

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance amending *The Code of Ordinances* for the City of Lowell by removing the Recreation Division from the Department of Health and Human Services and placing the Recreation Division and its staff under the direction and control of the Department of Public Works. Other reorganizational amendments to various Departments, Divisions and positions follow.

The City Council by virtue of General Laws, Chapter 43, Section 5 has the right to reorganize the Departments of the City of Lowell; and

The voters of Massachusetts have adopted the Home Rule Amendment to the Constitution of Massachusetts (Amendment 89 of Article II of the Constitution of Massachusetts).

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

I

Chapter 20, §20-60 of Article VIII of the City of Lowell Code of Ordinances (“the *Code*”) adopted by the City Council on December 23, 2008 (as amended) entitled Departments, is amended by removing the Recreation Division from the Department of Health and Human Services and placing the Recreation Division and its staff under the direction and control of the Department of Public Works. Pursuant to the Plan E form of government, the Recreation Division shall serve under the jurisdiction of the City Manager.

In order to reflect ongoing changes to organizational responsibilities and staff titles reflective of their functions, the City Manager, shall have the authority to modify staff titles and the Table of Organization in said Department. It is further understood that any future changes of staff titles and/or the Table of Organization shall not result in any added or deleted positions, without prior approval by Ordinance by the City Council.

II

Chapter 20, Article III is amended by transferring all positions in the Recreation Division, formerly in Department of the Health and Human Services to the Department of Public Works.

III

All paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is found unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such finding(s) shall

not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

IV

All provisions of the *Code* not inconsistent with this Ordinance shall continue in effect, but all inconsistent provisions are repealed.

V

This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 and 40A of the General Laws of the Commonwealth of Massachusetts.

APPROVED AS TO FORM:

/s/Corey Williams

Corey Williams

City Solicitor

In City Council May 21, 2024, Given 1st Reading and hearing ordered for 7PM on June 4, 2024.
So Voted./s/Michael Q. Geary, City Clerk

In City Council June 4, 2024, Given 2nd Reading and Hearing held. Hearing closed. No Remonstrants. Adopted on roll call 10 yeas, 1 abstain (C. Mercier).So Voted./s/Michael Q. Geary, City Clerk

Approved by City Manager Thomas A. Golden, Jr. June 5, 2024.

A true copy

ATTEST:

Michael Q. Geary
City Clerk

O:DPW/RecreationReorg