



**CITY OF HAVERHILL  
MASSACHUSETTS**

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5-B  
JAMES J. FIORENTINI  
MAYOR  
December 29, 2011

City Council President Michael J. Hart  
& Members of the City Council

**RE: Local Residency Requirement**

Dear Mr. President and City Council Members:

As you can see from the memo and materials from City Solicitor William Cox, the constitutionality or of our local residency requirement for publicly funded projects is in question. A case in the United States District Court decided on October 4, the case of Utility Contractors Association of New England et al. v. City of Fall River struck down as unconstitutional a similarly worded ordinance.

In order to avoid potential liability to our city it is my recommendation, that we repeal our local ordinance.

Despite this setback, I stand by our efforts to have local people hired for local jobs, and I stand by our efforts to work to ensure that local projects benefit local residents. There are voluntary measures that we can take so that on the many good projects throughout our city local residents are hired. I'm going to ask that City Solicitor Cox to work with us to put together some voluntary measures that will not leave the city or its taxpayers open to liability.

I remain committed, as in the past, to having local projects benefit local residents, and I stand by our efforts to reduce Haverhill's unemployment rate and provide local jobs for our citizens.

The ordinance which is before you, to repeal our existing residency requirement, needs to be placed on file for two weeks after which I recommend approval. We will continue to work on voluntary measures and measures within the law to find jobs for our citizens.

Respectfully submitted,

James J Fiorentini, Mayor

IN CITY COUNCIL: January 3 2012  
CONTINUE TO JANUARY 17 2012

Attest:

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City Clerk