maintenance, repairs, renovations, upkeep and security
Transient vendors	Director of public health	Permit fees	Offset health department expenses associated with special events, including, but not limited to, festivals, farmers markets, and temporary events
Planning and zoning	Director of planning and development	Planning and zoning service and application fees	Planning and zoning related purposes including consultant's fees, legal expenses and other costs associated with project reviews and planning activities
Animal control	Director of public health	Fees and charges associated with animal control and animal shelter activities	Offset city expenses associated with carrying out animal control and animal shelter operations
Tree commission	Newburyport Tree Warden	Fines, voluntary payments, fees, charges, contributions,	Plant, maintain, protect, and preserve public trees throughout

		donations, grants, insurance settlements, and other payments received from private individuals, businesses, government entities, and persons or business making payment to the city for damage caused to trees located on city property	the city in order to: contribute to the distinct character of the city; improve air quality; create habitats for wildlife, including various rare and protected species; reduce noise; provide privacy; protect soil from erosion; provide glare and heat protection; provide an aesthetic appeal that enhances property values; provides natural privacy to neighbors; and promotes civic pride and enjoyment
Health programs	Director of public health	Program fees and reimbursements from the state or federal Medicare/Medicaid programs and private insurers	Expenses associated with carrying out Health Department activities and programs
Veterans services	Director of veteran's services	Sale of grave markers, donations, gifts and grants received from the general public, government entities, private corporations, and charitable foundations	Expenses associated with goods and services benefiting veterans residing in the city and their families
City hall maintenance	Director of public services	Fees and charges paid to the city for the use and rental of city hall facilities	Expenses associated with city hall event coordination, maintenance, repairs, renovations, upkeep and security
Senior community center maintenance	Director of public services	Fees and charges paid to the city for the use and rental of the senior community center	Expenses associated with event coordination, maintenance, repairs, renovations, upkeep and security at the senior community center
Parks maintenance	Parks director <u>Director of public services</u>	Fees and charges paid to the city for the use and rental of parks by outside groups, organizations and individuals	Expenses associated with parks maintenance, repairs, renovations, upkeep and security
Solid waste	Recycling/energy manager	Fees collected for use of the yard waste facility, charges for disposal of household hazardous waste, bulk item/mattress disposal fees and recycling fees	Expenses associated with operating the yard waste facility and recycling center on Colby Farm Lane, chipper service, disposal of hazardous waste, as well as, disposal of bulk items/mattresses

Assessor's office	Assessor	Fees charged by the assessor's office for records requests and abutters lists	Office supplies and equipment
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(Ord. of 6-11-2018(1); Ord. of 6-13-22(1))

Councillor Heather L. Shand

In City Council March 13, 2023:

Motion to collectively refer ODNC00143 to Public Works & Services, ODNC00144 to Budget & Finance, ODNC00145 to Community Services, ODNC00146 to General Government, and ODNC00147 to Community Services by Councillor Zeid, seconded by Councillor McCauley. Roll call vote. 10 yes, 1 absent (BL). Motion passes.