

# GENERAL PROVISIONS

SECTION 1. *Definitions.* The following words as used in this act shall, unless the context otherwise requires, have the following meanings:

“City”, the city of Boston.

“Board of election commissioners”, the board of election commissioners of the city of Boston.

“Regular municipal election”, the biennial election held for electing officers of the city as provided in this act.

“Preliminary election”, the election held for the purpose of nominating candidates whose names shall appear on the official ballot at a municipal election.

“Proportional representation”, any proportional representation method of election authorized by chapter fifty-four A of the General Laws.

“Present form of city government”, the form of city government in effect in the city when it first adopts one of the three optional plans of government provided in this act.

[Acts of 1948, c. 452, s. 1]

SECTION 2. *Optional Plans of Government.* The city, in the manner hereinafter prescribed, may adopt from time to time at any regular municipal election any one of the optional plans of government provided in this act and shall thereafter be governed by the provisions of the plan so adopted until said provisions are superseded by the adoption of another plan under this act. The inhabitants of the city shall continue to be a municipal corporation under the name existing at the time of the adoption of any plan provided in this act, and shall have, exercise and enjoy all the rights, immunities, powers and privileges, and be subject to all the duties, liabilities and obligations provided for in this act, or otherwise pertaining to or incumbent upon said city as a municipal corporation.

None of the legislative powers of the city shall be abridged or impaired by this act; but all such legislative powers shall be possessed and exercised by such body as shall be the legislative body of the city under this act.

Whenever one of the plans provided for in this act shall be adopted, all ordinances, resolutions, orders or other regulations of the city or of any authorized body or official thereof, existing at the time when the city adopts such plan, and not inconsistent with the provisions of the plan adopted, shall continue in full force and effect until repealed, modified, suspended or superseded, and all acts and parts of acts relating to the city, so far as inconsistent with the plan adopted shall be inoperative. [Acts of 1948, c. 452, s. 2]

SECTION 3. *Selecting a New Plan of Government.* A petition, as hereinafter described, addressed to the board of election commissioners and signed by qualified voters of the city to a number equal at least to ten per cent of the registered voters at the state election next preceding the filing of the petition may be filed with the board of election commissioners not later than five o'clock of the afternoon of the first Wednesday in July next preceding the regular municipal election at which the

question proposed by the petition is to be submitted to a vote of the voters, and such petition shall set forth any one of the following questions: [See Appendix A]. [Acts of 1948, c. 452, s. 3]

SECTION 4. Reserved.

SECTION 5. Reserved.

SECTION 6. *Time Requirement for a New Plan.* Whenever one of the plans provided in this act shall be adopted, it shall continue in force for a period of at least four years from the beginning of the terms of office of the officials elected thereunder; and no petition proposing another of said plans shall be filed until after three years from the beginning of said terms of office. [Acts of 1948, c. 452, s. 6]

SECTION 7. *Other Requirements for a New Plan.* The mayor, the city council, the board of election commissioners and the city clerk in office when any plan set forth in this act has been adopted, or is proposed for adoption, shall comply with all the requirements of this act relating to such proposed adoption and to the election of the officers specified in said plan, in order that all things necessary for the nomination and election of the officers first to be elected under the provisions of this act and of the plan so adopted may be done. [Acts of 1948, c. 452, s. 7]

SECTION 8. *Terms of Office.* Whenever one of the plans provided in this act shall be adopted, the terms of office of all elective officers in office, and the position of city manager if there be one, shall terminate at ten o'clock in the forenoon on the first Monday of January following the first municipal election held in accordance with the provisions of the plan so adopted. [Acts of 1948, c. 452, s. 8]

SECTION 9. *Fiscal and Municipal Year.* The fiscal year of the city shall begin on July first and shall end on June thirtieth next following; and the municipal year thereof shall begin on the first Monday in January and shall continue until the first Monday of the January next following. [Acts of 1948, c. 452, s. 9 as amended by Acts of 1969, c. 849]

## **FORM OF GOVERNMENT: MODIFIED PLAN A**

### **Government by Mayor, City Council, and School Committee, Elected at-large with Preliminary Elections**

*Practitioners and scholars should take care when using nomenclature associated with Boston's charter. Although the charter is commonly referred to as a "Plan A" form of government, the City of Boston does not operate under the provisions of Plan A contained in General Laws Chapter 43; the City of Boston's form of government pre-dates the several plans in the General Laws, and this confusion has been an unfortunate by-product of the publication of plans of government in M.G.L..*

SECTION 10. *Plan A.* The form of government provided in [these] sections ... shall constitute and be known as Plan A under this act. [Acts of 1948, c. 452, s. 10 as amended by Acts of 1951, c. 376, s. 1.10]