

Tiverton Charter Review Commission
Proposal Request and Comment Form

ID #131

| | |
|---------------------------|---|
| Date: April 11, 2018 | Name: Town Council |
| Connection to Tiverton: | <input type="checkbox"/> Registered Voter (Elector) <input type="checkbox"/> Resident <input type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other: |
| Proposal and/or Comment: | <input type="checkbox"/> Comment <input type="checkbox"/> Proposal |
| Short Title for Proposal: | Eliminate Article IX, Section 908: Building Department |
| Contact Information:* | May we contact you for questions or clarification? Yes:_____ No_____ |
| | Note: this proposal came on a document dtd 1/23/18 with several changes and not on the CRC form. |
| | Address: |
| | Phone number: |
| | Email: |

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net

Submitted forms will be considered a matter of public record and subject to public inspection.

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

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|---|---|
| Change Requested | Eliminate Section IX, Section 908: Building Department, replace with Section 909: Land Use and Development Department (back-up enclosed) |
| Describe why the Requested Change is needed | |
| Describe the effect of the Requested Change | |
| (optional) List Charter sections effected by Requested Change or New Section | |

ARTICLE IX
DEPARTMENTS AND AGENCIES
SECTION 908 - Building Department

~~There shall be a Building Department headed by the Building Official who meets qualifications defined by State Law. The Building Official shall be appointed by the Town Administrator with the approval of the Town Council for an initial contract period, not to exceed three (3) years, and shall be responsible for the supervision of the Building, Electrical, Plumbing and Mechanical Inspectors, the enforcement of ordinances, zoning and other matters assigned to the position pursuant to law. Renewal contracts shall not exceed three (3) years.~~

~~(a) Zoning Officer. There shall be a Zoning Officer appointed by the Town Administrator with the approval of the Town Council for an initial period not to exceed three (3) years. Renewal contracts shall not exceed three (3) years. The Zoning Officer may hold both the office of Zoning Officer and Building Official. It shall be the duty of the Zoning Officer to administer and enforce the provisions of the Town Zoning Ordinance.~~

~~(b) Electrical Inspector. There shall be an Electrical Inspector appointed by the Town Administrator for a two year term. The Electrical Inspector shall be responsible for conducting electrical inspections in accordance with applicable Building and Electrical Codes. An Inspection Fee Schedule shall be established by the Town Council and revised periodically.~~

~~(c) Plumbing Inspector. There shall be a Plumbing Inspector appointed by the Town Administrator for a two year term. The Plumbing Inspector shall be responsible for conducting plumbing inspections in accordance with applicable Building and Plumbing Codes. An Inspection Fee Schedule shall be established by the Town Council and revised periodically.~~

~~(d) Mechanical Inspector. There shall be a Mechanical Inspector appointed by the Town Administrator for a two year term. The Mechanical Inspector shall be responsible for conducting mechanical inspections in accordance with applicable Building and Mechanical Codes. An Inspection Fee Schedule shall be established by the Town Council and revised periodically.~~

ARTICLE IX
DEPARTMENTS AND AGENCIES
SECTION 909 - Land Use and Development Department

There shall be a Land Use and Development Department consisting of the Town Planner, Building Official, Zoning Official, Planning Board Administrative Officer, Mechanical Inspector, Electrical Inspector, and Plumbing Inspector. These offices shall be filled by the Town Administrator with the approval of the Town Council. The Land Use and Development Department shall oversee all land use and development projects in the Town and shall be responsible for enforcement of the zoning ordinance, building code, planning regulations, and any other land use regulations either developed by the Town or established by state law. The Town Planner shall act as the supervisor for the department, although the Planning Board Administrative Officer shall also report to the Planning Board as required by state law.

The Building Official shall meet all requirements established under state law for holding that office. The Building Official shall supervise the Plumbing, Mechanical, and Electrical inspectors, all of whom shall also meet state law qualification requirements.

At the discretion of the Town Administrator and Town Council, the same person may fill one or more of the offices in the Land Use and Development Department.

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| Date: May 29, 2018 | Name: Jeff Caron |
| Connection to Tiverton: | <input checked="" type="checkbox"/> Registered Voter (Elector) <input checked="" type="checkbox"/> Resident <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Business Owner and/or Work in Tiverton <input type="checkbox"/> Other: |
| Proposal and/or Comment: | <input type="checkbox"/> Comment <input type="checkbox"/> Proposal |
| Short Title for Proposal: | Clarify the FTR/Petitioner Blocking |
| Contact Information:* | <p>May we contact you for questions or clarification? Yes: _____ No _____</p> <p>Address:</p> <p>Phone number: 401 465 5666</p> <p>Email: jeff@catek.com</p> |

Please return form to Richard Rom, Secretary by e-mail to TivertonCRC@cox.net

Tiverton Charter Review Commission Proposal Request

Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

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|--|--|
| <p>Change Requested</p> | <p>Clarify the FTR so that it is clear that petitioners are not limited re content nor can they be blocked based upon content by anyone including but not limited to the Town Council, Town Solicitor, Town Clerk, Board of Canvassers, etc. Properly implemented this charter change will likely touch on various sections of the FTR and possibly powers and duties of town officials/entities or restrictions upon the same. This proposed charter change should not undermine the existing (possibly to be revised) procedural requirements.</p> |
| <p>Describe why the Requested Change is needed</p> | <p>Petitioners were recently blocked based upon content (not procedure). This is unprecedented and essentially allows the Town Solicitor to "block" a petitioner initiative at will. The currently seated Town Council President has stated that the Solicitor works 'for the Council' and hence the Solicitor cannot be relied upon to be independent.</p> |
| <p>Describe the effect of the Requested Change</p> | <p>Town Officials would be explicitly barred from "blocking" elector petitions whose content that they disagree with.</p> |

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| Proposal and/or Comment: | <input type="checkbox"/> Comment <input type="checkbox"/> Proposal |
| Short Title for Proposal: | FTR Schedule and Timing |
| Contact Information:* | <p>May we contact you for questions or clarification? Yes:_____ No_____</p> <p>Address:</p> <p>Phone number: 401 465 5666</p> <p>Email: jeff@catek.com</p> |

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Upon review of the current Tiverton Town Charter, I request that the Commission consider the following proposal to change the Town Charter:

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|---|--|
| Change Requested | This proposal is to take a macro view of FTR schedule and timing with respect to the final recommended version(s). |
| Describe why the Requested Change is needed | FTR schedule time is at a premium. |
| Describe the effect of the Requested Change | More efficient FTR process. |
| (optional) List Charter sections effected by Requested Change or New Section | |

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| Proposal and/or Comment: | <input type="checkbox"/> Comment <input type="checkbox"/> Proposal |
| Short Title for Proposal: | Implement BC Resolution #1 into the Charter |
| Contact Information:* | May we contact you for questions or clarification? Yes:_____ No_____ |
| | Address: |
| | Phone number: 401 465 5666 |
| | Email: jeff@catek.com |

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|---|---|
| Change Requested | Implement BC Resolution #1 in the charter. |
| Describe why the Requested Change is needed | The Town Solicitor has opined that the approved FTR budget has no force or effect after July 1. |
| Describe the effect of the Requested Change | The Budget approved by FTR voters will in fact be the approved Town Budget for the upcoming year. |
| (optional) List Charter sections effected by Requested Change or New Section | |