

per 07

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DOCUMENT 77

CITY OF HAVERHILL

In Municipal Council May 13 2008

~~ORDERED~~

MUNICIPAL ORDINANCE

CHAPTER 70

AN ORDINANCE RELATING TO OFFICERS AND EMPLOYEES

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 70, Article X, Conservation Enforcement Officer, as amended, is hereby further amended as follows:

§70-85. Position established.

By deleting the words "Conservation Commission" and inserting in place thereof the words "Police Department".

§ 70-89. Additional powers and duties.

By deleting the words "under the Director of Economic Development and Planning and".

EFFECTIVE JULY 1, 2008

APPROVED AS TO LEGALITY

City Solicitor

PLACED ON FILE for at least 10 days
TO COME BACK TO COUNCIL
JUNE 10 2008

Attest:

City Clerk

City Clerk
Jan Code - email
Council
Police
Conservation
Planning

IN CITY COUNCIL: June 10 2008
PASSED

Attest:

Asst City Clerk

APPROVED:

Mayor

ARTICLE X
Conservation Enforcement Officer
[Adopted 2-2-1971 by Doc. 8-B (Ch. 22 of the 1980 Code)]

§ 70-85. Position established. [Amended 7-10-2007 by Doc. 76]

There is hereby established a position entitled "Conservation Enforcement Officer," who shall be under the direction and control of the Conservation Commission.

§ 70-86. Enforcement of laws and ordinances. [Amended 7-10-2007 by Doc. 76]

The Conservation Enforcement Officers for the City of Haverhill shall enforce all the laws of the Commonwealth and the laws and ordinances of the City of Haverhill governing conservation and environmental matters.

§ 70-87. Abatement of violations.

The Conservation Enforcement Officer shall, when a violation is found, order the correction of such violation of the laws or ordinances and the necessary corrective action to be taken with the stipulated time granted for such correction. Should the violation be of a continuing nature after the expiration of the time granted for correction, such offense shall be brought to the attention of the Conservation Commission at the next scheduled meeting or special meeting so that the Commission may have brought to its attention the violation and recommend further action to be taken. All citations shall be made out in quadruplicate so that there shall always be a copy on file: number one to the violator, number two to the Department effected, number three to the Conservation Commission and number four to the Conservation Officer.

§ 70-88. Patrolling required.

It shall be the duty of the Conservation Enforcement Officer to patrol the several park areas of the City of Haverhill as well as other woodlands, streams, rivers, roadways and other places where he shall feel necessary to carry out his duties and to check upon any violations brought to his attention. This section shall not permit the entry into any dwelling without the consent of either the owner or the occupant.

§ 70-89. Additional powers and duties. [Amended 7-10-2007 by Doc. 76]

- A. The Conservation Enforcement Officer shall report to the Conservation Commission at the Commission's monthly meeting of his activities for the month preceding.
- B. He shall, under the Director of Economic Development and Planning and whenever called upon, furnish such assistance within the bounds of the City of Haverhill for the enforcement of the laws of the commonwealth in regards to natural resources.
- C. These duties shall also include speaking before groups and giving assistance to such groups interested in conservation and environmental matters.

§ 70-90. Coordination with other departments.

All work performed by the Conservation Enforcement Officer should be coordinated with other municipal departments, and any such violations which are under the jurisdiction of those departments shall be referred to that department in writing.¹²

ARTICLE XI**Constables**

[Adopted 12-1-1992 by Doc. 168 (Ch. 24 of the 1980 Code)]

§ 70-91. Appointment; compensation.¹³

- A. The Mayor shall appoint Constables in accordance with the provisions of MGL c. 41, § 91, in such numbers as the Mayor shall decide are necessary or convenient for the general welfare of the City. When appointed, such constables shall be subject at all times to the orders of the Chief of Police and, so far as they are applicable, to all the rules and regulations of the Police Department made or approved by City Council. They shall receive no compensation from the City except when employed by the Chief of Police.
- B. An application for appointment as Constable shall be accompanied by a fee of \$200 for each year of the appointment payable to the City of Haverhill to cover costs of processing. This fee shall not apply to Haverhill Auxiliary Police, police officers of other communities who accept private detail work for the Haverhill Police Department or City employees who are appointed Constable as part of their City job.

§ 70-92. Categories.

Appointments shall be made in accordance with one of the categories hereinafter set forth, and applications for appointment shall designate which category of appointment is being made. Appointment under one category shall not preclude an appointment of the same person under another category.

§ 70-93. Employees of City.

Appointments may be made under this section of employees of the City of Haverhill to be Constables and to exercise their constable powers in pursuit of their employment and duties for the City of Haverhill. No person appointed under this section shall use their constable powers conferred under this section for purposes outside their official duties, and no additional compensation shall be given to or received by such a person for the exercise of constable powers conferred under this section.

12. Editor's Note: Original § 22-7 of the 1980 Code, Hours of work; compensatory time, which immediately followed this section, was deleted 7-10-2007 by Doc. 76.

13. Editor's Note: This section incorporates the provisions of original § 68-5, Constables, of the 1980 Code, which was adopted as part of the 1963 City Code and amended 2-9-1982 by Doc. 35; 2-22-1983 by Doc. 43; and 6-22-2004 by Doc. 87.