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“Proposed Amendments to the Town’s Bylaws”

TOWN MEETINGS

1. The annual town meeting shall convene in regular session two times in each calendar year. The first session, to be held in either April, May, or June, as determined by the Board of Selectmen, shall be primarily, though not exclusively, concerned with the determination of matters involving the expenditure of town funds, including, but not limited to, the adoption of an annual operating budget for all town agencies. The second session shall be held in September, October, or November as determined by the Board of Selectmen.

(AMENDED 10/8/2003 & APPROVED by A.G. 1/13/04)
(AMENDED 10/29/12 & APPROVED by A.G. 12/31/12)

2. The Board of Selectmen shall close the Annual Town Meeting Warrant at least 90 days prior to the Annual Town Meeting. The Board of Selectmen shall close the Fall Annual Town Meeting Warrant at least 45 days prior to the Fall Annual Town Meeting and shall forward a copy of that Warrant to the Chairman of the Finance Committee, the Moderator, and the Town Clerk within 20 days of its closing.

(Amended, ATM 6/8/98 & Approved by the A.G. 9/28/98)

3. The Selectmen shall notify the voters of the Town of the date of the Spring and Fall Annual Town Meeting by causing attested copies of the Warrant of such meetings to be posted at Chartley Post Office, Norton Post Office, ~~Norton Municipal Center, Trinitarian Church, Unitarian Church,~~ Norton Public Library, and three other public places seven days prior to each such meeting. Voters shall be warned of any Special Town Meetings by the posting of Warrants in the same manner, except 14 days prior to such Special Meeting. In addition, the Selectmen shall cause copies of warrants for Annual and Special Town Meetings to be posted on the official Town Website; provided, however, that failure to timely post the same, or a technological problem affecting said posting, shall not affect the validity of the Town Meeting to which the warrant relates, or any action taken with respect thereto.

Comment [LFG1]: This is meant to render the by-law more achievable, and to use consistent terms with respect to the name of the Library.

Comment [LFG2]: As discussed, this imposes a direction to the Town to post the warrant on the Town's website, but contains a caveat that any difficulties with such posting shall not affect the validity of the meeting.

(AMENDED 10/1/90 & APPROVED 2/27/91)

4. There shall be no quorum requirements for either Annual or Special Town Meetings.

(AMENDED 1/22/90 & APPROVED 3/21/90)

5. The procedure and conduct of the business portion of all Town Meetings shall be governed by Town Meeting Time by Johnson, Trustmen and Wadsworth.

(APPROVED 10/4/74)

6. The Moderator may take all votes requiring a two-thirds majority in the same manner in which he or she conducts the taking of a vote when a majority vote is required. The Moderator shall declare that the vote has passed by a two-thirds majority or unanimous vote. If seven voters question the Moderator's declaration of the vote, a counted vote shall then be taken. If fifteen of the voters present so request, the vote must be by ballot.

(AMENDED & APPROVED 8/12/97)

7. Any article on which the Town Meeting takes no action shall be considered lost by unanimous voice vote.

(APPROVED 3/11/80)

TOWN OFFICERS

1. The annual election of officers in the Town of Norton shall take place on the last Tuesday of April.
(Amended 6/2/03 (APPROVED BY A.G. 9/4/03))

2. Board of Selectmen

i. Issuance of Licenses for Second Hand Articles

- a. The Selectmen may grant licenses to such persons as to them may appear proper and suitable to be junk collectors to collect by purchase or otherwise junk, old metals and second hand articles from place to place within the town of Norton and they may prescribe that such persons may conspicuously display badges on their person or signs upon their vehicles or both when engaged in collecting, transporting or dealing in junk, old metal or second hand articles and may prescribe the design thereon. The Selectmen may prescribe the terms upon which such licenses may be granted.
- b. Such licenses shall continue in force for one year from the date of their issue and may be revoked at any time by the Selectmen. The holders of such licenses shall be subject to all provisions of law relating thereto.
- c. Any place, vehicle, or receptacle used for the collecting, keeping of the aforesaid and all articles of merchandise therein may be examined at all times by the Selectmen, Police Officers, or by any persons authorized by them to do so. All scales, weights or measures used in their business by such collectors of junk shall be tested and sealed by the Sealer of Weights and Measures of said town.
(APPROVED 3/24/30)

Comment [LFG3]: This is housekeeping in nature, meant to allow readers to understand that the matters at issue are within the authority of the Board of Selectmen.

ii. Authority with Respect to Legal Claims, Suits and Controversies

~~3.~~ The Selectmen shall have authority to prosecute, defend or to otherwise settle all claims, suits or controversies to which the Town is party and to employ legal counsel if they deem such action necessary. (APPROVED 3/24/30)

~~4.~~ All boards of officers of the Town shall cause records of their doings and accounts to be kept in suitable books which shall be kept in their respective offices when in use and in the town vault when not in use.

iii. Tax Title Custodian

~~5.~~ The Selectmen shall have the power and may from time to time sell, after first giving notice of the time and place of sale, property taken by the town under tax title procedures provided that the Selectmen or whomsoever they may authorize to hold such public auction may reject any bid that they deem inadequate. (APPROVED 6/6/40)

~~6.~~ Creation and Custody of Certain Records of Multiple-member Bodies

i. All boards of officers of the Town shall cause records of their doings and accounts to be kept in suitable books which shall be kept in their respective offices when in use and in the town vault when not in use.

Comment [LFG4]: This section was reorganized to make it more understandable.

ii. The Town Clerk shall maintain a complete and up-to-date copy of the Town By-Laws which shall be available to the public, and shall compile such by-laws and shall assign to them

appropriate headings and number them sequentially under such headings, and further, shall be authorized to make non-substantive changes to the numbering of any Town By-law to provide for a consistent format.

(AMENDED 5/2/88 & APPROVED 8/30/88)

Comment [LFG5]: This ensures that the Town Clerk may make such numbering changes as are needed, without requiring a TM vote.

TOWN OFFICERS (CONT.)

7. iii. A summary copy of any report or study produced by a consultant and paid for with town funds shall be filed with the Town Clerk immediately upon its completion and shall be kept as a permanent town record. A second copy shall be retained by the town library for public use.
(APPROVED 9/4/74)

Comment [LFG6]: This addresses the situation that some reports include matters that are not public records, and should not be placed on file with the Town Clerk.

84. Vehicles

All Town owned vehicles shall be marked with the appropriate Town Department.

— "Unmarked" police vehicles shall be exempt from the provisions of this by-law.

(Voted 5/2/88)

(APPROVED 8/30/88)

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CAPITAL IMPROVEMENTS

(APPROVED 7/19/78)

Comment [LFG7]: This by-law was revised to make it consistent with the Town Charter.

1. The Capital Improvements Committee.

The Capital Improvements Committee shall be established annually as set forth in the Section 6-4 of the Town Charter, and shall undertake review and recommendation with respect to departmental requests for capital items and capital improvements to be undertaken during the next ensuing five years in accordance with the schedule established in said Section 6-4 and as further established hereunder.

2. Capital Items and Capital Improvements – Definitions

For purposes of this by-law, a “capital item” or “capital improvement” shall be defined to include any item or project which exceeds the cost of \$10,000.00 and constitutes a “non-recurring expense”, which term is, in turn, defined as an expense other than personnel or salary costs or other expenses ordinarily funded as part of the annual operating budget process. (AMENDED 10/20/04) (APPROVED 12/9/04)

2. A non-recurring expense shall not include personnel or salary expenses nor shall a non-recurring expense include that which would normally be considered an annual, operating budget expense. In this regard, police, fire, and highway equipment which is replaced annually shall not be considered a capital expenditure item. However, Equipment replacements made less frequently, or for the first time, shall be considered capital items, expenditure provided that such items each cost in excess of \$10,000.

3. Department and Committee Capital Requests

Department and Committee heads shall be required to submit annually to the Capital Improvements Committee and Town Manager, on a schedule determined by said Committee and Town Manager, complete inventories of current capital items and capital item or capital improvement requests for the next ensuing five years, to the Capital Improvement Committee annually. The Capital Improvement Committee shall consist of one member of the Finance Committee; one member of the Board of Selectmen; one member of the School Committee, and one member of the Planning Board, each of whom shall be designated by their respective board or committee no later than October 15 of each year. In addition, the Town Manager shall serve on the committee. The names of the committee members shall be submitted to the Town Manager no later than October 15. The Town Manager shall call and convene the initial meeting no later than the first week of November.

(AMENDED 10/20/04) (APPROVED 12/9/04)

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4. The Capital Improvement Committee shall review all Department and Committee inventories and requests and shall prepare a five-year Capital Improvements Program, to include a reasonable scheduling of capital expenditures of the period. The program and recommendations shall be submitted to the Town Manager no later than December 15th.

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5. The Capital Improvements Committee shall annually revise the five-year Capital Improvements Program and shall also prepare a Capital Improvements Budget recommendation. The revisions and recommendations shall be submitted to the Town Manager at least 180 days prior to the start of the fiscal year. (AMENDED 10/1/90) (APPROVED 2/27/91)

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6. The purchase of all capital items which are considered non-recurring expenses under Section 2 of this by-law and whose value exceeds \$10,000.00 must first be submitted to the Capital

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~~Improvements Committee for its review. The Committee shall have twenty days to review the proposal and make its recommendations, after which time the department submitting the request may proceed with the purchase.~~

~~(AMENDED 10/20/04) (APPROVED 12/9/04)~~

CAPITAL IMPROVEMENTS FUND

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There is hereby established as a separate account in the Treasury a Capital Improvements Fund. Monies may be appropriated into the Capital Improvements Fund by a majority vote of any Town Meeting and said monies shall be kept segregated from other funds. The Capital Improvements Fund may be appropriated at any Town Meeting by a two-thirds vote for any purpose for which the Town would be authorized to borrow money under Section 7 and 8 of M.G.L. Chapter 44.

(AMENDED 1/13/92)
(APPROVED 2/21/92)

COMMUNICATION

1. TITLE: This by-law shall be known as the Norton ~~Communication Commission Center~~ By-Law.

Comment [LFG8]: This is a ministerial amendment.

The operation of the Emergency Communication Center shall be under the control of the Town Manager. The Communications Supervisor shall be responsible for overseeing the day-to-day operation of the Center. Both the Police Chief and the Fire Chief shall service in an advisory capacity as to the policies and procedures used in the operation of the Center.

(AMENDED 6/9/97)
(APPROVED 8/12/97)

COUNCIL ON AGING

1. The Board of Selectmen shall appoint a Council on Aging for the purpose of carrying out or coordinating programs designed to meet the problems of the aging in cooperation with the programs of the Commission on Aging established under Chapter 6, Section 73 of the General Laws.
2. ~~The Board of Selectmen shall appoint the Council on Aging consisting of nine members for rotating. Upon acceptance of the By-Law, the Board shall appoint three members for three years, three year terms, members for two years, and three members for one year terms. Members may be appointed for recurrent terms.~~ The members of the Council shall serve without compensation.
3. Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act or for any other reason, the vacancy shall be filled by appointment by the Selectmen for the remainder of the term.
4. The Council on Aging, ~~at its first annual meeting and thereafter,~~ in April of each year, shall elect from its membership a President, 2nd Vice President, Secretary and Treasurer. Each officer shall hold office until the next annual election. In the event a vacancy occurs in any of the offices above, the Council shall hold a special meeting for the purpose of electing one of its members to fill such vacancy.
5. The Council shall prepare and submit annual reports of its activities to the Town and shall send a copy thereof to the Commission on Aging.

Comment [LFG9]: This is a ministerial amendment, taking out transitional language that is no longer necessary.

Comment [LFG10]: See previous comment.

(APPROVED 7/24/72)

ATM 3/6/72 – Article 23

By Law adopted in accordance with the provisions of Chapter 40, Section 8B of the General Laws.

FINANCE COMMITTEE

1. The Town shall have a committee called the Finance Committee, which shall consider any and all municipal questions for the purpose of making reports or recommendations thereon to the Town.
2. Such committee shall consist of 11 registered voters of the Town. No member of the Committee shall be a town officer nor shall he serve on any other board, committee or commission, of the Town or any subcommittee appointed by any other Town Official, board, committee or commission, except that he may serve on special committees which may be related from time to time by vote of the town meeting when such vote expressly authorizes him to serve.
3. ~~Each member~~ Members of the committee shall be appointed by the Moderator to serve for ~~rotating a terms~~ of three years. ~~The term of four (then four, then three) of the members of the committee shall expireing each year on the thirtieth day of June. The Moderator shall appoint a successor for any member of the committee whose term expires that year and shall, after any vacancy occurs in the committee, appoint a successor to fill that vacancy for the unexpired term of his predecessor.~~
4. The Finance Committee shall, as soon as possible after the annual appointment of new members to the committee has been made, meet for the purpose of re-organization. They shall elect from their membership a Chairman, and Vice-Chairman, who shall hold office until their successors are elected.
5. The eCommittee may from time to time make such rules and regulations with reference to their meetings and the conduct of their work as they may deem best for the interests of the Town.
6. The Finance Committee shall report ~~in print writing~~ its recommendations as to each article in the Warrant for each session of the Annual Town Meeting. The recommendations shall be those of the majority of the Committee.

Comment [LFG11]: This is a ministerial amendment, taking out transitional language that is no longer necessary.

Comment [LFG12]: This is to make this provision consistent with Charter.

Copies of the warrant together with the Finance Committee's recommendations shall be made available to the public at the Norton Public Library, Norton Municipal Center, all the Fire Stations and any other public location deemed appropriate, at least seven (7) days prior to the commencement of both the spring and fall session of the Annual Town Meeting. At the discretion of the Finance Committee a copy of the Warrant along with the Finance Committee's recommendations may also be published in a local newspaper.

Copies of the Warrant together with the Finance Committee's recommendations shall also be made available for distribution at each session of the Annual Town Meeting.

(AMENDED 10/1/90)
(APPROVED 2/27/91)

BOARD OF HEALTH

1. There shall be a Board of Health consisting of three members appointed by the Board of Selectmen for rotating three year terms to. Upon approval of this By-Law, one member shall be appointed for a term of one year, one member for a term of two years, and one member for a term of three years. All subsequent terms shall be for three years. All terms shall run from July 1st to June 30th of the appropriate years. All appointments shall be made in June of each year.
2. One member must have at least three years experience in a medical or health-related field. One member must have at least three years experience in an engineering, environmental, or solid waste/wastewater management. One member shall be appointed from the community at large, and shall be a person who has demonstrated interest, willingness to serve, and some knowledge of the duties and responsibilities.
3. No Town Official, appointed or elected, shall be eligible to serve on the Board of Health. No member of any standing Town Board or Committee, including the Norton Housing Authority or similar quasi-local Board, shall be eligible for appointment.
4. The Board of Health shall enjoy the full privileges provided for under State and local laws. They shall have the responsibility of preparing yearly budgets and shall appoint an agent or agents as necessary, subject to funding.
5. If any portion of this By-Law is declared invalid for any reason, all other portions shall continue in full force and effect.

Comment [LFG13]: This is a ministerial amendment, taking out transitional language that is no longer necessary.

Comment [LFG14]: This is to make this provision consistent with the Town Charter.

(VOTED 5/19/84)
(APPROVED 11/6/84)

DOG CONTROL

Under the Dog Control By-Law all citizens have a responsibility to see that dog owners are accountable for the actions of their dogs. In establishing this by-law, the Town of Norton recognizes that the right of dog ownership carries with it the responsibility to provide adequate control to insure that no dog is a danger or a nuisance.

Comment [LFG15]: These revisions have been made to bring the Town's by-law into compliance with the revised state Animal Control Laws.

1. The annual fee for every dog license shall be established by Town Meeting. All fees shall be retained by the Town Treasurer in the Reserve Appropriation for Norton Dog System established under Article 16 of the Special Town Meeting of May 21, 1986. No fee shall be charged for a license for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder, for a dog specially trained to serve a blind or deaf person provided that the division of the blind or deaf certify that such a dog is so trained and actually in the services of a blind or deaf person. No license fee or part thereof shall be refunded because of the subsequent death, loss, altering, or removal from the Commonwealth or other disposal of the dog. (Amended 6/2/03) (Approved by A.G. 9/4/03)

Comment [GJC16]: Pursuant to G.L. c. 140, §139(b), the license fee for a spayed or neutered dog shall be less than the license fee for an intact dog.

Comment [GJC17]: Pursuant to G.L. c. 140, §139(c), the Town may accept a provision that provides "No fee shall be charged for a license for a dog owned by a person aged 70 years or over."

2. No person shall own or keep a dog in the Town which by biting, excessive barking, howling, or in any other manner disturb the quiet of the public.

3. COMPLAINT OF NUISANCE OR DANGEROUS DOG:

A. For purposes of this Bylaw and G.L. c. 140, §157, the Board of Selectmen shall be the Hearing Authority.

B. The definition of "Dangerous Dog" and "Nuisance Dog" shall be as set forth in G.L. c. 140, §136A and 157, as may be amended from time-to-time.

A.C. If any person shall make a complaint in writing to the ~~Dog Officer~~Animal Control Officer or Board of Selectmen that any dog owned or harbored within his jurisdictionthe Town is a nuisance by reason of vicious disposition or excessive barking or other disturbance, Dangerous Dog or Nuisance Dog, the ~~Dog Officer~~Animal Control Officer shall investigate such complaint and submit a written report to the Selectmen of his findings and recommendations, together with the written complaint. Upon receipt of such report the Selectmen shall convene a public hearing, which shall include and examination of the complaint under oath, to determine whether the dog is a Nuisance Dog or a Dangerous Dog. Based on credible evidence and testimony presented at the public hearing, the Selectmen shall make such order as provided in G.L. c. 140, §157, as may be amended from time-to-time. the Selectmen may make such order concerning the restraint, muzzling, or disposal of such dog as may be deemed necessary by the Dog Officer who, after investigation, may issue an interim order such dog be restrained or muzzled for a period not to exceed 14 days to enable the Selectmen to issue their order following receipt of the report of the Dog Officer. If the Selectmen fail to act during the period of the interim order, upon expiration of the period the interim order automatically is vacated.

D.4. The ~~Dog Officer~~Animal Control Officer may restrain or muzzle, or issue an interim order to restrain any dog which he has probable cause to believe is a Dangerous Dog or Nuisance Dog, or muzzle, for a period not to exceed fourteen days, any dog for any of the following reasons:

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— A. For having bitten any person.

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— B. If found at large or unmuzzled, as the case may be, while an order for the restraint of such dog is in effect.

~~—C. If found in a school, schoolyard or public recreational area.~~

~~—D. For having killed or maimed or otherwise damaged any other domesticated animal.~~

~~—E. For chasing any vehicle upon any public way or way open to public travel in the Town.~~

~~—F. For any violation of Section 2.~~

DOG CONTROL (Cont.)

~~Upon restraining or muzzling, or issuing an interim order to restrain or muzzle, the Dog Officer/Animal Control Officer shall submit in writing to the Selectmen a report of his action and the reasons thereof. Upon receipt of such report the Selectmen may make such order concerning the restraint, muzzling or disposal of such dog as may be deemed necessary. If the Selectmen fail to act in accordance with Section 3 of this Bylaw upon the report during the period the dog is restrained or muzzled, upon expiration of the period, the interim order is automatically vacated pending such further order of the Selectmen as may be deemed necessary.~~

5. APPEAL OF RESTRAINT OR MUZZLING/NUISANCE OR DANGEROUS DOG ORDER: The owner or keeper of any dog that has been ordered to be restrained or muzzled or has been restrained under this By-Law, may file a written request with the Dog Officer that the restraining order be vacated or that the dog be released. After investigation by the Dog Officer, such officer may vacate such order or release such dog if the order or restraint was imposed by him. If the order was imposed by the Selectmen, the Dog Officer shall submit a written report of his investigation with his recommendations to the Selectmen who may vacate such order, subject to an order issued pursuant to Section 3 of this Bylaw may appeal to the District Court in accordance with G.L. c. 140, §157, as may be amended from time-to-time.

6. Section 3 of this Bylaw may be enforced by the Animal Control Officer or any police officer of the Town through any means available in law or equity, including but not limited to criminal indictment in accordance with G.L. c.140, §157A as may be amended from time-to-time, and noncriminal disposition in accordance with G.L. c. 40, §21D, and the Town Bylaws. "Non-Criminal Disposition." When enforced in accordance with G.L. c.140, §157A, an owner or keeper of a dog who fails to comply with an order of the selectmen or district court shall be punished, for a first offense, by a fine of not more than \$500 or imprisonment for not more than 60 days in a jail or house of correction, or both, and for a second or subsequent offense by a fine of not more than \$1,000 or imprisonment for not more than 90 days in a jail or house of correction.

When enforced through noncriminal disposition, the penalties shall be as follows:

First violation:	Verbal Warning
Second violation:	\$ 100.00
Third and subsequent violations within 12-month period of first violation:	\$ 300.00

For purposes of enforcement through non-criminal disposition, any violation of the provisions of this by-law occurring more than 12 months after a first offense shall constitute a new and separate violation.

~~Any owner or keeper of a dog who shall fail to comply with any order of the Dog Officer or Selectmen issued pursuant to this By-Law shall be punished by a fine.~~

~~(APPROVED 10/29/73)~~

7. ~~No owner or keeper of any dog shall cause or permit such dog, whether licensed or unlicensed, to run at large or to be a public nuisance within the Town of Norton or permitted to wander at will on public or private property other than the premises of the said owner or keeper or the premises of another person with knowledge and permission of such other person~~

~~(APPROVED 9/19/77)~~

~~78. No owner or keeper of any dog shall cause or permit such dog, whether licensed or unlicensed, to run at large or to be a public nuisance within the Town of Norton or permitted to wander at will on public or private property other than the premises of the said owner or keeper or the premises of another person with knowledge and permission of such other person. No owner or keeper shall cause or permit any dog to run at large within the Town. While on any public way or place, dogs shall be under restraint by the owner or keeper. A dog is under restraint within the meaning of the By-Law if he is controlled by a leash or at heel beside a competent person and obedient to the commands of that person or on or within a vehicle being driven or parked on the street. Dogs running at large will be caught and confined and the owner notified. A dog so restrained may be held for not more than seven days. If the owner of the dog claims it and pays the sum of \$40 for each day that the dog has been held, the dog shall be returned to its owner. Any dog not claimed by the owner within said seven day period may be subject to euthanization or adoption as set forth in G.L. c. 140, §§151A and 167 as may be amended from time-to-time. Owners or keepers in violation of this section will be liable to a fine of not less than ten dollars for each violation.~~

8. Section 7 of this Bylaw may be enforced by the Animal Control Officer or any police officer of the Town through any means available in law or equity, including but not limited to criminal indictment in accordance with G.L. c.40, §21, and noncriminal disposition in accordance with G.L. c. 40, §21D, and the Town Bylaws, "Non-Criminal Disposition." When enforced in accordance with G.L. c.40, §21, the maximum penalty shall be \$300.00 and each day a violation exists shall constitute a separate violation.

When enforced through noncriminal disposition, the penalties shall be as follows:

First violation:	Verbal Warning
Second violation:	\$ 100.00
Third and subsequent violations within 12-month period of first violation:	\$ 300.00

For purposes of enforcement through non-criminal disposition, any violation of the provisions of this by-law occurring more than 12 months after a first offense shall constitute a new and separate violation.

(AMENDED 5/88 & APPROVED 8/30/88)

9. Should any owner or keeper of a dog fail to license that dog before March 1st, that owner or keeper shall pay a late fee of five dollars plus an additional fee of one dollar per month beginning March 1, before obtaining said license, excepting a dog brought into the Town as provided in Section 138 of Chapter 140, Massachusetts General laws, this late fee shall be applicable from the 61st day after arrival of such dog. Any person maintaining a kennel in the Town of Norton, who fails to license as proscribed by this section and the Laws of the Commonwealth, shall pay a late fee of ten dollars plus an additional fee of two dollars per month beginning March 1. All late fees shall be retained by the Town Treasurer in the Reserve Appropriation for Norton Dog System established under Article 16 of the Special Town Meeting of May 21, 1986.

(AMENDED 1/19/11 & APPROVED 2/10/11)

10. The annual dog license period shall run from January 1st to December 31st, inclusive, of each calendar year.

(APPROVED 1/19/2011)

PARKING AREAS FOR VEHICLES OF DISABLED VETERANS OR HANDICAPPED
PERSONS

1. Owners or persons in control of private ways or improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, or other places where the public has a right of access shall reserve parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by Massachusetts General Law, C. 90, S.2, in accordance with the provisions of Massachusetts General Law, C.40, S.21(23).
2. No person other than a disabled veteran or handicapped person shall park or leave a vehicle unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons as authorized by MGL C.40, S.21 (23) or in such manner as to obstruct a curb ramp designed for use by handicapped persons as a means of egress to a street or public way.
3. The penalty for violation of this article shall be as follows: For the first offense, ~~fifty-one-hundred~~ dollars (\$~~50~~100.00); for the second offense, ~~one-two~~ hundred dollars (\$~~100~~200.00); ~~for the third offense, three hundred dollars (\$300.00); and further, for a third and each subsequent offense, the vehicle may be removed in accordance with Massachusetts General Laws, C.266, S.120D40, §22D.~~

(VOTED ATM 10/11/89, Article 3, APPROVED BY ATT'Y GEN. 11/9/89)

Comment [LFG18]: These revisions were made to bring the by-law into compliance with state law, which mandates a penalty of between \$100 and \$300. And further, to correct the statutory reference.

TEMPORARY REPAIRS OF PRIVATE WAYS

1. Notwithstanding the provisions of any general or special law to the contrary, the Town of Norton is hereby authorized to make temporary repairs on private ways within its corporate and municipal limits which have been open to public use for six years or more and in such cases the provisions of section twenty-five or chapter eighty-four of the General Laws shall not apply.
2. After a vote by a town meeting of the Town of Norton, pursuant to petition by at least two-thirds of the abutters thereon, that conditions exist on a private way which require temporary repairs by public necessity, the superintendent of streets of said town shall cause the temporary repairs to be made. Said temporary repairs shall include only the filling in of holes or depressions with sand, gravel, cinders or other suitable materials in order to make said way passable, and shall not include construction, reconstruction, or resurfacing of said ways. Drainage shall not be included. Betterment charges shall not be assessed. Said town shall have no liability in tort on account of the performance by such repairs.

In no event shall temporary repairs be made to any private way where the cost of said repairs shall exceed the sum of three dollars per linear foot as delineated by the Highway Superintendent of streets of said town.

Comment [LFG19]: This brings the reference into accord with the Charter.

3. The Town of Norton is hereby authorized to appropriate money for the purposes of this act.

(AMENDED 5/19/86, APPROVED 10/3/86)

WATER RESOURCE PROTECTION BY-LAW

(Voted to Repeal – ATM 6/8/98)

Comment [LFG20]: If this was repealed by vote of Town Meeting, approved by the Attorney General, and posted and published, it should no longer appear in the bylaws.

1. PURPOSE

- A. A Water Resource Protection District is hereby established within the Town of Norton as shown on a map entitled "Water Resource Protection District", dated December, 1980, and to a scale of 1 inch to 2,000 feet on file in the office of the Town Clerk. Said district is hereby made a part of the Norton Zoning Map adopted April 16, 1974, amended June 26, 1978.
- B. The purpose of this by-law is to protect the public health by establishing performance standards which all govern activities potentially affecting groundwater in the Water Resource Protection District.

2. APPLICABILITY

- A. The by-law shall apply to land within the Water Resource Protection District as delineated in the zoning by-law of Norton.
- B. All changes in land use, expansion of existing facilities, changes of drainage, wastewater disposal, logging, earth moving, application of herbicides, pesticides and fertilizers, storage and handling of hazardous materials are regulated by this by-law.
- C. Existing uses shall be brought into conformity no later than July 1, 1984.

3. ADMINISTRATION AUTHORITY

Before a building permit may be issued in the case of new construction, or before any change of use of any parcel of land within the district, a certificate of compliance shall be obtained from the Board of Water Commissioners in accordance with this by-law.

- A. The Board of Health shall require compliance with the applicable performance standards in this by-law in issuing permits to repair, enlarge or construct sewage disposal systems.
- B. A. Certificate of Water Quality Compliance shall be required for all existing uses before July 1984. The Board of Water Commissioners shall issue the certificate for existing uses in compliance with the Performance Standards in this by-law and shall inform applicants not in compliance of what requirements must be met. A certificate shall not be required for wood lots, uncultivated land and single family dwellings.

4. PERFORMANCE STANDARDS

- A. To limit sewage flow and fertilizer applications to amounts which will be adequately diluted by natural recharge all uses shall meet the following performance standards:
 - 1. The concentration of nitrate nitrogen resulting from domestic wastewater treatment disposal and from fertilizer application shall not exceed the acceptable prescribed rate as established by the U.S. Environmental Agency and D.E.Q.E.

(Repealed, ATM (6/8/98))

ZONING BY-LAWS

Note: See publication "Norton Massachusetts Zoning By-Laws, April 16, 1974."

GRAVEL REMOVAL

Comment [LFG21]: This issue is addressed in the Zoning Bylaws.

~~Gravel Removal Ordinance, Amended~~ Notwithstanding any zoning or general by-law approved prior hereto, effective January 1, 1977 and in compliance with the Zoning By-Law pursuant to Chapter 808 of the Acts of 1975, neither the Town nor any board thereof shall issue any permit for the removal of loam, soil, ground, borrow or any other earth material except that the Board of Appeals shall upon proper application have the authority to extend any existing permit for a specific period to complete any said operation in process on the date of adoption hereof, and said Board of Appeals shall require any applicant hereunder to provide accurate topographic maps to define the extent of proposed earth removal or excavation, a bond or other security to ensure compliance with conditions imposed, the replacement and replanting of the topsoil after the excavation and a certificate by a registered land surveyor that the final grading conforms to the requirements of the Board of Appeals, and said Board of Appeals may further impose any other reasonable regulations for the purpose of protecting the health, safety and welfare of the Town in regulation of each individual application, it being the intention hereof to terminate all earth removal operations within the Town.

(APPROVED WITH AMENDMENT 1/12/79)

ENFORCEMENT OF BYLAWS NON-CRIMINAL DISPOSITION

1. These By-laws may be enforced by any means available in law or in equity, including but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c.40, §21 or by non-criminal disposition pursuant to G.L. c.40, §21D, as further detailed below. When enforced by indictment or on complaint in district court, violations of these by-laws may be punished by fines not in excess of \$300.00, unless otherwise provided by law.

Comment [LFG22]: These amendments are ministerial in nature. The first section was moved from another location in the bylaws, and now states that penalties can be assessed up to \$300 if the matter is prosecuted by indictment in district court. This is the limit imposed by statute, as compared to the previous amount of \$50.00

2. Violations of ~~Whoever~~ violates any provision of these ~~any~~ by-laws, the violation of which is subject to a specific penalty, may also be penalized ~~enforced through~~ by a non-criminal disposition as provided in General Laws, Chapter 40, Section 21D. The non-criminal method of disposition may also be used for violations of any rule or regulation of any municipal officer, board or department which is subject to specific penalty. ~~In addition to police officers who shall in all cases be considered enforcing persons the following municipal personnel, or their designees, shall be considered enforcing:~~ Building Inspector; Board of Health; Conservation Commission; Zoning Board of Appeals; Fire Chief; Animal Control Officer, and such other officials as the Town Manager, with the approval of the Board of Selectmen, may from time to time designate, each with respect to violation of by-laws and rules and regulations within their respective jurisdiction. Each day on which a violation exists shall constitute a separate offense.

Comment [LFG23]: When enforcing a by-law using non-criminal disposition, the enforcing authority must be specified. This achieves that purpose.

23. Without intending to limit the generality of the foregoing, it is the intention of this provision that the following by-laws and sections of by-laws are to be included within the scope of this subsection, that the specific penalties as listed here shall apply in such cases and that in addition to police officers who shall in all cases be considered enforcing persons for the purpose of this provision, the following municipal personnel shall be considered enforcing persons: The Building Inspector and his designees; the Board of Health and its designees; ~~the Dog Officer,~~ and such other officials as the Board of Selectmen or the Town Manager may from time to time designate, each with respect to violation of by-laws and rules and regulations within their respective jurisdiction. Each day on which any violation exists shall be deemed to be a separate offense.

Comment [LFG24]: The amendments to this section remove reference to the Dog Officer and the \$50.00 penalty; these issues are addressed more specifically in the revised Dog By-law.

(AMENDED 10/1/90 & APPROVED 2/27/91)

<u>SECTION</u>	<u>FINE</u>
Use of Land & Buildings	\$ 50.00
General	\$ 50.00
Dog Control	\$ 50.00
Zoning By-Law	\$ 50.00

(AMENDED 11/23/87 & APPROVED 12/21/87)

REPEAL AND AMENDMENT

1. Any proposed additions or amendments to these By-Laws must first be presented by or to the Selectmen in writing and be incorporated in the warrant for any annual or special town meeting for action by the legal voters of the Town. Such amendments or additions may be adopted by a majority vote, unless otherwise provided by law.

(APPROVED 3/24/30)

~~2. Any person violating any of the provisions of the foregoing by laws shall be punished by a fine not exceeding fifty dollars for each offense.~~

(APPROVED 9/4/74)

PROCUREMENT

~~Unless otherwise provided by a vote of Town Meeting, and to the extent consistent with the Town Charter, the Board of Selectmen, Town Manager as the Chief Procurement Officer, or any designee approved pursuant to G.L. c.30B, and the procurement officer or officers designated pursuant to G.L. C30B for the School Department and the Library respectively are authorized to enter into any contract for the exercise of the Town's corporate powers, on such terms and conditions as are deemed appropriate. Notwithstanding the foregoing, no person shall contract for any purposes, on any terms, or under any conditions inconsistent with any applicable provision of any general or special law.~~

(STM 5/7/90, ARTICLE 2)
(APPROVED 2/27/91)

Comment [LFG25]: This revision is intended to bring this section into accord with the Town Charter.

FINANCIAL AND FISCAL PROCEDURES

~~1. The school preliminary budget shall be submitted to the Town Manager no later than January 15th. The School final budget shall be submitted to the Town Manager by the first Tuesday in March. The Town Manager's proposed budget to be submitted to the Finance Committee as soon as possible following the first Tuesday in March, but no later than March 15, and published in accordance with Article 6, Section 6-3 of the Town Charter. In addition, the Town Manager shall submit a preliminary budget to the Finance Committee no later than February 15.~~

Development of the annual town budget, including preparation and submission of departmental budget requests, departmental capital requests, and action thereon by the Town Manager, Board of Selectmen, School Committee and Finance Committee shall be undertaken as required by Article 6 and other relevant provisions of the Town Charter as it may be amended from time to time.

(VOTED 10/1/90)

(APPROVED 2/27/91)

Comment [LFG26]: This entire section may be deleted, or if there is interest in having something in the bylaws concerning this issue, the inserted text may be used for such purposes.

SCREENING COMMITTEE

1. A Screening Committee shall be established for the purpose of soliciting, receiving and evaluating application for the position of Town Manager.

2. The Screening Committee shall consist of nine persons who shall be chosen as follows:

- _____ a member of the Board of Selectmen
- _____ a member of the School Committee
- _____ a member of the Board of Assessors
- _____ a member of the Finance Committee
- _____ a member of the Water/Sewer Commission
- _____ a member of the Planning Board
- _____ a citizen at large appointed by the Selectmen
- _____ two members by the Moderator. These three members cannot be elected or appointed town officials.

_____ Appointments made by the town moderator shall be made last in line in order that in making appointments the moderator may insofar as it may be feasible so to do, appoint persons who will broaden the membership base of the committee to be most representative of the demographic and occupational base of the Town.

3. Within 14 days of the notice of impending vacancy for the position of Town Manager the Selectmen must publicly announce such vacancy and notify the Town Clerk who shall immediately notify the Moderator and the chairman of each committee listed in section #2 and direct said committee to appoint one of its members.

_____ Within 14 days of the impending notice of vacancy of the Town Manager's position, the Board of Selectmen shall establish a salary range for the position and present it to the Screening Committee.

4. Within 30 days of receipt of notice of impending vacancy, the Town Clerk shall call and convene a meeting of the several persons chosen as aforesaid who shall meet to organize and to plan a process to advertise the vacancy and to solicit by other means qualified candidates for the office. The committee shall proceed notwithstanding the failure of any town agency to designate its representatives.

5. The screening committee shall review all applications that are received by it, screen all such applicants it intends to advance by checking and verifying work records and other credentials, and provide for interviews to be conducted with such number of candidates as it deems to be necessary, desirable or expedient.

6. No more than one hundred and twenty days, or as expeditiously as possible following the date on which the committee meets to organize, the committee shall submit to the Board of Selectmen the names of five persons who it believes to be best suited to perform the duties of the office of Town Manager. The Screening Committee shall simultaneously submit a list of two alternates who shall be considered only in the event that one or more of the original five finalists withdraws.

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SCREENING COMMITTEE (Cont.)

7. Within forty five days or as expeditiously as possible following the date the list of nominees is submitted to it, the board of selectmen shall choose one of the said nominees to serve as Town Manager. In the event the Board of Selectmen shall fail to make an appointment within the said forty five days, the Screening Committee shall forthwith, appoint the Town Manager.

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8. Upon the appointment of a Town Manager the committee established hereunder shall be considered discharged.

(AMENDED

10/1/90)

(APPROVED

2/27/91)

MANDATORY CURBSIDE RECYCLING PROGRAM

Section 1.

Definitions - As used in this by-law, the following terms will be defined as follows:

Comment [LFG27]: This revision is ministerial in nature.

(a) **Municipal Solid Waste:** Solid waste generated by the residents of the Town of Norton in the course of their daily living. Municipal solid waste does not include solid waste generated by residents in the course of their employment or that generated by any construction, manufacturing or commercial enterprises.

(b) **Recyclable Materials:** Materials separated from Municipal Solid Waste as specified by the Massachusetts Department of Environmental Protection or by Town officials and listed in Section 3 of this by-law. The materials to be included may change from time to time depending on new technologies, economic conditions, waste stream characteristics or environmental effects.

(c) **Resident:** Anyone residing in the Town of Norton for any period of time who generates solid waste for which the Town accepts responsibility for disposal.

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Section 2.

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Mandatory Curbside Recycling - When a program of curbside recycling in conjunction with municipal solid waste collection is implemented, residents of every household shall separate certain recyclable materials from municipal solid waste and place both at curbside for collection.

Recyclable Materials - For the purpose of this by-law, recyclable to be collected are:

- A. Glass food and beverage containers.
- B. Aluminum cans, foil and pie plates.
- C. Steel cans and tin coated steel cans.
- D. Newspaper.
- E. Plastic containers labeled #1 or #2.
- F. Other materials (as determined by state laws or Town officials).

(ATM 5/9/94) APPROVED 8/23/94

TOWN CLERK/TAX COLLECTOR FEES

All fees paid to ~~any Town employee or officer, the Town Clerk and Town Tax Collector~~ for any purpose whatsoever, shall be promptly paid into the Town Treasury as Town revenue, and shall be duly accounted for.

Comment [LFG28]: This amendment is intended to bring the by-law into accord with State Law.

(VOTED 5/13/91 & APPROVED 9/3/91)

LICENSES AND PERMITS OF DELINQUENT TAXPAYERS

Denial, Revocation or Suspension of Local Licenses and Permits
for Failure to Pay Municipal Taxes or Charges

Comment [LFG29]: This amendment brings the by-law into accord with the current version of G.L. c.40, §57.

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

(e) This By-law shall not apply to the following licenses and permits: open burning under G.L. c.48, §13; bicycle permits under G.L. c.85, §11A; sales of articles for charitable purposes under G.L. c.101, §33; children work permits under G.L. c.149, §69; clubs, associations dispensing food or beverage licenses under G.L. c.140, §21E; dog licenses under G.L. c.140, §137; fishing, hunting, trapping license under G.L. c.131, §12; marriage licenses under G.L. c.207, §28; and theatrical events, public exhibition permits under G.L. c.140, §181.

A. The tax collector or other municipal official responsible for records of all Town taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

B. The licensing authority may deny, revoke or suspend any license or permit including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector; provided however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority received a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the Town as the date of issuance of said certificate.

C. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

D. The Board of Selectmen may waive such denial, suspension or revocation if it finds that is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight in the business or activity conducted in or on said property.

— This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes; section thirty-three of chapter one hundred and one; children work permits; section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses; section twenty-one E of chapter one hundred and forty; dog licenses; section one hundred and thirty-seven of chapter

— LICENSES AND PERMITS OF DELIQUENT TAXPAYERS (Cont.)

— one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping licenses, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events; public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

(AMENDED 5/13/91 & APPROVED 9/3/91)

WATER SUPPLY BY-LAW

Section 1

Authority

This By-Law is adopted by the Town of Norton's Board of Water and Sewer Commissioners under its home rule powers, its police powers to protect public health and welfare and its specific authorization under MGL Ch. 40, Sec. 21 and 21D.

Comment [LFG30]: Only the Town has authority to adopt by-laws, and not the Board of Water and Sewer Commissioners.

Section 2

Purpose

The purpose of this By-Law is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a state of water supply emergency by providing for enforcement of any duly imposed restrictions, requirements, provision of conditions imposed by the Town of Norton's Board of Water and Sewer Commissioners, or by the Department of Environmental Protections, to abate the emergency.

Section 3

Definitions

For the purposes of this By-Law:

Enforcement authority shall mean the Town of Norton's Water and Sewer Commissioners.

State of Water Supply Conservation shall mean, the Town through its Board of Water/Sewer Commissioners may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. A declaration of a State of Water Supply Conservation may include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply.

- a) Limited Scheduled Outdoor Watering (by day and hour)
- b) Prohibiting Automatic Sprinkler Use
- c) Prohibiting Filling of Swimming Pools
- d) Prohibiting any Outdoor Water Use

State of Water Supply Emergency shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to MGL Ch. 111, Sec. 160, or by the Governor.

Section 4

The following shall apply to all users of water supplies supplied by the Town of Norton.

Following notification by the Board of Water/Sewer Commissioners of the existence of a state of water conservation or water supply emergency, no person shall violate any provision, condition, requirement or restriction which has as its purpose the abatement of a water supply emergency.

FALSE PRIVATE ALARMS

Section 1. Definitions.

A) For the purpose of this By-law the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1) The term "Private Alarm System" means an assembly of equipment and devices or a single device such as solid state unit which plugs directly into a 110 volt AC line, arranged to signal the presence of a hazard requiring urgent attention or an incident which Police customarily or reasonable are expected to respond. Fire Alarm Systems and alarm systems which monitor temperature, smoke, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this by-law. The provisions of Section 3 of this by-law shall not be applicable to municipal, county and state agencies.

2) False Alarm means:

i.) The activation of an alarm system through mechanical failure, malfunction, improper installation or negligence of the user of an alarm system or of his employees or agents.

ii.) Any signal or oral communication transmitted to the Police Department requesting or requiring, or resulting in a response on the part of the Police Department when in fact there has been no unauthorized intrusion, robbery, or burglary, or attempt thereat. For purposes of this definition activation of alarm systems by acts of God, including but not limited to power outages, hurricanes, tornadoes, earthquakes and similar weather or atmospheric disturbances shall not be deemed to be a false alarm.

Section 2. Control and Curtailment of Signals Emitted by Alarm Systems

a) Every alarm system user shall submit to the Chief of Police the names and telephone numbers of at least two persons who are authorized to respond to an emergency transmitted by the alarm system, and who can open the premises wherein the alarm system is installed.

b) All audible alarm systems installed after the effective date of this By-law which use an audible horn or bell shall be equipped with a device that will shut off such horn or bell within ten (10) minutes of the activation of the alarm system.

c) Any alarm system emitting a continuous and uninterrupted signal for more than fifteen (15) minutes which cannot be shut off or otherwise curtailed due to the absence or unavailability of the alarm user or those persons designated under paragraph (a) of this section and which disturbs the peace, comfort, or repose of a community, a neighborhood, or a number of the inhabitants of the area where the alarm system is located shall constitute a public nuisance.

FALSE PRIVATE ALARMS (cont)

Upon receiving complaint of such a continuous and uninterrupted signal, the Chief of Police shall endeavor to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user under paragraph (A), in an effort to abate the nuisance. If such efforts do not result in the silencing of the alarm within thirty (30) minutes of its activation, the Police Chief may, at the expense of the owner, order its deactivation using whatever means may be appropriate to the occasion. The Police Chief shall cause to be recorded the names and addresses of all complainants, and the time of each complaint.

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Section 3. ~~Enforcement~~; Penalties.

Upon receipt of three or more false alarms within a calendar year:

1) The Police Chief may order the user ~~to~~:

- a) ~~to~~ discontinue use of the alarm;
- b) ~~to~~ disconnect any direct connections to the Police Department; or
- c) ~~to~~ ensure that further connections to the communications console in the Police Department will be contingent upon the user equipping any alarm system with a device that will shut off any audible horn or bell within ten (10) minutes after activation of the alarm system.

2) The user shall be assessed Fifty Dollars (\$50.00) as a False Alarm service fee by the Town or its contracted billing agency for each False Alarm in excess of three (3) occurring within a calendar year. False alarms service fees shall be paid to the Town Treasurer for deposit to the General Fund. (Voted by Majority 6/3/03) (Approved A.G. 9/4/03)

VOTED BY MAJORITY - ATM - 9/30/96
Approved A.G. 3/24/97

MANDATORY CONNECTION TO COMMON SEWER

The owner or occupant of any building upon land abutting on a private or public way, in which there is a common sewer, shall within two years, connect the same therewith by a sufficient drain. The owner or occupant of any building upon land abutting on a private or public way, in which there is a common sewer installed prior to or after the effective date of this by-law, shall, upon a violation of Title 5 of the State Sanitary Code, as it may be amended from time to time, or within five years of availability of such common sewer, whichever shall occur sooner, connect the same therewith by a sufficient drain: provided further that any owner or occupant subject to an order to connect dated on or before the effective date of this by-law shall not be relieved of the obligations thereunder as a result of the adoption of this by-law.

Comment [LFG31]: This is the same language proposed last year.

Voted By Majority ATM 6/16/99, Article 22 – APPROVED BY ATTY. GENERAL 10/29/99

LOCAL BALLOT QUESTIONS

November 3, 1970 – State Election

Question #6:

- A. Shall licenses be granted in this town for the sale therein of all alcoholic beverages (whiskey, rum, gin, malt beverages, wines and all other alcoholic beverages? YES 1883 – NO 414
- B. Shall licenses be granted in this town for the sale therein of wines and malt beverages (wines and beer, ale and all other malt beverages? YES 1770 – NO 359
- C. Shall licenses be granted in this town for the sale therein of all alcoholic beverages in packages, so called, not to be drunk on the premises? YES 1800 – NO 347
- D. Shall licenses be granted in this town for the sale of all alcoholic beverages by hotels having a dining room capacity of not less than ninety-nine persons and lodging capacity of not less than fifty rooms? YES 1752 – NO 370

March 13, 1972 – Town Election

Shall licenses be granted in the Town of Norton for the operation, holding or conduction a game commonly called beano? YES 1441 – NO 358

Comment [LFG32]: This should not be in the by-laws.