IN CITY COUNCIL
ORDINANCE #10-19/20

THE COUNCIL of the City of South Portland hereby ordains that Chapter 2, “Administration and Legislation,” of the “Code of Ordinances of the City of South Portland, Maine” be, and hereby is, amended as follows (additions are underlined; deletions are struck out):

CHAPTER 10 – Health, Welfare and Sanitation Generally

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ARTICLE XI. Board of Health

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Section 10-1411. Title.

This Ordinance shall be known as the “City of South Portland Board of Health Ordinance.”

Section 10-1412. Purpose.

The purpose of this Ordinance is to establish a South Portland Board of Health, as expressly authorized by 22 M.R.S. § 453, as may be amended from time to time.

Section 10-1413. Definitions.

The following definition applies to this ordinance:

Health Officer. The term “Health Officer” shall mean the City’s Local Health Officer appointed pursuant to Charter Sec. 307 and State law.
Sec. 10-1414. Powers.

The powers and duties of the Board of Health shall be to serve as an advisory body to the Health Officer. The City Council may refer specific health-related matters to the Board of Health for its review and recommendation. Such referrals must be done by an Order duly passed by the City Council, and such referred matters must be within the jurisdiction of the Health Officer as defined by State and local law. Unless expressly authorized by the City Council, the Board of Health shall not expend funds. The Board of Health shall not direct the work of the Health Officer or any other employee or appointed official of the City.

Sec. 10-1415. Membership and Officers.

The City Council shall appoint three members, one of whom shall be a physician if available in the community, and one of whom shall be a woman. Nothing herein shall prevent the designated female appointee from also serving as the designated physician appointee. Appointees must have significant knowledge and experience in either a medical or scientific field related to public health. Appointments shall be for three year terms, except that when Board members are first appointed, one member shall be appointed for one year, one for two years and one for three years. The Health Officer shall be a non-voting member of the Board and shall serve as Secretary ex-officio, keeping a record of all meetings.

In January of each year, the Board of Health shall meet to elect officers, to include a Chair and Vice Chair, for one-year terms. The Chair shall be responsible for presiding over meetings of the Board of Health, working with the Health Officer to create meeting agendas, and serving as spokesperson for the Board of Health. The Vice Chair shall perform the functions of the Chair in the Chair’s absence.

Sec. 10-1416. Meetings.

The Board of Health shall meet at least quarterly. A quorum shall consist of at least two members, exclusive of the Health Officer. Notice of each meeting shall comply with the City’s notice policies and Maine’s Freedom of Access Act.

Sections 2-121, 2-122, and 2-123 of the Code of Ordinances apply to the Board of Health.

Sec. 10-1417. Reports.

Starting January 1, 2021, an annual written report of the Board of Health’s activities shall be submitted to the City Council in January of each year.

Fiscal Note: Less than $1,000

Date: October 15, 2019