
BARNSTABLE COUNTY HOME RULE CHARTER

Presented to the Barnstable County *Charter
Review Committee on October 28, 2009*

CHARTER BASICS

- Chapter 163 of the Acts of 1988
 - Approved by the Voters *November 8, 1988, amended by Section 25 of Chapter 716 of the Acts of 1989, approved by the voters on March 27, 1990, and amended by the voters November 7, 2000*
 - Provides Broad Powers to County Government
 - Provides Basic Structure of County Government
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CHARTER ORGANIZATION

- Article 1 – Incorporation and Powers
 - Article 2 – Legislative Branch
 - Article 3 – Executive Branch
 - Article 4 – Administrative Organization
 - Article 5 – Fiscal Procedures
 - Article 6 – Joint Performance of Functions
 - Article 7 – Municipal Petitions, Citizen Initiatives, Referendum, Recall
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CHARTER ORGANIZATION

- Article 8 – Election Related Matters
 - Article 9 – General Provisions
 - Article 10 – Transitional Provisions (*not enacted in 2000 legislation – no action taken by the legislature*)
 - Article 11– Sheriff Transfer Provisions (*not enacted in 2000 legislation – no action taken by the legislature*)
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LEGISLATIVE BRANCH

- Establishes Assembly of Delegates, Composition, Term, Mode of Election, etc.
 - Dealings with County Officers Must be Through County Commissioners and County Administrator
 - May Request Report, Inquiry or Investigation
 - Exercise of Powers through Resolution (limited matters) and Ordinances
 - *Most Acts Require Ordinance*
 - Filling of Vacancies; Excessive Absence
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EXECUTIVE BRANCH

- Establishes Board of County Commissioners, Composition, Term, Mode of Election, etc.
 - Exercise of Powers as Chief Executive Officer with General Supervision and Direction Over all County Agencies
 - Delegation Provision
 - Appointment Powers
 - Ordinance Approval/Disapproval Process
 - County Administrator Provisions
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ADMINISTRATIVE ORGANIZATION

- Elected County Officials
 - Charter Departments & Agencies and Appointed County Officers
 - Finance Department/Director of Finance
 - Registry of Deeds/Register of Deeds
 - Office of the County Clerk
 - Regional Planning Agency
 - Organization Of County Agencies
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FISCAL PROCEDURES

- Budget Process
 - Submission of Proposed Budget
 - Budget Message
 - The Proposed Budget Contents
 - Action
 - Refer to Ordinances 06-16 and 09-01
 - Capital Improvement program
 - Annual Audits
 - Revenues
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JOINT PERFORMANCE OF FUNCTIONS

- “Local Service Functions”
 - Interlocal Contracts
 - Transfer of Functions
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MUNICIPAL PETITIONS, CITIZEN INITIATIVES, REFERENDUM, RECALL

- Municipal Petitions
 - Citizens Initiative Measures
 - Citizens Referendum Procedures
 - Excluded Matters
 - Submission of Ordinances to Voters
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ELECTION RELATED MATTERS

- Biennial State Election
 - Applicability of State Election Laws
 - Nominations
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GENERAL PROVISIONS

- Charter Amendments
 - Specific Provision Prevails in Case of Conflict
 - Rules & Regulations
 - Charter Review Process
 - Copies of Charter/Ordinances
 - Multiple Member Bodies
 - Removals & Suspensions
 - Definitions
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