



Measure #: 2025-013

TOWN COUNCIL MEASURE SUBMITTAL

Date: 9/23/2024

Submitted By: Town Manager

Telephone #: 508-699-0100

MEASURE DESCRIPTION:

Approval of Proposed Amendment to the Naming of Assets Bylaw that was adopted on June 7, 2023. AMENDED

Signed:

Michael Borg

Digitally signed by Michael Borg
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Reason: I attest to the accuracy and integrity of this document
Location:
Date: 2024.09.19 13:13:48 -0400
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PURPOSE AND JUSTIFICATION:

The Town Council adopted Chapter 195 Naming of Town Assets Bylaw on June 7, 2023 (Measure 2023-010). The Bylaw has been invoked twice since adoption and there are some areas that have caused confusion. This measure proposes to clarify the language of the Bylaw and streamline the process.

See documents attached:

SPECIAL REQUIREMENTS:

ATTACHMENTS: Chapter 195 Naming of Town Assets Bylaw with proposed amendments (in red)

REFER TO SUB-COMMITTEE: Bylaw Sub-Committee

Chapter 195

NAMING OF TOWN ASSETS

§ 195-1.	Authority.	§ 195-4.	Process.
§ 195-2.	Advisory Committee.	§ 195-5.	Criteria.
§ 195-3.	Rules.		

[Adopted by the Town Council of the Town of North Attleborough 6-7-2023 by Measure No. 2023-010. Amendments noted where applicable.]

§ 195-1. Authority.

The naming or renaming of all Town assets except as otherwise referred to in this bylaw shall be done by majority vote of the Town Council in accordance with the provisions of this bylaw and the Charter of the Town of North Attleborough.

§ 195-2. Advisory Committee.

- A. **The** Town Council President shall create an ad hoc advisory committee (Charter Article II, Section 2-9) **as needed for the purpose of making** recommendations **regarding** the naming of public assets. This may include memorializing and officially recognizing those persons or groups whose exemplary accomplishments have reflected credit and honor upon the Town of North Attleborough, in accordance with certain criteria established and set forth, in writing, by this bylaw.
- B. The Advisory Committee shall consist of the chairs of the following boards/commissions or their designees:
 - (1) Board of Public Works.
 - (2) Parks and Recreation Commission.
 - (3) Conservation Commission.

§ 195-3. Rules.

- A. No Town assets shall be named or renamed except in accordance with this bylaw, with the following exceptions:
 - (1) School property is solely under the jurisdiction of the School Committee (MGL c. 43, § 33).
 - (2) Richards Memorial Library is solely under the jurisdiction of the Library Board of Trustees (MGL c. 78, § 11).
- B. **Major Assets:** Assets that are major physical assets of the Town, such as buildings, recreational facilities, parks, water bodies, and conservation land shall be named only after **the Advisory Committee positively recommends a name;** the Town entity with jurisdiction over the asset **approves of such naming;** and Town Council, by majority vote, **confirms** the naming.

- C. **Other Assets:** All other Town assets that are portions of a larger whole, such as interior spaces of buildings; features within parks, conservation land, and recreational areas; driveways or parking lots; or furniture or other small fixtures of any description shall be named **only** after **the Advisory Committee positively recommends a name and** the Town entity with jurisdiction over the asset **approves of** such naming.

§ 195-4. Process.

- A. Any **interested party** may propose that a Town asset be named or renamed. Said proposal shall be submitted to the Town Manager's office in writing.
- (1) Proposals should include substantial documentation to support the rationale for selecting the name and, to the extent possible, should reflect a broad level of community backing, including from any boards or committees that have any connection to the asset that is proposed to be named/renamed.
- B. Upon receipt, the Town Manager's office **shall** forward the proposal to the Town Council President.
- C. Upon receipt of the proposal, the Town Council President shall appoint the members of the Advisory Committee **and shall notify the Town Council.** **The Town Council President may delay appointing the Advisory Committee until such time as he or she deems appropriate, but no later than one (1) year from the date of receipt.**
- D. A public hearing shall be held by the Advisory Committee before deliberations and a vote on a proposed recommendation for **Major Assets (as defined in § 195-3B of this bylaw) to ensure that the Advisory Committee is fully aware of the public's interest in a naming or renaming.** Public notice of such a hearing shall be posted at least 14 days prior to the hearing. Other **Assets (as defined in § 195-3C of this bylaw)** do not require a public hearing and can be deliberated at a regular meeting of the Advisory Committee. Regular meeting agendas must be posted in accordance with the Open Meeting Law.¹
- E. Prior to the public hearing or meeting, as applicable, the Advisory Committee shall solicit input from relevant Town boards and commissions, surrounding property owners, residents, affected parties, groups or individuals that the Advisory Committee believes may contribute meaningful input. The Town entity having care, custody, management, and control of the Town asset, and the Veterans Agent when applicable, shall be invited to attend the hearing and to participate in the deliberations of the Advisory Committee on an ex officio basis but shall not participate in the vote of the Advisory Committee.
- F. Within 30 days of the closing of the public hearing or conclusion of the regular meeting, the Advisory Committee shall:
- (1) **Major Asset (as defined in § 195-3B of this bylaw): Refer a recommendation** to the Town entity with jurisdiction over the asset for its concurrence. **Upon a positive vote, said Town entity shall submit a written measure** to the Town Council **through the Town Manager** for final confirmation by majority vote.
- (2) **Other Asset (as defined in § 195-3C of this bylaw): Refer a recommendation** to the Town entity with jurisdiction over the asset for final **approval and report to the Town Council.**
- G. **The Advisory Committee has now completed its task and may be dissolved by the Town Council President.**

1. Editor's Note: See MGL c. 30A, §§ 18 through 25

§ 195-5. Criteria.

In deciding the appropriateness of any naming or renaming proposal, the Advisory Committee shall consider the following criteria and any other criteria similar to the criteria listed below:

- A. The significant public value of the public asset.
- B. The public interest to be served.
- C. Any historic events, people or places associated with the public asset.
- D. Any outstanding individual associated with the public asset.
- E. Any major gift associated with the public asset and whether such gift included a condition as to the naming of the asset.
- F. Whether a naming agreement or other documentation is appropriate or necessary.
- G. With respect to a renaming proposal, whether any agreement or documentation regarding the current name exists.
- H. The appropriateness of a new name, taking into consideration historical significance of the public asset or its current name.
- I. Any costs associated with the naming or renaming.
- J. Any other assets named, or currently being considered for naming, by the Committee.
- K. Compliance with state laws, Town bylaws, regulations or policies.