

# City of Salem

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*In the year Two Thousand and Twenty-One*

**An Ordinance** to replace gender-specific nouns and pronouns in the City of Salem's Code of Ordinances.

*Be it ordained by the City Council of the City of Salem, as follows:*

## AN ORDINANCE REPLACING GENDER-SPECIFIC NOUNS AND PRONOUNS IN THE CITY OF SALEM'S CODE OF ORDINANCES

*Be it ordained by the City Council of Salem, as follows:*

**SECTION I.** The City of Salem Code, Ordinances, is hereby amended as follows:

1. Section 1-2 is amended by deleting in its entirety the following: "*Gender.* A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations, as well as to males."
2. Section 1-1 is amended by replacing "his" with "their" in all one instance.
3. Section 1-2 is amended by replacing "he is" with "they are" in all one instance.
4. Section 1-2 is amended by replacing "his" with "their" in all two instances.
5. Section 1-10(c) is amended by replacing "his/her" with "health agent's" in all one instance.
6. Section 1-10(c) is amended by replacing "park superintendent or his designee" with "park superintendent or park superintendent's designee" in all one instance.
7. Section 1-10(c) is amended by replacing "city engineer or his designee" with "city engineer or city engineer's designee" in all three instances.
8. Section 2-1 is amended by replacing "him" with "them" in all one instance.
9. Section 2-4 is amended by replacing "his" with "their" in all one instance.
10. Section 2-5 is amended by replacing "he so directs" with "they so direct" in all one instance.
11. Section 2-13 is amended by replacing "his" with "their" in all one instance.
12. Section 2-16 is amended by replacing "him" with "The purchasing agent" in all one instance.

13. Section 2-17 is amended by replacing "him" with "the mayor" in all one instance.
14. Section 2-18 is amended by replacing "he" with "the mayor" in all one instance.
15. Section 2-49 is amended by replacing "his" with "their" in all one instance.
16. Section 2-50 is amended by replacing "his" with "their" in all one instance.
17. Section 2-62 is amended by replacing "his" with "their" in all one instance.
18. Section 2-104 is amended by replacing "he" with "they" in all one instance.
19. Section 2-104 is amended by replacing "his" with "their" in all one instance.
20. Section 2-109 is amended by replacing "his" with "their" in all one instance.
21. Section 2-111 is amended by replacing "his" with "their" in all one instance.
22. Section 2-144 is amended by replacing "he deems" with "they deem" in all one instance.
23. Section 2-275 is amended by replacing "his" with "their" in all one instance.
24. Section 2-311 is amended by replacing "his" with "their" in all one instance.
25. Section 2-312 is amended by replacing "his/her" with "their" in all two instances.
26. Section 2-313 is amended by replacing "him" with "them" in all one instance.
27. Section 2-317 is amended by replacing "He" with "The city clerk" in all one instance.
28. Section 2-317 is amended by replacing "he is" with "they are" in all one instance.
29. Section 2-317 is amended by replacing "him" with "them" in all one instance.
30. Section 2-318 is amended by replacing "he" with "the city clerk" in all one instance.
31. Section 2-318 is amended by replacing "he deems" with "they deem" in all one instance.
32. Section 2-318 is amended by replacing "his" with "their" in all two instances.
33. Section 2-320 is amended by replacing "his" with "their" in all two instances.
34. Section 2-411 is amended by replacing "his" with "their" in all two instances.
35. Section 2-412 is amended by replacing "he" with "they" in all one instance.
36. Section 2-414 is amended by replacing "him" with "them" in all one instance.

37. Section 2-415 is amended by replacing "his" with "the city solicitor's" in all one instance.
38. Section 2-416 is amended by replacing "him" with "them" in all one instance.
39. Section 2-416 is amended by replacing "his" with "their" in all one instance.
40. Section 2-417 is amended by replacing "he" with "they" in all one instance.
41. Section 2-417 is amended by replacing "his office" with "the office of the City Solicitor" in all one instance.
42. Section 2-448 is amended by replacing "his" with "the" in all one instance.
43. Section 2-450 is amended by replacing "his" with "the city treasurer's" in all one instance.
44. Section 2-453 is amended by replacing "him" with "them" in all one instance.
45. Section 2-454 is amended by replacing "his" with "their" in all one instance.
46. Section 2-458 is amended by replacing "he" with "they" in all one instance.
47. Section 2-458 is amended by replacing "his" with "their" in all three instances.
48. Section 2-459 is amended by replacing "his annual accounts" with "their annual accounts" in all one instance.
49. Section 2-459 is amended by replacing "his receipts" with "their receipts" in all one instance.
50. Section 2-460 is amended by replacing "He" with "The city collector" in all two instances.
51. Section 2-465 is amended by replacing "he" with "the collector" in all two instances.
52. Section 2-491 is amended by replacing "he" with "the finance director/auditor" in all one instance.
53. Section 2-491 is amended by replacing "his" with "their" in all one instance.
54. Section 2-492 is amended by replacing "he" with "deputy auditor" in all one instance.
55. Section 2-492 is amended by replacing "his" with "their" in all one instance.
56. Section 2-493 is amended by replacing "his" with "the" in all one instance.
57. Section 2-495 is amended by replacing "he finds" with "they find" in all one instance.
58. Section 2-495 is amended by replacing "his books" with "the books" in all one instance.
59. Section 2-495 is amended by replacing "his signature" with "the mayor's signature" in all one instance.

60. Section 2-495 is amended by replacing "he" with "the finance director/auditor" in all three instances.
61. Section 2-496 is amended by replacing "He" with "The finance director/auditor" in all one instance.
62. Section 2-497 is amended by replacing "He" with "The finance director/auditor" in all one instance.
63. Section 2-498 is amended by replacing "he" with "the finance director/auditor" in all one instance.
64. Section 2-500 is amended by replacing "his" with "their" in all one instance.
65. Section 2-533 is amended by replacing "He" with "the city physician" in all one instance.
66. Section 2-533 is amended by replacing "his" with "their" in all two instances.
67. Section 2-533 is amended by replacing "his" with "their" in all two instances.
68. Section 2-534 is amended by replacing "he" with "they" in all one instance.
69. Section 2-534 is amended by replacing "him" with "them" in all one instance.
70. Section 2-536 is amended by replacing "him" with "them" in all one instance.
71. Section 2-537 is amended by replacing "him" with "them" in all one instance.
72. Section 2-538 is amended by replacing "him" with "them" in all one instance.
73. Section 2-541 is amended by replacing "him" with "them" in all one instance.
74. Section 2-542 is amended by replacing "his" with "their" in all one instance.
75. Section 2-544 is amended by replacing "give his professional" with "give professional" in all one instance.
76. Section 2-544 is amended by replacing "he" with "the city physician" in all one instance.
77. Section 2-544 is amended by replacing "his office" with "the office" in all one instance.
78. Section 2-572 is amended by replacing "his" with "their" in all one instance.
79. Section 2-591 is amended by replacing "his" with "their" in all two instances.
80. Section 2-600 is amended by replacing "his or her" with "their" in all one instance.
81. Section 2-601 is amended by replacing "his or her" with "their" in all one instance.
82. Section 2-602 is amended by replacing "his or her" with "their" in all one instance.
83. Section 2-626 is amended by replacing "his or her" with "the member's" in all two instances.

84. Section 2-663 is amended by replacing "He" with "They" in all one instance.
85. Section 2-700 is amended by replacing "He" with "They" in all one instance.
86. Section 2-705 is amended by replacing "he allows" with "they allow" in all one instance.
87. Section 2-836 is amended by replacing "his/her" with "their" in all one instance.
88. Section 2-992 is amended by replacing "his" with "the city solicitor's" in all one instance.
89. Section 2-1002 is amended by replacing "his or her" with "the city council president's" in all one instance.
90. Section 2-1011 is amended by replacing "he or she is" with "they are" in all one instance.
91. Section 2-1011 is amended by replacing "his/her" with "their" in all one instance.
92. Section 2-1037 is amended by replacing "his or her" with "their" in all two instances.
93. Section 2-1038 is amended by replacing "his or her" with "their" in all one instance.
94. Section 2-1041 is amended by replacing "He or she" with "The head of the engineering department" in all one instance.
95. Section 2-1041 is amended by replacing "he or she" with "they" in all one instance.
96. Section 2-1041 is amended by replacing "him" with "them" in all one instance.
97. Section 2-1041 is amended by replacing "his or her" with "their" in all one instance.
98. Section 2-1042 is amended by replacing "He or she" with "The head of the engineering department" in all one instance.
99. Section 2-1042 is amended by replacing "him or her" with "them" in all one instance.
100. Section 2-1042 is amended by replacing "his" with "their" in all one instance.
101. Section 2-1067 is amended by replacing "his" with "their" in all two instances.
102. Section 2-1069 is amended by replacing "He" with "They" in all one instance.
103. Section 2-1107 is amended by replacing "his" with "their" in all three instances.
104. Section 2-1108 is amended by replacing "He" with "The assistant director of public services" in all one instance.
105. Section 2-1321 is amended by replacing "his" with "their" in all one instance.

106. Section 2-1322 is amended by replacing "he" with "the director of veterans' services" in all one instance.
107. Section 2-1323 is amended by replacing "he" with "the director of veterans' services" in all one instance.
108. Section 2-1325 is amended by replacing "he deems" with "they deem" in all one instance.
109. Section 2-1397 is amended by replacing "his" with "their" in all two instances.
110. Section 2-1562 is amended by replacing "his" with "their" in all two instances.
111. Section 2-1564 is amended by replacing "He" with "The director of public property" in all one instance.
112. Section 2-1567 is amended by replacing "his authorized representatives" with "the director's authorized representatives" in all one instance.
113. Section 2-1567 is amended by replacing "his office" with "their office" in all one instance.
114. Section 2-1568 is amended by replacing "He" with "The director of public property" in all one instance.
115. Section 2-1570 is amended by replacing "his" with "their" in all one instance.
116. Section 2-1603 is amended by replacing "his" with "their" in all one instance.
117. Section 2-1604 is amended by replacing "He" with "The assistant building inspector" in all one instance.
118. Section 2-1605 is amended by replacing "his" with "their" in all two instances.
119. Section 2-1687 is amended by replacing "his" with "their" in all one instance.
120. Section 2-1692 is amended by replacing "him" with "The purchasing agent" in all one instance.
121. Section 2-1693 is amended by replacing "him" with "them" in all two instances.
122. Section 2-1732 is amended by replacing "his" with "their" in all two instances.
123. Section 2-1733 is amended by replacing "He" with "The purchasing agent" in all one instance.
124. Section 2-1784 is amended by replacing "he is" with "they are" in all one instance.
125. Section 2-1784 is amended by replacing "his" with "their" in all one instance.
126. Section 2-2028 is amended by replacing "he or she" with "they" in all one instance.

127. Section 2-2055 is amended by replacing "his or her" with "their" in all one instance.
128. Section 2-1040(a) is amended by replacing "he or she" with "the head of the engineering department" in all one instance.
129. Section 2-1040(b) is amended by replacing "He or she" with "The head of the engineering department" in all one instance.
130. Section 2-1040(c) is amended by replacing "He or she" with "The head of the engineering department" in all one instance.
131. Section 2-1040(c) is amended by replacing "he or she is" with "they are" in all one instance.
132. Section 2-1040(d) is amended by replacing "he or she" with "they" in all one instance.
133. Section 2-1040(e) is amended by replacing "He or she" with "They" in all one instance.
134. Section 2-1040(e) is amended by replacing "his" with "the" in all one instance.
135. Section 2-1040(g) is amended by replacing "his" with "the" in all one instance.
136. Section 2-1040(h) is amended by replacing "him or her" with "them" in all one instance.
137. Section 2-1040(i) is amended by replacing "he or she" with "they" in all one instance.
138. Section 2-1040(i) is amended by replacing "him or her" with "them" in all one instance.
139. Section 2-1040(i) is amended by replacing "his or her charge" with "the department's" in all one instance.
140. Section 2-1040(i) is amended by replacing "his or her department" with "the department" in all one instance.
141. Section 2-1040(i) is amended by replacing "his or her supervision" with "the head of the engineering department's" in all one instance.
142. Section 2-107(a) is amended by replacing "He" with "They" in all one instance.
143. Section 2-107(a) is amended by replacing "his" with "their" in all two instances.
144. Section 2-112(d) is amended by replacing "him or them" with "them" in all one instance.
145. Section 2-112(d) is amended by replacing "his" with "the applicant's" in all two instances.
146. Section 2-112(e) is amended by replacing "his" with "the applicant's" in all one instance.
147. Section 2-1142(b) is amended by replacing his with "their" in all three instances.

148. Section 2-115(a) is amended by replacing "his or her" with "their" in all one instance.
149. Section 2-1571(f) is amended by replacing "He" with "The director" in all one instance.
150. Section 2-1571(h) is amended by replacing "He" with "The director" in all one instance.
151. Section 2-18(a) is amended by replacing "his" with "an" in all four instances.
152. Section 2-18(a) is amended by replacing He with "The mayor" in all three instances.
153. Section 2-1862(c) is amended by replacing "his or her" with "their" in all one instance.
154. Section 2-1891(1)(b) is amended by replacing "journeyman" with "journey" in all one instance.
155. Section 2-1892(c) is amended by replacing "his or her" with "their" in all one instance.
156. Section 2-2021(b) is amended by replacing "his" with "their" in all one instance.
157. Section 2-2052(b) is amended by replacing "his or her" with "their" in all one instance.
158. Section 2-278(a) is amended by replacing "him" with "them" in all one instance.
159. Section 2-278(a) is amended by replacing "his" with "their" in all one instance.
160. Section 2-278(b) is amended by replacing "he receives" with "they receive" in all one instance.
161. Section 2-347(b) is amended by replacing "his" with "their" in all one instance.
162. Section 2-413(b) is amended by replacing "he" with "they" in all two instances.
163. Section 2-413(c) is amended by replacing "He" with "The city solicitor" in all one instance.
164. Section 2-413(d) is amended by replacing "He" with "The city solicitor" in all one instance.
165. Section 2-413(d) is amended by replacing "he" with "they" in all one instance.
166. Section 2-413(d) is amended by replacing "his consideration" with "the city solicitor's consideration" in all one instance.
167. Section 2-413(d) is amended by replacing "his legal opinion" with "their legal opinion" in all one instance.
168. Section 2-413(d) is amended by replacing "his office" with "the office" in all one instance.
169. Section 2-413(e) is amended by replacing "he" with "they" in all one instance.
170. Section 2-413(e) is amended by replacing "him" with "them" in all one instance.

171. Section 2-413(e) is amended by replacing "him advantageous" with "the city solicitor advantageous" in all one instance.
172. Section 2-456(a) is amended by replacing "his" with "the" in all one instance.
173. Section 2-456(b) is amended by replacing "him" with "them" in all one instance.
174. Section 2-460(b) is amended by replacing "his" with "all" in all one instance.
175. Section 2-461(d) is amended by replacing "his" with "the property owner's" in all one instance.
176. Section 2-497(2) is amended by replacing "he" with "they" in all one instance.
177. Section 2-53(a) is amended by replacing "his" with "their" in all one instance.
178. Section 2-55(b) is amended by replacing "his" with "that person's" in all one instance.
179. Section 2-706(a) is amended by replacing "his" with "a" in all one instance.
180. Section 4-37 is amended by replacing "his" with "the building inspector's" in all one instance.
181. Section 6-26 is amended by replacing "his" with "the minor's" in all one instance.
182. Section 6-28 is amended by replacing "him" with "them" in all one instance.
183. Section 6-28 is amended by replacing "his" with "their" in all one instance.
184. Section 6-59 is amended by replacing "his" with "their" in all two instances.
185. Section 8-37 is amended by replacing "he has" with "they have" in all one instance.
186. Section 8-76 is amended by replacing "his" with "the owner or keeper's" in all one instance.
187. Section 8-36(a) is amended by replacing "his" with "their" in all two instances.
188. Section 8-37(b)(5) is amended by replacing "him" with "the dog officer or any police officer" in all one instance.
189. Section 8-67(a) is amended by replacing "his or her" with "the veterinarian's" in all one instance.
190. Section 8-67(a) is amended by replacing "his designee" with "the chief of police's" in all two instances.
191. Section 10-4 is amended by replacing "his" with "their" in all one instance.
192. Section 10-5 is amended by replacing "his" with "their" in all one instance.

193. Section 10-27 is amended by replacing "his" with "the harbormaster's" in all one instance.
194. Section 10-29 is amended by replacing "him" with "the harbormaster" in all one instance.
195. Section 10-29 is amended by replacing "his" with "their" in all one instance.
196. Section 10-56 is amended by replacing "he has" with "they have" in all one instance.
197. Section 10-56 is amended by replacing "his" with "their" in all one instance.
198. Section 10-57 is amended by replacing "he has" with "they have" in all one instance.
199. Section 10-24(c) is amended by replacing "his" with "their" in all two instances.
200. Section 10-3(b) is amended by replacing "his" with "the city council president's" in all one instance.
201. Section 10-57(b) is amended by replacing "his" with "their" in all two instances.
202. Section 12-60 is amended by replacing "he" with "they" in all one instance.
203. Section 12-60 is amended by replacing "his" with "the director's" in all two instances.
204. Section 12-116 is amended by replacing "his" with "their" in all one instance.
205. Section 12-119 is amended by replacing "He" with "The city electrician" in all one instance.
206. Section 12-121 is amended by replacing "his" with "the city electrician's" in all one instance.
207. Section 12-122 is amended by replacing "he" with "the city electrician" in all one instance.
208. Section 12-122 is amended by replacing "his" with "the city electrician's" in all one instance.
209. Section 12-126 is amended by replacing "his" with "the electrical" in all one instance.
210. Section 12-128 is amended by replacing "he" with "they" in all one instance.
211. Section 12-129 is amended by replacing "he" with "they" in all one instance.
212. Section 12-129 is amended by replacing "him" with "the city electrician" in all one instance.
213. Section 12-129 is amended by replacing his certificate with "a certificate" in all three instances.
214. Section 12-129 is amended by replacing "or his duly authorized agent" with "the city electrician's duly authorized agent" in all two instances.
215. Section 12-133 is amended by replacing "him" with "them" in all one instance.
216. Section 12-198 is amended by replacing "his" with "them" in all one instance.

217. Section 12-201 is amended by replacing "his" with "their" in all two instances.
218. Section 12-121(1) is amended by replacing "manholes" with "maintenance holes (commonly referred to as manholes)" in all one instance.
219. Section 12-163(b) is amended by replacing "he" with "the permittee" in all one instance.
220. Section 12-163(b) is amended by replacing "his" with "their" in all one instance.
221. Section 12-197(a) is amended by replacing "manholes" with "maintenance holes (commonly referred to as manholes)" in all one instance.
222. Section 12-2(b)(1) is amended by replacing "his" with "their" in all one instance.
223. Section 12-200(a) is amended by replacing "manholes" with "maintenance holes (commonly referred to as manholes)" in all one instance.
224. Section 12-200(b) is amended by replacing "him" with "the city electrician" in all two instances.
225. Section 12-5(a) is amended by replacing "his" with "the owner's" in all one instance.
226. Section 12-57(a) is amended by replacing "he" with "the director of public property" in all one instance.
227. Section 12-57(b) is amended by replacing "his" with "their" in all one instance.
228. Section 14-28 is amended by replacing "his" with "their" in all one instance.
229. Section 14-35 is amended by replacing "he" with "they" in all one instance.
230. Section 14-194 is amended by replacing "his" with "their" in all one instance.
231. Section 14-195 is amended by replacing "he believes" with "they believe" in all one instance.
232. Section 14-195 is amended by replacing "he has" with "they have" in all one instance.
233. Section 14-195 is amended by replacing "his" with "their" in all one instance.
234. Section 14-503 is amended by replacing "his or her" with "the city engineer's" in all one instance.
235. Section 14-104(a) is amended by replacing "his" with "their" in all one instance.
236. Section 14-195(38) is amended by replacing "fraternal" with "social" in all one instance.
237. Section 14-46(b)(2) is amended by replacing "his or her" with "the individual's" in all one instance.
238. Section 14-46(c)(2) is amended by replacing "his or her" with "the applicant's" in all one instance.

239. Section 14-46(c)(3) is amended by replacing "his or her" with "the applicant's" in all one instance.
240. Section 15-2 is amended by replacing "he or she seeks" with "they seek" in all one instance.
241. Section 15-6 is amended by replacing "he or she has" with "they have" in all one instance.
242. Section 15-6 is amended by replacing his or her with "their" in all seven instances.
243. Section 16-5 is amended by replacing "his" with "their" in all one instance.
244. Section 16-68 is amended by replacing "heirs" with "beneficiaries" in all one instance.
245. Section 16-68 is amended by replacing "him" with "them" in all one instance.
246. Section 16-68 is amended by replacing "KNOW ALL MEN BY THESE PRESENTS" with "KNOW ALL PERSONS BY THESE PRESENTS" in all one instance.
247. Section 16-6(c) is amended by replacing "his/her" with "the director of public services" in all one instance.
248. Section 20-33 is amended by replacing "his" with "their" in all one instance.
249. Section 20-35 is amended by replacing "he" with "they" in all one instance.
250. Section 20-35 is amended by replacing "his absence" with "the member's absence" in all one instance.
251. Section 20-35 is amended by replacing "his duties" with "the member's duties" in all one instance.
252. Section 20-35 is amended by replacing "his duties." with "the member's duties." in all one instance.
253. Section 20-35 is amended by replacing "his duty." with "the member's duty." in all one instance.
254. Section 20-35 is amended by replacing "his full pay" with "their full pay" in all one instance.
255. Section 20-35 is amended by replacing "his opinion" with "the city physician's opinion" in all one instance.
256. Section 20-38 is amended by replacing "his clothing" with "their clothing" in all one instance.
257. Section 20-38 is amended by replacing "his duties" with "their duties" in all one instance.
258. Section 20-38 is amended by replacing "his recommendations" with "the chief of the fire department's" in all one instance.
259. Section 20-41 is amended by replacing "his" with "their" in all one instance.

260. Section 20-43 is amended by replacing "His" with "The motor vehicle repairperson's" in all one instance.
261. Section 20-43 is amended by replacing "repairman" with "repairperson" in all two instances, one in the section title and one in the text.
262. Section 20-71 is amended by replacing "him" with "them" in all one instance.
263. Section 20-81 is amended by replacing "he" with "the inspector" in all one instance.
264. Section 20-81 is amended by replacing "his" with "the inspector's" in all one instance.
265. Section 20-119 is amended by replacing "his" with "the owner or lessee's" in all one instance.
266. Section 20-120 is amended by replacing "his decision," with "the decision," in all one instance.
267. Section 20-120 is amended by replacing "his designee" with "the head of the fire department's designee" in all one instance.
268. Section 20-121 is amended by replacing "his" with "their" in all one instance.
269. Section 20-127 is amended by replacing "journeyman" with "journey" in all two instances.
270. Section 20-152 is amended by replacing "his or her" with "the fire chief's" in all two instances.
271. Section 20-123(a) is amended by replacing "his" with "the head of the fire department's" in all one instance.
272. Section 20-124(b)(1) is amended by replacing "his/her" with "their" in all one instance.
273. Section 22-33(g) is amended by replacing "his identity" with "the offender's identity" in all one instance.
274. Section 22-33(g) is amended by replacing "his true name" with "their true name" in all one instance.
275. Section 24-1 is amended by replacing "himself" with "themselves" in all one instance.
276. Section 24-10 is amended by replacing "man or beast" with "people or beasts" in all one instance.
277. Section 24-11 is amended by replacing "himself" with "themselves" in all one instance.
278. Section 24-12 is amended by replacing "he" with "the police officer" in all one instance.
279. Section 24-12 is amended by replacing "he deems" with "the police officer deems" in all one instance.
280. Section 24-13 is amended by replacing "his" with "the police officer's" in all one instance.
281. Section 24-14 is amended by replacing "his" with "their" in all one instance.

282. Section 24-16 is amended by replacing "his/her" with "the health agent's" in all one instance.
283. Section 24-23 is amended by replacing his property with "their property" in all three instances.
284. Section 24-23 is amended by replacing "the dumpster owner or his agent" with "the dumpster owner or the dumpster owner's agent" in all two instances.
285. Section 24-23 is amended by replacing "the police chief, or his designee," with "the police chief or the police chief's designee" in all two instances.
286. Section 24-24 is amended by replacing "he or she" with "they" in all one instance.
287. Section 24-24 is amended by replacing "himself or herself" with "themselves" in all one instance.
288. Section 24-21(b) is amended by replacing "his" with "the fire chiefs" in all one instance.
289. Section 24-26(b)(2) is amended by replacing "his" with "their" in all one instance.
290. Section 24-5(a) is amended by replacing his with "their" in all three instances.
291. Section 24-9(b) is amended by replacing "himself" with "themselves" in all one instance.
292. Section 24-9(b) is amended by replacing "his" with "their" in all one instance.
293. Section 25-25 is amended by replacing "(2) Creates" with "(2) Create" in all one instance.
294. Section 25-1(d) is amended by replacing "He" with "The golf course superintendent" in all two instances.
295. Section 26-101 is amended by replacing "his or her" with "the director of park, recreation and community services" in all one instance.
296. Section 26-102 is amended by replacing "his or her" with "the animal control officer's" in all one instance.
297. Section 26-105 is amended by replacing "his" with "the chief of police's" in all one instance.
298. Section 26-1(f) is amended by replacing "his" with "the superintendent's" in all one instance.
299. Section 26-2(b) is amended by replacing "his" with "their" in all one instance.
300. Section 26-2(f) is amended by replacing "his" with "the manager's" in all one instance.
301. Section 28-26 is amended by replacing "he is" with "they are" in all one instance.
302. Section 28-26 is amended by replacing "him/herself" with "themselves" in all one instance.

303. Section 28-26 is amended by replacing "his" with "the chief of police's" in all one instance.
304. Section 28-56 is amended by replacing "he" with "the transient vendor" in all one instance.
305. Section 28-59 is amended by replacing "his" with "their" in all one instance.
306. Section 28-63 is amended by replacing "he" with "the transient vendor" in all one instance.
307. Section 28-91 is amended by replacing "salesmen" with "salespeople" in all one instance.
308. Section 28-131 is amended by replacing "he has" with "they have" in all one instance.
309. Section 28-131 is amended by replacing "he temporarily uses or occupies." with "they temporarily use or occupy." in all one instance.
310. Section 28-131 is amended by replacing "him" with "them" in all one instance.
311. Section 28-131 is amended by replacing "His" with "Their" in all one instance.
312. Section 28-132 is amended by replacing "his" with "their" in all one instance.
313. Section 28-134 is amended by replacing "he" with "they" in all one instance.
314. Section 28-166 is amended by replacing "his" with "the" in all one instance.
315. Section 28-168 is amended by replacing "his" with "the city marshal's" in all one instance.
316. Section 28-170 is amended by replacing "his license" with "their license" in all one instance.
317. Section 28-170 is amended by replacing "his studio" with "the licensee's studio" in all one instance.
318. Section 28-93(b) is amended by replacing "his" with "their" in all one instance.
319. Section 30-93 is amended by replacing "his" with "their" in all one instance.
320. Section 30-94 is amended by replacing "He" with "The planning director" in all one instance.
321. Section 30-94 is amended by replacing "his" with "their" in all one instance.
322. Section 30-167(a) is amended by replacing "his" with "the council president's" in all one instance.
323. Section 30-96(b) is amended by replacing "He" with "The planning director" in all one instance.
324. Section 30-97(d) is amended by replacing "his salary in any" with "their salary in any" in all one instance.
325. Section 30-97(d) is amended by replacing "his salary may" with "the assistant city planner's salary may" in all one instance.

326. Section 32-4 is amended by replacing "his" with "the" in all one instance.
327. Section 32-9 is amended by replacing "him" with "the marshal" in all one instance.
328. Section 32-12 is amended by replacing "his" with "the police officer's" in all one instance.
329. Section 32-13 is amended by replacing "his" with "their" in all one instance.
330. Section 32-14 is amended by replacing "his duties" with "their duties" in all two instances.
331. Section 32-14 is amended by replacing "his opinion" with "the city physician's opinion" in all two instances.
332. Section 32-15 is amended by replacing "his clothing" with "their clothing" in all one instance.
333. Section 32-15 is amended by replacing "his duties" with "their duties" in all one instance.
334. Section 32-15 is amended by replacing "his recommendations." with "the city marshal's recommendations." in all one instance.
335. Section 32-52 is amended by replacing "he" with "they" in all one instance.
336. Section 32-54 is amended by replacing "his" with "the prisoner's" in all one instance.
337. Section 32-55 is amended by replacing "him" with "them" in all one instance.
338. Section 32-56 is amended by replacing "He" with "The city marshal" in all one instance.
339. Section 32-56 is amended by replacing "him" with "the city marshal" in all one instance.
340. Section 32-57 is amended by replacing "him" with "them" in all one instance.
341. Section 32-58 is amended by replacing "he" with "they" in all one instance.
342. Section 32-58 is amended by replacing "him" with "them" in all one instance.
343. Section 32-58 is amended by replacing "his" with "their" in all one instance.
344. Section 32-59 is amended by replacing "his attention" with "the attention of the city marshal" in all one instance.
345. Section 32-61 is amended by replacing "he" with "they" in all one instance.
346. Section 32-91 is amended by replacing "his" with "the user's" in all one instance.
347. Section 32-91 is amended by replacing "his designated representative" with "the chief of police's designated representative" in all one instance.

348. Section 32-93 is amended by replacing "he" with "they" in all one instance.
349. Section 32-93 is amended by replacing "he is" with "they are" in all one instance.
350. Section 32-93 is amended by replacing "him" with "the alarm user" in all one instance.
351. Section 32-93 is amended by replacing "his alarm sysetm" with "the alarm user's alarm system" in all one instance.
352. Section 32-93 is amended by replacing "his discretion" with "the chief's discretion" in all one instance.
353. Section 32-93 is amended by replacing "his property" with "the alarm user's property" in all two instances.
354. Section 32-130 is amended by replacing "his" with "the police officer's" in all one instance.
355. Section 32-11(a) is amended by replacing "he" with "the member" in all one instance.
356. Section 32-11(a) is amended by replacing "his" with "their" in all one instance.
357. Section 32-11(b) is amended by replacing "him" with "the member" in all two instances.
358. Section 32-16(a) is amended by replacing "he" with "the city marshal" in all one instance.
359. Section 32-16(c) is amended by replacing he with "they" in all three instances.
360. Section 32-17(a) is amended by replacing "he" with "the city marshal" in all one instance.
361. Section 32-17(g) is amended by replacing "he receives" with "they receive" in all one instance.
362. Section 32-19(b) is amended by replacing "he/she" with "the applicant" in all one instance.
363. Section 32-2(a) is amended by replacing "his" with "their" in all one instance.
364. Section 32-3(b) is amended by replacing "him" with "them" in all one instance.
365. Section 32-3(b) is amended by replacing "He" with "The designee" in all two instances.
366. Section 32-93(c) is amended by replacing "him" with "the alarm user" in all one instance.
367. Section 32-95(c) is amended by replacing "he has" with "they have" in all one instance.
368. Section 32-96(a)(1) is amended by replacing "his" with "the police chief's" in all one instance.
369. Section 34-28 is amended by replacing "him" with "them" in all one instance.
370. Section 34-28 is amended by replacing "he presents" with "they present" in all one instance.

371. Section 34-29 is amended by replacing "him" with "the person" in all one instance.
372. Section 34-88 is amended by replacing "his" with "the junk dealer's" in all two instances.
373. Section 34-90 is amended by replacing "him" with "them" in all one instance.
374. Section 34-91 is amended by replacing "his" with "their" in all one instance.
375. Section 34-93 is amended by replacing "he" with "they" in all one instance.
376. Section 34-93 is amended by replacing "his" with "their" in all one instance.
377. Section 34-159 is amended by replacing "his" with "the chief of police's" in all one instance.
378. Section 34-161 is amended by replacing "he does" with "they do" in all one instance.
379. Section 34-161 is amended by replacing "his" with "their" in all one instance.
380. Section 34-164 is amended by replacing "his" with "the chief of the fire department's" in all one instance.
381. Section 34-194 is amended by replacing "him" with "them" in all one instance.
382. Section 34-195 is amended by replacing "he does" with "they do" in all one instance.
383. Section 34-195 is amended by replacing "his" with "their" in all one instance.
384. Section 34-226 is amended by replacing "him" with "the person" in all one instance.
385. Section 34-227 is amended by replacing "he" with "the pawnbroker" in all one instance.
386. Section 34-227 is amended by replacing "his" with "their" in all one instance.
387. Section 34-227 is amended by replacing "him" with "the pawnbroker" in all two instances.
388. Section 34-259 is amended by replacing "his" with "their" in all one instance.
389. Section 34-262(b) is amended by replacing "his/her" with "the pawnbroker's" in all one instance.
390. Section 36-7 is amended by replacing "his agents" with "the health agent's agents" in all one instance.
391. Section 36-7 is amended by replacing "his designees" with "the city engineer's designees" in all one instance.
392. Section 37-2 is amended by replacing "his" with "the city engineer's" in all one instance.
393. Section 37-2 is amended by replacing "manmade" with "artificial" in all two instances.

394. Section 37-3(c)(1) is amended by replacing "his" with "the site owner's" in all one instance.
395. Section 38-1 is amended by replacing "him" with "the director" in all one instance.
396. Section 38-2 is amended by replacing "He" with "The director of public services" in all one instance.
397. Section 38-13 is amended by replacing "he neglects" with "they neglect" in all one instance.
398. Section 38-13 is amended by replacing "he shall" with "they shall" in all one instance.
399. Section 38-14 is amended by replacing "he neglects" with "they neglect" in all one instance.
400. Section 38-14 is amended by replacing "he shall" with "they shall" in all one instance.
401. Section 38-19 is amended by replacing "he" with "the owner" in all two instances.
402. Section 38-52 is amended by replacing "he is" with "they are" in all one instance.
403. Section 38-52 is amended by replacing "his" with "the owner's" in all one instance.
404. Section 38-55 is amended by replacing "his" with "their" in all one instance.
405. Section 38-56 is amended by replacing "his" with "the owner's" in all one instance.
406. Section 38-58 is amended by replacing "his" with "the city engineer's" in all one instance.
407. Section 38-59 is amended by replacing "he" with "they" in all two instances.
408. Section 38-92 is amended by replacing "he" with "the petitioner" in all one instance.
409. Section 38-164 is amended by replacing "He" with "The director of public services" in all one instance.
410. Section 38-198 is amended by replacing "himself" with "themselves" in all one instance.
411. Section 38-199 is amended by replacing "him" with "them" in all one instance.
412. Section 38-199 is amended by replacing "his" with "the director of public services" in all two instances.
413. Section 38-200 is amended by replacing "his" with "the surveyor's" in all one instance.
414. Section 38-203 is amended by replacing "his agent" with "the permittee's agent" in all one instance.
415. Section 38-203 is amended by replacing "his agents" with "that person's agents" in all one instance.

416. Section 38-212 is amended by replacing "his" with "the director of public services" in all two instances.
417. Section 38-217 is amended by replacing "his" with "the director of public services" in all one instance.
418. Section 38-220 is amended by replacing "his" with "the director of public services" in all one instance.
419. Section 38-221 is amended by replacing "his" with "the permittee's" in all one instance.
420. Section 38-224 is amended by replacing "his" with "the contractor's" in all one instance.
421. Section 38-225 is amended by replacing "his" with "the director of public services" in all one instance.
422. Section 38-256 is amended by replacing "he has" with "they have" in all one instance.
423. Section 38-257 is amended by replacing "he has" with "they have" in all one instance.
424. Section 38-286 is amended by replacing "he" with "be" in all one instance.
425. Section 38-289 is amended by replacing "his" with "the permittee's" in all one instance.
426. Section 38-12(b) is amended by replacing "his" with "their" in all one instance.
427. Section 38-156(b) is amended by replacing "his" with "the owner's" in all one instance.
428. Section 38-160(b) is amended by replacing "his determination" with "the director of public services' determination" in all one instance.
429. Section 38-160(b) is amended by replacing "his expense" with "the owner/builder's expense" in all one instance.
430. Section 38-192(a) is amended by replacing "his" with "that person's" in all one instance.
431. Section 38-195(1)(e) is amended by replacing "manholes" with "maintenance holes (commonly referred to as manholes)" in all one instance.
432. Section 38-198(a) is amended by replacing "he" with "the permittee" in all one instance.
433. Section 38-202(a) is amended by replacing his with "the director of public services" in all one instance.
434. Section 38-216(a) is amended by replacing his with "the director of public services" in all one instance.
435. Section 38-23(b)(2) is amended by replacing his or her with "their" in all one instance.

436. Section 38-23(c)(2) is amended by replacing his/her with "their" in all one instance.
437. Section 38-23(C)(8) is amended by replacing his or her newspaper rack with "the rack owner's newspaper rack" in all one instance.
438. Section 40-26 is amended by replacing him with "the public guide" in all one instance.
439. Section 40-28 is amended by replacing his with "the" in all one instance.
440. Section 40-31 is amended by replacing him or herself with "themselves" in all one instance.
441. Section 40-89 is amended by replacing He with "The permit holder" in all one instance.
442. Section 40-89 is amended by replacing he with "the permit holder" in all one instance.
443. Section 40-89 is amended by replacing himself with "themselves" in all one instance.
444. Section 40-89 is amended by replacing his with "their" in all one instance.
445. Section 40-93 is amended by replacing his with "the occupant's" in all one instance.
446. Section 40-27(d) is amended by replacing his/her with "the city clerk's" in all one instance.
447. Section 43-10 is amended by replacing his with "the tree warden's" in all one instance.
448. Section 43-24 is amended by replacing "his/her" with "the warden's" in all two instances.
449. Section 43-27 is amended by replacing he deems with "they deem" in all one instance.
450. Section 43-32 is amended by replacing "his/her" with "the mayor's" in all two instances.
451. Section 43-33 is amended by replacing he deems with "they deem" in all one instance.
452. Section 43-34 is amended by replacing he deems with "they deem" in all one instance.
453. Section 43-34 is amended by replacing "his/her" with "the tree warden's" in all two instances.
454. Section 43-12(b) is amended by replacing his/her with "the tree warden's" in all one instance.
455. Section 43-53(b)(1) is amended by replacing his/her with "the tree warden's" in all one instance.
456. Section 43-53(b)(2) is amended by replacing he with "the director" in all one instance.
457. Section 43-53(c) is amended by replacing he deems with "they deem" in all one instance.
458. Section 43-53(h) is amended by replacing he deems with "they deem" in all one instance.

459. Section 43-54(b) is amended by replacing he/she deems with "they deem" in all one instance.
460. Section 43-54(b) is amended by replacing his/her with "the warden's" in all one instance.
461. Section 43-56(a) is amended by replacing his/her with "the warden's" in all one instance.
462. Section 43-56(b)(1) is amended by replacing his/her with "the warden's" in all one instance.
463. Section 44-43 is amended by replacing his with "their" in all one instance.
464. Section 44-32(e)(5) is amended by replacing his with "the applicant's" in all one instance.
465. Section 44-4(b) is amended by replacing his with "their" in all one instance.
466. Section 44-41(c) is amended by replacing he with "the driver" in all one instance.
467. Section 44-41(c) is amended by replacing his with "their" in all one instance.
468. Section 44-41(l) is amended by replacing him with "them" in all one instance.
469. Section 44-41(o) is amended by replacing him or her with "them" in all one instance.
470. Section 46-36 is amended by replacing his or her with "the director of public services" in all one instance.
471. Section 46-37 is amended by replacing his with "the city marshal's" in all one instance.
472. Section 46-74 is amended by replacing him with "them" in all one instance.
473. Section 46-126 is amended by replacing his with "the city engineer's" in all one instance.
474. Section 46-164 is amended by replacing his with "the city engineer's" in all one instance.
475. Section 46-196 is amended by replacing his with "the owner's" in all one instance.
476. Section 46-197 is amended by replacing him with "the owner" in all one instance.
477. Section 46-197 is amended by replacing his with "the owner's" in all one instance.
478. Section 46-197 is amended by replacing manholes with "maintenance holes (commonly referred to as manholes)" in all one instance in the section title.
479. Section 46-197 is amended by replacing manhole with "maintenance hole (commonly referred to as a manhole)" in all three instances.
480. Section 46-116(c) is amended by replacing he with "the drainlayer" in all one instance.
481. Section 46-116(c) is amended by replacing him with "the drainlayer" in all one instance.

482. Section 46-116(c) is amended by replacing "his" with "their" in all two instances.
483. Section 46-129(d) is amended by replacing his with "the city engineer's" in all one instance.
484. Section 46-156(c) is amended by replacing his with "the owner's" in all one instance.
485. Section 46-194(a) is amended by replacing his with "their" in all one instance.
486. Section 46-198(a) is amended by replacing "manhole" with "maintenance hole (commonly referred to as a manhole)" in all four instances.
487. Section 46-30(a)(7) is amended by replacing he with "the water registrar/business manager" in all one instance.
488. Section 46-30(b) is amended by replacing his with "their" in all one instance.
489. Section 46-32(a)(9) is amended by replacing his with "the owner's" in all one instance.
490. Section 46-32(c) is amended by replacing his with "their" in all one instance.
491. Section 46-33(a) is amended by replacing he is with "they are" in all one instance.
492. Section 46-33(a) is amended by replacing "his" with "their" in all two instances.
493. Section 46-33(b) is amended by replacing he with "they" in all one instance.
494. Section 46-33(b) is amended by replacing him with "the watertaker" in all one instance.
495. Section 46-35(a) is amended by replacing his with "the assistant director of public services" in all one instance.
496. Section 46-35(b) is amended by replacing his with "their" in all three instances.
497. Section 48-35 is amended by replacing He with "The sealer of weights and measures" in all one instance.
498. Section 48-35 is amended by replacing him with "the sealer of weights and measures" in all one instance.
499. Section 48-35 is amended by replacing his charge with "the sealer's charge" in all one instance.
500. Section 48-35 is amended by replacing his doings with "their doings" in all one instance.
501. Section 48-36 is amended by replacing him with "them" in all one instance.
502. Section 48-37 is amended by replacing "his" with "their" in all two instances.

503. Section 48-34(c) is amended by replacing his absence with "the sealer's absence" in all ~~One~~ instance.
504. Section 48-34(c) is amended by replacing his disability with "the sealer's disability" in ~~all~~ one instance.
505. Section 48-34(c) is amended by replacing his discretion with "their discretion" in all ~~one~~ instance.
506. Section 49-34(c) is amended by replacing his assistance with "the deputy sealer's assistance" in all one instance.
507. Traffic Code I-1 is amended by replacing "his badge" with "their" in all one instance.
508. Traffic Code I-1 is amended by replacing "his left breast" with "the officer's left breast" in all one instance.
509. Traffic Code I-1 is amended by replacing "his outer garment" with "the officer's outer garment" in all one instance.
510. Traffic Code I-15 is amended by replacing "his" with "the driver's" in all one instance.
511. Traffic Code I is amended by replacing "he" with "the officer" in all one instance.
512. Traffic Code I is amended by replacing "he has" with "they have" in all one instance.
513. Traffic Code IV-33 is amended by replacing "his" with "the vehicle's" in all two instances.
514. Traffic Code IV-34 is amended by replacing "his" with "their own" in all one instance.
515. Traffic Code IV-38 is amended by replacing "his" with "the vehicle's" in all one instance.
516. Traffic Code IV-41 is amended by replacing "watchman" with "watchperson" in all one instance.
517. Traffic Code IV-32(b) is amended by replacing "his" with "the vehicle's" in all one instance.
518. Traffic Code IV-43A is amended by replacing "his" with "their" in all one instance.
519. Traffic Code IV-43A(F) is amended by replacing "his" with "that person's" in all one instance.
520. Traffic Code V-50 is amended by replacing "his" with "their" in all one instance.
521. Traffic Code V-51 is amended by replacing "he" with "the" in all one instance.
522. Traffic Code V-62 is amended by replacing "his" with "the person's" in all one instance.
523. Traffic Code V-64 is amended by replacing "he" with "the person" in all one instance.
524. Traffic Code V-53(B) is amended by replacing "his" with "their" in all two instances.

525. Traffic Code V-A-71 is amended by replacing "he" with "the City Marshal" in all one instance.

526. Traffic Code V-A-74 is amended by replacing "his" with "their" in all one instance.

527. Traffic Code V-A-75 is amended by replacing "his designee" with "the Police Chief's designee" in all one instance.

528. Traffic Code V-A-75 is amended by replacing "his name" with "their name" in all one instance.

529. Traffic Code 075 is amended by replacing "loses or has his permit stolen" with "loses or has their permit stolen" in all one instance.

530. Traffic Code V-A-75(A) is amended by replacing "or his designee" with "the Police Chief's designee" in all one instance.

531. Traffic Code VI-80 is amended by replacing "his" with "their" in all one instance.

**SECTION II.** This ordinance shall take effect as provided by the City Charter.



## CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll  
Mayor

April 22, 2021

Honorable Salem City Council  
Salem City Hall  
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Ordinance amends our Code to replace instances of gendered pronouns or language with gender-neutral alternatives. This measure is an outgrowth of a discussion initiated by myself and Councillor Madore before the COVID-19 pandemic, as well as a Council committee meeting on the matter in 2019, but I still believe it is a worthwhile reform to pursue. Also enclosed is a one-page summary of the changes and a tracked changes version of one section of the Code to illustrate how these changes will read when implemented.

Use of gendered language in Codes, Charters, bylaws, and laws is not unique to Salem, however there is a responsibility for us to identify those instances in our own local laws and alter them to ensure our Code is more inclusive and reflective of the people who live and work in our City. The enclosed Ordinance replaces 619 instances of gendered word choice with a gender-neutral alternative in both the General Code and the Traffic Code. Not included in this measure are the 48 instances of gender-specific language in the City Charter, 25 in the Council Rules, and 26 in the Zoning Code. Those documents require additional steps to amend, which will take additional time and collaboration with the Council and Planning Board to undertake.

In the meantime, the enclosed Ordinance corrects 86% of the instances of gender-specific verbiage in our Code. In many instances it was enough to replace a gendered pronoun with the title of the referenced individual, where in other cases the more widely applicable “they/them” construction was necessary. I recommend adoption of the enclosed Ordinance as a first step to correcting our Code’s language and making it more inclusive of all our residents and employees.

Sincerely,

Kimberley Driscoll  
Mayor  
City of Salem

**Gender-Neutral Language Summary of the Salem Code of Ordinances**

| <b>Gendered Language</b> | <b>Gender-Neutral Replacement</b>                  |
|--------------------------|--|
| chairman                 | chair  |
| craftsmen                | craftsperson                                       |
| fraternal                | social   |
| fraternity houses        | collegiate Greek system residences                 |
| he                       | they   |
| he or she                | they   |
| he/she                   | they   |
| heirs                    | beneficiaries                                      |
| him                      | them   |
| him or her               | them   |
| him or herself           | themselves   |
| him or them              | them   |
| him/herself              | themselves   |
| himself                  | themselves   |
| himself or herself       | themselves   |
| his                      | their  |
| his or her               | their  |
| his/her                  | their  |
| His Honor                | The Honorable                                      |
| journeyman               | journey  |
| man                      | people   |
| manhole                  | maintenance hole (commonly referred to as manhole) |
| manmade                  | artificial   |
| men                      | persons  |
| Mr. President            | an appropriate title and "President"               |
| repairman                | repairperson                                       |
| salesmen                 | salesperson  |
| vice chairman            | vice chair   |
| watchman                 | watchperson  |

In most instances, the personal pronoun can be replaced by the title of the position or the relevant individual's occupation. (i.e. "his designee" is replaced by "the police chief's designee")

**Instances of gendered language or pronouns:**

|                |            |
|----------------|------------|
| Charter:       | 48         |
| Council Rules: | 25         |
| General Code:  | 592        |
| Traffic Code:  | 27         |
| Zoning Code:   | 26         |
| <b>TOTAL:</b>  | <b>718</b> |

## DIVISION 9. - CITY FINANCE DIRECTOR/AUDITOR

### Sec. 2-491. - Appointment; term; removal; vacancy.

The mayor shall in January, subject to confirmation by the city council, appoint a city finance director/auditor. The city finance director/auditor shall hold office for three years from February 1 following his their appointment and until a successor is appointed and qualified, but he the finance director/auditor may be removed for cause at any time by the city council. A vacancy in such office may be filled in the same manner as the original appointment.

(Code 1973, § 2-225; Ord. of 4-13-2000, § I)

### Sec. 2-492. - Deputy auditor.

The mayor shall biannually in January, subject to confirmation by the city council, appoint a deputy auditor. The deputy auditor shall hold office for two years from February 1 following his their appointment and until a successor is appointed and qualified, but he the deputy auditor may be removed for cause at any time by the city council. A vacancy in such office may be filled in the same manner as the original appointment.

(Code 1973, § 2-226)

### Sec. 2-493. - Performance of duties by deputy auditor or city clerk.

Whenever a vacancy exists in the office of the city finance director/auditor or if the finance director/auditor is temporarily unable to perform the duties of his the office, the deputy auditor shall have authority to countersign such warrants upon the city treasurer/collector as the mayor is authorized by ordinances to draw, and such signature shall be honored by the treasurer/collector. Whenever a vacancy exists in both the office of the city finance director/auditor and deputy auditor or if both the finance director/auditor and deputy auditor are temporarily unable to perform the duties of their office, the city clerk shall have the authority to countersign such warrants upon the city treasurer/collector as the mayor is authorized by ordinance to draw, and such signature shall be honored by the treasurer/collector.

(Code 1973, § 2-226.1)

### Sec. 2-494. - Powers and duties generally.

The city finance director/auditor shall have all the powers and shall perform all the duties prescribed by law of a city auditor. The city finance director/auditor shall direct the activities of the other finance-related offices including purchasing, treasury, collections, assessing, data processing (management information systems) and parking department.

(Code 1973, § 2-227; Ord. of 6-29-2006, § I)

### Sec. 2-495. - Bills and accounts.

The city finance director/auditor shall receive all bills and accounts against the city as have been approved as provided for in section 2-16 and shall examine the bills and accounts and see that the accounts are properly extended and that they are properly approved. If any error or informality occurs in any bill or account, he the finance director/auditor shall at once return the bill or account to the department to which it belongs. Such bills as are found to be correct and properly approved shall be entered upon his the books provided for the purpose, charging the bills against the appropriation. If he

they finds the balance of any appropriation is insufficient to provide for the payment of any bill, ~~he~~ the finance director/auditor shall at once return to the department such bills as are in excess of the appropriation. After the finance director/auditor shall have examined and entered such bills upon the books, as provided in this section, ~~he~~ the finance director/auditor shall list them upon sheets provided for the purpose and shall draw a warrant for the aggregate amount thereof and shall countersign and present the bills to the mayor for ~~his~~ the mayor's signature.

(Code 1973, § 2-228)

Sec. 2-496. - Method of keeping accounts.

The city finance director/auditor shall keep accounts in such form and in such detail as will clearly exhibit all receipts and expenditures. ~~He~~ The finance director/auditor shall open an account with every appropriation made by the city council and shall credit each account with its appropriations for the fiscal year and shall charge against each account the expenditures as they shall from time to time be allowed.

(Code 1973, § 2-229)

Sec. 2-497. - Reserve system established; description.

It shall be the duty of the city finance director/auditor to set up a reserve system in the books of the auditing department. ~~He~~ The finance director/auditor shall set up encumbered balances as follows:

- (1) *Certain officers with established salaries.* For the executive and administrative officers of the several departments whose salaries are established by law or ordinance.
- (2) *Certain permanent employees.* For the permanent employees whose salaries or wages are to be paid from the appropriations or receipts allotted to the several city departments. Before any appointment or employment is made for emergency, temporary or permanent intermittent employment by the executive or administrative head of a city department, the finance director/auditor shall set aside in reserve from the appropriations or receipts allotted to the several departments an amount for the salaries and wages of the permanent employees for the entire year or such portion of the year as may be designated in writing to the finance director/auditor by the executive or administrative heads of the city departments.

No appointment or employment shall be deemed to have been made unless and until a written order of such appointment or employment has been filed with the finance director/auditor by the executive or administrative head of the department in which the appointment or employment is to be made or given and the finance director/auditor has set aside in reserve from the appropriations or receipts of the department a sufficient amount to pay the wages for the period covering the appointment or employment.

The finance director/auditor shall have the payrolls printed from time to time in such quantities as ~~he~~ they may deem advisable and shall furnish such to the several departments, charging them to the various departmental appropriations, in the usual manner, at cost.

- (3) *Expenditures contemplated by department heads.* For expenditures of any and all kinds that may be contemplated by the executive and administrative heads of the city departments to be paid for out of the appropriations or receipts allotted to the city departments, and no obligation shall be incurred against appropriations until the finance director/auditor verifies the availability of an appropriation for such expenditures.

No contract for construction work or for the purchase of apparatus, supplies or materials, whether for repairs or original construction, shall be deemed to have been made or awarded unless and until the finance director/auditor has certified in writing that there is a sufficient balance in the appropriations or receipts with which to pay the amount required by the terms of

the contract. Upon the execution of the contract, the finance director/auditor shall be notified and shall then set aside in reserve an amount from the appropriations or receipts sufficient to meet the obligation incurred by the contract.

(Code 1973, § 2-230)

Sec. 2-498. - Exhausted appropriations.

Whenever an appropriation is exhausted, the city finance director/auditor shall give immediate notice thereof in writing to the mayor, city council and head of the department, for which the appropriation is made, or the school committee, as the case may be, and he the finance director/auditor shall not pass or allow any account or claim chargeable against such appropriation until the city council provides the means of paying the appropriation.

(Code 1973, § 2-231)

Sec. 2-499. - Monthly statement of condition of accounts.

The city finance director/auditor shall once in each month prepare a statement showing the condition of each city account and shall give the amount of appropriations and receipts expenditures and balances remaining unexpended under the account and shall furnish a printed copy thereof to each department and member of the city council. Such statement shall show all amounts collected by the city treasurer/collector during the preceding calendar month. Such statement shall also include a detailed accounting of each transfer between budget objects within any appropriation approved by the city council, and a detailed justification for each transfer above \$1,000.00 from the head of the department having control of the appropriation within which the transfer is requested.

In addition, the city finance director/auditor shall once in each month prepare a detailed statement showing the condition of each city account, including balances on each object within each account, and provide such statement to members of the city council committee on administration and finance.

(Code 1973, § 2-232; Ord. of 9-8-2005, § 1)

Sec. 2-500. - Annual report.

The city finance director/auditor shall report to the city council annually on October 1 a statement of the receipts and expenditures during the preceding fiscal year, giving in detail the amount of appropriations and expenditures, the names of the persons to whom and the purpose for which such expenditures were made, with the amounts thereof, and the receipts in detail from each source of income. Such report shall be arranged as far as practicable so as to conform to the accounts of the treasurer/collector. The finance director/auditor shall include in such report a statement of all loans and the rate of interest thereon, and shall exhibit all the liabilities and assets as shown on the books in their office at the close of the fiscal year.

(Code 1973, § 2-233)

Sec. 2-501. - Notice for payment of accounts and bills.

On or before June 10 in each year, the city finance director/auditor shall cause to be inserted in a newspaper in the city a notice that all accounts against the city for the fiscal year are required to be presented and all sums due to the city to be paid on or before June 20.

(Code 1973, § 2-234)

Sec. 2-502. - Budget preparation.

The city finance director/auditor shall annually assist the mayor and city department heads in the preparation of a program budget for the operation of the city during the fiscal year. After submission of the budget by the mayor to the city council, the finance director/auditor shall, upon request, assist the city council and any of its committees in reviewing the budget or any item contained therein.

(Code 1973, § 2-235)

Sec. 2-503. - Capital budget.

The city finance director/auditor shall annually meet with the mayor and city department heads to develop a seven-year capital budget for the purpose of selecting, scheduling, and financing capital improvement projects and equipment purchases during the period. The budget shall each year be submitted to the city council together with the annual operating budget for the city.

(Code 1973, § 2-236)

Sec. 2-504. - Fiscal oversight.

During the fiscal year the city finance director/auditor shall monitor expenditures by city departments and shall continuously evaluate the fiscal management of each department. Upon the request of the mayor or city council, the finance director/auditor shall prepare and submit a report concerning the budget of any city department or expenditure thereof.

(Code 1973, § 2-237)

Sec. 2-505. - Annual revenue survey questionnaire.

The city finance director/auditor shall annually submit to all department heads a revenue survey questionnaire on a form which shall be approved by the mayor and city council. The revenue survey questionnaire shall be used to gather information on the status of all municipal service user fees and charges and to solicit recommendations for changes in such fees and charges. The result of the questionnaire shall be compiled by the finance director/auditor and submitted to the mayor and city council together with the annual operating budget for the city.

(Code 1973, § 2-238)

Secs. 2-506—2-530. - Reserved.