GENERAL BYLAWS

OF THE

TOWN OF WRENTHAM

MASSACHUSETTS

CYNTHIA L. THOMPSON, CMC
TOWN CLERK

REVISED NOVEMBER 2019
Town of Wrentham
General Bylaws
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TITLE I: GENERAL PROVISIONS

ARTICLE 1.10. Definitions and Rules of Interpretation

A. "Ad-Hoc Committee": Any multiple-member public body of the Town of Wrentham that is formed for a specific task or objective and dissolved after the completion of the task or achievement of the objective. [added ATM 6-9-14, art. 20]

B. "Committee": Any multiple-member public body of the Town of Wrentham that is established to serve a public purpose, whether called a board, commission, committee, or other title, and whose members are appointed by an elected official or officials or are designated as ex-officio by statute or by a Wrentham bylaw. [added ATM 6-9-14, art. 20]


D. "Elected Board": Any multiple-member public body of the Town of Wrentham that is established to serve a public purpose, whether called a board, commission, committee, or other title, and whose members are elected pursuant to M.G.L. c. 41, s. 1. [added ATM 6-9-14, art. 20]

E. "Ex-Officio": A member of a multiple-member public body who becomes a member by virtue of another position that he/she holds rather than through the regular election or appointment process. [added ATM 6-9-14, art. 20]

ARTICLE 1.20. General Provisions

ART. 1.20. SECTION 1. Repeal or Amendment

A. These bylaws may be repealed or amended at any annual town meeting or at any other town meeting specially called for the purpose, an article or articles for such purpose having been inserted in the warrant for such meeting.

B. Any article placed on the warrant of the annual town meeting or any other town meeting, and any motion that is received by the Moderator, which would have a permanent effect on the operation of the Town by creating a committee or department, or by defining the structure or responsibilities of any committee, department or other agency of the Town, including acceptance of a local option statute, shall be presented as an amendment to the General Bylaws. [added STM 11-12-13, art. 13]

ARTICLE 1.30. Violation

Every violation of any of the provisions of the foregoing bylaws, contained in ARTICLE 3.10, SECTION 1, and TITLE V, unless otherwise provided by law or these bylaws, shall be punished by a fine, not more than twenty dollars for each violation or breach thereof.
ARTICLE 1.40. Severability

These bylaws and their articles, sections, sentences or clauses are hereby declared to be severable. If any article, section, sentence, or clause is adjudged invalid, it is hereby provided that the remainder of these bylaws shall not be affected thereby, and these bylaws shall remain in full force and effect, as amended from time to time, except for those provisions which are determined to be invalid. [added ATM 6-9-14, art. 17]
ARTICLE 2.10. Elections
The regular election of all town officers and such other matters required by law to be determined by ballot shall be held annually on the first Monday of April and shall be called pursuant to a separate annual town meeting warrant.

ARTICLE 2.15. Board of Registrars
[added ATM 6-9-14, art. 18]

ART. 2.15. SECTION 1. General
A. There shall be a Board of Registrars as authorized by M.G.L, c. 51, s. 15.
B. The Board shall be comprised of the Town Clerk and three other persons who shall be appointed by the Board of Selectmen. All appointments shall be made during February or March and shall begin with April first following.

ART. 2.15. SECTION 2. Role and Responsibility
The Board shall hold sessions to register voters as provided by M.G.L. c. 51, s. 26, and take such other actions to register voters as required by statute.

ARTICLE 2.20. Town Meeting

ART. 2.20. SECTION 1. Date and Time
For the transaction of other business pertaining to the prudential affairs of the Town, the annual meeting shall be held on the first Monday in June. Any adjournments shall be regarded as parts of the same meeting called for in the Warrant for the annual meeting [amended ATM 6-13-16, art. 23].

There shall be one regularly scheduled Special Town Meeting each year, to be held between the months of October and December inclusive on a date to be scheduled and noticed as provided in the General Laws. [amended ATM 06-05-17, art 17].

All matters in the warrant for any Town Meeting, except the election of such officers and the determination of such matters as are required by law to be elected or determined by ballot may be considered only at or after 7:30 P.M., or at an adjourned meeting.

ART. 2.20. SECTION 2. Notice
Attested copies of every town meeting warrant shall be posted in not less than two public places in the town in accordance with Charter Section 2.7 (c) and Charter Section 2.7 (d) at least fourteen (14) days prior to the day appointed for the meeting. [amended ATM 6-8-15, art. 33]

Notice for every adjourned Town Meeting shall be posted by the Town Clerk by placing a notice on the Town bulletin board as soon as practicable after adjournment, stating briefly the business to come before such adjourned meeting.
ART. 2.20. SECTION 3. Warrant
Whenever a town meeting warrant is opened in accordance with Charter Section 2.7 the Board of Selectmen shall strive to conduct the process in an open, public, and simple manner that facilitates participation by Wrentham's citizens and encourages their interest in Town government. [amended ATM 6-8-15, art. 33]

Whenever any committee has been chosen to report upon the subject matter referred to it at a future Town Meeting, the Selectmen shall, upon the request of the chairman of such committee, insert in the warrant for such meeting any article necessary to bring the subject matter of the report of such committee before the meeting.

ART. 2.20. SECTION 4. Operation of the Meeting

A. The Moderator, after taking the chair, shall call the meeting to order and shall exert his/her best endeavors to preserve decorum in the transaction of the town's business. The Moderator shall receive and submit to the meeting all motions properly made before any debate thereon. The Moderator may speak to all points of order in the preference to any other person, and shall decide all questions of order, subject, however, to an appeal to the meeting from his/her decision when regularly made.

B. No appeal from the decision of the Moderator shall be voted by the meeting unless it is seconded by at least seven persons, and no other business shall be in order until the question on the appeal has been disposed of.

C. The Moderator shall make declaration of all votes passed, and when a question is put, the sense of the meeting shall be taken by the voices, or showing of hands, of those voting. The Moderator shall announce the vote as it appears to him/her. If he/she is unable to decide by the sound of the voices or showing of hands, or if his/her announcement made thereupon is doubted by any voter, rising in his/her place for that purpose, the Moderator shall order a standing vote without further debate upon the question, and no motion whatever shall be entertained by the Chair while verifying a vote.

D. All motions to appropriate funds for any Capital Project with a total cost projected by the Finance Committee at the time of the vote to be in excess of $2 million, or any vote to authorize the King Philip Regional School District to borrow more than $2 million, shall be voted on by secret ballot. This rule may be suspended only by unanimous consent. [amended STM 11/13/06]

E. No person shall speak in a town meeting without consent of the Moderator, nor while another is speaking, and all persons shall, at the Moderator's request, be silent.

F. When two or more persons shall rise to address the Chair at the same time, the Moderator shall name the person who shall first be heard upon the question.

G. No person shall be interrupted by another, but by rising to call him/her to order and the person rising for such purpose shall state his/her point of order. Any person rising to speak or vote shall address the Moderator, and resume his/her seat as soon as he/she has finished speaking.

H. No person shall speak more than twice on one question to the prevention of any other person who has not spoken and is desirous to speak, except the article proponent or a person designated as an authority on the subject matter who is there to answer questions. Presentations by any speaker may be limited to a specified time period if recommended by the Moderator or by any registered voter via a motion. Any recommendation to limit a presentation must also be approved by a majority vote of the meeting. A presentation time period may subsequently be extended by a motion which is adopted by a majority vote of the meeting.
I. Only the Moderator, the Selectmen, Town Administrator, Town Clerk and their secretaries shall be permitted to be seated on the platform without invitation from the Moderator.

J. The Moderator shall appoint tellers whose duty it shall be to return the number of votes, when requested, in their respective sections. All persons shall be seated during the hours of business except in times of voting or speaking.

K. A motion need not be seconded, except as provided in Paragraph B. of this section, and may be withdrawn by the mover if no objection is made.

L. Every main motion shall be in writing and all subsequent motions shall be in writing if the Moderator so directs. All main motions shall be submitted in writing to the Town Clerk's office either on paper or electronically by 12:00 PM on the day of the Town Meeting. For this purpose, motions that are financial need not have dollar amounts unless so stated in the warrant. [amended STM 11/13/06]

M. When a motion has been regularly made and has been stated by the Moderator, it shall be deemed to be in the possession of the meeting, to be disposed of by the meeting, unless it be withdrawn by the mover before a decision or any amendment, as provided in Paragraph L. of this section.

N. A motion to adjourn sine die, to take a recess, to adjourn to a time certain, shall, in the order in which they are named, always be first in order, and may be subject to debate.

O. When a question is under debate, until it is disposed of no motion shall be received but to adjourn the meeting, for the previous question (move the question), to lay on the table, to commit, or recommit, to amend, to refer, or to postpone to a day certain, or to postpone indefinitely which several motions shall have precedence in the order in which they are herein arranged. A motion for the previous question (move the question) will only be in order when it is the sole purpose of the speaker. [amended STM 11/13/06]

P. No motion whose effect would be to dissolve a Town Meeting (sine die) shall be in order until every article in the warrant therefore has been duly considered and acted upon, but nothing herein shall preclude an adjournment of a meeting to a stated time.

Q. On the motion to lay on the table, to take from the table, to commit or recommit, not exceeding ten minutes shall be allowed for debate, and no one shall speak more than three minutes.

R. A motion for reconsideration will only be in order if information is brought to the Moderator's attention that there is a defect either in procedure or language with an earlier motion that passed. Allowing reconsideration will only be at the Moderator's discretion. A motion that failed shall not be reconsidered.

S. A motion to amend an amendment may be received but no amendment in the third degree shall be allowed.

T. A main motion to indefinitely postpone an article shall not exclude debate on said article.

U. A question containing two or more propositions capable of division shall be divided whenever desired by any voter, at the discretion of the Moderator.
V. The duties of the Moderator not prescribed by the Statutes or by these Bylaws shall be determined by the general rules of “Town Meeting Time, A Handbook of Parliamentary Law,” latest edition.

W. Warrant Articles of a financial nature shall be first moved by a member of the Finance Committee. If no member of the Finance Committee offers a motion on such article, then any Wrentham registered voter may do so. [amended STM 11/13/06]

X. Warrant articles that, in whole or in part, propose an amendment to these Bylaws shall be first moved by a member of the General Bylaw Review Committee. If no member of the General Bylaw Review Committee offers a motion on such an article, then any Wrentham registered voter may do so.

ART. 2.20. SECTION 5. Location of the Meeting
When necessary, the Board of Selectmen may choose to hold business, Annual or Special Town Meetings outside the geographical limits of the Town of Wrentham. [added STM 3/28/05]

ARTICLE 2.30. Moderator [reserved]

ARTICLE 2.40. Committees

ART. 2.40. SECTION 1. General
A. Town committees may be established, and may be given responsibilities and authorities, as set forth in these Bylaws, and consistent with the laws of the Commonwealth of Massachusetts.

B. The Standing Committees shall be: [ amended STM 11/4/19, art. 13]
   i. Finance Committee
   ii. Cable Advisory Committee
   iii. Town Common Landscape/Memorial Committee
   iv. Open Space Committee
   v. Permanent Building Committee
   vi. General Bylaw Review Committee
   vii. Board of Registrars
   viii. Solid Waste Recycling Committee
   ix. Board of Appeals
   x. Conservation Commission
   xi. Economic Development Commission
   xii. Council on Aging
   xiii. Recreation Commission
   xiv. Commission on Disability
   xv. Cultural Council
   xvi. Historical Commission
   xvii. Elderly and Disabled Tax Aid Committee
   xviii. Scholarship Committee and Educational Fund Committee

C. All standing committees and ad-hoc committees of the Town, except those ad-hoc committees that are established by the Board of Selectmen, shall be established through an article in a Town Meeting warrant in accordance with ARTICLE 1.20. SECTION B. Such article shall specifically state the committee’s charge, membership and terms of office, appointing authority, and funding; also, its relationship to any current bylaws, committees, or General Laws of the Commonwealth. [STM 6-24-85, art. 1; amended STM 11-12-13, art. 13; amended ATM 6-9-14, art. 20]
D. Ad-hoc committees that are authorized by Town Meeting may be authorized for a period not to exceed one (1) complete fiscal year, and may be reauthorized by Town Meeting for periods not to exceed one complete fiscal year. [added ATM 6-9-14, art. 20]

E. Except as otherwise provided by law, all standing committees duly established by vote of an annual Town Meeting shall continue in existence until abolished by a legal vote of some subsequent Annual Town Meeting.

ART. 2.40. SECTION 2. Membership, Appointment and Organization

Committees may have members who are appointed in accordance with these Bylaws; and may have ex-officio members, who shall serve without voting authority unless these bylaws provide for such voting authority. [amended ATM 6-9-14, art. 20]

A. MEMBERSHIP

No person whose principal residence is not within the Town of Wrentham and who is not a registered voter of the Town of Wrentham may be appointed by the Board of Selectmen or the Moderator to serve on any town committee. Any member of a committee, or of an elected board who removes from the town shall be deemed to have vacated his/her office. The provisions of this section shall not apply to any ex-officio positions or those specifically provided for by town bylaw. Any person appointed to any committee must be duly sworn in by the Wrentham Town Clerk or any other state authorized authority within sixty (60) days of the date of the appointment or the appointing authority may consider that the person has declined the appointment and may appoint someone else. [amended ATM 6-8-15, art. 35]

B. APPOINTMENT and RESIGNATION

[amended ATM 6-9-14, art. 20]

1. It shall be the duty of the Town Clerk to notify in writing all members of elected boards and committees, upon their appointment, stating the name of the elected board or committee and business for which it was appointed.

2. Except as otherwise prescribed by statute or by a bylaw, all personnel serving on all standing committees shall be appointed for three (3) year terms on a staggered basis and arranged so that approximately one third of the members will expire each year. All personnel serving on all ad-hoc committees shall be appointed for one (1) year terms, however, whenever an ad-hoc committee is created at a special town meeting the term of the initial appointments shall conclude on June 30 of the following fiscal year. Nothing in this bylaw shall be construed as preventing the reappointment by the proper appointing authority of any individual to any Standing Committee or to any other committee the life of which has been extended for another year by the vote of the Annual Town Meeting.

3. All appointed terms shall begin on July 1, however, when an ad-hoc committee is created at a special town meeting the initial appointments shall be made promptly.

4. Any member of a committee may resign at any time by giving written notice to the Town Clerk pursuant to M.G.L. c. 41, s. 109, and to the chair of the respective committee. The Town Clerk shall notify the appointing authority within seven (7) days.

5. Whenever a vacancy occurs in the membership of a committee, by reason of death, resignation, removal from the town, inability to act, or for any other reason, the vacancy shall be promptly filled by appointment for the unexpired portion of the term.

6. All members of all committees shall serve without pay.
C. ORGANIZATION
[added ATM 6-9-14, art. 20]

1. Each committee shall organize during its first meeting and thereafter reorganize annually during the first meeting following July 1 of each fiscal year.

2. Each committee shall elect its own chairperson, vice-chairperson, and clerk. Each officer shall hold office until the next annual reorganization. In the event a vacancy occurs in any of the offices above, the committee shall, at the first meeting after the vacancy occurs, elect one of its members to fill such vacancy.

3. The first meeting of any committee will be called by the previous term’s chairperson, or if that person is not reappointed, by the previous term’s vice-chairperson, or if that person is not reappointed the appointing authority shall designate a member to call a meeting.

4. The appointing authority shall designate a member of a newly-created committee to call the initial meeting.

5. Meetings of a committee may be called by either the Chair or any three voting members.

ART. 2.40. SECTION 3. Removal

A. The appointing authority for any committee established or appointed under these Bylaws may remove an appointee to such committee for good cause before his/her term expires. Good cause may include illegal activities, lack of meeting attendance, or refusal to call meetings or conduct unbecoming of the office, as well as those reasons that are specified in Charter Section 7.5. Lack of meeting attendance shall mean missing four (4) or more consecutive meetings, or ½ of all of the meetings of the committee held in one (1) calendar year. Conduct inappropriate to the office shall relate to egregious or unprofessional behavior and/or the appointee’s treatment of other town officials and the public, and may not be related to any vote or votes cast by the appointee or his/her opinion or position on any issue. [amended ATM 6-8-15, art. 33]

B. The appointing authority shall notify the appointee and the Chairman of said committee first verbally and then in writing by hand or by certified mail, with a copy to the Town Clerk, of his/her removal from office. If a Chairman is removed, then the appointing authority shall also notify the Co-Chairman, Vice-Chairman or the Secretary of said committee. If none exist, then notification shall be given to the remaining committee members. The removal shall be valid upon the U.S. Certified mail postmark date of the written notification. [amended ATM 6-8-15, art. 33]

C. An appointee removed under Paragraph B, above may appeal his/her removal within five (5) days of receipt of such notification by requesting a hearing in writing to the appointing authority who shall notify the appointee of the hearing date, time and location within fourteen (14) days of receipt of the written appeal hearing request. The appeal hearing shall take place within thirty (30) days of the written request. The appeal shall be held in Executive Session only upon request from the appointee and a secretary shall be present to take minutes. The ruling rendered shall be final and made within four (14) days of the hearing. Written notice of the ruling shall be given to the appointee, appointing authority, Town Clerk and said committee. [amended STM 11/4/19, art. 14]

D. If the appointee requests an appeal hearing, the seat shall not be filled until the appeal judgment is rendered, however, during the appeal process the appointee’s seat shall be determined to be vacant.
ART. 2.40. SECTION 4. Operation
[added ATM 6-9-14, art. 20]

A. It shall be the duty of all committees, and all elected boards, to make a report at the next Annual Meeting unless otherwise directed, upon matters referred to them.

Every committee and every elected board shall also submit an annual report of its activities to the Board of Selectmen for inclusion in the Annual Town Report, and send copies to any relevant state agencies.

B. When requested, the Selectmen shall provide a suitable place in which meetings may be held.

C. Committees may expend necessary funds subject to lawful appropriation and approval.

D. Committees and elected boards may expend such funds received as monetary grants and gifts subject to prior approval of the Board of Selectmen. Committees and elected boards may accept gifts of tangible property subject to prior approval of the Board of Selectmen.

E. Committees may, in fulfilling their role and responsibilities, employ staff or change the employment status of any person(s) employed by the committee subject to the prior approval of the Board of Selectmen or other appointing authority.

F. Committees and elected boards, in compliance with the requirement of M.G.L. c. 30A, s. 22, shall prepare and act on minutes of each meeting at the next following meeting. However, a draft of the minutes of a meeting shall be available within fourteen (14) days of the date of such meeting. Each committee and elected board shall submit copies of all minutes, except minutes of executive sessions, to the Town Clerk upon their approval. Minutes of executive sessions shall be submitted to the Town Clerk upon the determination by the committee or elected board, or its chair or designee that publication of the minutes would not defeat the purpose of the executive session.

ARTICLE 2.50. Vacancies in Office [reserved]

ARTICLE 2.60. Meetings and Executive Sessions

ART. 2.60. SECTION 1. Quorum and Manner of Acting

Unless provided otherwise in these Bylaws, a majority of the authorized voting members of a committee, or of an elected board, shall constitute a quorum. When a quorum is present at a duly-called meeting, the affirmative vote of a majority of the voting members present and voting shall decide any question, unless otherwise provided by law or these Bylaws. A written summary of all actions taken at each committee meeting shall be prepared. [amended ATM 6-9-14, art. 20]

ART. 2.60. SECTION 2. Exception to the “Mullin Rule”

M.G.L. c. 39, section 23D, shall apply to all public hearings conducted by any committee or of any elected board of the Town. (see Appendix C) [amended ATM 6-9-14, art. 20]

ART. 2.60. SECTION 3. Conclusion of Public Meetings

All public meetings, shall conclude no later than 11:00 pm. A committee, or an elected board may, by the affirmative vote of two-thirds of its members who are present, extend a meeting to 11:30 pm if the prompt and orderly conduct of public business so requires. Under no circumstances shall any meeting extend beyond 11:30 pm. This section shall not apply to emergency meetings as defined in the
Commonwealth’s Open Meeting Law or to meetings in executive session, provided that the public vote to go into executive session is properly taken prior to the relevant deadline. [amended ATM 6-9-14, art. 20]

ARTICLE 2.70. Notices [reserved]

ARTICLE 2.80. Policies and Procedures [reserved]
ARTICLE 3.10. Board of Selectmen

ART. 3.10. SECTION 1. Licensing

A. Highways and Sidewalks

1. The selectmen, before granting a written permission to move a building in any public street or way in town, shall ascertain if the destruction or injury of any shade or ornamental tree, shrub, or any fixture of ornament or utility standing in a street way, or enclosure adjoining the same, will be caused thereby, and if in such case, in the opinion of the selectmen, such permission should be granted, they may require the person applying to give satisfactory security to any person owning such trees, shrubs or fixtures to indemnify him for any damage caused as aforesaid, before giving such permission.

2. No person shall place or maintain over any sidewalk, any awning, shade, shade-frame, canopy, sign, or sign-board, without a permit from the Board of Selectmen, but no such awning, shade, shade-frame, canopy, sign or sign-board, shall be less than seven feet from the ground in the lowest part, nor extend beyond the line of the sidewalk.

B. Junk Dealers and Collectors

1. The selectmen may license suitable persons to be dealers in and keepers of shops, for the purchase, sale or barter of junk, old metals, or second-hand articles, in the town. They may also license suitable persons as junk collectors, to collect by purchase or otherwise, junk, old metals, and second-hand articles from place to place in the town; and they may provide that such collectors shall display badges upon their persons or upon their vehicles, or upon both when engaged in collecting, transporting, or dealing in junk, old metals, or second-hand articles; and may prescribe the design thereof. They may also provide that such shops and all articles of merchandise therein, and any place, vehicle, or receptacle used for the collection or keeping of the articles aforesaid, may be examined at all times by the selectmen or by any person by them authorized thereto.

2. Every keeper of a shop for the purchase, sale or barter of junk, old metals, or second-hand articles within the limits of the town shall keep a book, in which shall be written at the time of every purchase of any such article, a description thereof, the name, age, and residence of the person from whom, and the day and hour when such purchase was made; such book shall at all times be open to the inspection of the selectmen and of any person authorized to make such inspection; every keeper of such shop shall put in a suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters; such shop and all articles of merchandise therein may be at all times examined by the selectmen or by any person by them authorized to make such examination; and no keeper of such shop and no junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange any of the articles aforesaid of a minor or apprentice knowing or having reason to believe him to be such; and no article purchased or received by such shop keeper shall be sold until at least one week from the date of its purchase or receipt has elapsed. Such shops shall be closed between the hours of 9 P.M. and 7 A.M., and no keeper thereof and no junk collector shall purchase any of the articles aforesaid during such hours.
C. **Wires for the Transmission of Electricity or Data**

No person shall erect, construct or maintain wires for the transmission of electricity or data, or any poles, piers, structures, abutments or conduits necessary therefore, upon, along, under or across a public way without first obtaining a permit from the Board of Selectmen pursuant to G. L. c.166, Section 22. Each day that any such equipment remains in place without a permit shall be deemed a separate offense.

**ARTICLE 3.20. Town Administrator**

**ART. 3.20. SECTION 1. Duties and Responsibilities**

The Town Administrator shall be appointed by the Board of Selectmen, and shall act for the Board of Selectmen in any matter they delegate to the Town Administrator relating to the administration of the affairs of the Town or of any office or department under their supervision. When doing so, the Town Administrator acts as the agent for and with the authority of the Board of Selectmen. The Town Administrator shall be responsible to the Board of Selectmen for the proper management and administration of the functions, officials, and departments under the jurisdiction of the Board of Selectmen. The duties and responsibilities of the Town Administrator shall include, in addition to those duties and responsibilities that are specified in the *Charter*, but shall not be limited to the following:

A. Perform all functions of Risk Manager, as advised by the Insurance Committee, and administer the municipal insurance program; [amended ATM 6-8-15, art. 33]

B. Supervise the issuance and renewal of all licenses and permits that may be issued by the Board of Selectmen; [amended ATM 6-8-15, art. 33]

C. The Town Administrator shall report directly to the Chairman of the Board. [amended ATM 6-8-15, art. 33]

D. Fulfill such other and further specific duties and delegations as may from time to time be assigned to the Town Administrator by the Board of Selectmen. [amended ATM 6-8-15, art. 33]

**ART. 3.20. SECTION 2. Shall Not be the Town Accountant**

The Town Administrator shall not, during his term of office, hold or be appointed to the office of town accountant. [amended ATM 6-8-15, art. 33]

**ARTICLE 3.30. Procurement and Chief Procurement Officer**

**ART. 3.30. SECTION 1. Contracts with Town Officers and Employees**

No town officer and no salaried employee of the town or any agent of any officer or employee shall sell materials or supplies or furnish labor to the town, by contract or otherwise, without permission of the Chief Procurement Officer or other board authorized to purchase or otherwise secure materials, supplies and labor for the town, expressed in a vote which shall appear on the records of such board with the reason therefore. All such contracts or agreements shall be made or awarded, as far as is practicable, in such a manner as to secure reasonable competition. [amended ATM 6-8-15, art. 33]
ART. 3.30. SECTION 2. Competitive Public Bidding
The Town of Wrentham shall use competitive bidding procedures as specified in M.G.L. c. 30B for any contract. Section 1 (b) of Chapter 30B, the exemptions from 30B, shall continue to apply except that the designer exception in Section (15) will be revoked. [amended ATM 6-8-15, art. 35]

When the actual or estimated amount of a proposed contract amounts to ten thousand dollars or more, such contract shall be awarded in accordance with the terms specified under Chapter 30B, of the General Laws, as amended.

The bids shall be sealed, properly endorsed, and kept under lock and key until opened at the time stated, in the presence of board, committee or officer authorized by the town to make the contract. No bids shall be received after the time advertised for opening. Any or all bids may be rejected.

ART. 3.30. SECTION 3. Disposal of Town Property
A. Scrap Metal
The Superintendent of the Department of Public Works or his designee, with the prior approval of the Town Administrator, shall be authorized to dispose of scrap metals in the best interest of the town. [amended ATM 6-8-15, art. 33]

ARTICLE 3.40. Legal Affairs
ART. 3.40. SECTION 1. Selectmen as Agents of the Town
The Selectmen shall have full authority as agents of the town to institute, prosecute and compromise suits in the name of the Town, and to appear, defend and compromise suits brought against the Town, and to appear in proceedings before any tribunal, unless it is otherwise specially voted by the town.

ART. 3.40. SECTION 2. Town Counsel
The Selectmen may appoint a Town Counsel who shall at all times furnish legal advice to any officer of the town through the Selectmen who may require his opinion upon any subject concerning the duties incumbent upon such officers by virtue of his office. He shall, whenever his services are required, appear in the prosecution or defense of suits and actions in which the Town is a party, and appear at any and all hearings in behalf of the Town. And said Selectmen shall have full authority to employ special or additional counsel, if necessity arises.

ART. 3.40. SECTION 3. Treasurer to Execute Deeds and Other Instruments
Whenever it shall be necessary to execute any deed conveying land or any other instrument required to carry into effect any vote of the Town, the same shall be executed by the Treasurer unless the Town shall otherwise vote.

ARTICLE 3.50. Town Clerk
ART. 3.50. SECTION 1. Certification of Appropriations by Town Meeting
Whenever, at any Town Meeting, an order or vote appropriating money becomes effective, the Town Clerk shall certify to the Assessors and the Town Accountant each appropriation in detail, and the provision made for meeting the same, if specified in the appropriation order or vote.
ART. 3.50. SECTION 2. Custodian of Records

A. Deeds and Conveyances

It shall also be the duty of the town clerk to keep a true copy, in a book to be kept for such purpose alone, of all deeds or conveyances executed in behalf of the town by any town officer, and to see that every conveyance to the town of any interest in real estate is properly recorded in the registry of deeds.

B. Plans of Town Ways

Whenever a town way is laid out or altered, a plan shall be made and filed in the town clerk’s office with the location thereof and it shall be the duty of the town clerk to keep a book of records for the sole purpose of recording the location of all highways and town ways within the town, with an index thereto.

ART. 3.50. SECTION 3. Public Notices

Any notice posted under the seal of the Town Clerk or any notice date stamped and posted by the Town Clerk on the principal official bulletin board of the Town or in a public place so designated for such posting shall not be removed. Removal of such notices shall be punishable by a fine in the amount specified in ART. 4.10, SECTION 7.B., and shall be enforced by the Chief of Police. [amended ATM 6-8-15, art. 34]

ART. 3.50. SECTION 4. Non-Substantive Renumbering [added STM 11/9/19, art. 15]

The Town Clerk is authorized to assign appropriate numbers or letters to bylaw sections, subsections, paragraphs and subparagraphs where none are approved at Town Meeting; and if such number or lettering is approved by Town Meeting, to make non-substantive editorial revisions to the same to ensure consistent and appropriate sequencing and numbering; and to make non-substantive editorial revisions to references regarding such numbering or lettering as contained within the bylaws to ensure accuracy and conformity.

ARTICLE 3.55. Records and Annual Reports

ART. 3.55. SECTION 1. Records to be Maintained and Open to Any Citizen

All officers of the town shall cause records of their doings and accounts to be kept in suitable books which books shall be kept in the town office and shall be open, at all reasonable times, to the inspection of any citizen of the town under the supervision of the elected board, committee, or officers designated to keep charge thereof. [amended ATM 6-9-14, art. 20]

ART. 3.55. SECTION 2. Annual Report by Elected Boards, Committees and Officers of Expenditures

Not later than the date set by the Board of Selectmen all boards of town officers, and committees having charge of the expenditure of town money, including grants and gifts, revolving funds, and any other funds, shall annually report in writing to the Board of Selectmen in such manner as to give the citizens a fair and full understanding of the objects and methods of such expenditures. [amended ATM 6-9-14, art. 20]

ART. 3.55. SECTION 3. Town Report

A. General

The town clerk shall furnish for publication in the annual town report an abstract of the official records of all town meetings held during the preceding fiscal year, shall also furnish for the same purpose an abstract of the vital statistics for the preceding fiscal year.
B. Prepared on a Fiscal Year Basis

Any annual report required under this article shall be prepared on a fiscal year basis (covering the period from July 1 through June 30), and submitted to the selectmen by such date as they may determine, or take any action relative thereto.

C. Decennial valuation by Assessors

Each decennial valuation of estates made by the assessors, or an abstract thereof, shall be printed and distributed with the annual town report for the next year.

ART. 3.55. SECTION 4. Town Seal

The town clerk shall have the custody of the town seal, electrotypes and woodcuts; and all copies of records and papers certified by him shall be authenticated by the said seal, and all contracts entered into between the town and other parties, deeds and other documents requiring a seal shall be likewise authenticated by the town seal.

ARTICLE 3.60. General Bylaw Review Committee

[amended ATM 6-9-14, art. 21]

ART. 3.60. SECTION 1. General

A. There shall be a standing committee known as the General Bylaw Review Committee.

B. The members of the Committee will be appointed by the Moderator, and shall be comprised of the following voting members:

- a member of the Board of Selectmen,
- a Finance Committee member,
- a Planning Board member,
- Town Clerk,
- and three citizens-at-large, preferably one from each precinct. Ex-officio, non-voting members shall be: Building Inspector, Police Chief, Fire Chief, and DPW Superintendent.

C. A quorum shall be three present voting members.

ART. 3.60. SECTION 2. Role and Responsibility

The purpose of the Committee is to review the existing General Bylaws and make recommended changes, if any, at a future town meeting. Additionally, the Committee shall review all proposed amendments to the General Bylaws which are included in a warrant article that is to be considered at any annual or special town meeting. The Committee shall report its findings and recommendations to the town meeting, and may offer a motion on such warrant article in accordance with ARTICLE 2.20, SECTION 4, of these Bylaws.

ARTICLE 3.70. Cable Advisory Committee

ART. 3.70. SECTION 1. General

[amended ATM 6-9-14, art. 21]

A. There shall be a standing committee to be known as the Cable Advisory Committee.

B. The committee, which shall be appointed by the Board of Selectmen, shall consist of:

- five (5) voting members and one (1) non-voting liaison from the Board of Selectmen, as follows:
  - one (1) member representing the Wrentham School Committee,
  - one (1) member representing the King Philip Regional School Committee,
  - one (1) member nominated by and to represent Wrentham Cable Access Corporation,
  - and two (2) members at large, each of whom shall be a subscriber to the local cable network.
No person shall be disqualified from serving as a member at large by reason of being a member of Wrentham Cable Access Corporation, provided that he or she is not an officer or director of said corporation.

ART. 3.70. SECTION 2. Role and Responsibility
[amended ATM 6-9-14, art. 21]
The Committee shall:

i. monitor and advise and/or make recommendation to the Town of Wrentham and to its franchising authority (the Board of Selectmen) on matters related to the current operations of those educational access, public cable access, or cable network television operations franchised by the Town, including but not limited to network and local programming, rates/fees, service and distribution and franchising compliance;

ii. play a key role in the license renewal process, including ascertaining the Town’s cable needs and interests pursuant to 47 U.S.C. 446;

iii. facilitate communications and activities between the Town’s cable network vendor(s), the Wrentham Cable Access Corporation, interested citizens and the franchising authority;

iv. educate municipal and school officials, community organizations and the general public about the available benefits of, and rights under, the cable license; and,

v. such other matters as the Board of Selectmen may request from time to time. With regard to the license renewal process, the Committee shall gather information and conduct necessary hearings related to system design/upgrade, consumer protection, expansion of service area, programming and local programming/access, rates and fees and other such relevant matters.
TITLE IV. FINANCE

ARTICLE 4.10. Financial Affairs

ART. 4.10. SECTION 1. Fiscal Year
The financial year shall begin with the first day of July in each year, and end with the last day of June following.

ART. 4.10. SECTION 2. Annual Audit
There shall be an annual audit of the Town's accounts under the supervision of the Director of Accounts of the Department of Corporations and Taxation in accordance with the provisions of Section 35, Chapter 44, General Laws.

ART. 4.10. SECTION 3. Fidelity Bonds
The Selectmen shall have charge of the bonds of the Town Treasurer, Town Collector and Town Clerk and deposit the same in a safe place.

ART. 4.10. SECTION 4. Authorization of Charges to Appropriations
No bill, charge or account against the Town shall be paid without the approval, in writing, first obtained of the person, persons or committee contracting the same.

ART. 4.10. SECTION 5. Period During Which Appropriations May be Expended or Committed by Contract
Any sum in any account established by appropriation which remains unexpended, or with respect to which the expenditure thereof has not been committed by contract, at the close of the second full fiscal year next following its appropriation shall be closed to the Excess and Deficiency Fund. Provided, however, that the Town Meeting may approve an extension of not more than twelve months in the time within which funds may be expended or a commitment made for the expenditure thereof at the request of the spending authority. The provisions thereof shall apply to all accounts now on the books of the Town, except that the time within which expenditures be June 30, 1981 for any account which would otherwise be closed by virtue hereof. This section shall not apply to appropriations that are subject to the provisions of state statute.

ART. 4.10. SECTION 6. Departmental Fees
A. Any elected board or elected official, when fixing any fee as authorized by a Town of Wrentham Bylaw or by a Massachusetts General Law, shall encourage public participation and fiscal accountability in setting the amount of such fee.

B. Each board, committee or department shall observe the provisions of M.G.L. c. 40, s. 22F in setting any fee.

C. Each year while preparing the Town's annual operating budget for the ensuing fiscal year, each officer, elected board, committee and department that is authorized to charge a fee for service shall analyze the cost of providing such service and recommend any appropriate revisions to the Board of Selectmen or other elected board that is the appointing authority. [amended ATM 6-8-15, art. 35]

D. Prior to establishing or revising any fee, the appropriate elected officer or board shall hold a public hearing to obtain public comment on any revision to any fee, or on the establishment of any fee. Notice of such hearing shall be made at least fourteen days in advance by posting on the Town's website and other electronic media, issuance of public notices to newspapers of general circulation, and through similar action.
E. Members of the public may submit written comments about any matter discussed during the public hearing to the appropriate elected officer or board within ten days after the hearing is closed.

F. Any action by the appropriate elected officer or board to revise any fee shall not take effect until at least thirty days after the date of such action, and shall be posted on the Town's website and reported in the Annual Town Report.

ART. 4.10. SECTION 7. Fees, Fines and Other Charges [amended STM 11-04-19, art. 16]

A. Fees:

   i. Flammables, original fee (ART. 5.30, SECTION 1.) $500.00
   ii. Flammables, renewal fee (ART 5.30, SECTION 1.) $250.00
   iii. Excavating in public ways, application fee (ART. 6.20, SECTION 2.C.) $50.00
   iv. Test of any testable backflow prevention device (ART. 6.30, SECTION 3.) $50.00
   v. Water use violation (ART. 6.30, SECTION 4.)
      1. first violation $50.00
      2. second violation $100.00
      3. third and subsequent violations (and termination of water service for water customers). Each day may be considered a separate offense.

B. Fines:

   i. Removal of public notices (ART. 3.50, SECTION 3) $100.00
   ii. Failure to affix numbering to buildings (ART. 4.50, SECTION G):
      1. first offense $100.00
      2. second offense $200.00
      3. third offense $300.00
   iii. False alarms (ART. 5.10, SECTION 4.B.):
      1. fifth and sixth alarms $25.00
      2. seventh and subsequent alarms $50.00
   iv. Incessant continuation of audible alarm (ART. 5.10 SECTION 4.C.) $50.00
   v. Unauthorized use of off-road vehicle (ART. 5.10, SECTION 7.C.) $250.00
   vi. Unauthorized consumption of alcoholic beverages by a patron (ART. 5.10, SECTION 8.B.) $300.00
   vii. Public consumption of marijuana (ART. 5.10, SECTION 9) $300.00
   viii. Failure to license dog (ART. 5.20, SECTION 2.) $50.00
   ix. Complaints as to dogs (ART. 5.20, SECTION 5):
      1. first and second offense $25.00 per dog plus $40.00 administrative fee if dog is impounded and released
      2. third and subsequent offense $50.00 per dog plus $40.00 administrative fee if dog is impounded and released
   x. Excavating in public ways (ART. 6.20, SECTION 2.I.) $50.00
   xi. Violation of mandatory recycling (ART. 6.50, SECTION 1.G.):
      1. First violation Written Warning
      2. Second violation $35.00
      3. Third and subsequent violations $75.00
   xii. Violation of Single-Use Plastic Bags (ART 7.70, SECTION 4)
      1. First violation Written Warning
      2. Second violation (if occurs within one year after warning notice issued) $50.00
      3. Third and subsequent violations $100.00
xiii. Destruction of stone walls or cutting trees on a scenic road (ART. 7.12, SECTION 5.1.)
   1. First violation Written Warning
   2. Second violation $35.00
   3. Third and subsequent violations $75.00

xiv. Violation of wetland protection bylaw (ART. 7.31, SECTION 12.)
   1. First violation $100.00
   2. Second violation $200.00
   3. Third and subsequent violations $300.00

C. Other Charges:
   i. Additional collection fee, failure to license dog (ART. 5.20, SECTION 2.) $100.00
   ii. Excavation in public way, guarantee proper replacement (ART. 6.20, SECTION 2.E.):
       1. Bituminous concrete Streets/Sidewalks $50.00 per square yard
       2. Bituminous concrete berm $10.00 per lineal foot
       3. Vertical granite curbing (Remove & rest) $15.00 per lineal foot
       4. Grass plot $10.00 per square yard
       5. Gravel shoulder $10.00 per square yard
       6. Cement concrete sidewalks $70.00 per square yard
   iii. Earth removal review consultant expenses (ART. 7.11, SECTION 6.B.2.):
       1. earth removal of 5,000 cubic yards or less not to exceed $2,500.00
       2. earth removal of more than 5,000 cubic yards not to exceed $5,000.00

ART. 4.10. SECTION 8. Revolving Funds [amended ATM 06-03-19, art. 13]

A. Purpose. This bylaw establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by MGL Chapter 44, Section 53E ½.

B. Expenditure Limitations. A department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this bylaw without appropriation subject to the following limitations:
   i. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
   ii. No liability shall be incurred in excess of the available balance of the fund.
   iii. The total amount spent during a fiscal year shall not exceed the amount authorized by town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Board of Selectmen and finance committee.

C. Interest. Interest earned on monies credited to a revolving fund established by this bylaw shall be credited to the general fund.

D. Procedures and Reports. Except as provided in MGL Chapter 44, Section 53 ½ and this bylaw, the laws, charter provisions, bylaws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this bylaw. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditures in the regular report the town accountant provides the department, board, committee, agency or officer on the appropriations made for its use.
E. **Authorized Revolving Funds**

The Table establishes:

i. Each revolving fund authorized for use by a town department, board, committee, agency or officer,

ii. The department or agency head, board, committee or officer authorized to spend from each fund,

iii. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established shall be credited to each fund by the town accountant,

iv. The expenses of the program or activity for which each fund may be used,

v. Any restrictions or conditions on expenditures from each fund,

vi. Any reporting or other requirements that apply to each fund, and

vii. The fiscal years each fund shall operate under this bylaw.

<table>
<thead>
<tr>
<th>Revolving Fund</th>
<th>Department, Board, Committee, Agency, or Officer Authorized to Spend from Fund</th>
<th>Fees, Charges, or Other Receipts Credited to Fund</th>
<th>Program or Activity Expenses Payable from Fund</th>
<th>Restrictions or Conditions on Expenses Payable from Fund</th>
<th>Other Req./Reports</th>
<th>Fiscal Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Equipment</td>
<td>Police Department with approval of Town Administrator</td>
<td>Chelsea GCA Premium Outlet Center for Police equipment provided at Outlet site</td>
<td>Police Equipment</td>
<td>$50,000.00</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Recycling and Solid Waste</td>
<td>Public Works Department with approval of Town Administrator</td>
<td>Sale of composting bins, curbside carts, kitchen scrap buckets and water barrels</td>
<td>Purchase additional of composting bins, curbside carts, kitchen scrap buckets and water barrels</td>
<td>$50,000.00</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Firearms Licenses</td>
<td>Police Department</td>
<td>Applicants for Firearms Licensing</td>
<td>Expenses/fees payable to Mass Firearms Bureau for permit processing</td>
<td>$25,000.00</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Wrentham Cultural Council</td>
<td>Wrentham Cultural Council</td>
<td>Artist application fees</td>
<td>Wrentham Cultural Council Community Events</td>
<td>$10,000.00</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Communications</td>
<td>Town Administrator</td>
<td>Proceeds received from Clear Channel Development Agreement</td>
<td>Purchase of Hardware, Software, Equipment and Ancillary Services to Enhance Town-wide Communications</td>
<td>$20,000.00</td>
<td>All</td>
<td></td>
</tr>
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</table>
ARTICLE 4.20. Finance Department

[ATM 5/9/03]

SECTION 1. Organization

There shall be a Consolidated Department of Municipal Finance as provided under Massachusetts General Laws, Chapter 43C, Section 11 which shall be responsible for all fiscal and financial affairs of the Town of Wrentham and for the supervision and coordination of all activities of all government agencies in relation to any fiscal or financial matters. This department shall include the following existing entities which shall become divisions of the consolidated department: Accountant, Treasurer and Tax Collector. Additionally, the functions of automated data processing shall also become part of the responsibilities of this department.

ARTICLE 4.30. Finance Director (reserved) [amended ATM 6-8-15, art. 33]

ARTICLE 4.35. Town Accountant

ART. 4.35. SECTION 1. Appointment

The Finance Director may appoint a town accountant, who shall keep the financial records of the town, according to the system of accounting adopted by the town. Said accountant may fill such other positions as the town shall determine, consistently with the statutes, and shall furnish for publication, in the annual town report, a detailed account of the receipts and expenditures of the town for the preceding financial year; also a statement of the town’s indebtedness, and a list of bills outstanding at the close of the financial year. [amended ATM 6-8-15, art. 33]

ART. 4.35. SECTION 2. Duties and Responsibilities [reserved]

ARTICLE 4.40. Treasurer/Collector

ART. 4.40. SECTION 1. Collector to Collect all Accounts Due to the Town

On and after January 1, 1945, the Collector of Taxes shall collect, under the title of Town Collector, all accounts due the Town.

ART. 4.40. SECTION 2. Denial, Revocation or Suspension of Licenses for Failure to Pay Municipal Taxes or Charges

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, and may periodically, 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, and that such party has not filed in good faith a pending application for an abatement of such tax or pending petition before the appellate tax board [amended ATM 6-7-17, art. 20].

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.
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. (amended 4/24/95)

C. 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.

D. 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.

E. 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, in the business or activity conducted in or on said property.

ART. 4.40. SECTION 3. Annual Report by the Town Treasurer of Town Debt and Expenditures
In his annual town report the town treasurer shall state specifically the objects for which the debt of the town was increased, if any, during the preceding year, and recite the votes under which the money was borrowed, and shall render a classified statement of all receipts and expenditures of the town in such detail as to give a fair and full exhibit of the objects and methods of all expenditures. He shall also give a statement of all funds held in trust by the town, including the amount, for what purpose created and how the same are invested.

ART. 4.40. SECTION 4. Town Treasurer’s Warrant Upon the Assessors of Taxes
It shall be the duty of the town treasurer, whenever money is to be raised by taxation, to draw his warrant upon the assessors of taxes, requiring them to assess and apportion the amount certified to him by the town clerk, upon the polls and estates, both real and personal, and upon the lands of non-resident owners.

ARTICLE 4.50. Board of Assessors

ART. 4.50. SECTION 1. Numbering of Buildings
A. Every property owner, manager or responsible party shall ensure that street numbers are installed and maintained to be visible at all times within the intent of this bylaw as well as being in accordance with M.G.L. Chapter 148, Section 59 and the International Building Code.

B. The Board of Assessors through the Assessors’ office shall assign a lot number and associated street number to each building lot shown on a plan approved or endorsed by the Planning Board, and each dwelling, store, public garage, factory, or other building located upon a street or way,
All such buildings shall bear a number, such building number shall be associated with the street or way, public or private that provides for the driveway entrance [amended STM 11-09-15, art. 14].

C. The format for all numbers that are assigned after the effective date of this bylaw shall be numbers that are divisible by five, i.e. 5 – 10 – 15 – 20 – etc. Numbering shall be consistent, odd on the left side of the roadway, even on the right. Declination shall be from the town center outward toward the town borders.

D. Upon mobilization of construction, renovation or repair the lot number and street number will be displayed so as to be visible from the street on the driveway entrance. This display shall be in place at all times, upon completion of work prior to an occupancy permit being issued the street number shall be visible from the associated street, either on the structure or at the driveway entrance, as prescribed within paragraph E.

E. Numbers affixed to a structure shall be of contrasting color from the background, a minimum of 3” in height, visible from the driveway entrance. When the numbers are not visible on the structure from the street due to set back distance, over growth or other impediments, a post within six feet of the driveway will be installed, this post must be a minimum of 48” in height, have reflective numbers of 3” on either side of the post. A mailbox may be used in lieu of a post installation; reflective numbers of 3” height must be on both sides. The structure to which numbers are affixed must be installed on the same side of the roadway as the entry driveway. The structure will be orientated on the town center declination side of the driveway.

F. Multiple occupancy buildings which have individual street numbers shall provide for contrasting numbers 3” in height at the entryway, for the occupancy, visible from the street. If numbers are not visible from the street options within paragraph E will be adhered to.

G. Structures which do not meet the conditions of this bylaw will not be issued an occupancy permit, or other permits under the purview of the Town of Wrentham and its associated elected boards, committees or departments. Penalties for compliance failure may include fines in the amount specified in ART. 4.10, SECTION 7.B: The Fire Chief shall issue a written warning of violation, then fines for first offense, second offense, and third offense, after the third offense a civil violation will be pursued in District Court. [amended ATM 6-13-16, art. 25]

H. The Fire Chief shall interpret and enforce this bylaw.

ARTICLE 4.60. Finance Committee

ART. 4.60. SECTION 1. General

A. There shall be a committee known as the Finance Committee as authorized by M.G.L. c. 39, s. 16.

B. The Committee shall consist of seven (7) members who shall be appointed by the Moderator. No member of the Committee shall be an elected official, paid committee member or town employee. An employee of the Town shall be deemed to mean one whose position or employment has not been expressly classified as that of a special employee under the provisions of General Laws, Chapter 268A, Section 1. [amended ATM 6-8-15, art. 35]
ART. 4.60. SECTION 2. Role and Responsibility

It shall be the duty of said Committee to consider all the articles of the warrant or warrants referred to it and make report thereon in writing, with the estimates and recommendations for the final action of the Town, at the Annual Meeting, and at any Special Meeting, unless otherwise directed by vote of the Town. Said Committee shall also act as an Advisory Committee for the Town.

ARTICLE 4.70. Budget (reserved) [amended ATM 6-8-15, art. 33]

ARTICLE 4.80. Permanent Building Committee
[added ATM 6-9-14, art. 21]

ART. 4.80. SECTION 1. General

A. There shall be a standing committee known as the Permanent Building Committee.

B. The Committee shall consist of seven (7) members with expertise and experience in architecture, construction, finance and other areas of expertise related to public construction, who shall be appointed by the Board of Selectmen.

ART. 4.80. SECTION 2. Role and Responsibility

A. The Committee shall oversee and supervise the design and construction of projects for construction, reconstruction, improvement, addition, or capital repair of a building (project) within its jurisdiction, including the designer selection process for the solicitation, evaluation and recommendation of a project designer, schematic design, design development, production of construction documents, public construction bidding, contract award recommendation, and construction administration in compliance with the General Laws. All projects shall be developed in a manner consistent with the project goals and physical requirements established by the elected board, committee or department (proposing agency) and the applicable provisions of the General Laws. All solicitations for designer services and invitations for bids for construction shall be prepared and issued by the Chief Procurement Officer, to assure compliance with the applicable provisions of the General Laws.

Prior to the initial funding of a project, the determination shall be made whether the Committee or the Proposing Body shall supervise the construction of a project as follows, however, Town Meeting may specify otherwise:

1. The Committee shall supervise all projects that are estimated to cost at least $25,000, unless the Committee and the proposing agency agree that the proposing agency shall supervise the project.

2. The proposing agency shall supervise any project estimated to cost less than $25,000, unless the Committee and the proposing agency agree that the Committee shall supervise the project.

3. Notwithstanding the provisions of paragraph A. 1. the proposing agency shall supervise all projects for which funds are appropriated within its operating budget.

B. Review and Evaluate Buildings: The Committee shall annually review and evaluate the physical condition of all municipal and school buildings, including service equipment and major systems. It shall report its findings and recommendations to the Town Administrator before October 1 of each year for his/her consideration in development of the capital improvement plan. This report shall be included in the Annual Town Report.
Each proposing agency that has custody and maintenance of any town building shall cooperate fully with the Committee in the review and evaluation.

C. Financial Requirements and Notification:
   1. Any proposing agency which intends to propose a project to Town Meeting shall provide information regarding the project goals and the financial requirements of the project to the Committee at least 180 days in advance of the Town Meeting at which funding of any kind for the project will be requested. This information shall be simultaneously submitted to the Town Administrator, the Board of Selectmen, the Finance Committee, and the Capital Improvement Committee. The Committee shall review the information provided to determine whether the sums requested are reasonable with respect to the financial requirements of the project and shall report thereon.

   2. Any proposing agency undertaking a project feasibility study shall inform the Committee of the study, and provide copies of any reports that result from the study to the Committee upon receipt.

D. Design Review:
   1. A proposing agency shall submit to the Committee the design and building plans for any project prior to seeking an appropriation by Town Meeting.

   2. The Committee shall approve, disapprove, or modify the design within 30 days of the receipt thereof. Failure to approve, disapprove, or modify the design within the 30 day period shall constitute approval.

   3. Every project must be completed in accordance with a design approved by the Committee. Any modification of an approved design must be approved by the Committee before being incorporated into the project.
TITLE V. PUBLIC SAFETY

ARTICLE 5.10. Police Department

ART. 5.10. SECTION 1. General
A. The Town Administrator shall appoint a Chief of Police who shall appoint such Regular or Special
Police Officers as required, who, in addition to the duties required by the laws of the
Commonwealth, shall make complaints for violation of these Bylaws. [amended ATM 6-8-15,
art. 33]
B. The Chief of Police possesses the discretion to determine the appropriate level of police service in
the Town to ensure public safety. Therefore, notwithstanding any regulations or guidelines to
the contrary, the Chief of Police has the discretion to require the presence of a sworn police
officer, employed on a paid detail basis, in all instances where there is a street opening or any
work to be done on a public way or at a public function in Town. The Chief shall have further
discretion to determine the number of officers assigned to any such instance necessary to
maintain public safety.

ART. 5.10. SECTION 2. Hawkers and Peddlers and Business Regulation
The Chief of Police shall administer and enforce the provisions of M.G.L. Chapter 101 that are not
reserved to the Office of Consumer Affairs and Business Regulation or similar agency of the
Commonwealth of Massachusetts.

The Board of Selectmen may promulgate rules and regulations, in consideration of any recommendation
by the Chief of Police, for the effective administration and enforcement of the Section.

The Board of Selectmen may establish fees after conducting a public hearing for any license or permit
that is authorized or required by this Section and by M.G.L. c. 101.

ART. 5.10. SECTION 3. Handicapped Parking
A. Any person or body that has lawful control of a public or private way or of improved or enclosed
property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums,
sporting or recreational facilities, cultural centers, residential dwellings, or for any other place
where the public has a right of access as invitees or licensees, shall reserve parking spaces in
said off-street parking areas for any vehicle owned and operated by a disabled veteran or
handicapped person whose vehicle bears the distinguishing license plate authorized by Section 2,
of Chapter 90 of the Massachusetts General Laws or for any vehicle bearing the official
identification of a handicapped person issued by any other state or any Canadian Province,
according to the following formula: If the number of parking spaces in any such area is more
than fifteen but not more than twenty-five, one parking space; more than twenty-five but not
more than forty, five percent of such spaces but not less than two; more than forty but not more
than one hundred, four percent of such spaces but not less than three; more than one hundred
but not more than two hundred, three percent of such spaces but not less than four; more than
two hundred but not more than five hundred, two percent of such spaces but not less than six;
more than five hundred but not more than one thousand, one and one-half percent of such
spaces but not less than ten; more than one thousand but not more than two thousand, one
percent of such spaces but not less than fifteen; more than two thousand but less than five
thousand, three-fourths of one percent of such spaces but not less than twenty; and more than
five thousand, one-half of one percent of such spaces but not less than thirty.
B. Parking spaces designated as reserved under the provisions of Paragraph A, shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words “Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner’s Expense”; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four feet of cross hatch between them. No person shall leave an unauthorized vehicle within parking spaces designated for use of disabled veterans or handicapped persons as authorized by this section or in such a manner as to obstruct a curb ramp designated for use by handicapped persons as a means of egress to a street or a public way. The penalty for violation of this bylaw shall be as follows: one hundred and fifty dollars; and for each subsequent offense the vehicle may be removed according to the provisions of Section 120D, of Chapter 266 of the Massachusetts General Laws.

ART. 5.10. SECTION 4. False Alarms
A. Definitions
For the purpose of this amendment, the following works and phrases shall have the following meanings:

1. Alarm System. Any assembly of equipment and/or devices that are designed to be activated either manually or automatically for the purpose of drawing attention to the presence of a hazard or situation, criminal or otherwise, to which the police are expected to respond.

2. Alarm User. Any person or business on whose premises an alarm system is installed and maintained within the Town of Wrentham, except for alarm systems that are installed in or on motor vehicles.

3. False Alarm. The activation of an alarm system through mechanical failure, malfunction, improper installation or negligence of the use of the alarm system or his or her employees or agents and any signal or communication of fact when there has been no unauthorized entry or intrusion into the premises and there has been no attempted robbery or burglary at the premises. Excluded from this definition shall be the activation of an alarm system by power outages, utility companies or other outside sources, hurricanes, severe storms and similar conditions.

B. False Alarms
After the Police Department has recorded four (4) separate false alarms within the fiscal year, the alarm user shall be assessed following fines in the amount specified in ART. 4.7, SECTION 7.B. [amended ATM 6-8-15, art. 34]

Failure to pay the fine within 45 days from the billing date will result in court action for violation of a town bylaw or a municipal charges lien being placed on real property pursuant to M.G.L. Chapter 40, Section 58 in the Norfolk Registry of Deeds until the fine is paid.

C. Audible Alarm
All alarm systems that emit an audible signal shall be equipped with a device for limiting the length of the audible signal to ten (10) minutes. Any user of an alarm system that either does not have such a device nor has a malfunction that allows the audible signal to continue for more than ten (10) minutes shall be assessed a fine in the amount specified in ART. 4.7, SECTION 7.B. Failure to pay such fine within forty-five (45) days of the billing date will result in either court action of a violation or a town bylaw or the placement of a municipal charges lien on the real property pursuant to M.G.L. 40, Section 58 in the Norfolk Registry of Deeds until the fine is paid. [amended ATM 6-8-15, art. 34]
D. Exemptions

1. All federal, state and municipal buildings and property shall be exempt from the provisions of this bylaw.

2. No provision shall be construed to place an obligation on the Police Department to respond to an alarm.

E. Control and Curtailment of Signals Emitted by Alarm Systems

1. 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.

2. Any alarm system emitted a continuous and uninterrupted signal for more than twenty (20) 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 E, Sub-paragraph 1. of this section 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.

3. Upon receiving complaint of such a continuous and uninterrupted signal, the Chief of Police, or his designee, 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 E, Sub-paragraph 1. 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, or his designee, May, at the expense of the owner, order the alarm’s deactivation using whatever means may be appropriate to the occasion.

4. The Police Chief shall cause to be recorded the names and addresses of all complainants, and the time of each complaint. (added 2/9/98)

ART. 5.10. SECTION 5. Code of Conduct and Dress

A. The following acts of conduct or dress in or on premises licensed in accordance with the Mass. General Laws, Chapter 138, Sections 1, 12, 14, and 23 are deemed contrary to the public need, and to the common good, and therefore no license shall be held for the sale of alcoholic beverages to be served and/or drunk in or on the licensed premises where such acts, conduct or dress is permitted.

B. It is forbidden to employ or permit any person in or on the licensed premises while such person is unclothed, or in such attire as to expose to view any portion of the areola of the female breast or any portion of the male and/or female genitals, pubic hair, buttocks or groin. Entertainers shall wear a nontransparent material which conceals the areola of the female breast.

C. It is forbidden to employ or permit any hostess, waitress or other person to mingle with the patrons while such hostess, waitress or other person is unclothed or in such attire as would expose to view any portion of the areola of the female breasts or any portion of the male and/or female pubic hair, genitals, buttocks or groin.

D. It is forbidden to encourage or permit any person in or on the licensed premises to touch, caress or fondle the breasts, buttocks or genitals of one’s own person or of any other person.

E. It is forbidden to employ or permit any person to wear or use any device, apparatus or covering exposed to view which simulates the breasts, buttocks, pubic hair or genitals or any portion thereof which would be a violation of Paragraph B. above.
**F.** It is forbidden to employ or permit any person to in or on the licensed premises to perform an act or acts, or to simulate the act or acts of:

i. sexual intercourse, masturbation, sodomy, flagellation, or any sexual acts prohibited by law;

ii. touching, caressing or fondling the breasts, buttocks, or genitals of another or one's own person.

**G.** It is forbidden to allow any entertainer to perform in or on the licensed premises, while in the course of his or her entertainment or performance, so to entertain or perform less than three (3) feet from any patron in or on the licensed premises.

**H.** It is forbidden to employ or permit any person in or on the licensed premises to show motion picture films, still photographs or any other photographic reproductions depicting any person or any acts or any simulation of any acts prohibited in Paragraphs B. through F. inclusive.

**I.** At all times the entire area of the premises must be continually illuminated to the degree of not less than one (1) foot candle (measured thirty (30) inches from the floor) except those portions of the room covered by furniture.

**J.** No employee and/or entertainer shall solicit, induce, or request a patron to purchase any alcoholic or non-alcoholic beverage for them or any other person. Nothing shall prohibit the above activity between any employee and/or entertainer and any person who are related by blood or marriage.

**K.** No devices, mechanical, electrical or otherwise, shall be utilized by any licensee or anyone for whose conduct said licensee is responsible, for the purpose of signaling employees, entertainers, and/or patrons that agents of licensing authorities or law enforcement authorities are present.

**L.** Notwithstanding any of the foregoing provisions of this bylaw, no person duly licensed by the Licensing Board of the Town of Wrentham under General Laws, Chapter 138, Section 1, 12, 14, or 23 shall employ, use the services of, or permit upon his licensed premises any employees, entertainer, or other person who by his or her attire or conduct violates any general law, special act or bylaw of Wrentham.

**M.** The penalty for any violation of this bylaw shall be in accordance with the applicable provisions of the General Laws, Chapter 40, Section 21.

**ART. 5.10. SECTION 6. Demeanor and Conduct on Public Ways and Public Property**

**A.** No person shall leave any vehicle or material or place any obstruction in any sidewalk, street or public place and suffer the same to remain there over night without maintaining a sufficient light and suitable guards over or near the same throughout the night, nor allow the same to remain after notice from a police officer, constable or the selectmen to remove the same.

**B.** No person shall behave in an indecent or disorderly manner in any public place or on any street or sidewalk in the town or any public dwelling house or other buildings therein, or upon any doorstep, portico or other projection from any such house or other building to the annoyance or disturbance of any person; nor shall any person throw or drop in or upon any footpath, sidewalk, or highway in the town any metal, mineral or other thing that might or would be a source of annoyance or danger to anyone lawfully passing over or using the same.
C. Three or more persons shall not stand in a group or near each other on any public way or sidewalk in such a manner as to obstruct a free passage for pedestrians after a request to move on made by any constable or police officer.

D. No person shall throw or deposit in any manner upon any public way, place or square in the town any article, substance or material which may prove injurious in any respect to the hoofs of animals, the tires of bicycles or the rubber tires of automobiles and other vehicles.

E. No person having the charge of a vehicle in any street shall neglect or refuse to stop the same as directed by a constable or police officer.

F. No person shall, without proper authority, intermeddle with or willfully break any arc lamp or lamp globe or incandescent lamps or any insulators or attachments used to carry power for electric street lighting or any parts of said lamps or globes or of the fixtures thereof placed or located within the limits of any public way or place in the town.

G. No person shall, without proper authority, intermeddle with or willfully break or injure any hydrant, gate, gate box, or water pipe placed or located within the limits of any public way or place in the town.

H. No person shall make any figures or write any obscene words upon any fence, building, or structure in any public place, or deface any sidewalk, tree, building or structure.

I. No person shall ride any horse or drive any horse or horses attached to a vehicle of any description in or upon any street or way for public travel at such an immoderate rate of speed as to injure or inconvenience any person standing, walking or riding therein.

J. No person shall, by any means or in any manner willfully frighten any horse; or play at any game in which a ball is used, or shoot with bows and arrows, air guns, fly any kites, or throw stones or other missiles in any street or any sidewalk.

K. No person shall skate or coast upon any sled upon any sidewalk or any street or public place except at such times and upon such streets or places as the selectmen may, by public notice, designate for such purpose.

L. No person shall discharge any gun, fowling piece, pistol or fire arm, or set fire to any material known as fireworks, or other combustible matter, or throw any such lighted fireworks in any of the public ways or streets of the town, except on such occasions and of such character and kind as the Board of Selectmen may, by public note, permit; provided however, this section shall not apply to any person in the exercise of a duty required or justified by law.

M. No person shall have more than one unregistered motor vehicle ungaraged on his premises in a residential district at any time. In no event will an unregistered, unsightly motor vehicle be stored in the front yard.

N. No person shall enter any real property under the control of the Board of Selectmen, the Department of Public Works, the School Department, the Conservation Commission or any other board or agency of the Town of Wrentham after having been forbidden to do so, whether personally or by notice posted thereon. (added STM 3/14/94)

O. No person shall violate any lawfully posted regulation of the Board of Selectmen regarding fishing, boating, bathing, skating and other recreational activities in or on Lake Archer, Mirror Lake and Lake Pearl.
ART. 5.10. SECTION 7. Off-Road Vehicles

A. No person shall use or operate a motorized off-road vehicle, including but not limited to, mini-bikes, all-terrain vehicles (ATV’s), dirt bikes, snowmobiles or a similar motorized vehicle or motor bike which is eligible for registration under MGL Chapter 90B or any vehicles as described in MGL Chapter 90B section 20, or MGL Chapter 90, on any town owned property or private property, without prior written consent of the Town Authority or landowner having responsibility for the management of such property. Any such consent shall be temporary in nature, shall specify the period of time during which it is in force, and shall be subject to the prohibitions, restrictions and requirements of all Massachusetts General Laws.

B. This bylaw will not restrict the use of properly registered vehicles or motor bikes on public roads or streets if they are in compliance of all Massachusetts General Laws. This bylaw will not be applicable to people who use recreational vehicles on their own property.

C. Violators of this bylaw will be subject to a fine in the amount specified in ART. 4.7, SECTION 7.B. for a first offense and for a second and any subsequent offenses. [amended ATM 6-8-15, art. 34]

ART. 5.10. SECTION 8. Alcohol

A. No person shall drink any alcoholic beverages as defined by Massachusetts General Laws, Chapter 138, Section 1, while on, in or upon any public way or way to which the public has access; any public park, playground or conservation area without permission from the local licensing authority; or upon any private land or place without the consent of the owner or person in control thereof. A violation on this bylaw shall be deemed to be a breach of the peace [amended STM 11/4/19, art. 17].

B. No person or entity holding a common victualler’s license shall permit any patron to bring alcoholic beverages onto the licensed premises, or to consume alcoholic beverages on the licensed premises. However, a person or entity holding a common victualler’s license may permit any patron to bring beer or wine onto the licensed premises, or to consume said beverage on said licensed premises subject to regulations promulgated by the Board of Selectmen. Any violation of this provision shall be punishable by a fine in the amount specified in ART. 4.7, SECTION 7.B., or by suspension, modification or revocation of the said common victualler’s license. [amended ATM 6-8-15, art. 34]

ART. 5.10. SECTION 9. Public Consumption of Marijuana and Tetrahydrocannabinol (THC)

A. No person shall smoke, ingest, possess or otherwise use or consume Marijuana or Tetrahydrocannabinol (as defined in G.L. c. 94C, § 1, as amended), while in or upon any public place or any place to which the public has a right of access including, but not limited to public ways, private ways, sidewalks, parking lots, parks and commons, playgrounds, recreation areas, beaches, boat landings, cemeteries, municipal buildings and schools and grounds or athletic fields thereto, or premises licensed by the Town and including any motor vehicle or bicycle or other passenger conveyance operated by a common carrier, when parked or moving upon any of the above places or locations.

B. For the purpose of this ordinance, Marijuana and/or Tetrahydrocannabinol (THC) shall be any substance so defined by General Laws Chapter 94C Section 1, as amended.

C. The enforcing person shall make a record of the incident, such record to include the following information (to the extent that it is available), name and address of the person violating the bylaw; date; time; motor vehicle registration number, if applicable; and location of the violation.
D. This bylaw may be enforced through any lawful means 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, by any police officer. Any person found to
be in violation of this bylaw, or who refuses to give the above-noted information or if any
information proves false, shall be liable to a fine in the amount specified in ART. 4.7, SECTION
7.B. for each such violation. Any penalty imposed under this ordinance shall be in addition to any
civil penalty imposed under G.L. c. 94C, § 32L. [amended ATM 6-8-15, art. 34]

ART. 5.10. SECTION 10. Enforcement
Any officer of the Wrentham Police Department shall have the power to enforce the provisions of this
article. Any person who violates any provision of this Article shall be subject to a penalty of $100.00
unless a particular fine is specified for such violation. Any officer taking cognizance of a violation of any
provision of this article, as an alternative to initiating criminal proceedings, may give to the offender a
written notice to appear before the Clerk of the Wrentham District Court at any time during office hours,
not later than twenty-one days after the date of such notice. Such notice shall be served in the form and
manner prescribed by General Laws, Chapter 40, Section 21D, and shall be subject to the procedure for
disposition set forth therein.

ART. 5.10. SECTION 11. Civil Fingerprinting
A. Criminal History Check Authorization
The Wrentham Police Department shall, as authorized by Massachusetts General Laws Chapter 6,
Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for
individuals applying for the following licenses:

i. Hawking and Peddling or other Door-to- Door Salespeople
ii. Manager of Alcoholic Beverage License
iii. Owner or Operator of Public Conveyance
iv. Dealer of Second-hand Articles
v. Pawn Dealers
vi. Hackney Drivers
vii. Ice Cream Truck Vendors
viii. Tattoo Parlors
ix. Carnivals

At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that
the fingerprints will be used to check the individual's criminal history records. The Police Chief
shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which
has issued an Informational Bulletin which explains the requirements for town bylaws and the
procedures for obtaining criminal history information, to see if there have been any updates to be
sure the Town remains in compliance.

Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the
fingerprints it has obtained pursuant to this bylaw to the Identification Section of the
Massachusetts State Police, the Massachusetts Department of Criminal Justice Information
Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such
agencies as may be necessary for the purpose of conducting fingerprint-based state and national
criminal records background checks of license applicants specified in this bylaw.

The Town of Wrentham (Town) authorizes the Massachusetts State Police, the Massachusetts
Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of
Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based
state and national criminal record background checks, including FBI records, consistent with this
bylaw. The Town authorizes the Police Department to receive and utilize State and FBI records in
connection with such background checks, consistent with this bylaw. The State and FBI criminal
history will not be disseminated to unauthorized entities.

Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record
subject may request and receive a copy of his/her criminal history record from the Police
Department. Should the record subject seek to amend or correct his/her record, he/she must
take appropriate action to correct said record, which action currently includes contacting the
Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or
the FBI for records from other jurisdictions maintained in its file. An applicant that wants to
challenge the accuracy or completeness of the record shall be advised that the procedures to
change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department
shall not utilize and/or transmit the results of the fingerprint-based criminal record background
check to any licensing authority pursuant to this bylaw until it has taken the steps detailed in this
paragraph. Municipal officials should not deny an applicant the license based on information in
the record until the applicant has been afforded a reasonable time to correct or complete the
information, or has declined to do so.

The Police Department shall communicate the results of fingerprint-based criminal record
background checks to the appropriate governmental licensing authority within the Town as listed.
The Police Department shall indicate whether the applicant has been convicted of, or is awaiting
final adjudication for, a crime that bears upon his or her suitability, or any felony or misdemeanor
that involved force or threat of force, controlled substances or a sex-related offense.

The Board of Selectmen is authorized to promulgate regulations for the implementation of this,
but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and
the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to
ensure that such regulations are consistent with the statute, the FBI’s requirements for access to
the national database, and other applicable state laws. [amended ATM 6-8-15, art. 35]

B. Use of Criminal Record by Licensing Authorities

Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record
background checks for the sole purpose of determining the suitability of the subjects of the
checks in connection with the license applications specified in this bylaw. A Town licensing
authority may deny an application for a license on the basis of the results of a fingerprint-based
criminal record background check if it determines that the results of the check render the subject
unsuitable for the proposed occupational activity. The licensing authority shall consider all
applicable laws, regulations and Town policies bearing on an applicant’s suitability in making this
determination.

The Town or any of its officers, departments, boards, committees or other licensing authorities is
hereby authorized to deny any application for, including renewals and transfers thereof, for any
person who is determined unfit for the license, as determined by the licensing authority, due to
information obtained pursuant to this bylaw.

C. Fees

The Chief of Police may fix a fee, in accordance with Article 4.10, Section 6, of these bylaws, to
be charged by the Police Department for the purpose of conducting fingerprint-based criminal
record background checks.

ART. 5.10. SECTION 12. Other

A. No person shall distribute or deposit advertising circulars, papers, or other matter on the streets
of the town or shall team manure, hay, rubbish, ashes, liquid or other material in such manner as
to litter, pollute or injure the streets of the town.
ART. 5.10. SECTION 13. Marijuana Establishments Prohibited

The operation of any commercial or recreational marijuana establishment, as defined in MGL, Chapter 94G, Section 1, including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business within the Town is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012. [STM 11-13-17, art. 14]

ARTICLE 5.20. Animal Control

ART. 5.20. SECTION 1. Definitions

A. Animal: Every non-human species of animal, both domestic and wild, living or deceased.

B. Animal Control Officer: Any officer appointed by the Town Administrator to enforce this bylaw.

C. Animal Shelter: Any facility or kennel operated by a human society, the Town, or its authorized agents, for the purpose of impounding animals under the authority of this bylaw or state law for care, confinement, return to owner, adoption or euthanasia.

D. At Heel: Any dog under complete control of a person of adequate age and discretion to control its actions as adequately as a dog that is on a leash or lead.

E. At Large: Any dog that is not in care and control or its owner or keeper, or that is otherwise able to move at will without restraint or control as to property lines or areas.

F. Care and Control: A dog shall be considered in care and control while it is on the premises of its owner or keeper; or while the dog is on the premises of another person with knowledge and permission of the owner or occupant of such premises; or while the dog is on any public way, or any private way to which the public has access, if it is at heel or on a leash or lead. Such leash or lead shall be suitable to prevent the dog from being at large, or to prevent the dog from becoming a public nuisance.

G. Dangerous Dog: A dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or, (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.

H. Dog: Any animal of the canine genus.

I. Keeper: Any person, corporation or society, other than the owner having possession of a dog.

J. Kennel: A pack or collection of dogs on a single premise, whether maintained for breeding, boarding, sale, training, hunting or other purposes and including any shop where dogs are on sale, and also including every pack or collection of more than four dogs three months old or over, owned or kept by a person on a single premise, irrespective of the purpose for which they are maintained. [amended STM 11-10-14, art. 12]

K. Licensing Period: The time between January 1st of any year to December 31st of the same year, both dates inclusive.
L. Owner: Any person, partnership, or corporation, in whom is vested the ownership, dominion, or title of one or more animals.

M. Public Nuisance: The term “public nuisance” as used in this bylaw shall mean and include, but is not limited to any dog that:

i. is in violation of SECTION 4.; or

ii. damages the property of anyone other than its owner or keeper, including, without limitation, by depositing fecal matter on such property unless the owner or keeper of such dog shall immediately remove and dispose of such fecal matter; or molests or intimidates pedestrians or passersby; or

iii. has bitten, attacked or harassed other domestic animals, including livestock or fowl; or

iv. by reason of habitual or frequent howling, barking, whining, or other utterances disturbs the peace and quiet of any person of ordinary sensibilities who is a neighbor or in close proximity to the premises where the dog is kept or harbored, or by excessive barking or other disturbance is a source of annoyance to a sick person residing in the vicinity; or

v. is a dangerous dog; or,

vi. has been found by the Board of Selectmen, after notice to its owner or keeper and public hearing, to be public nuisance by virtue of being a menace to public health, safety, or welfare.

N. Secure Enclosure: A secure enclosure is a physical structure adequate to prevent an animal from escaping its boundaries and preventing others from entering the space inside it. An “electric fence: (i.e. a system that operates to restrain a dog by administering an electric shock through a collar attachment when the dog crosses the perimeter) shall not be deemed a secure enclosure.”

ART. 5.20. SECTION 2. Licenses and Tags
The Town Clerk shall issue dog licenses and tags. Subject to the authorization of the Board of Selectmen, the Town may permit the licensing to be conducted through the mail. On the license form the Clerk shall record the name, address, and phone number, of the owner or keeper of the dog, and the name, breed, color, date of birth and description of the dog. Each tag issued will be valid for the specific animal described on the form, and is not transferable. The tag will include the license number, the phrase “Town of Wrentham,” and the year of issue.

The Board of Selectmen shall fix reasonable fees for dog licenses and tags. The license fee for a spayed or neutered dog shall be less than the license fee for an intact dog. The fee for each dog license may be periodically adjusted by the Town Clerk for the following year’s license period prior to October 1st of any year. In addition to his/her regular salary, the Town Clerk shall retain $1.50 from the license fee for each license issued.

No license fee or portion thereof shall be refunded because of the subsequent death, loss, spaying or removal from the commonwealth or other disposal of the dog, nor shall a license fee or portion thereof paid by mistake be paid or recovered after it has been paid over to the town.

A person residing in the Town of Wrentham, who becomes the owner or keeper of a dog six (6) months old or over, shall cause the dog to be vaccinated for rabies and licensed with sixty (60) days. The owner or keeper of a dog shall cause each dog, when off the premises of such owner or keeper, to wear around
its neck or body a collar or harness to which he shall securely attach the license tag. In the event of loss of tag, a substitute tag will be issued by the Clerk for the cost of the tag as designated by the Board of Selectmen. Any owner or keeper of a dog who moves into the Town of Wrentham, and has a valid current dog license from another municipality in the Commonwealth of Massachusetts, may obtain a dog license upon the forfeiture of the old license and payment of a fee to be set by the Board of Selectmen.

The Town Clerk shall not issue a license for any dog unless the owner or keeper provides the Clerk with a veterinarian’s certificate verifying that the dog is currently vaccinated against rabies.

Upon presentation to the Clerk of a certificate of training, no fee shall be charged for a dog specially trained to lead or serve a visually or hearing impaired person.

The provisions of this section shall not apply to any pet shop licensed by the Commonwealth under the authority of G.L. c. 129, 39A.

Whoever violates the provisions of this bylaw subsection, or fails to license their dog before the last day in February of the licensing period, shall be subject to a fine in the amount specified in ART. 4.10, SECTION 7. B. of these bylaws. An owner, who does not register their dog by May 1st of the licensing period, shall be charged an additional collection fee in the amount specified in ART. 4.10, SECTION 7. C. of these bylaws. [amended ATM 6-4-18, art. 14]

ART. 5.20. SECTION 3. Vaccinations of Dogs and Cats Against Rabies
The owner or keeper of a dog or cat six months of age or older, shall cause the dog or cat to be properly vaccinated against rabies by a licensed veterinarian as is required under MGL Chapter 140, Section 145b. Upon vaccination, the veterinarian shall issue a tag, which the owner shall secure to a collar or harness. The tag shall show the year the vaccination was given, the rabies tag number, and the name of the veterinary clinic or hospital.

ART. 5.20. SECTION 4. Restraint and Confinement Required
The owner or keeper of a dog shall maintain said dog in care and control. The owner or keeper of a dog shall not allow or permit said dog to run at large in any of the streets or public ways or places within the confines of the Town of Wrentham, or upon the premises of anyone other than the owner or keeper unless the owner or occupant of such premises expressly grants permission. The owner or keeper of a dog shall not allow or permit such dog, even though at heel or secured by suitable leash or lead, on private property unless the owner or occupant of such private property grants permission. The owner or keeper of a dog shall not allow or permit said dog to become a public nuisance in the Town of Wrentham. Nothing in this paragraph shall be construed to restrict the use of dogs for lawful hunting or the use of certified dogs to assist the visually or hearing impaired.

The owner or keeper of a vicious dog shall keep it confined in a secure enclosure or on a leash or lead accompanied by its owner or keeper.

No person owning or keeping a dog shall chain or tether a dog to a stationary object including, but not limited to, a structure, dog house, pole or tree for longer than 24 consecutive hours.

Stray dogs will be impounded. If the owner is known, notice shall be given to such owner. Strays will be detained by the Animal control Officer for 7 days.

The owner or keeper of a dangerous dog shall keep it confined in a secure enclosure, or on a leash or lead and accompanied by its owner or keeper.

No person over the age of 17 who has actual knowledge that a dog has been deemed dangerous shall permit a child under the age of 17 to own, possess or have the care or custody of such dog.
ART. 5.20. SECTION 5. Violations/ Penalties and Complaints as to Dogs
The Animal Control Officer, any Police Officer of the Town of Wrentham, or any other person so
appointed by the Town Administrator may assess fines upon the owner or keeper of any dog found to be
a public nuisance, or found to be in violation of Section 4, in the amount specified in ART. 4.10, SECTION
7.B. [amended ATM 6-9-15, art. 33 and 34]

All fines and penalties under this bylaw shall be assessed in the manner provided in M.G.L. c.40, section
21D.

The provisions of M.G.L. c.140, 157, concerning complaints as to dogs shall be followed as if said section
was fully set forth herein.

After the assessment of three fines on any dog, any person or persons offended by such dog may make a
complaint in writing to the Board of Selectmen. The Board of Selectmen shall investigate or cause to
investigate such complaint under the provisions of G.L. c. 140, 157, and may, after a public hearing make
any order as they deem necessary, including the removal, restraint, or euthanasia (destruction) of such
dog.

ART. 5.20. SECTION 6. Impoundment
The provisions of M.G.L. c. 140, 151A, shall be followed as if said section was fully set forth herein.

Additionally, the Animal Control Officer or any other person appointed by the Town Administrator may
apprehend any dog that is found at large, and impound such animal at an authorized animal shelter, such
animal to be held, adopted, or euthanized as described in M.G.L. c.140, 151A. [amended ATM 6-8-15,
art. 33]

The Officer who impounds any dog shall comply with the provisions of M.G.L. c.140, 151A.

The Officer having custody of a confined dog shall be allowed a service fee for each day such dog is
impounded, payable by the owner or keeper of such dog, if known. The service fee is to be set by the
Animal Control Officer, subject to the approval of the Board of Selectmen.

An owner or keeper of any dog so impounded for violation of this bylaw, shall in addition to any
applicable fees and penalties, pay to the town of Wrentham a boarding charge of not less than ten
dollars per day while such dog is impounded, nor more than the actual cost to the Town of Wrentham for
the boarding and care of such animal in any commercial kennel or animal hospital.

The owner or keeper of a dog so impounded may claim the dog as provided by law, upon the following:

  i. The owner or keeper pays all fines, boarding and other fees;

  ii. The owner or keeper gives his/her name, address, and date of birth; and,

  iii. The owner or keeper presents a valid dog license and certificate of rabies vaccination. If the dog
does not have a current rabies vaccination, owner or keeper must present a receipt from a
licensed veterinarian showing prepayment of a rabies vaccination.

ART. 5.20. SECTION 7. Kennel License
A person maintaining a kennel shall obtain a kennel license upon written application to the Town Clerk.
The Board of Selectmen shall fix reasonable fees for kennel licenses. The fee for a kennel license may be
periodically adjusted by the Board of Selectmen. Each kennel shall be available for inspection by the
Animal Control Officer, a Police Officer, or the Wrentham Board of Health at any time, to ascertain compliance with all state and local laws and bylaws.

The Town Clerk shall issue a kennel license without charge to any charitable corporation, incorporated exclusively for the purpose of protecting animals from cruelty, neglect, or abuse, and for the relief of suffering animals.

A veterinary clinic within the Town of Wrentham shall not be considered a commercial kennel, unless it contains an area for grooming or selling of dogs, or for boarding or dogs for other than medical purpose.

Any person or corporation maintaining a kennel for thirty days without the proper license, shall be in violation of this provision.

Whoever violates any provision of this bylaw subsection shall be punished by a fine in the amount specified in ART. 4.7, SECTION 7.B., payable to the Town of Wrentham. [amended ATM 6-9-15, art. 34]

ART. 5.20. SECTION 8. Emergency Fees for Dogs and Cats Injured in Public Ways

Any veterinarian who renders emergency care or treatment to, or disposes of any dog or cat injured on any public way in the Town of Wrentham, shall receive payment of reasonable costs from the owner of such dog or cat, if known, or if not known, shall receive a fair and reasonable sum not to exceed fifty dollars ($50) without approval of the Board of Selectmen from the Town of Wrentham for such care, treatment and/or disposal.

Care treatment, and/or disposal shall be for the purpose of maintaining life, stabilizing the animal, or alleviating pain or suffering until the owner of such dog or cat is identified, or for a period of twenty-four hours, whichever is sooner. Any veterinarian who renders such emergency care of treatment to, or euthanizes, or disposes of such dog or cat, shall notify the Animal Control Officer in Wrentham, and upon notification, the Animal Control Officer shall assume control of such dog or cat.

ART. 5.20. SECTION 9. Applicable Statutes

All references to the Massachusetts General Laws in this bylaw are those in effect as of August 31, 2012. Any amendment to the statues incorporated by reference into this bylaw shall not apply, unless its application is mandatory.

ART. 5.20. SECTION 10. Hearings [reserved]

ARTICLE 5.30. Fire Department

ART. 5.30. SECTION 1. Licenses and Registration Fees for Flammables

The fee to be charged for any license or registration as required by Chapter 148, Section 13 of the Mass. General Laws applicable to the keeping, storage, manufacture or sale of gunpowder, dynamite, crude petroleum or any of its’ products, or explosive or inflammable fluids or compounds or other articles covered by Chapter 148, Section 9 of the Mass. General Laws in the amount specified in ART 4.70, SECTION 7. A. [amended ATM 6-8-15, art. 34]

ARTICLE 5.40. Emergency Management [reserved]

ARTICLE 5.50. Communications [reserved]
ARTICLE 6.10. DPW, General [reserved]

ARTICLE 6.20. DPW, Highways

ART. 6.20. SECTION 1. Snow Removal

A. The Superintendent of Streets, for the purpose of removal or plowing snow, or removing ice, from any way, by employees of the town or with such other assistance as he may require, may remove or cause other than an employee of in the service of the Town of Wrentham or an employee in the service of an independent contractor acting for the town shall pile, push or shovel snow or ice into a road so as to impede the flow of traffic on such way. Whoever violates this section shall be punished by a fine of not more than one hundred dollars. (added STM 3/14/94) (a.12, s. 7, para. 5)

ART. 6.20. SECTION 2. Excavating in Public Ways

A. No person, other than a duly authorized officer or employee, shall dig a trench or lay a pipe in, or in any way disturb the earth or materials on, in or under any street or public way without a permit in writing given by the Superintendent of Public Works upon application by said person made to said Board; and whenever such a permit is so issued, the person or persons to whom it shall be issued shall, whenever a pipe, drain or any other structure is placed in, along or under such a street or public way, file with said Board a plan of the same showing the location and elevation of such pipe, drain or other structure. (a. 12, s. 12, paragraph C.)

B. Prior to digging within any public way in the Town of Wrentham, an excavation permit must be obtained from the Wrentham Public Works Department. The Wrentham Police Department and DIG SAFE (1-800-322-4844) must be notified in writing at least 72 hours prior to excavating. In the event of an emergency excavation, DIG SAFE, the Wrentham Public Works Department, and the Wrentham Police Department shall be notified at the time, and the excavation permit shall be applied for no later than 48 hours after the fact.

C. The excavation permit fee to be submitted with the application shall be in the amount specified in ART. 4.7, SECTION 7.A. [amended ATM 6-8-15, art. 34]

D. The application form shall be completed in full and signed by the applicant along with a sketch of the excavation and its relevant utilities, location, details, etc.

E. To guarantee proper replacement of the excavation including surface treatment, applicants for excavation permits shall be required to post a cash deposit or certified check based upon the amounts specified in ART. 4.7, SECTION 7.C. [amended ATM 6-8-15, art. 34]

The deposit is to be determined by the public works superintendent. A minimum deposit of two hundred dollars ($200.00) shall be required to be submitted with the permit application. The Town of Wrentham Public Works Department shall be exempt from the permit fee and deposit. If based upon the price schedule in 4A, the deposit will exceed three thousand dollars ($3,000.00), a cash deposit of three thousand ($3,000.00) and a bond for the balance will be acceptable. Should the applicant anticipate a number of street openings for utility services or repairs during the course of a calendar year, the public works superintendent may at his discretion accept a blanket deposit of three thousand dollars ($3,000.00).
F. If the applicant does any work contrary to this bylaw or the regulations governing street excavations as adopted by the Wrentham Board of Selectmen, and after being notified of same, fails to correct such work, the Wrentham Public Works Department may seize the cash deposit and/or bond to correct or complete such work and the applicant shall be liable for all costs incurred.

G. The superintendent of public works may issue such permits subject to such conditions as he deems necessary or desirable to protect the public safety and property of the Town of Wrentham and to secure the full performance of the work by the permittee.

H. The Wrentham Board of Selectmen shall promulgate such regulations as it deems necessary to direct the applicant in the proper execution of street excavations.

I. The superintendent of public works shall have the authority to enforce the provisions of this article. Any person who violates any provision of this article shall be subject to a penalty in the amount specified in ART. 4.7, SECTION 7.B. Each day such violation continues shall be a separate offense and the permittee will no longer be allowed to excavate in a public way. The superintendent, upon taking cognizance of a violation of any provision of this article, as an alternative to initiating criminal proceedings, may give to the offender a written notice to appear before the Clerk of the Wrentham District Court not later than twenty-one days after the date of such notice. Said notice shall be served in the form and manner prescribed by GLC 40, Section 21D and shall be subject to the procedure for disposition set forth therein. [amended ATM 6-8-15, art. 34]

J. Except for emergencies, no permits for excavating within a public way shall be issued between December 1 and March 15.

ART. 6.20. SECTION 3. Plans of Town Ways
(Refer to ARTICLE 3.50. SECTION 2.2.)

ART. 6.20. SECTION 4. Scenic Roads
(Refer to ARTICLE 7.12. SCENIC ROADS)

ART. 6.20. SECTION 5. Other

A. No person shall, without proper authority, extinguish or remove any light placed to denote an obstruction or defect in a street or way.

B. No person shall suffer or permit the growth of trees, bushes or other vegetation on his or her property in a manner that obstructs safe sight distance at any intersection of public or private ways or interferes with a pedestrian’s use of a public walkway. If any person fails to remove such vegetation within 14 days after being requested to do so in writing by the Superintendent of Public Works, the Superintendent or his or her designee may enter the property and remove such vegetation, as provided in General Law, Chapter 87, Section 5, and may collect the reasonable costs of such work from the owner of the property. (a. 12, s. 12, paragraph H.)

ARTICLE 6.30. DPW, Water

ART. 6.30. SECTION 1. Water Extension
When any extension of the water system is requested on a new development or private way, the Water Commissioners shall require that, before such extension is made, a bond shall be given to the town in such amount and form and with such sureties as the commissioners and selectmen shall approve, conditioned that the obligors shall pay the entire cost of the water extension.
ART. 6.30. SECTION 2. Water System Demand Fee
The Board of Selectmen, acting as the Board of Public Works, shall establish and maintain a water system demand fee for all new entrants to the Town's water distribution system, such fee to be set at an amount reasonably calculated to defray the cost of such capital additions or improvements to such system as will be required to serve increased numbers of users. Once such fee is established, whenever established, it shall not be waived by the Selectmen, in whole or in part, for any user or class of users without the prior authorization of town meeting. (added STM 2/27/95)

ART. 6.30. SECTION 3. Backflow Prevention
In order to comply with the Drinking Water Regulations of Massachusetts, 310CMR, Section 22, the Town of Wrentham shall charge a fee in the amount specified in ART. 4.7, SECTION 7.A., or such other fee as the Commonwealth may prescribe, for each test of any testable backflow prevention device required by said regulations. [amended ATM 6-8-15, art. 34]

ART. 6.30. SECTION 4. Water Use Restriction [added STM 11-14-16, art. 16]
A. Authority
This bylaw is adopted by the Town of Wrentham under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c.40, §§ 21 et seq. and implements the Town’s authority to regulate water use pursuant to M.G.L. c. 41, § 69B. This bylaw also implements the Town’s authority under M.G.L. c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection under G.L. c. 21G, §§ 15-17. This bylaw is also intended to implement other water conservation requirements of M.G.L. c. 21G, the “Massachusetts Water Management Act,” and its regulations promulgated at 310 CMR 36.00.

B. Purpose
The purpose of this bylaw is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a “State of Water Supply Conservation” or a “State of Water Supply Emergency” by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town in accordance with this bylaw and/or by the Department of Environmental Protection under its state law authorities.

C. Applicability
All users of the public water supply system of the Town of Wrentham and private well users within the Town of Wrentham shall be subject to this bylaw. This bylaw shall be in effect year round.

D. Definitions
Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.
Automatic sprinkler system shall mean any system for watering vegetation other than a hand-held hose or a bucket.
Department shall mean the Department of Environmental Protection.
Nonessential outdoor water use shall mean those uses that are not required:
1. for health or safety reasons;
2. by regulation;
3. for the production of food and fiber;  
4. for the maintenance of livestock; or  
5. to meet the core functions of a business (for example, irrigation by golf courses as necessary 
to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or 
agricultural operations as necessary to maintain stock or establish new plantings, wash 
equipment to prevent damage and/or maintain performance, pest management and plant 
cooling).

**Nonessential outdoor water uses** that are subject to mandatory restrictions include:
- irrigation of lawns via sprinklers or automatic irrigation systems;  
- washing of vehicles, except in a commercial car wash or as necessary for operator safety or 
to prevent damage and/or maintain performance of agricultural or construction vehicles or 
equipment; and  
- washing of exterior building surfaces, parking lots, driveways or sidewalks, except as 
necessary to apply paint, preservatives, stucco, pavement or cement.

**Exceptions to nonessential outdoor water uses** are:
- irrigation of public parks and recreation fields outside the hours of 7 AM to 7 PM and;  
- irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose 
outside the hours of 7 AM to 7 PM and;  
- irrigation with harvested and stored stormwater runoff.

The following outdoor water uses are subject to review and approval by The Town, through its 
Board of Selectmen or its designee:
- irrigation to establish replanted or re-sodded lawn or plantings during the months of May and 
September;  
- irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes 
or businesses newly constructed in the previous twelve months; and  
- filling of privately owned outdoor pools.

**Person** shall mean any individual, corporation, trust, partnership, association, agency or 
authority, or other entity and any officer, employee, group or agent of such persons.

**State of Water Supply Emergency** shall mean a State of Water Supply Emergency declared by the 
Department under M.G.L. c.21G, §§ 15-17.

**State of Water Supply Conservation** shall mean a State of Water Supply Conservation declared by 
the Town pursuant to paragraph E of this bylaw.

**Water Customers** shall mean all persons using the public water supply irrespective of that 
person’s responsibility for billing purposes for use of the water.

**Water Users** shall mean all persons using water within the Town, including users of private wells.

**E. Declaration of a State of Water Supply Conservation**
The Town, through its Board of Selectmen or its designee authorized to act as such, may declare 
a State of Water Supply Conservation upon a determination that conservation measures are 
appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the 
quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands and to 
ensure compliance with the Water Management Act and the Town’s Water Withdrawal Permit.
Upon notification to the public that a declaration of a State of Water Supply Conservation has 
been declared, no person shall violate any provision, restriction, requirement or condition of the 
declaration. The Board of Selectmen may designate the Public Works Superintendent or Town
Administrator to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under paragraph H of this bylaw before it may be enforced.

F. Declaration of a State of Water Supply Emergency

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency.

G. Restricted Water Uses

A declaration of a State of Water Supply Conservation and/or a State of Water Supply Emergency shall include one or more of the following restrictions, conditions, or requirements limiting nonessential outdoor water use by Water Users as necessary to control the volume of water pumped each day, except as provided as acceptable in paragraph D. The applicable restrictions, conditions or requirements shall be included in the public notice required under paragraph H.

1) Nonessential outdoor water use days: nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. During a State of Water Supply Emergency or State of Water Supply Conservation, nonessential outdoor water use is restricted to two days or fewer per week.

2) Nonessential outdoor water use hours: nonessential outdoor water use is permitted only during the hourly periods specified in the declaration of a State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9 AM to 5 PM.

3) Nonessential outdoor water use method restriction: nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle.

4) Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all times.

5) Automatic sprinkler system ban: The use of automatic sprinkler systems is prohibited.

H. Public Notification of a State of Water Supply Conservation or State of Water Supply Emergency; Notification of DEP

1) Public Notification of a State of Water Supply Conservation – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town as part of a State of Water Supply Conservation shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation by publication on the town web site and by signage on major roadways or intersections or by such other means reasonably calculated to reach and inform all water users of the state of water supply conservation.” The Town may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.). Notification may also include email, public service announcements on local media or other such means reasonably calculated to reach and inform all Water Users of the State of Water Supply Conservation.

2) Public Notification of a State of Water Supply Emergency - Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department shall be made by publication on the town web site and by signage on major roadways or intersections. The Town may also notify
the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.). Notification may also include email, Web sites, public service announcements on local media or other such means reasonably calculated to reach and inform all Water Users of the State of Water Supply Emergency. This notice shall be provided as soon as possible, but no later than 48 hours after the public water system receives notice of the Department's declaration of a State of Water Supply Emergency.

3) Any restriction imposed under paragraph E or paragraph F or in the Department's State of Water Supply Emergency or Order shall not be effective until notification to the public is provided. Submittal of MassDEP's form “Notification of Water Use Restriction” shall be provided to the Department within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

I. Termination of a State of Water Supply Conservation; Notice

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Selectmen or by decision of its designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in paragraph H(1)) for notice of its imposition.

J. Termination of a State of Water Supply Emergency; Notice

Upon notification to the Town that the declaration of a State of Water Supply Emergency has been terminated by the Department, the public will be notified of the termination in the same manner as is required in paragraph H(2)) for notice of its imposition.

Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, by non-criminal disposition in accordance with G.L. c. 40 § 21D, or by assessment upon a Water Customer's water bill. For purposes of non-criminal disposition, the enforcing person shall be any police officer of the town or the Public Works Superintendent or the superintendent's designee. If a State of Water Supply Emergency has been declared the Water Commissioners may, in accordance with G.L. c. 40, § 41A, shut off the water at the meter or the curb stop.

K. Severability

The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or provision thereof.

L. Penalties

The Town through its Water Commissioners or its designee including the Public Works Superintendent, Building Inspector and/or local Police may enforce this bylaw. Any person violating this bylaw shall be liable to the Town in the amounts listed in ART. 4.10, SECTION 7. A [amended STM 11-13-17, art 13].

ARTICLE 6.40. DPW, Buildings and Facilities

ART. 6.40. SECTION 1. Control of Town Buildings

The Town Administrator shall have control of the town buildings, including the land on which the same are erected, and the plants by which the buildings are heated and ventilated, except for school buildings, which shall be under the control of the School Committee, and of the Fiske Public Library, which shall be under the control of the trustees of the Fiske Public Library. [amended ATM 6-8-15, art. 33]
ART. 6.40. SECTION 2. Placement or Removal of Buildings on Town Land

No building or structure of a permanent nature may be constructed or placed upon or removed from any town lands unless authorized by vote of the public body having control over the same, which vote shall be preceded by a public hearing, after fourteen days’ notice having been given by advertisement in a newspaper of general circulation with the town of Wrentham. This provision shall be in addition to any other requirements under the Wrentham Bylaws and Zoning Bylaws or Massachusetts General Laws.

ARTICLE 6.50. DPW, Solid Waste and Recycling

ART. 6.50. SECTION 1. Mandatory Recycling

Effective Date: These regulations shall take effect on January 1, 2002, pending approval by the Attorney General.

A. Purpose

In order to protect the environment, promote recycling, and be in compliance with Massachusetts mandated waste bans, the Town of Wrentham hereby establishes a program for mandatory separation of recyclable and compostable materials from the solid waste stream by all owners and tenants of all residential multifamily, commercial, municipal and institutional structures in the Town, as delineated in Massachusetts General Law, Chapter 40, Section 8H.

B. Applicability

The following regulations shall apply to owners and tenants of all residential, multifamily, commercial, municipal and institutional structures in the Town of Wrentham and also to waste haulers duly licensed by the Town.

C. Definitions

1. Agent/Assignee: Person, business, or Town Board designated and authorized by the board of Selectmen to act on their behalf.

2. Commercial/Business: any building, including but not limited to; those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile service, hotels and motels, restaurants, or shipping and receiving areas.

3. Hazardous Waste: any waste or material, in any amount, which is defined, characterized or regulated as hazardous by or pursuant to Federal or State laws, or any waste or material, in any amount, which is so regulated under Federal or State laws. For purposes of this bylaw, the term “Hazardous Waste” shall also include motor oil, gasoline, oil-based paint, asbestos, and ammunition.

4. Institutional: an establishment dedicated to public service or culture, including but not limited to, educational, religious and health care functions.

5. Multifamily: All dwelling units served by waste management systems other than the Town’s curbside collection of recyclables and/or trash collection.


7. Recyclable Materials: Any type of refuse designated by the State of Massachusetts through the Code of Mass. Regulations (310 CMR 19.017) including but not limited to: glass bottles and jars, empty aerosol cans, tin, steel and aluminum food cans and lids, deposit and non-deposit beverage cans and aluminum foil, milk and juice boxes, plastic containers, newspaper, magazines, catalogs, junk mail and phone books, paperboard, corrugated...
cardboard, yard waste (leaves, grass clippings, weeds, hedge/shrub clippings, garden waste, brush up to 3 inches in diameter, Christmas trees).

8. Residential: all dwelling units participating in municipal curbside collection of recyclables and/or served by trash collection.

9. Solid Waste: Any useless, unwanted, or discarded material that is abandoned by being disposed of or is stored, treated or transferred pending such disposal, not including any hazardous waste, or leaf and yard wastes.

10. Waste Hauler: any person, business, or Town Department who is duly licensed to collect refuse and/or recyclables within the Town of Wrentham.

D. Waste Haulers
Every waste hauler must be duly licensed by the Town Board of Health on an annual basis to operate within the Town of Wrentham; see M.G.L., Ch. 111, Sections 31A and 31B.

Every waste hauler shall provide an integrated waste management service whereby collection of recyclables is provided to all trash collection customers.

Every non-municipal waste hauler, upon request, shall provide the Town Administrator with an updated customer list which includes the names and address of customers within the Town, the degree of service, and pick-up schedule. Upon request, every waste hauler shall also provide educational material to customers. [amended ATM 6-8-15, art. 33]

No waste hauler may accept a load with greater than 5% (by volume) recyclables. In addition, every waste hauler shall report violations of this provision to the Board of Health or its agent.

E. Property Owners/ Tenants
It shall be mandatory for each occupier of land in Wrentham to separate all designated recyclable materials from other refuse.

Every residential owner/tenant shall place a town provided or approved recycling bin at the curb for collection. Yard waste may be brought to the DPW yard [amended STM 11/4/19, art. 18].

Every owner/tenant of a residential or multifamily dwelling, business, or institution shall be responsible for the proper disposal of recyclables, including the set-up on-site of recycling collection areas for inhabitants/tenants.

F. Ownership of Recyclables
Upon placement of recyclables at the curbside for collection by the Town, such materials shall become property of the Town. No person or business, other than licensed and/or authorized agents of the Town, acting in the course of their employment, may collect or pick up any recyclable materials so placed.

G. Enforcement and Penalties
1. Enforcement of mandatory recycling is at the discretion of the Town Administrator or their designated agent/assignee, who may elect to apply the provisions of this section as follows: [amended ATM 6-8-15, art. 33]

2. Any person or entity who violates the provisions of this bylaw may be penalized by a non-criminal disposition as provided in M.G.L. C.40, Section 21D. The penalty for each violation shall be in the amount specified in ART. 4.7, SECTION 7.B. [amended ATM 6-8-15, art. 34]
3. The Town Administrator or his/her agent may further decide to suspend a violator's municipal trash and recyclables pickup in response to repeated violations. [amended ATM 6-8-15, art. 33]

4. Any person or entity who wishes to appeal may do so through the Board of Selectmen.

ARTICLE 6.51. Solid Waste Recycling Committee
[M.G.L. c. 40, s. 8H accepted under ATM April 29, 1991, art. 38; added ATM 6-9-14, art. 18]

ART. 6.51. SECTION 1. General
A. There shall be a standing committee known as the Solid Waste Recycling Committee as referred to in M.G.L. c. 40, s. 8H.

B. The Committee shall consist of five (5) members who shall be appointed by the Board of Selectmen.

ART. 6.51. SECTION 2. Role and Responsibility
A. The committee shall investigate and recommend to the Board of Selectmen methods or programs to minimize long-term solid waste disposal costs for the town, while managing wastes in an environmentally sound manner.

B. The committee will also consider means for the town to remove and manage materials subject to landfill disposal restrictions from the waste stream currently being landfilled.

C. The committee will evaluate and make recommendations to the Board of Selectmen on the apparent feasibility or desirability of various alternatives for recyclable materials collection programs and marketing of recyclables.

D. The committee will conduct awareness and education programs for the town to promote participation in recycling within the Town.

ARTICLE 6.60. Town Common Landscape Memorial Committee
[amended ATM 6-9-14, art. 21]

ART. 6.60. SECTION 1. General
A. There shall be a standing committee to be known as the Town Common Landscape Memorial Committee.

B. This shall be appointed by the Board of Selectmen and shall consist of: nine (9) members as follows: One (1) member of the Board of Selectmen to serve ex-officio, the DPW Superintendent to serve ex-officio, the Tree Warden to serve ex-officio, and six (6) citizens at large; and one (1) associate citizen at large who shall serve in the absence of any regular appointed member of the Town Common Landscape/Memorial Committee who is unable to attend meetings of said Committee. [amended ATM 6-8-15, art. 35]
ART. 6.60. SECTION 2. Role and Responsibility

The committee shall:

i. monitor and advise and/or make recommendations to the Town of Wrentham and to its authority (Board of Selectmen) on matters related to the Town Common, Sweatt Park and any other public park spaces in the center of town as well as public memorials located throughout the town including but not limited to rehabilitation, renovation or repair;

ii. gather information and conduct meetings related to rehabilitation, renovation and/or repair and other such relevant matters;

iii. facilitate communications and activities related to these matters among the following groups: Board of Selectmen, Department of Public Works, Recreation Committee, Historical Commission, Veterans’ Agent, and citizens of the Town of Wrentham; and,

iv. other matters as the Board of Selectmen may request.

ARTICLE 6.80 Prohibition of Illicit Discharges to the Storm Drain System [added STM 11/4/19, art. 19]

A. Purpose

Increased volumes and contamination of stormwater lead to impaired water quality and flow in lakes, streams, rivers, wetlands, and groundwater; contamination of drinking water supplies; alteration or destruction of wildlife habitat; and flooding. The purpose of this bylaw is to safeguard the environment and the health and general welfare of the citizens of the Town of Wrentham through the regulation of illicit connections and illicit discharges to the municipal separate storm sewer system (MS4). The objectives of this bylaw are:

1. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this bylaw;
2. To comply with state and federal statutes and regulations related to stormwater discharges;
3. To prevent pollutants from entering the MS4 by stormwater discharges;
4. To prohibit illicit connections and discharges to the MS4 and;
5. To require the removal of such illicit connections.

B. Definitions

For the purposes of this bylaw, the following terms shall mean:

1. Best Management Practices (BMPs): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.
3. Construction Activity: Activities subject to NPDES Construction Permits that result in a land disturbance of greater than or equal to one acre. This shall also include disturbances less than one acre if that disturbance is part of a larger common plan of development or sale that would disturb one or more acres. This would include any land disturbance resulting from but not limited to, clearing and grubbing, grading, excavating, and demolition.
4. Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious...
characteristics may cause, or significantly contribute to, a substantial present or potential
hazard to human health, safety, property, or the environment when improperly treated,
stored, transported, disposed of, or otherwise managed.

5. Illegal Discharge: Any direct or indirect non-stormwater discharge to the MS4, except as
exempted in Section 8 of this bylaw.

6. Illicit Connections: A surface or subsurface drain or conveyance which allows an illicit
discharge into the MS4, including, but not limited to, sewage, process wastewater or wash
water, and any connections from indoor drains, sinks, or toilets, regardless of whether said
connection was previously allowed, permitted, or approved before the effective date of this
bylaw.

7. Industrial Activity: Activities and facilities subject to NPDES Industrial Permits as defined in
40 CFR, Section 122.26 (b)(14).

8. MS4: Municipal Separate Storm Sewer Systems, also known as the municipal storm drain
system.

9. National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit: A
permit issued by U.S. Environmental Protection Agency or jointly with the State of
Massachusetts under authority delegated pursuant to 33 USC § 1342(b) that authorizes the
discharge of pollutants to waters of the United States.

10. Non-Stormwater Discharge: Any discharge to the MS4 that is not composed entirely of
stormwater.

11. Person: Any individual, association, organization, partnership, firm, corporation or other
entity recognized by law and acting as either the owner or as the owner's agent.

12. Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are
not limited to:
   (a) Paints, varnishes, and solvents;
   (b) Oil, gasoline, and other automotive fluids;
   (c) Non-hazardous liquid and solid wastes and yard wastes;
   (d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, bylaws,
       and accumulations;
   (e) Floatables;
   (f) Pesticides, herbicides, and fertilizers;
   (g) Hazardous substances and wastes;
   (h) Sewage, fecal coliform and pathogens;
   (i) dissolved and particulate metals;
   (j) animal wastes;
   (k) Wastes and residues that result from constructing a building or structure;
   (l) noxious or offensive matter of any kind.

13. Premises: Any building, lot, parcel of land, or portion of land whether improved or
unimproved including adjacent sidewalks and parking strips.

14. Process Wastewater: Water that comes into direct contact with or results from the
production or use of any material, intermediate product, finished product, or waste product
in manufacturing or processing.

15. Storm Drainage System: Publicly-owned facilities by which stormwater is collected and/or
conveyed, including, but not limited to, any roads with drainage systems, municipal streets,
gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins,
natural and human-made or altered drainage channels, reservoirs, and other drainage
structures.

16. Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any
form of natural precipitation, and resulting from such precipitation.

17. Stormwater Pollution Prevention Plan: A document which describes the Best Management
Practices and activities to be implemented by a person or business to identify sources of
pollution or contamination at a site and the actions to eliminate or reduce pollutant
discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to
the Maximum Extent Practicable.

18. Wastewater: Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

19. Watercourse: A manmade or natural channel through which water flows, such as a river, brook, or underground stream.

20. Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth, including without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal rivers, and groundwater.

C. Applicability
This bylaw shall apply to all water entering the municipal storm drainage system generated on any developed and undeveloped lands unless explicitly exempted by the Department of Public Works and/or the Conservation Commission. The provisions in this bylaw shall take precedence over any conflicting provisions from previous bylaws.

D. Authority
This bylaw is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act and pursuant to the regulations set forth in the federal Clean Water Act found at 40 CFR 122.34.

E. Responsibility for Administration and Enforcement
The Department of Public Works and the Conservation Commission shall jointly administer, implement, and enforce the provisions of this bylaw. The Superintendent of Public Works and the Conservation Agent may delegate, in writing, any powers granted or duties of the Department of Public Works and the Conservation Commission to its employees or agents.

F. Prohibited Activities
1. Prohibition of Illegal Discharges.
   No person shall discharge or cause to be discharged into the MS4 or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants set forth in this bylaw.

2. Prohibition of Illicit Connections.
   No person shall construct, maintain, use, or allow the continued existence of illicit connections to the MS4, regardless of whether the illicit connection was permissible under law, regulation, or custom at the time of connection.

   No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior written approval from the Department of Public Works and the Conservation Commission.

G. Exemptions
The following discharges are exempt from discharge prohibitions established by this bylaw, unless the discharge is determined by the Town or the United States Environmental Protection Agency (USEPA) to be a significant contributor of a pollutant to the MS4, in which case the following discharges may be subject to the terms of this bylaw.

1. Water line and hydrant flushing;
2. Flow from potable water sources;
3. Flow from landscape irrigation or lawn watering;
4. Wastewater from non-commercial washing of vehicles;
5. Flow resulting from firefighting activities;
6. Dechlorinated water from swimming pools (if dechlorinated to less than one part per million chlorine);
7. Uncontaminated water originating from residential pumping including air conditioning condensation and water from exterior fountain or footing drains (not including active groundwater dewatering systems);
8. Diverted stream flows, rising ground water, ground water infiltration to storm drains, springs, or natural flow from riparian habitats or wetlands;
9. Dye testing, given a verbal notification to the Department of Public Works and/or the Conservation Commission prior to the time of testing;
10. Discharges specified in writing by the Department of Public Works and/or the Conservation Commission as being necessary to protect public health and safety; and
11. Any non-stormwater discharge that is permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the U.S. Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the MS4.

H. Suspension of Municipal Storm Drain System Access

1. Suspension Due to Illicit Discharges in Emergency Situations.
The Department of Public Works and/or the Conservation Commission may, without prior notice, suspend MS4 discharge access to a person if it is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the Commonwealth. If the violator fails to comply with a suspension order issued in an emergency, the Department of Public Works and/or the Conservation Commission may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the Commonwealth or to minimize danger to persons.

2. Suspension Due to the Detection of Illicit Discharge.
Any person discharging to the MS4 in violation of this bylaw may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Department of Public Works and/or the Conservation Commission will notify a violator of the proposed termination of its MS4 access. The violator may petition the Department of Public Works and the Conservation Commission for a reconsideration and hearing.

I. Industrial or Construction Activity Discharges
Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Department of Public Works and the Conservation Commission prior to the allowing of discharges to the MS4.

J. Monitoring of Industrial or Construction Activity Discharges

1. Applicability.
This section applies to all facilities that have stormwater discharges associated with industrial activity or construction activity.

a) To the extent permitted by state law, or if authorized by the owner or the other party in control of the property, the Department of Public Works and/or the Conservation Commission, its agents, or officers, and employees may enter and inspect facilities subject to regulation under this bylaw as often as may be necessary to determine compliance with this bylaw. If a discharger has security measures in place which require proper identification and clearance before entry into its premises, the discharger shall
make the necessary arrangements to allow access to representatives of the Department of Public Works and the Conservation Commission.

**b)** Facility operators shall allow the Department of Public Works and the Conservation Commission ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.

**c)** The Department of Public Works and/or the Conservation Commission shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the Department of Public Works and/or the Conservation Commission to conduct monitoring and/or sampling of the facility’s stormwater discharge.

**d)** The Department of Public Works and the Conservation Commission have the right to require the discharger to install monitoring equipment as necessary. The facility’s sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

**e)** Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Department of Public Works and/or the Conservation Commission and shall not be replaced. The costs of clearing such access shall be borne by the operator.

**f)** Unreasonable delays in allowing the Department of Public Works and/or the Conservation Commission access to a permitted facility is a violation of a stormwater discharge permit and of this bylaw. A person who is the operator of a facility with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the Department of Public Works and/or the Conservation Commission reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this bylaw.

**g)** If the Department of Public Works and/or the Conservation Commission have been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this bylaw, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this bylaw or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the Department of Public Works and/or the Conservation Commission may seek issuance of a search warrant from any court of competent jurisdiction.

**K. Requirement to Prevent, Control, and Reduce Stormwater Pollutants by the Use of Best Management Practices**

The Conservation Commission will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the MS4, or waters of the Commonwealth. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge,
may be required to implement, at said person's expense, additional structural and non-structural
BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer
system. Compliance with all terms and conditions of a valid NPDES permit authorizing the
discharge of stormwater associated with industrial activity, to the extent practicable, shall be
deemed compliance with the provisions of this section. These BMPs shall be part of a
stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of
the NPDES permit.

L. Watercourse Protection
Every person owning property through which a watercourse passes, or such person's lessee,
shall not place trash, debris, yard waste, vegetation, or other obstacles that would pollute,
contaminate, or significantly retard the flow of water through the watercourse. In addition, the
owner or lessee shall maintain existing privately owned structures within or adjacent to a
watercourse, so that such structures will not become a hazard to the use, function, or physical
integrity of the watercourse.

M. Notification of Spills
Notwithstanding other requirements of local, state, or federal law, as soon as any person
responsible for a facility or operation, or responsible for emergency response for a facility or
operation has information of any known or suspected release of materials which are resulting or
may result in illegal discharges or pollutants discharging into stormwater, the MS4, or waters of
the Commonwealth, said person shall take all necessary steps to ensure the discovery,
containment, and cleanup of such release in accordance with this bylaw and any regulations
promulgated pursuant to this bylaw. In the event of release of hazardous materials from the
sanitary sewer, said person shall immediately notify the Board of Health. In the event of release of
any other hazardous material, said person shall immediately notify the Fire Department who shall
then notify the Department of Public Works. In the event of a release of non-hazardous
materials, said person shall notify the Department of Public Works no later than the next
business day. Notification of a release to the Department of Public Works shall include all
pertinent information regarding the release, including proof of notification to the Massachusetts
Department of Environmental Protection, if such notification was required.

N. Enforcement
1. Authorized Agent.
The Department of Public Works and/or the Conservation Commission and any authorized agents
shall enforce the provisions of this bylaw, issue and prosecute violation notices and enforcement
orders, and may pursue all criminal and civil remedies for such violations.

2. Orders.
Whenever the Department of Public Works and/or the Conservation Commission finds that a
person has violated a prohibition or failed to meet a requirement of this bylaw, it may order
compliance by written notice of violation to the responsible person. Such notice may require
without limitation:
   a) The performance of monitoring, analyses, and reporting;
   b) The elimination of illicit connections or discharges;
   c) That violating discharges, practices, or operations shall cease and desist;
   d) The abatement or remediation of stormwater pollution of contamination hazards and the
      restoration of any affected property; and
   e) Payment of a fine to cover administrative and remediation costs; and
   f) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall
set forth a deadline within which such remediation or restoration must be completed. If elimination of illicit connections or discharges is required as abatement, such elimination must be completed within sixty (60) days from the identification of the illicit connection or discharge. If an extension beyond 60 days is necessary, the property owner must submit to the Town a written schedule for expeditious elimination of the illicit discharge ten (10) days prior to the 60-day deadline. The property owner shall provide a monthly progress report to the Department of Public Works and the Conservation Commission summarizing the status of the elimination schedule. In the interim period, the property owner may be required to take reasonable and prudent measures to minimize the discharge of pollutants to and from the MS4.

Should the violator fail to remediate or restore within a timeframe deemed reasonable by the Department of Public Works and/or the Conservation Commission, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within thirty (30) days of receipt of the notification of costs incurred. If the amount due is not paid within a timely manner, as determined by the decision of the Department of Public Works and/or the Conservation Commission or its designated agent, or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Interest at the rate of __ percent per annum shall begin to accrue on the unpaid balance beginning on the thirty-first (31st) day at which the costs first became due.

3. Appeals.
The decisions or orders of the Department of Public Works and/or the Conservation Commission or its designated agent shall be final. Further relief shall be to a court of competent jurisdiction.

4. Entry to Perform Duties.
To the extent permitted by state law, or if authorized by the owner or the other party in control of the property, the Department of Public Works and/or the Conservation Commission, its agents, or officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys or sampling as the Department of Public Works and/or the Conservation Commission deems reasonably necessary. If a violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within days of the decision of the upholding the decision of the Department of Public Works and/or the Conservation Commission, then representatives of the Department of Public Works and/or the Conservation Commission may enter upon the subject’s private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

5. Civil Relief.
If a person has violated or continues to violate the provisions of this bylaw, the Department of Public Works and/or the Conservation Commission may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
6. Criminal Penalty.  
   Any person that has violated or continues to violate this bylaw shall be fined no more than the maximum allowable penalty under the Massachusetts General Laws, Chapter 40, Section 21. Each day such violation continues shall constitute a separate offense.

7. Non-Criminal Disposition.  
   In lieu of enforcement proceedings, penalties, and remedies authorized by this bylaw, the Department of Public Works and the Conservation Commission may elect to use the non-criminal disposition procedure set forth in M.G.L. C.40, Section 21D.

   In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this bylaw is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

9. Remedies Not Exclusive.  
   The remedies listed in this bylaw are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Department of Public Works and the Conservation Commission to seek cumulative remedies.

O. Severability  
   The provisions of this bylaw are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

P. Regulations  
   The Board of Selectman, Board of Health, Conservation Commission, or selected designee may promulgate after due notice and public hearing Rules and Regulations to effectuate the purposes of this bylaw. Failure by the Board of Selectman, Board of Health, Conservation Commission, or selected designee to promulgate such Rules and Regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.
TITLE VII. DEVELOPMENT AND LAND USE

ARTICLE 7.10. Planning Board

ART. 7.10. SECTION 1. Zoning
(Refer to the Zoning Bylaws)

ARTICLE 7.11. Earth Removal
(Refer also to ARTICLE 14, EARTH REMOVAL, of the Zoning Bylaws.)

ART. 7.11. SECTION 1. Purpose
This bylaw is to ensure that permanent changes in the surface contours of land from earth removal activities will leave the land in a safe and convenient condition for appropriate reuse without requiring excessive and unreasonable maintenance or creating danger of damage to public or private property, and is to provide that earth removal activities shall be conducted in a safe manner, with minimal detrimental effect upon neighboring properties and the district in which the activities occur.

ART. 7.11. SECTION 2. Authority
This bylaw is adopted pursuant to the authority granted under General Laws Chapter 40, § 21, clause 17, and Article II, §6 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

ART. 7.11. SECTION 3. Definitions
A. Incidental to/Incidental use: a use is incidental to a primary use when it is subordinate to the primary use, is consistent with the character of the existing and intended use, involves no income or profit for purposes other than the primary use, and bears a reasonable relation to it. Earth Removal activities may be an incidental use only when they are a minor use, not a major undertaking.

B. Earth: all material normally and naturally composing part of the earth’s surface and immediate subsurface, excluding water, including but not limited to, soil, clay, gravel, hard pan, loam, rock, peat and sand.

C. Lot: a single parcel of land separated from contiguous land by property lines described in a recorded plan or deed.

D. Remove/Removal: The severance of any Earth from its natural location, whether or not such Earth is moved from the lot to another location on the same lot or off the lot, by any means, including but not limited to, stripping, excavating, mining or blasting.

ART. 7.11. SECTION 4. Earth Removal Prohibited Without a Permit
No person, firm or corporation shall remove any Earth from any lot in the Town of Wrentham, unless such activity is a permitted or lawfully nonconforming use in the district under the Town of Wrentham Zoning Bylaw, and is authorized by a permit issued by the Planning Board under this Bylaw.

ART. 7.11. SECTION 5. Conditional Exemptions
The following activities shall not be considered Earth Removal and no permit shall be required under this bylaw, provided the activities do not constitute a nuisance or danger to the public, and conform to accepted engineering or agricultural practices:
A. The Superintendent of Public Works and his/her agents and employees may perform Earth Removal activities in the performance of their public duties on any public way and on Town property.

B. Earth Removal incidental to the construction of the foundation of buildings, walks, driveways, septic systems or swimming pools, and incidental to the installation of utilities, provided that the quantity of Earth subject to Removal does not exceed that displaced by the portions of construction and installation below finished grade.

C. Earth Removal incidental to the normal operation of a cemetery.

D. Earth Removal incidental to landscaping in which the amount of Earth subject to Removal does not exceed 200 cubic yards in one calendar year, if the Earth is transported off the lot; and does not exceed 500 cubic yards in one calendar year, if the Earth is transported within the lot.

ART. 7.11. SECTION 6. Earth Removal Permit Requirements

A. Application
An application for an Earth Removal permit shall be submitted to the Planning Board on such forms or in such manner as the Planning Board shall specify. The application shall include:

i. the location of the property upon which Earth Removal is proposed, identified by both Assessors Lot Number and Street address, if an address has been assigned to the property, and identified by the Registry of Deeds book and page;

ii. the name and address of the petitioner;

iii. the name and address of the property owner;

iv. the name and address of any mortgagees;

v. a certified list of the names and addresses of all abutters; and

vi. an estimated number of cubic yards of Earth proposed for Removal and an estimate, based on field data, of the number of cubic yards of loam that will be stripped and stockpiled.

B. Fees

1. Administrative Fee
The Planning Board is authorized to establish a fee schedule imposing fees for permit applications and permit renewal applications. Such application fees must be based on a reasonable estimate of the actual costs incurred by the Planning Board in carrying out its duties under this bylaw.

2. Consultant’s Fees
The Planning Board is authorized to require the applicant to pay the reasonable costs and expenses borne by the Planning Board for specific expert engineering and consultant services deemed necessary by the Planning Board to review any permit application, or permit renewal application, up to a maximum amount specified in ART. 4.7, SECTION 7.C. In cases where the Earth Removal project will exceed 5,000 cubic yards, the maximum consultant fee shall be in the amount specified in ART. 4.7, SECTION 7.A. Such services may include, without limitation, the delineation and survey of wetland resource areas, the delineation and survey of surface contours, analysis of resource area values, hydrogeological and drainage analyses, and legal services. The Planning Board is authorized to charge the applicant for said fee.
based upon its reasonable finding that the additional information it may acquire through outside consultants will be helpful for the making of an objective decision and the formulation of appropriate conditions. Said fee may be requested of the applicant within thirty (30) days of the filing of the application, or from the last amendment thereto. In its request, the Planning Board shall identify the consultant it has selected, include an estimate of the charges for the proposed services, and state the amount due as an initial deposit. The applicant may appeal from the selection of the consultant to the Board of Selectmen within ten (10) days of receiving notice from the Planning Board of the same. The Selectmen may set aside the selection of the consultant only if the consultant lacks sufficient qualifications to perform the work or has a conflict of interest. Subject to this right of appeal, all deposits requested by the Planning Board shall be delivered to the Town Treasurer within ten (10) days of the Planning Board’s request. [amended ATM 6-8-15, art. 34]

3. Town Exempt

No application or consultant fees shall be due from the Town of Wrentham in connection with any project performed by the Town or on its behalf.

C. Site Plan

A Site Plan shall be submitted as part of an Earth Removal Permit Application. The Site Plan shall be submitted in the quantities and in the form required by the Planning Board. The Site Plan shall be prepared by a registered civil engineer licensed to practice in the Commonwealth of Massachusetts. The Site Plan shall include, without limitation:

i. all the property where the earth is to be removed showing boundary lines, easements and rights of way in detail, and the names of abutters;

ii. the elevations of abutting land at the lot lines;

iii. all adjacent roads and structures, public or private, their elevations and established grades;

iv. All waterways and wetlands resource areas (as defined in 310 CMR 10.00), and any land within the Watershed Protection, Aquifer Protection and Flood Plain Districts (as defined by the Wrentham Zoning Bylaw) on the locus and their respective elevations;

v. existing and proposed contours at two (2) foot intervals with all profiles drawn to a scale of one (1) inch equals eight (8) feet;

vi. a minimum of two (2) vertical control benchmarks (one to be permanent) must be established and maintained on site on the National Geodetic Vertical Datum, U.S. Geological Survey base to the closest hundredth of a foot (0.01 foot) with an additional benchmark similarly provided per each additional four (4) acres or portion thereof on the site;

vii. drainage calculations in support of the specification found in Paragraph 7., Sub-paragraph xii.; and,

viii. surface water flows, groundwater elevations before and after Removal.

The Planning Board may in any particular case, where such action is in the public interest and not inconsistent with the intent and purpose of this bylaw, waive or modify any of these Site Plan requirements upon the written request of the applicant. The Planning Board may require
additional information in the Site Plan if such information will assist it in making the required findings under this bylaw.

**D. Public Hearing**

The Planning Board shall, within 65 days after the filing of a complete application, hold a public hearing on said application. Notification of the public hearing shall be advertised for two consecutive weeks in a newspaper generally circulated in Town beginning at least 14 days before the hearing date. The applicant shall notify all abutters and other parties in interest by certified mail, return receipt requested, mailed at least 14 days before the hearing date, and shall present copies of the returned receipts to the Planning Board on or before the hearing date. The applicant shall pay the cost of the publishing notice.

The applicant must introduce evidence establishing, and the Planning Board must make specific findings of fact, that each of the following general requirements will be met:

1. that the earth removal may be accomplished without unreasonable danger to the health, safety and general welfare of the inhabitants of the Town in general nor to that of those in the immediate vicinity;
2. that the earth removal will not produce unreasonable noise, dust, or other effects observable as detrimental to the normal use of adjacent land;
3. that the earth removal and change in topography may be accomplished without adverse effect to abutting land by reason of surface water drainage nor to the recharge of the water table nor to the pumping rate of any nearby Town well site; and,
4. that the earth removal will not have a material adverse effect on the health or safety of persons living in the neighborhood or on the use or amenities of adjacent land.

**ART. 7.11. SECTION 7. Earth Removal Permit Decision and Required Conditions**

The Planning Board may grant, grant with conditions, deny, or grant in part and deny in part, any Earth Removal permit application or application for permit renewal. The Planning Board shall file a copy of its permit decision in the office of the Town Clerk, and mail a copy of its decision to the applicant, within 30 days after the close of the last public hearing or the application. In the event that the Planning Board shall fail to file its decision in the office of the Town Clerk within 100 days of the filing of the application, or by such a later date to which the applicant may agree in writing, the application shall be deemed to be constructively granted subject to the general conditions set forth herein.

All work performed under a permit granted under this bylaw shall be done in accordance with the required conditions set forth below, which shall be deemed to be incorporated therein by reference, unless specifically waived or modified by the Planning Board. The Planning Board may waive or modify any of the required conditions if such action is consistent with the purposes and intent of this bylaw and will not substantially compromise the protection of the public and the environment.

**A.** All trees are to be cut, not bulldozed. All trees and brush are to be chipped on site unless removed for commercial purposes. Stumps may not be buried on the site except in accordance with a site assignment issued under G.L. c. 111, § 150A.

**B.** All loam and topsoil must be scraped and stockpiled on the site for use in later landscaping. No loam or topsoil may be removed from the site.
C. Excavation to the property line is not permitted. The Site Plan shall designate a minimum 50-foot buffer strip along the property lines where the earth and vegetation shall remain undisturbed.

D. Earth must be removed to contours set forth in the approved Site Plan. Boulders must be buried at a depth which will provide a six (6) foot cover at finished grade. Ledge shall not be left exposed under normal circumstances. If ledge is encountered, the permittee must either remove it, or submit a revised Site Plan for approval which must be approved before work is continued.

E. Slopes shall not exceed a 3:1 ratio and a 4:1 ratio is preferred where practical. A 4:1 slope may be required in areas determined to be sensitive by the Planning Board.

F. Earth removal shall be carried out in four (4) acre grids and not over the entire site at one time. After each such grid has been excavated, the land shall be brought to rough finish grade and loam spread to a depth of not less than six (6) inches to bring the land to finished grade before proceeding to the next excavation area. This regrading area must then be seeded with an acceptable perennial grass at the rate of not less than two hundred pounds per acre and the area maintained until the grass heights have reached the two (2) inch minimum. In appropriate cases, the Planning Board may modify this requirement in the light of special requirements of site work to allow regrading at the end of the removal operation upon making specific findings of fact as to why such modification is required.

G. The regrading and seeding of each grid or disturbed area shall be completed, according to specification, within 30 days of the completion of excavation of the grid, expiration of the special permit or upon cessation of operations, whichever occurs first.

H. Finished grades shall be as indicated on the approved site plan. In general, finished grades may not be designed to be below the level of any abutting public way unless the Planning Board determines, based upon satisfactory engineering data, that a finished grade below the elevation of an abutting way is advantageous to the plan for future use of the property.

I. Topsoil must be spread to a depth of not less than six (6) inches over disturbed areas and seeded and maintained as stated previously.

J. Fingerling fir, white pine or other approved tree cover shall be planted over the entire disturbed area at five (5) to six (6) feet on center.

K. No excavation shall be made at less than ten (10) feet above annual high water table as established from test pits and soil borings. A minimum of three (3) observation wells shall be monitored for one (1) year to establish the high water table ground plane elevation. Additional wells may be necessary on sites exceeding ten (10) acres. This data shall be shown on the site plan submitted to the Planning Board for approval and on a permanent monument placed on the property and shown on the site plan.

L. All access roads leading to public ways shall be treated to minimize dust and mud for a distance of not less than two hundred (200) feet back from the public way. Any spillage on public ways shall be cleaned by the applicant on a twice-daily basis, including once following the close of normal working hours.

M. Unless the site conditions expressly require alteration of drainage patterns, the land shall be left so that natural storm drainage shall leave the property at the original natural drainage points; and so that the total discharge at peak flow, and the area of drainage to any one point, is not increased; and so that the hydrography of any post-development stream is the same as that of the pre-development stream.
N. Any earth removal in the vicinity or within wetland areas governed by M.G.L. Ch.131 or other wetlands related laws, shall also be subject to orders of conditions from the Conservation Commission. Whether such proposed earth removal projects fall within the jurisdiction of the Conservation Commission shall be determined by the Conservation Commission and the applicable Town, State and Federal laws.

O. The applicant shall be responsible for monitoring the amount of earth removed from the site. A bi-weekly report, prepared and certified by a registered civil engineer, licensed to practice in the Commonwealth of Massachusetts, shall be forwarded to the Planning Board for the duration of the earth removal project. The report shall include a daily account of the number of truckloads of earth removed from the site, the number of cubic yards of earth contained in each truckload, daily and weekly totals of the number of cubic yards of earth removed from the site and a cumulative total, from project inception to date, of the number of cubic yards of earth removed from the site.

ART. 7.11. SECTION 8. Special Conditions
The Planning Board shall set forth particular hours of operation for each individual operation as a special condition.

The Planning Board may impose additional special conditions deemed necessary in the light of circumstances. Special conditions may include, without limitation, requirements or limitations relating to the proximity of residential or commercial uses that might be affected by dust, noise and traffic, blasting with respect to ledge removal, drainage matters, lateral support of abutting property and the like.

ART. 7.11. SECTION 9. Bond Requirement
Prior to the start of any work under a permit granted hereunder, a surety company bond or deposit of money (which may take the form of an assignment of a bank account assented to by the depository bank) shall be delivered to the Planning Board to ensure compliance with this bylaw and of the conditions of the permit. The bond shall have a term of not less than two (2) years beyond the estimated completion date of the earth removal project. Such bond or other security shall be held by the Town Treasurer until the permit holder submits an “as built” plan, prepared and certified by a registered civil engineer licensed to practice in the Commonwealth of Massachusetts, showing that all excavation has been to grades approved on the Site Plan, and that all restoration work has been completed.

ART. 7.11. SECTION 10. Term of Permit and Permit Renewal
No permit shall be issued for a period in excess of 12 months.

A permit may be renewed annually, upon written request of the applicant to the Planning Board. The Planning Board may impose a renewal application fee under SECTION 6.B.1., and may charge the applicant the reasonable costs of its own consultants under Section 6.B.2.

A permit renewal application shall include a letter prepared by a registered civil engineer licensed to practice in the Commonwealth of Massachusetts, certifying that all work performed under the prior permit was undertaken in substantial compliance with the approved plans and permit requirements and conditions, and setting forth what deviation, if any, exists from those plans and permit requirements. The Planning Board may require submission of further materials, including, without limitation, reports of engineers or consultants.

A renewal request must be received by the Planning Board at least 65 days before the expiration of the prior permit. Within 14 days of its receipt, the Planning Board shall post notice of the request for permit renewal for at least 10 days. A permit may be renewed without public hearing, unless an abutter or
other party in interest requests a public hearing in writing within the first 10 days the notice is posted. If a public hearing is requested, the notice and burden of proof provisions of Section 6.D. shall apply.

The Planning Board shall hold its meeting, or commence the public hearing on the request within 65 days of its receipt. The Planning Board shall notify the applicant of its decision within 21 days after the close of the meeting or the public hearing. If a prior permit has lapsed before a determination on a permit renewal has been made final, no Earth Removal may be performed.

The Planning Board may renew a permit only upon a showing that the activities carried out under the prior permit were performed in accordance with the plans, specifications and conditions of the prior permit, and that the activities proposed under the renewed permit will not entail Earth Removal of a larger quantity or from a larger portion of a lot than allowed on the prior permit.

The Planning Board may impose additional conditions upon a renewed permit, and may renew it for any period of time, not to exceed 12 months.

ART. 7.11. SECTION 11. Earth Removal Operations in Existence
This Bylaw shall take effect 30 days from the date of its approval by the Attorney General of the Commonwealth. Earth Removal operations in existence on May 1, 1999, may continue through June 30, 2000, provided that an application for any such operation is filed with the Planning Board before March 1, 2000. A Special Permit issued under Article 14 of the Wrentham Zoning bylaw (as adopted by the Town on December 21, 1987) between December 21, 1987 and the effective date of this bylaw shall be treated as an original permit under this bylaw expiring on July 1, 2000, and may be renewed annually pursuant to Section 10 of this bylaw, subject to any reasonable conditions imposed by the Planning Board under this bylaw.

ART. 7.11. SECTION 12. Earth Removal in Connection with Other Uses
In appropriate circumstances, the Planning Board may combine any hearing required under this Bylaw with the hearing on an application for definitive plan approval under G.L. c. 41, §81U, or an application for a special permit or site plan approval under the Wrentham Zoning Bylaw, and may accept plans or information submitted in support of such applications in satisfaction of the requirements of this Bylaw. In such cases, the Board shall ensure that the separate requirements of this Bylaw are met, and shall issue a separate permit under this Bylaw.

ART. 7.11. SECTION 13. Enforcement and Penalty
The Building Inspector shall be responsible for enforcing provisions of this bylaw and the decisions rendered in accordance with Sections 6.0 and 9.0 herein. Once notified by the Building Inspector, an Earth Removal operator shall immediately cease such activities or begin to correct such conditions determined to be contrary to said provisions or decisions. Failure to do so shall constitute a non-criminal violation subject to a fine in accordance with MGL c. 40, s. 21D, as follows: fifty dollars for the first offense, one hundred dollars for the second offense, and two hundred dollars for each subsequent offense. (amended ATM 4/30/01)

ARTICLE. 7.12. Scenic Roads
[amended STM 11-12-13, art. 14]

ART. 7.12. SECTION 1. Purpose
The purpose of this bylaw is to increase environmental protection, maintain aesthetic qualities, and preserve the historical values of designated roads in the Town. The bylaw regulates certain roadway repair, maintenance and reconstruction activities in order to help achieve these objectives.
ART. 7.12. SECTION 2. Definitions

In the absence of contrary meaning established through legislative or judicial action pursuant to M.G.L. (Massachusetts General Law) Chapter 40, Section 15C, the following terms contained in that statute shall be defined as follows:

A. "Cutting or removal of trees" shall mean the destruction of one or more trees having a trunk diameter of four (4) inches or more measured four (4) feet from the ground, trimming of major branches or trimming of roots sufficient in the Tree Warden's opinion to cause eventual destruction of a tree. Not included in this definition is the routine or emergency maintenance which removes only permanently diseased or damaged limbs, trunks, or roots, and dead whole trees.

B. "Repair, maintenance, reconstruction, or paving work" shall mean any work done within the right of way by any person or agency, public or private. Construction of new driveways or alterations of existing ones is included to the extent such work takes place within the right-of-way. Roadside clearing of trees to provide for vehicle clearance or for improvement to line-of-sight shall also be included in this definition. Construction of alteration of water, sewer, electric, telephone, cable TV of other utilities within the right-of-way is also included.

C. "Road" shall mean the right-of-way of any way used and maintained as public way including the vehicular traveled way, plus shoulders, the portion of intersecting driveways within the right-of-way, and necessary appurtenances within the right-of-way such as bridge structures, drainage systems, retaining walls, and paths. When the boundary of the right-of-way is in issue so that there is a question as to whether or not certain trees or stone walls or portions thereof are within or without the way, the trees or stone walls shall be presumed to be within the way until the contrary is shown.

D. "Tree" shall mean a perennial woody plant whose trunk has a diameter of four (4) inches or more as measured four (4) feet above the ground.

E. "Stone Wall" shall mean an assembled grouping of stones comprising at least one (1) cubic foot of stone per linear foot and totaling five (5) or more feet in length.

F. "Tearing down or destruction of stone walls" shall mean the removal or covering with earth of more than two (2) linear feet of stone wall. Temporary removal and replacement with the same materials at the same location within thirty (30) days shall not be construed to be within this definition.

ART. 7.12. SECTION 3. Procedure for Scenic Road Designation

A. Process

1. Any person or group of persons may submit an application to the Town Administrator to request that a public road be designated as a scenic road. Such application shall be accompanied by a written description of the characteristics of the road that qualify it for protection afforded by this chapter.

2. The Town Administrator shall refer all such applications to the Planning Board, the Conservation Commission and the Historical Commission within 15 days of the date of receipt of the application.

3. Within 45 days of receipt of an application thereunder, the Planning Board, the Conservation Commission and the Historical Commission may make a recommendation to the Board of Selectmen or request in writing that the road described in the application be designated a
scenic road. Upon recommendation, the Board of Selectmen shall include a warrant article for the next Town Meeting.

4. Designation is by majority vote of Town Meeting.

B. Findings
In considering whether to recommend a road as a scenic road to the Town Meeting, the Board shall consider the following factors:

i. Historic significance of affected trees and stone walls.

ii. Contribution of trees and stone walls to scenic beauty.

iii. Exceptional qualities of trees in terms of age, spread, species or specimen size.

iv. Protection of natural resources as well as scenic and aesthetic quality of area including scenic views.

v. Bordering land uses, present and prospective, and how they impact the importance of retaining trees and walls.

vi. Feasibility of accomplishing the intent of the Scenic Roads Act in light of road design and use.

C. Non-qualifying roads
Numbered routes and state highways may not be designated scenic roads.

ART. 7.12. SECTION 4. Review Procedures for Work Within Designated Scenic Roads

A. Scenic road work permit
The Planning Board shall issue a scenic road work permit in accordance with the following review procedures. The Planning Board shall advertise, notify abutters and hold a public hearing on all work permit applications filed hereunder, in accordance with the notice requirements of M.G.L. Chapter 40A, Section 11.

B. Activities requiring approval
Within a public road layout which has been designated a scenic road, the following activities shall require approval of the Planning Board in accordance with the provisions of this article: The cutting or removal of trees and/or the tearing down or destruction of stone walls or portions thereof, in connection with repair, maintenance, reconstruction, paving or other work within the layout of a public road.

C. Imminent threats to public safety
In cases where an imminent threat to public safety newly arises and does not allow sufficient time to obtain advance approval of the Planning Board as required by this chapter, the Planning Board must be notified within five business days of any action taken which, had such a threat not arisen, would have been a violation of this article.

D. Application content
1. A notice identifying the location of the proposed activity which enables readers to reasonably locate it on the ground, without need for additional references, describing the proposed changes to tree(s) and/or stone wall(s).
2. A certified abutters list prepared by the Wrentham Assessor’s Office including owners of land which is both abutting and within 300 feet of the affected scenic road location.

3. A plan, describing the proposed activity and mitigation measures, including protection, restoration and any compensatory efforts.

4. A certificate by the petitioner attesting to the marking of all trees and walls to be affected, sufficient to enable the Board and all interested parties to identify those trees and walls.

5. Photographs of all stone walls and trees within the proposed work area.

6. Application form.

E. Public Shade Tree Act
Whenever feasible, notice shall be given and Planning Board hearings shall be held in conjunction with those held by the tree warden acting under M.G.L. Chapter 87. The consent of the Planning Board to a proposed action shall not be regarded as inferring consent by the tree warden, or vice versa. The Planning Board decision shall contain a condition that no work should be done until all applicable provisions of the Public Shade Tree Law, M.G.L. Chapter 87, have been complied with.

F. Fees
Actual advertising costs and abutter notification mailings for a scenic roads work permit shall be borne by the petitioner and shall be billed directly to the petitioner. A scenic roads work permit fee shall be established by the Planning Board to cover the town’s administrative costs.

G. Compensatory actions
1. Since the purpose of this chapter is to protect the scenic quality and character of designated scenic roads, the Planning Board shall approve the proposed work only upon finding that adequate compensatory actions have been included in the applicant’s proposed plan. The Planning Board shall consider the value of compensatory actions, such as the planting of new replacement trees or the reconstruction of stone walls, in making its decision. Reasonable measures should be taken in road widening and traffic safety projects on scenic roads so as to minimize tree removal and destruction of any portion of a stone wall. All feasible measures should be employed in the construction to minimize the removal of trees, stone walls and the grade of adjacent lands.

2. Limited review standards
(a) Replacement Trees.

(1) Trees destroyed shall be replaced with nursery grade trees on the following basis:

<table>
<thead>
<tr>
<th>Tree Removed</th>
<th>Replacement</th>
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<tr>
<td>Up to 12 inches dbh caliper</td>
<td>2 trees minimum, 2-inch caliper</td>
</tr>
<tr>
<td>12 inches to 24 inches dbh caliper</td>
<td>6 trees minimum, 2-inch caliper</td>
</tr>
<tr>
<td>Over 24 inches dbh caliper</td>
<td>8 trees minimum, 2-inch caliper</td>
</tr>
</tbody>
</table>

[amended STM 11-10-14, art. 13]

(2) The Planning Board shall approve the final specimen and replanting location selected with a preference for replacement tree(s) planted within the outer edge of the right-of-way.
(3) The preference is for replacement tree(s) to be planted in the vicinity of the original tree removal location, however, in the event compensatory planting is not feasible or desirable near the project site, the Planning Board, upon recommendation from the Tree Warden, may authorize compensatory planting in alternate locations based on the following preference:

First: Compensatory tree planting will occur within the outer edge of the right-of-way of the same scenic road, in close proximity to the proposed location of tree removal.

Second: Compensatory tree planting will occur in suitable location(s) on same scenic road as proposed tree removal location.

Third: Compensatory tree planting will occur on another scenic road in Wrentham.

Fourth: Compensatory tree planting will occur in another location in Town.

(b) Stone walls shall be replaced so as to reconnect with undisturbed walls - wherever physically possible.

(c) Reasonable steps to be described in D(4)(c) will be taken to insure protection of tree trunks, branches, and root systems of remaining trees in the project area from temporary or permanent damage.

H. General

The Planning Board, after a public hearing consistent with the provisions of this article of the Town Bylaws, may adopt additional regulations for carrying out provisions hereof.

ART. 7.12. SECTION 5. Enforcement

The Planning Board and the Tree Warden shall have the authority to enforce the provisions of this section, as applicable.

1. Any violation of this bylaw, whether for the tearing down or destruction of stone walls or the cutting or removal of trees, shall result in a fine levied against the offending property owner, in the amount specified in ART. 4.7, SECTION 7B. Each day, or portion thereof, that a violation of this bylaw continues shall be deemed a separate offense. [amended ATM 6-8-15, art. 34]

2. In addition to the foregoing remedies, the Town of Wrentham acting by and through its Planning Board, and with the approval of the Board of Selectmen, shall have all other legal and equitable remedies, which may exist, including without limitation the right to seek injunctive relief.

3. In addition and as an alternative method of enforcement, the Town of Wrentham may in its discretion enforce the provisions of this bylaw in the manner provided in MGL c. 40, §21D.
ART. 7.12. SECTION 6. Designated Roads
The following are designated as scenic roads as provided for in M.G.L. Chapter 40 Section 15C. The entire length of each road is protected under this bylaw, unless more specific limits are defined:

Arnold Street  Jenks Street  Spring Street
Beach Street  Hancock Street  Summer Street
Bennett Street  Madison Street (from Taunton Street (from Senior Center to town line)
Berry Street  Stoney Brook Lane to Vine Street
Burnt Swamp Road  Route 1) Wampum Street
Cherry Street  Myrtle Street  Spring Street to the
Chestnut Street  North Street  Bellingham town line)
Ellery Street  Otis Street  Williams Street
Everett Street  Ray Road

ART. 7.12. SECTION 7. Appeals
The applicant may appeal the decision of the Permit Granting authority to the Board of Selectmen within 30 days of the filing of the decision with the Town Clerk. The Board of Selectmen shall hear the appeal within 60 days of receipt of a notice of appeal. The appeal shall be submitted to the Board of Selectmen by certified letter in which the reasons for the appeal are itemized.

ARTICLE 7.20. Board of Appeals
[amended ATM 6-9-14, art. 21]
ART. 7.20. SECTION 1. General
A. There shall be a standing committee known as the Board of Appeals as authorized by M.G.L, c. 40A, s. 12.
B. The Board shall be comprised of five (5) members who shall be appointed by the Board of Selectmen. The term of appointment shall be five (5) years.
C. The Board shall also be comprised of up to three (3) associate members who shall be appointed by the Board of Selectmen. The term of appointment shall be three years.

ART. 7.20. SECTION 2. Role and Responsibility
The Board of Appeals shall have the powers as specified in Section 14 of Chapter 40A of the General Laws of Massachusetts as amended. Furthermore, the Board of Appeals shall act as the Board of Appeals for the Planning Board under the provisions of Sections 81Z through 81CC of Chapter 41 of the General Laws as amended.

ARTICLE 7.30. Conservation Commission
[M.G.L. c. 40, s. 8C, accepted by town meeting 6/4/62, however, Town Meeting’s action did not include amending the bylaws.; added ATM 6-9-14, art. 18]
ART. 7.30. SECTION 1. General
A. There shall be a standing committee known as the Conservation Commission as authorized by M.G.L, c. 40, s. 8C.
B. The Commission shall be comprised of seven (7) members who shall be appointed by the Board of Selectmen.
ART. 7.30. SECTION 2. Role and Responsibility
The Conservation Commission shall act to protect and develop the natural resources and protect the watershed resources of the Town, and perform other functions as directed or authorized by statute.

ART. 7.31. Wetland Protection
[amended ATM 6-9-14, art. 17 and art. 18]

ART. 7.31. SECTION 1. Purpose
The purpose of this bylaw is to protect the wetlands, related water resources, and adjoining land areas in the Town of Wrentham by controlling activities likely to have a significant or cumulative effect upon the important public values of those areas, which include, without limitation, the following: public or private water supply, ground water supply, flood control, erosion and sedimentation control, storm damage prevention, protection of surrounding land and other homes or buildings, water pollution control, fisheries, wildlife habitat, agriculture, recreation, and the historic and natural scenic character of wetland resource areas, watercourses, lakes and ponds (collectively, the “interests protected by this bylaw”).

ART. 7.31. SECTION 2. Definitions
The following definitions shall apply in the interpretation and implementation of this bylaw.

A. The term “alter” means to change the conditions of any area subject to protection under this bylaw and shall include but not be limited to one or more of the following actions upon areas described in this bylaw:

i. the removal, excavation or dredging of soil, sand, gravel or aggregate material of any kind;

ii. the changing of preexisting drainage characteristics, flushing characteristics to include soil structure, salinity distribution to include soil compositions and chemistry, sedimentation patterns, flow patterns and flood storage retention areas;

iii. the disturbance or raising or lowering of the water level or water table;

iv. the dumping, discharging or filling with any material which could degrade the water quality or change water flow or quantity;

v. the driving of piling, erection of buildings or structures of any kind;

vi. the placing of any object or obstruction whether or not it interferes with the flow of water;

vii. the destruction of plant life, including the cutting of trees, and the removal of stumps, within any resource area other than the buffer zone, or the cutting of shrubbery or trees greater than 50% of the overhead canopy;

viii. the changing of water temperature, biochemical oxygen demand and other natural characteristics of the receiving water;

ix. any activities, changes or work which pollutes any body of water or ground water; and

x. the application of pesticides or herbicides.
B. The term “person” shall include any individual, group of individuals, associations, partnerships, corporations, business organizations, trust, estate, Commonwealth of Massachusetts when subject to town bylaws, any public or quasi-public corporation or body when subject to town bylaws or any other legal entity, including the Town of Wrentham or its legal representative, agents or assigns.

Except as otherwise provided in this bylaw or in regulations of the Commission, the definitions of terms in this bylaw shall be as set forth in the Wetlands Protection Act, G.L.C. 131, Sec. 40, and regulations 310, CMR 10.00, thereunder.

ART. 7.31. SECTION 3. Jurisdiction

Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall remove, fill, dredge, build upon, degrade, or otherwise alter the following resource areas: any bank, freshwater wetland, marsh, wet meadow, bog, swamp, vernal pool (whether certified or potential), reservoir, lake, pond, creek, river or stream, or any land under said waters or any land subject to flooding or inundation by groundwater or surface water, or any land within 100 feet of any of the aforesaid resource areas (collectively, the “resource areas protected by this bylaw”) and within 200 feet of any perennial stream. The area of flooding or inundation shall include all lands up to the elevation of the 100-year floodplain.

ART. 7.31. SECTION 4. Exceptions

The application and permit required by this bylaw shall not be required for maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services, provided that written notice has been given to the Commission prior to the commencement of the work, and provided that the work conforms to performance standards and design specifications in any regulations adopted by the Commission.

The application and permit required by this bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural use, provided that written notice has been given to the Commission prior to commencement of work, and provided that the work conforms to performance standards and design specifications in regulations adopted by the Commission.

The application and permit required by this bylaw shall not apply to emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this section, the exceptions provided in the Wetlands Protection Act, G.L.C. 131, Sec. 40, and Regulations, 310 CMR 10.00, shall not apply under this bylaw.

ART. 7.31. SECTION 5. Applications for Permits and Requests for Determination

Written application shall be filed with the Commission to perform activities affecting resource areas protected by this bylaw. The permit application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this bylaw. No activities shall commence without receiving and complying with an
appropriate permit issued pursuant to the bylaw whether the entity allowing or performing the work is private, commercial, municipal, or agricultural.

The Commission in an appropriate case may accept as the permit application and plans under this bylaw the Notice of Intent and plans filed under the Wetlands Protection Act, G.L.C. 131, Sec. 40, and Regulations 310 CMR 10.00.

Any person desiring to know whether or not a proposed activity or an area is subject to this bylaw may be writing request a determination from the Commission. Such a request for determination shall include information and plans as are deemed necessary by the Commission. The Commission may determine that a proposed activity or an area is not governed by this bylaw subject to the observance of conditions imposed by the Commission on the work to be performed by the applicant or may require a Notice of Intent.

At the time of a permit application or request for determination, the applicant shall pay a filing fee specified in regulations of the Commission. The fee is in addition to that required by the Wetlands Protection Act, G.L.C. 131, Sec. 40, and Regulations, 310 CMR 10.00.

ART. 7.31. SECTION 6. Fees

A. Administrative Fee
The Commission is authorized to include in any regulations adopted under this bylaw a fee schedule imposing fees for permits, determinations and certificates of compliance. Such fees must be based on a reasonable estimate of the actual costs incurred by the Commission in carrying out its duties under this bylaw, taking into account any fees provided under the Wetlands Protection Act. Failure to pay any fee required by regulations duly promulgated by the Commission shall be grounds for denial of the application.

B. Consultant Fee
The Commission is authorized to require the applicant to pay the reasonable costs and expenses borne by the Commission for specific expert engineering and consultant services deemed necessary by the Commission to review any application and/or submissions, and to monitor or provide field services required under an Order of Conditions. Such services may include, without limitation, the delineation, survey, monitoring, and inspection of wetland resource areas including any construction within Conservation Commission’s jurisdiction, including an analysis of resource area values, hydrogeological and drainage analyses, evaluation of wildlife habitat, and legal services. The Commission is authorized to charge the applicant for said fee based upon its reasonable finding that the additional information acquirable only through outside consultants would be necessary for the making of an objective decision, and when the application or request for determination proposes any of the following:

i. the alteration of 500 square feet or more of any land under a water body or bordering vegetated wetlands;

ii. the alteration of 50 linear feet or more, or the alteration of 10% or more, whichever is less, of the bank of any water body or waterway;

iii. the alteration of 1000 square feet or more of the buffer zone;

iv. the creation or evaluation of any point source discharge, detention or retention basin, water control structure or wetland replication area;

v. new construction proposed within any area that falls within the jurisdiction of the Conservation Commission as listed in Paragraph 3., Jurisdiction; or,
vi. the determination of the boundary line of any resource area by the Commission.

Said fee may be requested of the applicant within thirty (30) days of the filing of the application, or from the last amendment thereto. In its request, the Commission shall identify the consultant it has selected and include an estimate of the charges for the proposed services. The applicant may appeal the selection of the consultant to the Board of Selectmen within ten (10) days of receiving notice from the Commission of the same. The Selectmen may set aside the selection of the consultant only if the consultant lacks sufficient qualifications to perform the work or has a conflict of interest.

Any fees paid to the Commission under this section shall be placed into a professional services conservation account.

C. Waiver/Non-Applicability of Fees

No application or consultant fees shall be due from the Town of Wrentham in connection with any project performed by the Town or on its behalf, or from any person having no financial connection with a property which is the subject of a request for determination.

D. Revolving Fund

Subject to the adoption of appropriate regulations by the Conservation Commission under G.L. Ch. 40, Section 8C, any consultant fees collected under Paragraph 7. shall be deposited, expended, and accounted for under the provisions of G.L. c. 44, Section 53G.

ART. 7.31. SECTION 7. Notice and Hearings

Any person filing a Notice of Intent with the Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 100 feet of the property line of the applicant, including any in another municipality or across a body of water. The notice to abutters shall state where copies of the permit application may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the notice of the hearing, and the determination itself shall be sent by the applicant to the owner as well as to the person making the request.

The Commission shall conduct a public hearing on any permit application or request for determination, with written notice given at the expense of the applicant, five business days prior to the hearing, in a newspaper of general circulation in the Town of Wrentham.

The Commission shall commence the public hearing within 21 calendar days from receipt of a completed permit application or request for determination unless an extension is authorized in writing by the applicant.

The Commission shall issue its permit or determination in writing within 21 calendar days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant.

The Commission in an appropriate case may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act, G.L.C. 131, Sec. 40, and Regulations 310, CMR 10.00. Notice of a hearing so combined shall not be considered defective solely because it fails to make reference to this bylaw.
The Commission shall have authority to continue the hearing to a date certain announced at the hearing, for reasons stated at the hearings, which may include receipt of additional information offered by the applicant deemed necessary by the Commission in its discretion, or comments and recommendations of local, State or Federal Regulatory agencies. In the event the applicant objects to a continuance or postponement, the hearing shall be closed and the Commission shall take action on such information as is available.

**ART. 7.31. SECTION 8. Burden of Proof**
The applicant shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the interests protected by this bylaw. Failure to provide adequate evidence to the Commission supporting this burden shall be sufficient cause for the Commission to deny such permit or to grant a permit with conditions.

**ART. 7.31. SECTION 9. Permits and Conditions**
If, after said hearing, the Commission determines that the activities which are subject to the permit application are likely to have a significant or cumulative effect upon the interests protected by this bylaw, the Commission, within 21 days of the close of the public hearing or such further time as the Commission and the applicant shall agree on, shall issue or deny a permit for the activities proposed. If it issues a permit, the Commission shall impose conditions which it deems necessary or desirable to protect those interests, and all work shall be done in accordance with those conditions.

The Commission is empowered to deny a permit for failure to meet the requirements of this bylaw; for failure to submit necessary information and plans requested by the Commission; for failure to meet the design specifications, performance standards, and other requirements in regulations of the Commission; for failure to avoid or prevent unacceptable significant or cumulative effects upon the interests protected by this bylaw; and where no conditions are adequate to protect those interests. Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing.

Lands within 200 feet of perennial rivers and streams, and lands within 100 feet of other resource areas, are presumed important to the protection of these resources because activities undertaken in close proximity to resource areas have a high likelihood of adverse impact upon the wetland or watercourse, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of those activities. In addition, such areas are often vital to the preservation of species that depend on wetlands for food or reproduction. The Commission therefore will require that the applicant maintain a fifty-foot wide continuous strip of undisturbed vegetative cover within the 200-foot (or 100-foot) area. A variance to this criteria may be granted under three circumstances: 1) if the applicant demonstrates that the proposed project will have no adverse affect on any of the interests protected by this bylaw; 2) if the project is a rare or unusual case; and 3) if the project is not approved by the Commission this action will restrict the use of the property to such an extent to constitute a constitutional taking without compensation. If no evidence is supplied to support the claims that the project meet the specified criteria above the hearing will be delayed or continued until this information is provided, or the project request will be denied without prejudice.

To prevent wetlands loss, the Commission shall require applicants to avoid wetlands alteration wherever feasible, to minimize wetlands alteration, and where alteration is unavoidable, to incorporate mitigation measures into the project design.

A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed for up to three years, unless otherwise set by the
Commission, provided that a request for a renewal is received in writing by the Commission one month prior to expiration.

For good cause the Commission may revoke a permit or determination issued under this bylaw after notice to the holder of the permit or determination, notice to the public, abutters, and town boards, pursuant to Paragraphs F. and G., and a public hearing.

The Commission in an appropriate case may combine the permit or determination issued under this bylaw with the Order of Conditions or Determination of Applicability issued under the Wetlands Protection Act, G.L.C. 131, Sec. 40, and Regulations 310, CMR 10.00.

No work proposed in any permit application shall be undertaken until the permit issued by the Commission with respect to such work has been recorded in the Registry of Deeds or, if the land affected is registered land, in the registry section of the land court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the permit has been recorded.

ART. 7.31. SECTION 10. Security

As part of a permit issued under this bylaw, the Commission may require, in addition to any security required by any other town or state board, commission, agency or officer, that the performance and observance of the conditions imposed hereunder be secured wholly or in part by one or more of the methods described below:

i. by a proper bond or deposit of money or negotiable securities, sufficient in the opinion of the Conservation Commission to secure performance of the conditions and observance of the safeguards of such permit, to be released upon the issuance of a certificate of compliance for work performed pursuant to the permit; or,

ii. by a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of the Commission whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed.

ART. 7.31. SECTION 11. Regulations

The Commission shall promulgate after due notice and public hearing Rules and Regulations to effectuate the purposes of this bylaw. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw.

At a minimum these regulations shall define key terms in this bylaw not inconsistent with the bylaw and procedures governing the amount and filing of fees.

ART. 7.31. SECTION 12. Enforcement

No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by this bylaw, or cause, suffer, or allow such activity to continue or allow such fill or other alteration to be left in place, without the required authorization pursuant to this bylaw.

The Commission, its agents, officers, and employees shall have authority, with prior approval from the property owner or pursuant to court process, to enter upon privately owned land for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary.

The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by violation notices, administrative orders, and civil and criminal court actions. Any person who violates
provisions of this bylaw may be ordered to restore the property to its original condition and take other
action deemed necessary to remedy such violations.

Upon request of the Commission, the Town Administrator and the Town Counsel shall take legal action
for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal
action for enforcement under criminal law. [amended ATM 6-8-15, art. 33]

Municipal boards and officers, including any police officer or other officer having police powers, shall have
authority to assist the Commission in enforcement.

Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders
issued thereunder, shall be punished by a fine in the amount specified in ART. 4.70, SECTION 7.B. Each
day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains
in place, shall constitute a separate offense, and each provision of the bylaw regulations, permits, or
administrative orders violated shall constitute a separate offense. [amended ATM 6-8-15, art. 34]

As an alternative to criminal prosecution in a specific case, the Commission may issue citations under the
non-criminal disposition procedure set forth in M.G.L. c. 40, s. 21D.

ART. 7.31. SECTION 13. Appeals
A decision of the Commission shall be reviewable in the Superior Court in an action filed within 60 days
thereof, in accordance with General Laws chapter 249, Section 4.

ART. 7.31. SECTION 14. Relations to Wetlands Protection Act
This Bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home
Rule statutes, independent of the Wetlands Protection Act, G.L.C. 131, Sec. 40, and regulations 310, CMR
10.00, thereunder.

ARTICLE 7.40. Open Space Committee
[amended ATM 6-9-14, art. 21]

ART. 7.40. SECTION 1. General
A. There shall be a standing committee to be known as the “Open Space Committee.”

B. Such Committee shall be appointed by the Board of Selectmen, and shall consist of seven (7) full
members and two (2) alternate members.

ART. 7.40. SECTION 2. Role and Responsibilities
A. The primary purpose of the Open Space Committee shall be to promote the preservation of land
in the Town of Wrentham as Open Space.

B. Other areas of responsibility include but are not limited to the following:

i. The Committee shall make recommendations to the Board of Selectmen regarding any
   parcels of land which become available to the Town under the provisions of Chapters 61,
   61A, or 61B.

ii. The Committee may make recommendations to the Town regarding the financing and
    facilitating of open space preservation, in the best interest of the Town.

iii. The Committee may make recommendations to the Town regarding bylaws and zoning
     bylaws, as they relate to open space preservation.
ARTICLE 7.60. Building Inspector

ART. 7.60. SECTION 1. Appointment of Inspectors

A. The Town Administrator shall appoint an inspector of gas piping, and gas appliances in buildings who shall be a licensed plumber or licensed gas fitter. The Town Administrator shall also appoint one or more plumbing inspectors (or assistant plumbing inspectors), who shall be licensed plumbers having practical experience in that trade. Said appointments shall be for a period of three years. The duties of the plumbing inspectors and the inspector of gas piping shall be those outlined in M.G.L. chapter 142, section 11 and 12. [amended ATM 6-8-15, art. 33]

B. The Town Administrator shall also appoint an Inspector of Wires (to be known locally by the title “Electrical Inspector”) and may also appoint an Assistant Inspector. Said appointments shall be for a period of three years. The duties of said Electrical Inspector outlined in M.G.L. chapter 166, section 32 and 32A. [amended ATM 6-8-15, art. 33]

ART. 7.60. SECTION 2. Demolition of Historically Significant Properties

A. Intent and Purpose

This Bylaw is enacted for the purpose of protecting the historic and aesthetic qualities of the Town by encouraging the preservation of historically or architecturally significant buildings and structures within the Town, and to encourage owners of such properties to seek out persons who might be willing to purchase, preserve, rehabilitate or restore such buildings or structures rather than demolish them, and to allow an appropriate historical record of such buildings and structures to be created.

B. Definitions

1. Building: A fixed combination of any materials, having a roof, common walls and passageway areas, and forming a structure for the shelter of persons, animals or property.

2. Commission: The Wrentham Historical Commission

3. Inspector: The Wrentham Building Commissioner. [amended ATM 6-8-15, art. 33]

4. Demolition: Any act of willfully pulling down, destroying, removing or razing a building or structure, or commencing the work of total or substantial destruction with the intent of completing the same.

5. Significant Building or Structure:
   i. Any building or structure listed on the National Register or eligible for National Register listing.
   ii. Any building or structure researched and found by the Commission to be historically significant, or architecturally significant in terms of construction, or by association with an important architect, builder, person or event.

C. Procedure

1. Within seven (7) days of receipt of an application for a demolition permit for a building or structure which is fifty (50) years or older, the inspector shall forward a copy of this application to the Commission. No demolition permit should be issued at that time, and no demolition may occur.
The application shall include all current Field Cards from the Board of Assessors for the subject property, as well as a description of the demolition intended, including a list of all structures or portions thereof to be demolished.

2. Within thirty (30) days from the Building Inspector’s receipt of a complete demolition permit application, the Commission shall determine whether the structure is historically or architecturally significant. If the Commission determines the building or structure is not considered significant, the Commission shall so notify the Inspector in writing and the Inspector may issue a demolition permit.

3. If the building or structure is determined to be significant, the Commission shall so notify the owner and the Inspector in writing, and the Inspector shall not issue a demolition permit for a period of twelve (12) months from the date of the application, unless the Commission informs the Inspector prior to the expiration of said twelve (12) months that the applicant for the demolition has made a reasonable but unsuccessful effort to locate a purchaser for the building or structure, or one who is willing to preserve, rehabilitate or restore the building or structure, or has agreed to accept a demolition permit on specified conditions approved by the Commission. If the Commission does not determine that the building or structure is considered significant within 30 days of the Building Inspector’s receipt of a complete demolition permit application, the Inspector may issue a demolition permit.

D. Emergency Demolition

Nothing in this bylaw shall restrict the Building Inspector from immediately ordering the demolition of any building or structure in the event of an imminent danger to the safety of the public.

E. Enforcement and Remedies

1. The Building Inspector and/or the Commission, as well as the Town, are authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this bylaw or to prevent a threatened violation thereof.

2. No building permit shall be issued with respect to any premises upon which a building fifty (50) years or older has been voluntarily demolished with disregard for the provisions of the bylaw, for a period of three (3) years after the date of the cessation of such demolition. As used herein, “premises” refers to the land contained within the parcel upon which the demolished building or structure was located and the land contained within all adjoining parcels under common ownership or control, whether subdivided or re-divided.

3. No permit for the erection of a new structure on the site of an existing building determined to be a preferably-preserved significant building or structure may be issued prior to issuance of a permit for demolition of such existing buildings.

F. Appeal

Appeal from decisions or determinations of the Commission or Inspector may be made to the Zoning Board of Appeals.
ARTICLE 7.70. Board of Health

ART. 7.70. SECTION 1. Building on Shores of Lakes Pearl, Archer and Mirror
No building permit, foundation permit, or special building permit shall be issued nor shall any work which is the subject of such permits, be performed on any property along the shore line of Lake Pearl, Lake Archer, Mirror Lake without prior approval of the Wrentham Board of Health. The Board of Health shall not give approval unless, in its opinion, the sewage disposal system is adequate to serve any existing uses as well as the proposed use without violation of town and state health and environmental regulations in effect at the time of application for the proposal.

ART. 7.70. SECTION 2. Enforcement and Penalties of Rules and Regulations
Any rule or regulation promulgated by the Board of Health pursuant to G.L. c. 111, §31 or any other provision of the General Laws, and for which a specific penalty of not more than $300 is provided in such rule or regulation, may be enforced by the non-criminal disposition provisions of G.L. c. 40, §21D. Any member of the Board of Health, an agent of the Board of Health, or any duly appointed member of the Wrentham Police Department taking cognizance of a violation of a rule or regulation of the Board of Health, as an alternative to initiating criminal proceedings, may give to the offender written notice of said violation in the form specified in M.G.L. c. 40, s. 21D, and the violation shall be disposed of as provided in that statute. (ATM 4/28/03)

ART. 7.70. SECTION 3. Carting Materials on the Streets of the Town
No person shall cart or convey garbage, manure, swill, rubbish, or filth of any kind nor any noxious or refuse liquid or solid matter or substance in any public street or place, excepting in the manner provided by the Board of Health.

ART. 7.70. SECTION 4. Reduction of Single-Use Plastic Bags [amended STM 11/4/19, art. 16]

A. Intent and Purpose
This Bylaw is enacted for the purpose of eliminating the usage of thin-film single-use plastic bags by all retail establishments at the point of sale and promote the use of reusable check-out bags to help reduce the deterioration of the environment and the ensuing potential health risks.

B. Definitions
1. Plastic Check-Out Bag: A plastic check-out bag is a thin film plastic bag, typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness provided to a customer by a retail establishment and used to transport merchandise from the establishment. Plastic check-out bags do not include those plastic bags typically without handles used to contain dry cleaning, newspapers, or small bags used to contain fish, meat, produce or other products provided to the consumer, free of charge, to deliver the items to the point of sale.

2. Reusable Check-Out Bag: "Reusable Check-out bag" shall mean a sewn bag with stitched handles that is specifically designed for multiple reuse and that

   i) can carry 25 pounds over a distance of 300 feet;
   ii) is machine washable; and,
   iii) is either made of natural fibers (such as cotton or linen); or made of durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is generally considered a food-grade material that is more than 4 mils thick.
These bags are generally sold to the customer for a reasonable cost.

3. Recyclable Paper Bag A paper bag that is 100% recyclable and contains at least 40% post-consumer recycled paper content and is provided free of charge to the customer.

4. Retail Establishment: Any retail space located in the town including without limitation a restaurant, food or ice cream truck, convenience store, retail pharmacy, or supermarket.

C. Enforcement
This Bylaw may be enforced by any agent of the Board of Health by:

1. Inspection and investigation
2. The issuance of violation notices and administrative orders
3. Civil court actions

Whoever, himself or by his servant or agent or as the servant or agent of any other person or firm or corporation, violates any of the provisions of these regulations, may be penalized by a noncriminal disposition process as provided in M.G.L. c. 40, s.21D. Each retail establishment shall comply with this by-law. If it is determined that a violation has occurred, the Board of Health shall issue warnings and/or fines in accordance with ART. 4.7, SECTION 7.B. Payment of such fines may be enforced through civil action in the state District Court.

D. Effective Date
All of the requirements set forth in this bylaw shall take effect within six (6) months of the approval of the Office of the Massachusetts State’s Attorney General and satisfaction of the posting/publication requirements of M.G.L.c.40, s.32 for retail establishments with a floor area equal to or exceeding 3,500 square feet. This by-law will take effect one (1) year after passage for retail establishments less than 3,500 square feet. The Board of Health may exempt a retail establishment from the requirements of this section for an additional period of up to six (6) months upon a finding by the Board of Health that (1) the requirements of this section would cause undue hardship; or (2) a retail establishment requires additional time in order to draw down an existing inventory of thin-film, single-use plastic check-out bags.

E. Regulations
The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw.

F. Severability
If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.

ARTICLE 7.80. Economic Development Commission
[M.G.L. Chapter 40, Section 8A accepted by Town Meeting on 3/14/60, however, Town Meeting’s action did not include amending the General Bylaws; added, ATM 6-9-14, art. 18]
ART. 7.80. SECTION 1. General
A. There shall be a standing committee known as the Economic Development Commission as authorized by M.G.L. c. 40, s. 8A.
B. The Commission shall be comprised of seven (7) members who shall be appointed by the Board of Selectmen. The term of appointment shall be five (5) years.

ART. 7.80. SECTION 2. Role and Responsibility
A. The Commission shall enhance Wrentham’s economy by investigating current economic conditions and assisting the Town with the formation and execution of appropriate economic development and marketing opportunities.

The Commission shall:
   i. serve as a resource for the Town’s elected boards, committees, and staff with respect to economic development opportunities, strategic planning initiatives and other matters impacting economic development;
   ii. coordinate economic development activities amongst such organizations; and, iii. provide recommendations on specific economic development proposals when the Commission deems it to be in the best interests of the Town residents to provide such recommendations.

ARTICLE 7.90. Community Preservation Committee [added STM 11-14-16, art. 18]

ART. 7.90. SECTION 1. General
Under the provisions of the Massachusetts Community Preservation Act (Sections 3 through 7 inclusive of M.G.L., Chapter 44B), there is hereby established in the Town of Wrentham a Committee to be known as the “Community Preservation Committee”.

ART. 7.90. SECTION 2. Role and Responsibility
A. Such Committee shall consist of nine (9) members as described below:
   • one member of the Conservation Commission established under Section 8C of M.G.L., Chapter 40, as designated by that commission
   • one member of the Historical Commission established under Section 8D of said Chapter 40, as designated by that commission
   • one member of the Planning Board established under Section 81A of M.G.L., Chapter 41 and Article 3, Section 3.7 of the Charter of the Town of Wrentham, as designated by that board
   • one member of the Board of Park Commissioners established under Section 2 of M.G.L., Chapter 45, as designated by the Board of Selectmen in their role as the Board of Park Commissioners
   • one member of the Housing Authority established under Section 3 of M.G.L., Chapter 121B and Article 3, Section 3.10 of the Charter of the Town of Wrentham, as designated by that authority
   • one member of the Open Space Committee established under Article 7.40 of these bylaws, as designated by that committee
   • one member of the Recreation Commission established under Article 8.30 of these bylaws, as designated by that committee
   • two (2) at-large citizen members, who shall not be paid employees of the Town nor members of any Town body which designates or appoints members to this Committee, appointed by the Board of Selectmen
B. The designees of the above-listed municipal entities shall be appointed forthwith to the Committee by the Board of Selectmen.

All terms shall expire on June 30. Each Committee member's term shall be for three years, except for the Committee's initial appointments, which shall be as stated below, so as to have an equal number of terms expiring each year:

- the initial appointment of the Conservation Commission member, the Historical Commission member and the Planning Board member shall each be for three years
- the initial appointment of the Board of Park Commissioners member, the Housing Authority member and one at-large citizen member shall each be for two years
- the initial appointment of the Open Space Committee member, the Recreation Committee member and one at-large citizen member shall each be for one year

The initial appointments of the Committee shall be made in accordance with Section F of this Article. The tenure of any initial term beginning less than 180 days prior to June 30 shall be calculated as if starting on July 1, so that, for example, a member appointed in April for an initial one-year term may serve that term until June 30 of the following year.

At the initial appointment, the Board of Selectmen shall assign to one Committee member the responsibility to call the Committee to its initial meeting.

If a designating body's member leaves the Committee for any reason, the designating body shall within thirty days submit to the Board of Selectmen the name of one of its members as a replacement to serve for the remainder of the unexpired term. The Board of Selectmen shall forthwith appoint the replacement to the Committee. The Board of Selectmen shall similarly appoint a replacement for a departing at-large citizen member to serve the remainder of that member's unexpired term.

C. The Community Preservation Committee shall study the needs, possibilities, and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Board of Park Commissioners, the Open Space Committee, the Recreation Committee and the Housing Authority. As part of its study, the Committee shall hold one or more public informational hearings each year on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of the two weeks preceding a hearing in a newspaper of general circulation in Wrentham.

D. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of property for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

The Community Preservation Committee may include, in its recommendation to the Town Meeting, a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose, or to set funds aside for later spending for general purposes that are consistent with community preservation. The Committee may recommend the issuance of general obligation bonds or notes in anticipation of revenues to be raised pursuant to the Massachusetts Community Preservation Act.
In every fiscal year, the Community Preservation Committee shall recommend in accordance with M.G.L., Chapter 44B, either that Town Meeting spend, or set aside for later spending, not less than ten percent (10%) of the annual revenues of the Town’s Community Preservation Fund in each of the following areas: (a) open space and land for recreational use, (b) historic resources, and (c) community housing.

No expenditures shall be made from the Community Preservation Fund without the approval of Town Meeting. Town Meeting may not appropriate or reserve any Community Preservation Fund monies on its own initiative without a prior recommendation by the Committee. Town Meeting may, however, approve such additional non-Fund appropriations as it deems appropriate to carry out the recommendation of the Committee. Subject to and without limitation of the foregoing, in performing the duties and responsibilities of the legislative body as set forth in the Community Preservation Act, Town Meeting shall, in its sole and absolute discretion, have the power and authority to accept, reject or modify, in whole or in part, any recommendation by the Community Preservation Committee.

The Community Preservation Committee shall submit a recommendation for Town Meeting approval for annual administrative and operating expenses for the Committee, in an amount not to exceed five percent (5%) of the annual revenues of the Community Preservation Fund.

The Committee shall comply with the provision of the Open Meeting Law (G.L. c.39, s23B). The Committee shall keep a full and accurate account of all of its actions including its recommendations and the action taken on them, and records of all appropriations or expenditures made from the Community Preservation Fund. The records of the Committee shall be public records, to the full extent provided by law.

E. Requirement for a Quorum and Cost Estimate Requirement

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by majority vote of the quorum. Recommendations to Town Meeting shall include anticipated costs of the proposed appropriation and a description of the project.

F. Amendments

This section may be amended from time to time by a majority vote of Town Meeting, provided that such amendment would not cause a conflict to occur with M.G.L., Chapter 44B.

G. Severability

In case any section, paragraph or part of this bylaw be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

H. Effective Date

This bylaw shall take effect after all requirements of M.G.L., Chapter 40, Section 32 have been met, including approval by the Attorney General of the Commonwealth, and the acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, by the Town at a town-wide election. Each designating body shall make its initial designation within sixty days after the later of approval of this bylaw by the Attorney General, or acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, at a town-wide election. The Board of Selectmen shall appoint said designees and the citizen members at-large within ninety days after the later of approval of this bylaw by the Attorney General, or acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, at a town-wide election.
ARTICLE 8.10. Council on Aging
[ATM 4-3-72, art. 57; amended ATM 6-9-14, art. 21]

ART. 8.10. SECTION 1. General
A. There shall be a standing committee known as the Council on Aging, as authorized by M.G.L. c. 40, s. 8B.
B. The Council shall consist of seven (7) members who shall be appointed by the Board of Selectmen.

ART. 8.10. SECTION 2. Role and Responsibility
A. The Council shall coordinate or carry out programs designed to meet the problems of the aging in co-ordination with programs of the Commission on Aging established under M.G.L. c. 6, s.73.
B. Whenever the Council implements, evaluates, or significantly modifies its programs and services it shall first obtain input from the senior manager of other appropriate town departments and committees, such as the Police Chief, Fire Chief, and Recreation Director. Such consultation and collaboration shall be undertaken to assure that the services and programs of every agency of the Town of Wrentham that serves the elderly are fully coordinated and delivered effectively and efficiently. [added ATM 6-9-14, art. 21]

ARTICLE 8.20. Veterans Agent [reserved]

ARTICLE 8.30. Recreation Commission
[Art. 3, ATM April 28, 1975. Town Meeting’s action amended its earlier action, but did not amend the General Bylaws.; amended ATM 6-9-14, art. 18]

ART. 8.30. SECTION 1. General
A. There shall be a standing committee known as the Recreation Commission as authorized by M.G.L. c. 45, s. 14. [ATM, 3-7-66, art. 3. Town Meeting’s action did not include amending the bylaws.] [amended ATM 6-8-15, art. 35]
B. The Commission shall consist of nine (9) members who shall be appointed by the Board of Selectmen.

ART. 8.30. SECTION 2. Role and Responsibility
A. The Commission shall serve as advisory committee to the Selectmen and study any appropriation prior to Selectmen approval of any recreational expenditure.
B. Further, the Commission shall act as agents of the selectmen in the following responsibilities:
   i. the operation of all recreational facilities of the town;
   ii. the expending of total Recreation Funds including Sweatt Funds expended for recreation; and,
   iii. future planning for recreation within the town.
C. The Commission may operate self-supporting recreation and services as provided by M.G.L. c. 44, s. 53D. [M.G.L. c. 44, s. 53D accepted by town meeting, May 4, 1991.; added ATM 6-9-14, art. 21]
ARTICLE 8.40. Commission on Disability

[M.G.L. c. 40, s. 8J accepted by town meeting 4/28/03, however, Town Meeting did not act to amend the General Bylaws.; added ATM 6-9-14, art. 18]

ART. 8.40. SECTION 1. General

A. There shall be a standing committee known as the Disability Commission as authorized by M.G.L. c. 40, s. 8J.

B. The Commission shall be comprised of five members who shall be appointed by the Board of Selectmen. The Board of Selectmen may vote to appoint up to four additional members, however, having done so, whenever any position remains vacant for more than sixty (60) days that position shall be discontinued without further action and may be reauthorized later by the Board of Selectmen. A majority of said Commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said Commission shall be either an elected or appointed official.

ART. 8.40. SECTION 2. Role and Responsibilities

A. The Commission shall coordinate or carry out programs that are designed to bring about full integration and participation of people with disabilities in the Town.

B. The Commission shall act as a centralizing force in the Town of Wrentham by providing information, referral, guidance, coordination, and technical assistance to public and private agencies, individuals, organizations and institutions engaged in activities and programs intended to eliminate discrimination against persons with disabilities.

C. The Commission shall also take such action as the Commission considers appropriate to ensure the equal access status of persons with disabilities, including:

i. encouraging public awareness of disability issues;

ii. collaborating with other boards, committees, and departments of the Town to bring about maximum participation of people with disabilities; and to assure that the services and programs of every agency of the Town of Wrentham that serves persons with disabilities are fully coordinated and delivered effectively and efficiently;

iii. initiating, promoting and monitoring legislation at the town, state and federal level which advances the equal status of people with disabilities and ensure that appropriate regulations are adopted and enforced pursuant to such legislation.

ARTICLE 8.50. Library Trustees [reserved]

ARTICLE 8.60. Cultural Council

[added ATM 6-9-14, art. 18]

ART. 8.60. SECTION 1. General

A. There shall be a standing committee known as the Cultural Council as authorized by M.G.L. c. 10, s. 58.
B. The Council shall be comprised of five (5) members who shall be appointed by the Board of Selectmen. The Board of Selectmen may vote to appoint up to seventeen (17) additional members, however, having done so, whenever any position remains vacant for more than sixty (60) days that position shall be discontinued without further action and may be reauthorized later by the Board of Selectmen.

ART. 8.60. SECTION 2. Role and Responsibility
A. The Council shall conduct activities to promote and encourage the arts.
B. The Council may decide the distribution of arts lottery funds.

ARTICLE 8.70. Historical Commission

ART. 8.70. SECTION 1. General
A. There shall be a standing committee known as the Historical Commission as authorized by M.G.L, c. 40, s. 8D.
B. The Committee shall consist of seven (7) members who shall be appointed by the Board of Selectmen.

ART. 8.70. SECTION 2. Role and Responsibility
The Commission shall act to preserve, protect and develop the historical or archeological assets of the Town.

ARTICLE 8.80. Elderly and Disabled Tax Aid Committee

ART. 8.80. SECTION 1. General
A. There shall be a standing committee known as the Elderly and Disabled Tax Aid Committee as authorized by M.G.L, c. 60, s. 3D.
B. The Committee shall consist of the chair of the Board of Assessors, the Treasurer and three residents of the city or town who shall be appointed by the Board of Selectmen, and the Director of the Council on Aging or his/her designee.

ART. 8.80. SECTION 2. Role and Responsibility
The Committee shall carry out the provisions of M.G.L c. 60, s. 3D to provide aid to elderly or disabled persons of low income to defray real estate taxes. In doing so, the Committee may seek input from the senior manager of other appropriate town departments and committees, such as the Council on Aging, Veterans, and Public Health Nurses.
ARTICLE 9.10. Wrentham Public School Committee [reserved]

ARTICLE 9.30. Scholarship Committee and Educational Fund Committee
[M.G.L, c. 60, s. 3C accepted by Town Meeting, June 14, 2004. However, Town Meeting's action did not include amending the General Bylaws.; added ATM 6-9-14, art. 18]

ART. 9.30. SECTION 1. General
A. There shall be a standing committee to be known as the Scholarship Committee and Educational Fund Committee as authorized by M.G.L, c. 60, s. 3C.
B. The Committee shall comprised of the Superintendent of Schools or designee thereof, and no fewer than four residents of the city or town appointed by the Board of Selectmen

ART. 9.30. SECTION 2. Role and Responsibility
The Committee shall carry out the provisions of M.G.L. c. 60, s. 3C by selecting the recipients of and amounts of financial aid from the scholarship fund and educational fund.

ARTICLE 9.51. Regional Public Schools [reserved]
ART. 9.51. SECTION 1. King Phillip Regional Public Schools [reserved]
ART. 9.51. SECTION 2. Tri-County Vocational School [reserved]
ART. 9.51. SECTION 3. Norfolk Agricultural School [reserved]
ARTICLE 1.00

ART. 1.00, SECTION 1.

Paragraph A.

Sub-Paragraph 1.

Second Sub-Paragraph (a)

Third Sub-Paragraph (1)

Fourth Sub-Paragraph [A]

Lower case roman numerals (i, ii, iii,) are used to enumerate items in lists regardless of the level at which the list appears in the outline.

The legislative history including the date and article number of any action by Town Meeting is shown following the relevant article, section, or paragraph in the following format: [added/amended ATM 5-10-98, art. 12]

-- Example --

TITLE 7. DEVELOPMENT AND LAND USE

ARTICLE 7.40. Open Space Committee

ART. 7.40. SECTION 1. GENERAL

There is hereby established in the Town of Wrentham a committee to be known as the “Open Space Committee.” Such committee shall be appointed by the Board of Selectmen, and shall consist of seven (7) full members and two (2) alternate members. Members shall be appointed for one-year terms which shall expire upon the opening session of the next Annual Town Meeting.

ART. 7.40. SECTION 1. ROLE AND RESPONSIBILITIES

A. The Committee shall have the authority to expend any funds entrusted to them, subject to any conditions attached thereto.

B. The primary purpose of the Open Space Committee shall be to promote the preservation of land in the Town of Wrentham as Open Space.

C. Other areas of responsibility include but are not limited to the following:

i. The committee shall make recommendations to the Board of Selectmen regarding any parcels of land which become available to the Town under the provisions of Chapters 61, 61A, or 61B.

ii. The committee may make recommendations to the Town regarding the financing and facilitating of open space preservation, in the best interest of the Town.

iii. The committee may make recommendations to the Town regarding bylaws and zoning bylaws, as they relate to open space preservation.
APPENDIX B. ACCEPTED STATUTES AND HOME RULE PETITIONS

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<tr>
<td>C.31, ss. 48, 49</td>
<td></td>
<td>3/6/1950</td>
<td>Accepted</td>
<td>Police and Firemen</td>
<td></td>
</tr>
<tr>
<td>C.31, S.58A</td>
<td></td>
<td>11/12/2002</td>
<td>Accepted</td>
<td>Establish contributory retirement</td>
<td></td>
</tr>
<tr>
<td>C.32, ss. 1 through 28</td>
<td></td>
<td>11/8/1946</td>
<td>Accepted</td>
<td>Establish retirement system funding schedule to reduce the unfunded actuarial liability of the system</td>
<td></td>
</tr>
<tr>
<td>C.32, S.4, Sd.2, P.B</td>
<td></td>
<td>10/2/1989</td>
<td>Accepted</td>
<td>Allow certain call firefighters credit for time spent in service to the Town if appointed a permanent member of Fire Dept.</td>
<td></td>
</tr>
<tr>
<td>C.32, S.22D</td>
<td></td>
<td>6/28/1993</td>
<td>Accepted</td>
<td>Establish retirement system funding schedule to reduce the to reduce unfunded actuarial liability of the system</td>
<td></td>
</tr>
<tr>
<td>C.32, S.56-6-</td>
<td></td>
<td>12/28/1945</td>
<td>Accepted by BOS</td>
<td>Pensions of veterans of Spanish and World Wars</td>
<td></td>
</tr>
<tr>
<td>C.32B</td>
<td>TM 3/6/56</td>
<td>Accepted</td>
<td>Group life, accidental death &amp; dismemberment, group gen. Ins.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.32B, S.7A</td>
<td></td>
<td>12/14/1987</td>
<td>Accepted</td>
<td>Town pay subsidiary or additional rate to health &amp; group insurance in addition to 50% for employees</td>
<td></td>
</tr>
<tr>
<td>C.32B, S.7A</td>
<td></td>
<td>12/14/1988</td>
<td>Accepted</td>
<td>Contribution to health care for town employees</td>
<td></td>
</tr>
<tr>
<td>C.32B, S.8A</td>
<td></td>
<td>4/1/1974</td>
<td>Accepted</td>
<td>Group insurance, balance of group dividend</td>
<td></td>
</tr>
<tr>
<td>C.32B, S.9</td>
<td></td>
<td>3/5/1956</td>
<td>Accepted</td>
<td>Group insurance</td>
<td></td>
</tr>
<tr>
<td>C.32B, S.9A</td>
<td></td>
<td>3/7/1966</td>
<td>Accepted</td>
<td>Insurance premiums</td>
<td></td>
</tr>
<tr>
<td>C.32B, S.9D</td>
<td></td>
<td>4/1/1974</td>
<td>Accepted</td>
<td>Group health insurance, 1/2 to surviving spouse or retired emp</td>
<td></td>
</tr>
<tr>
<td>C.32B, S.18</td>
<td>Adj.ATM 6/14/04</td>
<td>Accepted</td>
<td>Health insurance transfer of retirees, spouses and dependents eligible for Medicare Part A from an active plan to a Medicare Supplement plan offered by the Town</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.39, S.20</td>
<td></td>
<td>9/24/1973</td>
<td>Accepted</td>
<td>Annual town meeting</td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Code</td>
<td>Year</td>
<td>Date</td>
<td>Action</td>
<td>Description</td>
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<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>C.40, S.4G</td>
<td>C. 477</td>
<td>1984</td>
<td>5/1/1984</td>
<td>Accepted</td>
<td>Increase Municipal bidding from $2000 to $4000</td>
</tr>
<tr>
<td>C.40, S.4H</td>
<td>C. 477</td>
<td>1984</td>
<td>5/7/1985</td>
<td>Accepted</td>
<td>Allow a municipality to purchase and enter into contracts, surplus</td>
</tr>
<tr>
<td>C.40, S.5D</td>
<td>C. 156</td>
<td>1985</td>
<td>6/10/1986</td>
<td>Accepted</td>
<td>Establish a pension reserve fund</td>
</tr>
<tr>
<td>C.40, S.6A</td>
<td>C. 477</td>
<td>1984</td>
<td></td>
<td>Accepted</td>
<td>Municipal advertising</td>
</tr>
<tr>
<td>C.40, S.6H</td>
<td>319</td>
<td>1961</td>
<td>1962</td>
<td>Accepted</td>
<td>Repairs on Private Ways</td>
</tr>
<tr>
<td>C.40, S.8A</td>
<td>3/14/1960</td>
<td>Accepted</td>
<td>Establish Development and Industrial Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.8C</td>
<td>486</td>
<td>1971</td>
<td>5/28/72 - 1978</td>
<td>Accepted - Resc</td>
<td>Appoint Conservation Committee - Beano</td>
</tr>
<tr>
<td>C.40, S.8D</td>
<td>1977</td>
<td></td>
<td>Inoperative</td>
<td>Established Historical Commission</td>
<td></td>
</tr>
<tr>
<td>C.40, S.8D</td>
<td>3/27/1967</td>
<td>Accepted</td>
<td>Historical Commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.8G</td>
<td>C. 486</td>
<td>1971</td>
<td>2/24/1997</td>
<td>Accepted</td>
<td>Authorize Town to enter into agreements with other cities and towns providing for mutual aid between police departments</td>
</tr>
<tr>
<td>C.40, S.8J</td>
<td>ATM 4/28/03</td>
<td>Accepted</td>
<td>Establish a commission on disability</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.9</td>
<td>ATM 4/24/06</td>
<td>Accepted</td>
<td>American Legion headquarters</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.13</td>
<td>ATM 4/24/06</td>
<td>Accepted</td>
<td>Establish a municipal buildings insurance fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.22F</td>
<td>6/17/1992</td>
<td>Accepted</td>
<td>Fix reasonable fees for licenses, permits or certificates</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.46</td>
<td>5/1/1984</td>
<td>Accepted</td>
<td>Bid limit $4000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.57</td>
<td>11/18/1991</td>
<td>Accepted</td>
<td>Denial, revocation or suspension of licenses for failure to pay taxes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40, S.83</td>
<td>8/3/1992</td>
<td>Accepted</td>
<td>Creation of a disability commission</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.40A, S.8</td>
<td>8/3/1992</td>
<td>Accepted</td>
<td>Zoning Ordinances - Reconsideration of proposed change in ordinance or bylaw after unfavorable action</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.7</td>
<td>C. 477</td>
<td>1984</td>
<td></td>
<td>Accepted</td>
<td>Official ballots</td>
</tr>
<tr>
<td>C.41, S.19K, 108P</td>
<td>Accepted</td>
<td>Election - town officers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.19K, 108P</td>
<td>6/19/2000</td>
<td>Accepted</td>
<td>Allow additional Compensation for Town Clerk or Collector or Treasurer upon certification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.21</td>
<td>6/19/2000</td>
<td>Accepted</td>
<td>Selectmen to act as Board of Public Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.23A</td>
<td>C. 477</td>
<td>1984</td>
<td></td>
<td>Accepted</td>
<td>Establish Executive Secretary of Wrentham</td>
</tr>
<tr>
<td>C.41, S.69B</td>
<td>C. 477</td>
<td>1984</td>
<td></td>
<td>Accepted</td>
<td>Allow town water operations to be accounted for as special revenue fund effective 7/1/90</td>
</tr>
<tr>
<td>Bill</td>
<td>Action/Description</td>
<td></td>
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<tr>
<td>C.41, S.69C-69F</td>
<td>3/9/1972 Accepted Establishment of a Board of Public Works</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.81U, P.12</td>
<td>9/26/1994 Accepted Authority of Town by approval of BOS to use proceeds of bonds or deposits held by Town to complete subdivision improvements to $100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.100B</td>
<td>5/27/1987 Accepted Indemnification of retired police/firefighters for certain hosp exp</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.41, S.108L</td>
<td>11/20/1995 Accepted Establish Career Incentive Program in Police Dept.</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>C.41, S.110A</td>
<td>3/12/1963 Accepted Public offices/closed Saturdays</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.42, S.21</td>
<td>3/6/1972 Accepted Selectmen to act as Board of Public Works</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.42, S.23A</td>
<td>3/14/1960 Accepted Establish Executive Secretary of Wrentham</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>C.44, S.35</td>
<td>3/7/1939 Accepted Annual audits</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.44, S.53C</td>
<td>4/2/1973 Accepted Revolving fund</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.44, S.53D</td>
<td>5/4/1991 Accepted Establish Recreation self-supporting service revolving fund</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>C.44, S.53E</td>
<td>ATM 4/25/05 Accepted Establish offset fund for partially funding curbside collection of solid waste</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.44, S.53F 1/2</td>
<td>ATM 4/27/09 Accepted Water Dept. - Enterprise Fund (effective FY10)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.44, S.65</td>
<td>3/12/1962 Accepted Advance Vacation Pay to officers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.44B, S.3-7</td>
<td>STM 11/14/05 Accepted Accept Massachusetts Community Preservation Act</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.48, S.42-44</td>
<td>4/20/1982 Accepted Strong Chief</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>p.s.50</td>
<td>Accepted Sidewalks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.54, S.16A</td>
<td>ATM 4/25/05 Accepted Fill a vacancy of an election officer at the opening of the polls</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.2A</td>
<td>3/26/1992 Accepted Allow Assessors to include value of bldgs. and fixtures added between Jan. 1 and July 1 in assessments following FY</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5</td>
<td>C.170, S.5 1981 6/8/1982 Accepted Relative to exemption for elderly persons, surviving spouses &amp; minors</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5, Cl. 17D</td>
<td>C. 73 1986 10/20/1987 Accepted Easing requirements on assessment for elderly &amp; minor children</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5, Cl.41B</td>
<td>5/7/1985 Accepted Granting an exemption under certain qualifying conditions for real estate taxes for persons of 70 years prior to July 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5, Cl.41C</td>
<td>C.73 1986 10/20/1987 Accepted Concerning elderly assessment</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5, Cl.41C</td>
<td>subclause C 11/13/2007 Accepted Change allowable asset req for 70+ from 28,000 to 40,000 and from 30,000 to 50,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Action</td>
<td>Date</td>
<td>Description</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>C.59, S.5, Cl.54</td>
<td>Accepted</td>
<td>4/29/2002</td>
<td>Accepting a small personal property account exemption minimum of $2500 of the full and fair cash value</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5C, 141B</td>
<td>Accepted</td>
<td>5/7/1985</td>
<td>Real estate tax exemption for persons over 70</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5K</td>
<td>Accepted</td>
<td>11/10/2003</td>
<td>Program for persons over age 60 to provide volunteer services to town in exchange for reduction in real property tax obligations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.59, S.5L</td>
<td>Accepted</td>
<td>5/14/2007</td>
<td>Program for persons over age 60 to provide volunteer services to town in exchange for reduction in real property tax obligations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.60, S.23B</td>
<td>Accepted</td>
<td>STM 11/13/06</td>
<td>Establish Elderly and Disabled Taxation Fund</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.60, S.106</td>
<td>Accepted</td>
<td>5/7/1985</td>
<td>Allow real estate bills under $25 to be made in one payment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.64G, S.3A</td>
<td>Accepted</td>
<td>6/10/1986</td>
<td>Imposition of a local excise tax of 4% on motels/hotels</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.64G, S.3A</td>
<td>Accepted</td>
<td>ATM 4/28/03</td>
<td>Imposition of a local excise tax of 4% on total amount of rent for rooms in B&amp;B, hotel, lodging house or motel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.71, S.71E</td>
<td>Accepted</td>
<td>10/5/1981</td>
<td>Moneys received by school committee from adult education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.79</td>
<td>Rejected</td>
<td>11/13/2006</td>
<td>Adjudicatory hearings votes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.90, S.20C</td>
<td>Accepted</td>
<td>6/8/1974</td>
<td>Parking violations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.90, SS.10A, 20C, 20D, 20E</td>
<td>Accepted</td>
<td>10/5/1981</td>
<td>Parking violations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.90, SS.20A, 20C, 20D, 20E</td>
<td>Rejected</td>
<td>10/20/1987</td>
<td>Resc. 10/19/81</td>
<td>Fine schedule for parking violations</td>
<td></td>
</tr>
<tr>
<td>C.90, S.20A1/2</td>
<td>Accepted</td>
<td>10/20/1987</td>
<td>Fine schedule for parking violations, to be collected and returned to the Town, effective 1/1/88</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.133, S.48</td>
<td>Accepted</td>
<td>6/28/1993</td>
<td>Provides for an early retirement incentive program for certain municipal employees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.136</td>
<td>Accepted</td>
<td></td>
<td>Sunday sports</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.137</td>
<td>Accepted</td>
<td>ATM 4/24/06</td>
<td>Public employees serving in the armed forces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C.138</td>
<td>Accepted</td>
<td>STM 11/8/10</td>
<td>Sales of alcoholic beverages Sundays 10AM-12 noon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Code</td>
<td>Code</td>
<td>Date</td>
<td>Action</td>
<td>Description</td>
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</tr>
<tr>
<td>C.140, S.147A</td>
<td></td>
<td>9/26/1994</td>
<td>Accepted</td>
<td>Authorize Town to withdraw from County dog program effective 1/1/95, and assume full responsibility for licensing, control, and regulation of dogs</td>
<td></td>
</tr>
<tr>
<td>C.140, S.188</td>
<td></td>
<td>STM 3/28/05</td>
<td>Accepted</td>
<td>Picnic Groves - Grant of license, terms conditions &amp; regulations</td>
<td></td>
</tr>
<tr>
<td>C.140, S.189</td>
<td></td>
<td>STM 3/28/05</td>
<td>Accepted</td>
<td>Picnic Groves - Maintenance of grove without license</td>
<td></td>
</tr>
<tr>
<td>C.140, S.190</td>
<td></td>
<td>STM 3/28/05</td>
<td>Accepted</td>
<td>Picnic Groves - Peddling, Selling, Gaming, Horse Racing, or Exhibitions near grove</td>
<td></td>
</tr>
<tr>
<td>C.147, ss.13A through 13C</td>
<td></td>
<td>10/30/1961</td>
<td>Accepted</td>
<td>Establish reserve police force</td>
<td></td>
</tr>
<tr>
<td>C.147, S.13C</td>
<td></td>
<td>3/12/1963</td>
<td>Rescinded</td>
<td>Reserve police force</td>
<td></td>
</tr>
<tr>
<td>C.148, S.26C</td>
<td></td>
<td>1979</td>
<td>Accepted</td>
<td>Install automatic smoke or heat detectors in certain apartment houses, hotel, lodging houses</td>
<td></td>
</tr>
<tr>
<td>C.148, S.26H</td>
<td></td>
<td>10/1/1986</td>
<td>Accepted</td>
<td>Automatic sprinklers in lodging and boarding houses</td>
<td></td>
</tr>
<tr>
<td>C.148, S.26I</td>
<td></td>
<td>2/10/1990</td>
<td>Accepted</td>
<td>Require automatic sprinklers in residential bldgs with four or more units. Will not require sprinklers in existing structures.</td>
<td></td>
</tr>
<tr>
<td>C.149, S.33C</td>
<td></td>
<td>4/7/1969</td>
<td>Accepted</td>
<td>Overtime pay for certain town employees</td>
<td></td>
</tr>
<tr>
<td>C.149, S.148</td>
<td></td>
<td>5/27/1987</td>
<td>Accepted</td>
<td>Establish a Police Special Detail revolving fund</td>
<td></td>
</tr>
<tr>
<td>C.258, S.13</td>
<td></td>
<td>1980</td>
<td>Accepted</td>
<td>Indemnifying municipal officers</td>
<td></td>
</tr>
<tr>
<td>C.258, S.13</td>
<td></td>
<td>STM 10/20/87</td>
<td>Rescinded</td>
<td>Indemnifying municipal officers</td>
<td></td>
</tr>
<tr>
<td>C.262, S.34 C.329, S.73</td>
<td></td>
<td>1980</td>
<td>10/5/1981</td>
<td>Accepted</td>
<td>Adopt fee schedule</td>
</tr>
<tr>
<td>C.262, S.34 C.329, S.73</td>
<td></td>
<td>1980</td>
<td>10/5/1987</td>
<td>Accepted</td>
<td>Location of poles, piers, abuts</td>
</tr>
<tr>
<td>C.612, S.12</td>
<td></td>
<td>11/29/1983</td>
<td>Accepted</td>
<td>Call men</td>
<td></td>
</tr>
<tr>
<td>C.32577</td>
<td></td>
<td>11/5/1912</td>
<td>Accepted</td>
<td>Pensioning laborers</td>
<td></td>
</tr>
<tr>
<td>C.71521</td>
<td></td>
<td>11/4/1915</td>
<td>Accepted</td>
<td>Continuation School</td>
<td></td>
</tr>
<tr>
<td>C.152 369</td>
<td></td>
<td>11/4/1913</td>
<td>Accepted</td>
<td>Workmen's Comp. (county)</td>
<td></td>
</tr>
<tr>
<td>C.152 369</td>
<td></td>
<td>2/13/1915</td>
<td>Accepted</td>
<td>Workmen's Comp. (town)</td>
<td></td>
</tr>
<tr>
<td>C.413 110</td>
<td></td>
<td>11/3/1914</td>
<td>Accepted</td>
<td>Saturday 1/2 day holiday</td>
<td></td>
</tr>
<tr>
<td>1935</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Additional list of acceptance</td>
</tr>
<tr>
<td>1963</td>
<td></td>
<td>3/11/1963</td>
<td>Accepted</td>
<td>Building Codes</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX C. MULLEN’S RULE CERTIFICATION

Town of Wrentham, Massachusetts

Certification Pursuant to M.G.L. c. 39, s.23D
Of Participation in a Session of an Adjudicatory Hearing
Where the Undersigned Member Missed a Single Hearing Session

Note: This form can be used for missing only one single public hearing session. This cannot be used for missing more than one hearing session.

I, _______________________________ (name), hereby certify under the pains and penalties of perjury as follows:

1. I am a member of ________________________________________________.

2. I missed a public hearing session on the matter of

________________________________________________________________________

which was held on ________________________________________________.

3. I have reviewed all the evidence introduced at the hearing session that I missed which included a review of (initial which one(s) applicable):

a. _______________ audio recording of the missed hearing session; or,

b. _______________ video recording of the missed hearing session; or,

c. _______________ a transcript of the missed hearing session.

This certification shall become a part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this ______ day of _____________________, 20__. 

________________________________________________
Signature of Board/Committee/Commission Member

Received as part of the record of the above matter:

By: ________________________________
Position: ________________________________
Date: ________________________________