

available for distribution to interested persons and all persons present shall be given the opportunity to be heard.

(g) Action by Assembly of Delegates - The assembly of delegates may adopt, with or without amendment, or reject, any proposed ordinance following the public hearing.

(h) Publication of Adopted Ordinance - As soon as practicable following adoption of any ordinance it shall be printed and published.

(i) Time of Taking Effect - Except as otherwise provided by this charter, every adopted ordinance shall take effect on the thirty-first day following its adoption, unless a later date is specified in the ordinance.

(j) Published, Defined - As used in this section the term "Published" means:

(i) That at least a brief summary of the proposed ordinance or adopted ordinance has been published, along with public notice that a public hearing is to be held, in local newspapers;

(ii) That copies of the proposed ordinance or adopted ordinance, have been made available to representatives of the communications media;

(iii) That copies of the proposed ordinance or adopted ordinance have been distributed to the clerks of every municipality in the county for posting on municipal bulletin boards.

(iv) That a reasonable number of copies of the proposed ordinance have been printed for free distribution to any interested person requesting the same, or in the case of an adopted ordinance, for sale, at a cost not to exceed the actual cost thereof to persons requesting the same.

Section 2 - 9. Emergency Ordinances.

The assembly of delegates, in appropriate circumstance to meet a public emergency affecting life, health or property, may adopt emergency ordinances. No emergency ordinance shall be used to grant, renew or extend a franchise; or to regulate the rate charged for any service.

Emergency ordinances shall be submitted in the same manner as other proposed ordinances, but, every emergency measure shall be plainly designated as such and shall contain a preamble, which shall be separately voted upon, which declares that an emergency exists and which describes the emergency in clear and specific terms.

The affirmative vote of delegates representing two-thirds of the population of Barnstable county shall be necessary to adopt any emergency ordinance.

Every emergency ordinance shall automatically stand repealed on the sixty-first day following its adoption.



Section 2 - 10. Filling of Vacancies.

If a vacancy shall occur in the office of assembly of delegates with more than six months remaining of the term for which delegates are elected, a successor shall be chosen in accordance with the following procedure:

The clerk of the assembly of delegates shall cause a notice of vacancy to be sent to the clerk of the municipality in which the vacancy exists. The clerk of said municipality shall, forthwith, cause such notice to be posted on the municipal bulletin boards. Any voter, a resident of Barnstable county for at least one year, desiring to be considered to fill such vacancy shall, in writing, so advise the board of selectmen, town council in the town of Barnstable, or the officer or agency performing similar duties in such municipality. The board of selectmen or town council shall make provision for the interview, in public sessions, of all persons who have indicated such interest. Not more than twenty-one days following the date of the notice sent by the clerk of the assembly of delegates, the board of selectmen or town council shall, by a majority vote, choose one person from the municipality to fill such vacancy and shall issue a certificate of such selection to the clerk of the assembly of delegates. Upon receipt of the said certificate the clerk of the assembly of delegates shall administer the oath of office to such person and shall enter such person name on the official list of assembly of delegates. If, at the

expiration of thirty days following the issuance of notice by the clerk of the assembly of delegates that a vacancy from that municipality exists, no certificate has been received, the assembly of delegates may vote to fill such vacancy by electing any registered voter resident of the affected municipality for one year or more to fill such vacancy. The clerk of the assembly of delegates shall administer the oath of office to the person thus chosen who shall serve for the balance of the unexpired term.

Section 2 - 11 - Excessive Absence

In the event a delegate of the assembly fails to attend regular meetings of the assembly, committee meetings, and fails to represent the town within which the delegate was elected for a significant period of time, to be established by ordinance, without filing a reasonable excuse with the clerk of the assembly, the assembly of delegates shall notify the board of selectmen in the town that the delegate represents, or in the case of Barnstable, its town council. The board of selectmen, upon majority vote, may declare the seat vacant. Upon the declaration that the seat is vacant, the procedures of section 2 - 10 shall be followed.

ARTICLE 3 -- EXECUTIVE BRANCH

Section 3 - 1. Board of Regional Commissioners.

(a) Composition, Term of Office - The executive powers of the Cape Cod regional government shall be exercised by a board of regional commissioners consisting of three members. Regional commissioners shall be elected for terms of four years each, so arranged that nearly an equal number of such terms as is possible shall be elected at each biennial state election. The provisions of section one hundred fifty-eight of chapter fifty-four of the General Laws shall apply to such elections. The regional commissioners shall have all of the same powers and duties conferred or imposed by law to county commissioners.

(b) Compensation - The assembly of delegates shall by ordinance, establish an annual salary for the members of the board of regional commissioners. The salary shall be reasonable and commensurate with the duties of the office and may not be lowered for any member during a term of office. No ordinance changing the salary for members of the board of regional commissioners shall be effective unless it has been adopted during the first fifteen months of the term for which commissioners are elected and it provides the new rate of compensation is to be effective upon the reorganization of the board of regional commissioners following an election for that office.

(c) Organization - The board of regional commissioners shall meet to organize on the first business day of January and shall choose a chairperson and a vice-chairperson to serve for a term of one year.

(d) Exercise of Powers - The board of regional commissioners shall conduct all of their official business with at least two members of the board present, provided proper notice has been given to the absent member. A vote of two members of the board of regional commissioners shall be sufficient to exercise any power residing in the board of regional commissioners.

Section 3 - 2. Executive Powers.

The executive powers of the Cape Cod regional government shall be vested solely in the board of regional commissioners and may be exercised whether directly by such board, or through the several regional agencies under its direction and supervision. The board of regional commissioners shall cause this charter, the laws and the ordinances and orders for the governmental and administration of the Cape Cod regional government to be enforced.

The board of regional commissioners shall exercise a general supervision and direction over all agencies of the Cape Cod regional government, unless otherwise provided by law. Each