



***TOWN OF BRUNSWICK  
TOWN COUNCIL***

**Board Composition.**

The Town Council consists of nine (9) members, one member elected from each of the seven (7) districts, and two (2) members elected at large.

**Terms of Office.**

The term of office is three (3) years. Must be residents of Brunswick, and, if running for a district seat, a resident of that district. Shall not hold any other town office or town employment; no public school teacher shall be eligible to serve.

**Meeting Schedule.**

Regular Meetings – 1<sup>st</sup> and 3<sup>rd</sup> Monday at 7:00 p.m.

**Powers and Duties.**

All the powers of the town shall be vested in the council, except as otherwise provided by law or the town charter. The council shall provide for the exercise of these powers and for the performance of all duties and obligations imposed on the town by law.

**Town Staff Person.**

Town Manager – John Eldridge (725-6659)

**TOWN OF BRUNSWICK**  
**TOWN COUNCIL**  
Current as of July 1, 2011

*(Town Charter – Article II)*

**ARTICLE II.**  
**TOWN COUNCIL**

**Section 201. Composition, eligibility, election and terms.**

(a) There shall be a town council of 9 members. Two members shall be elected by the voters of the town at large, and one member shall be elected by the voters of each of the 7 districts, as provided in section 202 of this article.

(b) Only voters, or persons eligible to be voters, who reside in the town shall be eligible to hold office of councilor.

(c) Each member shall be elected for a term of 3 years and shall serve until a successor is elected and qualified. The terms of office shall be staggered and shall be initially elected as follows:

*For the regular annual election held in 2006:*

District 2--A one year term

District 5--A two year term

District 7--A two year term

At large expiring in 2006--A two year term.

*For the regular annual election held in 2007:*

District 1--A three year term

District 2--A three year term

District 3--A two year term

District 4--A two year term

District 6--A three year term

At large expiring in 2007--A two year term  
(Amended November 6, 1990; amended November 8, 1994--Effective January 1, 1995; amended November 8, 2005--Effective January 1, 2006, Exh. A-1)

**Section 202. Establishment of voting districts and qualifications; review of district boundaries.**

(a) There are 7 districts in the Town of Brunswick which shall continue with their current boundaries until they are adjusted according to subsection (b). District members of the Council and School Board shall reside in the districts from which they have been elected.

(b) District boundaries shall be adjusted pursuant to Title 30-A, Section 2503 of the Maine Revised Statutes, as that section may be amended from time to time.  
(Amended November 6, 1990; amended November 3, 1998--Effective January 1, 1999)

**Section 203. Powers and duties.**

All the powers of the town shall be vested in the council, except as otherwise provided by law or this Charter. The council shall provide for the exercise of these powers and for the performance of all duties and obligations imposed on the town by law.

**Section 204. Prohibition.**

(a) No councilor shall hold any other town office or town employment during the term for which the councilor was elected to the council; further no public school teacher shall be eligible to serve on the council.

(b) Neither the council nor any of its members shall, in any manner, dictate the appointment or removal of any administrative officers or employees whom the manager or any of the manager's subordinates are empowered to appoint. The council, however, may express its views and fully and freely discuss with the manager anything pertaining to the appointment and removal of such officers and employees.

(c) Except for the purpose of inquiry, the council and its members shall deal with the administrative officers solely through the manager. Neither the council nor any member thereof shall give orders to any subordinates of the manager, either publicly or privately.  
(Amended November 8, 1994--Effective January 1, 1995)

**Section 205. Vacancies; forfeiture of office; filling of vacancies.**

(a) The office of a councilor shall become vacant upon the death, resignation, removal from office in any manner authorized by law, forfeiture of the office, or permanent physical or mental disability resulting in decreased ability to perform the duties, all as determined by the council.

(b) A councilor shall forfeit the office if the councilor fails at any time during the term of office to maintain any qualification for the office prescribed by this Charter or by law.

(c) If a seat on the council becomes vacant for any reason, the council shall call a special election to fill the vacancy for the unexpired term.

(1) Exception. If the remainder of the unexpired term is less than 6 months, the council shall appoint a qualified person to fill the vacancy.

(d) If the vacancy is in a district seat, the person elected or appointed to fill the vacancy must be a resident of that district.  
(Amended June 19, 1972; amended November 8, 1994--Effective January 1, 1995)

### **Section 206. Induction of council into office.**

On the first Monday in January, unless that Monday is a holiday, in which case it shall be the next business day, the newly elected councilors shall be inducted into office by being sworn to the faithful discharge of their duties by the town clerk or the town clerk's designee.

(a) Exception. A member-elect may be sworn in at a later date, if necessary.  
(Amended June 19, 1972; amended November 8, 1994--Effective January 1, 1995; amended November 4, 1997)

### **Section 207. Regular meetings.**

(a) The council shall at its first meeting:

(1) Elect one of its members as chair and another as vice-chair.

(2) Establish by resolution a regular place and time to hold its meetings, which shall take place at least once a month.

(3) Provide a method for calling special meetings.

(b) All meetings of the council shall be open to the public, except as may otherwise be provided by the laws of the State of Maine.

(c) A majority of the council shall constitute a quorum. A majority of a quorum is sufficient for a valid vote.  
(Amended November 8, 1994--Effective January 1, 1995)

### **Section 208. Compensation.**

(a) The council may determine its compensation by ordinance, but no ordinance increasing such compensation shall become effective until the commencement of the term of councilors elected at the next regular election.

(b) Councilors shall be paid on a quarterly basis for services performed in the preceding quarter. Councilors elected to fill an unexpired term on the council shall be paid on a pro-rata basis for the time they shall actually serve.

(c) Initially, the annual compensation of councilors shall be \$1,000.  
(Amended November 8, 1994--Effective January 1, 1995)

### **Section 209. Rules of procedure; journal.**

The council shall determine its own rules and orders of business. It shall maintain a

journal of its proceedings which shall be open to public inspection.

### **Section 210. Ordinances.**

In addition to such acts of the council as are required by law or by this Charter to be by ordinance, every act establishing a fine or other penalty shall be by ordinance.

### **Section 211. Public hearing on ordinances.**

(a) Before an ordinance is enacted, amended or repealed, the council shall hold a public hearing, notice of which must be published in a newspaper having general circulation in the town at least 10 days before the hearing date. The text of the intended act must be included in the notice where it is reasonable to do so, in the opinion of the council. Otherwise, the notice must contain a reasonable summary of the purpose of the intended act. In either case, a reasonable number of copies of the intended act must be made available to the public at the office of the manager for at least 10 days before the hearing date.

(b) An ordinance shall not become effective until at least 30 days after passage.

### **Section 212. Emergency ordinances.**

(a) To meet a public emergency affecting life, health, property or the public peace, the council may enact one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, or authorize the borrowing of money.

(b) An emergency ordinance shall be plainly designated an emergency ordinance and, after the enacting clause, it shall contain a declaration stating the existence of an emergency, which shall be described in clear and specific terms.

(c) An emergency ordinance may be enacted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least 6 councilors shall be required for enactment. After its enactment the text of the ordinance shall be published and printed in a newspaper having a general circulation in the community, where it is reasonable to do so in the opinion of the council, and posted in at least 2 public places. Otherwise, the notice must contain a reasonable summary of the enacted ordinance. It shall become effective upon enactment, but it shall automatically stand repealed as of the 50th day following the date on which it was enacted unless it had been enacted as a regular ordinance according to sections 210 and 211 of this article at the time it was adopted as an emergency ordinance.

(d) An emergency ordinance may be repealed by the enactment of a repealing ordinance in the same manner specified in this section for the enactment of emergency ordinances. An emergency ordinance may become a regular ordinance by its reenactment according to sections 210 and 211 of this article.

(Amended November 8, 1994--Effective January 1, 1995; amended November 8, 2005--Effective January 1, 2006, Exh. A-5)

### **Section 213. Independent annual audit.**

Prior to the end of each fiscal year, the council shall designate the State Department of

Audit or a certified public accountant who, as of the end of the fiscal year, shall make an independent audit of all town accounts and financial transactions and submit a report to the council.

**Section 214. Town clerk.**

The town clerk shall have custody of the journal of the proceedings of the council; shall authenticate all ordinances and resolutions by signature and record them in a book kept for the purpose; and shall perform such other duties as are prescribed by the laws of the State of Maine. (Amended February 24, 1977; amended November 8, 1994--Effective January 1, 1995)

**Section 215. Town attorney.**

The council shall appoint and determine the compensation of the town attorney. The term of office of the Town Attorney starts on the first business day in January and continues for one year and until a successor is appointed and qualified. If there is a vacancy in the office for any reason, the Town Council shall appoint a successor to serve for the balance of the term. (Amended February 24, 1977; amended November 8, 1994--Effective January 1, 1995)

**Section 216. Town treasurer.**

The Town Treasurer shall have custody of the financial records of the Town and shall perform such other duties as are prescribed by the laws of the State of Maine. (Amended February 24, 1977; amended November 8, 1994--Effective January 1, 1995)