

police officers sick leave, and, though execution of ordinance providing for such leave might have been vested in city manager, city council, having designated terms and conditions under which leave with pay should be granted, could delegate the carrying out of the ordi-

nance, to chief of police instead of city manager. *Quinlan v. City of Cambridge* (1946) 68 N.E.2d 11, 320 Mass. 124.

The statute authorizing city council of Cambridge to fix the salaries of police officers was not affected by adoption by the city of a Plan E charter in 1942. *Id.*

§ 98. Meetings of city council

The city council shall fix suitable times for its regular meetings. The mayor, or the vice-chairman of the city council, or any four members thereof, or any three members thereof in the case of a city council composed of seven members, may at any time call a special meeting by causing written notices, stating the time of holding such meeting and signed by the person or persons calling the same, to be delivered in hand to each member of the city council, or left at his usual dwelling place, at least twelve hours before the time of such meeting. Meetings of the city council may also be held at any time when all the members of the city council are present and consent thereto. Except in the cases of executive sessions authorized by section twenty-three A of chapter thirty-nine, all meetings of the city council shall be open to the press and to the public, and the rules of the city council shall provide that citizens and employees of the city shall have a reasonable opportunity to be heard at any such meeting in regard to any matter considered thereat.

Added by St.1938, c. 378, § 15. Amended by St.1958, c. 626, § 9.

Historical Note

The 1958 amendment inserted the fourth sentence and made meetings open words "authorized by section twenty-three A of chapter thirty-nine" in the "to the press" as well as the public.

Library References

Municipal Corporations ¶86, 87.
C.J.S. Municipal Corporations §§ 396,
397.

Comment. Public records and public meetings, see M.P.S. vol. 18, Hardy, § 11.

§ 99. Quorum; presiding officer; duties of city clerk; voting procedure

A majority of all the members elected to the city council shall constitute a quorum. The mayor, if present, shall preside at the meetings and may vote. In the absence of the mayor, the vice-chairman of the city council shall preside and, in the absence of both, a temporary chairman shall be chosen, who shall serve during the absence of both the mayor and the vice-chairman. The city clerk shall be, ex-officio,

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clerk of the city council, and shall keep records of its proceedings; but, in case of his absence or disability or of a vacancy in the office, the city council shall elect a temporary clerk, who shall be sworn to the faithful discharge of his duties and shall act as clerk of the city council until the city clerk resumes his duties or a new city clerk is qualified. All final votes of the city council on questions involving the expenditure of fifty dollars or more, or upon the request of any member any vote of the city council, shall be by yeas and nays and shall be entered on the records. The affirmative vote of a majority of all the members elected to the city council shall be necessary for the passage of any order, ordinance, resolution or vote, except that the affirmative vote of a majority of the members present shall be sufficient to adjourn any meeting of the city council.

Added by St.1938, c. 378, § 15.

Library References

Municipal Corporations §§ 90, 92.

C.J.S. Municipal Corporations §§ 399, 400.

§ 100. Mayor; official head of city; powers and duties; vice-chairman

The mayor shall be recognized as the official head of the city for all ceremonial purposes and shall be recognized by the courts for the purpose of serving civil process and by the governor for military purposes. In time of public danger or emergency, as determined by the city council, he may, with its consent, take command of the police, maintain order and enforce the laws; and he shall have all the authority and powers conferred upon mayors by sections eighteen and nineteen of chapter thirty-three. He shall be chairman of the city council and chairman of the school committee. He shall have no power to veto but shall have the same powers as any other member of either such body to vote upon all measures coming before it. He shall perform such other duties consistent with his office and with sections ninety-three to one hundred and sixteen, inclusive, as may be imposed upon him by the city council. During the absence or disability of the mayor, or during the time such office is vacant, his duties shall be performed by the vice-chairman. In case, at any time, there shall be neither a mayor nor a vice-chairman, the member of the council senior in length of service, or, if more than one have so served, then the member senior both in age and length of service shall perform the duties of mayor until a new mayor has qualified. The mayor shall have no power of appointment, except of the employees mentioned in section twenty-five and except as provided in section one hundred and two.

Added by St.1938, c. 378, § 15. Amended St.1941, c. 722, § 5.

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