

**BARNSTABLE COUNTY**  
**In the Year Two Thousand Nineteen**

**Amended Proposed Ordinance 19-02**

This Ordinance shall repeal Ordinance 05-08, 06-02, 08-12 and 15-06 in their entirety and establish the Barnstable County Human Rights Advisory Board as set forth in this Ordinance.

*The Cape Cod regional government, known as Barnstable County hereby ordains;*

**Section 1. Policy of Barnstable County**

It is the Policy of Barnstable County to promote equal opportunity for all persons of Barnstable County regardless of race, color, religious creed, national origin, gender sex, age, ancestry, sexual or affectional preference, marital, family or military status, source of income, neighborhood or disability, where unlawful discrimination exists in housing, employment, education, public accommodations, town or county services, insurance, banking, credit and health care. Barnstable County will not tolerate retaliation or reprisal against persons exercising or supporting the exercise of equal opportunity rights.

**Section 2. Human Rights ~~Commission Advisory Board~~**

A. ~~The Human Rights Advisory Board (hereafter "BCHHRAB")~~ There is hereby established ~~a County office to be known as the Human Rights Commission of Barnstable County (hereafter "HRC").~~

B. The ~~HRC BCHHRAB~~ shall consist of nine (9) members appointed by the Barnstable County Board of

Regional Commissioners to a term of one (1) to three (3) years staggered at the discretion of the Board of Regional Commissioners.

1. All Commission members shall have one (1) vote.

2. No appointee shall serve more than six (6) consecutive years.

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C. Commission Membership

1. Appointments of Commission members shall be made by the Board of Regional Commissioners, after nominations by the Barnstable County Health and Human Services Advisory Council.

2. Commission Members shall be residents of Barnstable County and, so far as practicable, shall be selected so as to provide countywide, culturally, racially and economically diverse representation.

D. The initial appointments of nine (9) ~~Advisory Board Commission~~ Members shall be made appointed as follows:

1. a. Up to ~~S~~ six (6) ~~Advisory Board Commission~~ Members shall be drawn from the current Human Rights Commissioners who wish to continue to serve.

b. The remaining ~~Three (3) Advisory Board Commission~~ Members shall be drawn (i.) from the ~~current former~~ Town

Representation Council ~~members~~ who wish to continue to serve; ~~and if there are any vacancies remaining.~~

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- (ii) in accordance with the procedures set out in Section 2.D. (Commission Membership).
- c. Term expirations of the current Human Rights Commissioners shall ~~be applicable carry over as to~~ term limitations ~~as Advisory Board Members for these~~ Commission Members.
- d. ~~All Advisory Board members shall have one (1) vote.~~
- e. ~~No appointee shall serve more than six (6) consecutive years.~~
2. The Town Representation Council shall be dissolved upon passage of this Ordinance and restructured, through the ~~BCHRAB HRC, such as~~ to allow:
- a. ~~1.a.~~ Any Town Representative who becomes a new ~~Advisory Board Commission~~ Member shall have a minimum appointment of three (3) years, followed by a staggered appointment schedule of an additional one (1) year for one Member, two (2) years for ~~the a~~ second, and three (3) years for ~~the a~~ third, as determined by ~~a vote of the newly convened BCHRAB~~ the Board of Regional Commissioners.
- ~~b.a.~~ ~~2.b.~~ A Town Representative from ~~For~~ any town not formally represented by an ~~BCHRAB HRC~~ Member; ~~Selectmen or Town Council~~ may ~~continue~~ appoint one town citizen, and the Mashpee Wampanoag Tribal Council may appoint one representative to attend and speak at ~~any BCHRAB HRC~~ meetings as a non-voting member.
- ~~e.b.~~ ~~Selectmen or Town Council~~ may appoint one individual to attend the ~~BCHRAB~~ meeting as a non-voting member.
3. ~~There shall not be separate Town Representative meetings.~~

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### Section 3. HRC Policies and Procedures

~~3.~~ ~~A.~~ All ~~BCHRAB HRC~~ meetings shall comply with the requirements of the Massachusetts Open Meeting Law:

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~~D.B.~~ ~~BCHRAB HRC~~ appointees shall meet as soon as practical following their initial confirmation to select a Chair and Vice Chair. ~~Elections shall be held and thereafter~~ in January each year thereafter.

~~C.~~ The HRC shall meet no less than four times per year.

~~E.D.~~ The ~~BCHRAB HRC~~

1. ~~s~~ Shall serve in an advisory capacity to the Human Rights Coordinator.

2. ~~S~~ shall assist the Human Rights Coordinator to engage with Commission Member communities.

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3. Shall assist the Human Rights Coordinator with internal programmatic strategic planning and goal setting, as well as writing and submitting external periodic reports to the Board of Regional Commissioners and the Assembly of Delegates.

4. Shall assist municipalities, public agencies and public schools as requested by promoting equality and human rights by way of publication, education and assisting in by the development and coordination of forums and other events.

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4. The BCHRAB s shall create and maintain a data base of federal and state regulatory and enforcement agencies including but not limited to publicly certified interveners, responders, counselors and certified public mediators.

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F. The BCHRAB shall assist the Human Rights Coordinator with periodic reports, as requested, to the Board of Regional Commissioners and the Assembly of Delegates.

#### Section 34. Human Rights Coordinator

The County through its County Administrator shall appoint a Human Rights Coordinator who shall be an employee of the county directly responsible to the County Administrator and subject to all Barnstable County Personnel Policies and Procedures. All normal and customary County support shall be available to the Human Rights Coordinator as directed by the County Administrator to fulfill the duties assigned by this Ordinance to the Human Rights Coordinator and the BCHRAB HRC subject to annual appropriations.

- A. The Human Rights Coordinator shall be the county's representative on human rights and shall promote as directed by the Barnstable County Board of Regional Commissioners and the Assembly of Delegates, a consistent unified message within the scope of this Ordinance consistent with Barnstable County Policy and Procedures, as well as relevant applicable state and federal legislation. In order to facilitate and accomplish the goals and responsibilities of the Human Rights Coordinator and BCHRAB HRC, the Human Rights Coordinator shall have access to all of the county departments at the direction of the County Administrator and whenever it is deemed to be a benefit to the process of defining presenting a consistent human rights county message through the Barnstable County Communications Coordinator.
- B. The Human Rights Coordinator shall engage countywide with the various stakeholders to gather and to disseminate information pertaining to human rights concerns and to serve the towns of Barnstable County when called upon to address issues encompassed by this Ordinance. The Human Rights Coordinator shall assist the towns and meet with the regions' various diverse communities, and gather and record data, promote equality and equal protection, minimize acts and patterns of discrimination by promoting awareness through education and when necessary directing those offended subject by to apparent violations to appropriate local, state and federal officials and agencies including, if necessary, the Massachusetts Commission Against Discrimination.

#### Section 45. Authority Granted

The provisions of this Ordinance shall be construed as limited to the authority granted to the county under the Barnstable County Home Rule Charter and is not intended to conflict with or contravene any General Laws of the Commonwealth of Massachusetts. The BCHRAB is intended to serve the citizens of Barnstable County in an advisory capacity and is in no way intended to conflict with police and

enforcement powers granted to and reserved to other agencies of the Commonwealth of Massachusetts by the General Court.

(Amended and re-submitted by the Board of Regional Commissioners at a regular meeting of the Assembly of Delegates on April 3, 2019)

Red-Line suggested changes from Delegate O'Malley