

1 **GENERAL BYLAWS**

2
3
4 **OF THE**



7
8
9
10 **TOWN OF WRENTHAM**

11
12 **MASSACHUSETTS**

13
14
15
16 **CYNTHIA L. THOMPSON, CMC**
17 **TOWN CLERK**

18
19
20
21
22
23
24
25
26
27
28 **REVISED NOVEMBER 2019**
29

Town of Wrentham
General Bylaws
Table of Contents

30

31

32

33

34 **TITLE I: GENERAL PROVISIONS..... 8**

35 ARTICLE 1.10. Definitions and Rules of Interpretation8

36 ARTICLE 1.20. General Provisions8

37 ART. 1.20. SECTION 1. Repeal or Amendment.....8

38 ARTICLE 1.30. Violation.....8

39 ARTICLE 1.40. Severability9

40 **TITLE II. GOVERNANCE 10**

41 ARTICLE 2.10. Elections 10

42 ARTICLE 2.15. Board of Registrars 10

43 ART. 2.15. SECTION 1. General 10

44 ART. 2.15. SECTION 2. Role and Responsibility..... 10

45 ARTICLE 2.20. Town Meeting 10

46 ART. 2.20. SECTION 1. Date and Time 10

47 ART. 2.20. SECTION 2. Notice 10

48 ART. 2.20. SECTION 3. Warrant..... 11

49 ART. 2.20. SECTION 4. Operation of the Meeting..... 11

50 ART. 2.20. SECTION 5. Location of the Meeting..... 13

51 ARTICLE 2.30. Moderator [reserved] 13

52 ARTICLE 2.40. Committees 13

53 ART. 2.40. SECTION 1. General 13

54 ART. 2.40. SECTION 2. Membership, Appointment and Organization..... 14

55 ART. 2.40. SECTION 3. Removal 15

56 ART. 2.40. SECTION 4. Operation 16

57 ARTICLE 2.50. Vacancies in Office [reserved] 16

58 ARTICLE 2.60. Meetings and Executive Sessions 16

59 ART. 2.60. SECTION 1. Quorum and Manner of Acting 16

60 ART. 2.60. SECTION 2. Exception to the "Mullin Rule" 16

61 ART. 2.60. SECTION 3. Conclusion of Public Meetings 16

62 ARTICLE 2.70. Notices [reserved] 17

63 ARTICLE 2.80. Policies and Procedures [reserved] 17

64 **TITLE III. ADMINISTRATION 18**

65 ARTICLE 3.10. Board of Selectmen 18

66 ART. 3.10. SECTION 1. Licensing 18

67 ARTICLE 3.20. Town Administrator 19

68 ART. 3.20. SECTION 1. Duties and Responsibilities 19

69 ART. 3.20. SECTION 2. Shall Not be the Town Accountant 19

70

71	ARTICLE 3.30. Procurement and Chief Procurement Officer	19
72	ART. 3.30. SECTION 1. Contracts with Town Officers and Employees.....	19
73	ART. 3.30. SECTION 2. Competitive Public Bidding.....	20
74	ART. 3.30. SECTION 3. Disposal of Town Property	20
75	ARTICLE 3.40. Legal Affairs.....	20
76	ART. 3.40. SECTION 1. Selectmen as Agents of the Town	20
77	ART. 3.40. SECTION 2. Town Counsel.....	20
78	ART. 3.40. SECTION 3. Treasurer to Execute Deeds and Other Instruments	20
79	ARTICLE 3.50. Town Clerk.....	20
80	ART. 3.50. SECTION 1. Certification of Appropriations by Town Meeting	20
81	ART. 3.50. SECTION 2. Custodian of Records	21
82	ART. 3.50. SECTION 3. Public Notices	21
83	ARTICLE 3.55. Records and Annual Reports	21
84	ART. 3.55. SECTION 1. Records to be Maintained and Open to Any Citizen	21
85	ART. 3.55. SECTION 2. Annual Report by Elected Boards, Committees and Officers of	
86	Expenditures.....	21
87	ART. 3.55. SECTION 3. Town Report.....	21
88	ART. 3.55. SECTION 4. Town Seal	22
89	ARTICLE 3.60. General Bylaw Review Committee.....	22
90	ART. 3.60. SECTION 1. General	22
91	ART. 3.60. SECTION 2. Role and Responsibility.....	22
92	ARTICLE 3.70. Cable Advisory Committee.....	22
93	ART. 3.70. SECTION 1. General	22
94	ART. 3.70. SECTION 2. Role and Responsibility.....	23
95	TITLE IV. FINANCE	24
96	ARTICLE 4.10. Financial Affairs	24
97	ART. 4.10. SECTION 1. Fiscal Year	24
98	ART. 4.10. SECTION 2. Annual Audit.....	24
99	ART. 4.10. SECTION 3. Fidelity Bonds	24
100	ART. 4.10. SECTION 4. Authorization of Charges to Appropriations	24
101	ART. 4.10. SECTION 5. Period During Which Appropriations May be Expended or Committed by	
102	Contract	24
103	ART. 4.10. SECTION 6. Departmental Fees.....	24
104	ART. 4.10. SECTION 7. Fees, Fines and Other Charges [amended STM 11-04-19, art. 16].....	25
105	ART. 4.10. SECTION 8. Revolving Funds [amended ATM 06-03-19, art. 13]	26
106	ARTICLE 4.20. Finance Department	28
107	SECTION 1. Organization.....	28
108	ARTICLE 4.30. Finance Director (reserved) [amended ATM 6-8-15, art. 33].....	28
109	ARTICLE 4.35. Town Accountant.....	28
110	ART. 4.35. SECTION 1. Appointment.....	28
111	ART. 4.35. SECTION 2. Duties and Responsibilities [reserved]	28
112	ARTICLE 4.40. Treasurer/Collector	28
113	ART. 4.40. SECTION 1. Collector to Collect all Accounts Due to the Town.....	28
114	ART. 4.40. SECTION 2. Denial, Revocation or Suspension of Licenses for Failure to Pay Municipal	
115	Taxes or Charges	28
116	ART. 4.40. SECTION 3. Annual Report by the Town Treasurer of Town Debt and Expenditures	29
117	ART. 4.40. SECTION 4. Town Treasurer's Warrant Upon the Assessors of Taxes.....	29

118	ARTICLE 4.50. Board of Assessors	29
119	ART. 4.50. SECTION 1. Numbering of Buildings	29
120	ARTICLE 4.60. Finance Committee	30
121	ART. 4.60. SECTION 1. General	30
122	ART. 4.60. SECTION 2. Role and Responsibility	31
123	ARTICLE 4.70. Budget (reserved) [amended ATM 6-8-15, art. 33]	31
124	ARTICLE 4.80. Permanent Building Committee.....	31
125	ART. 4.80. SECTION 1. General	31
126	ART. 4.80. SECTION 2. Role and Responsibility.....	31
127	TITLE V. PUBLIC SAFETY	33
128	ARTICLE 5.10. Police Department	33
129	ART. 5.10. SECTION 1. General	33
130	ART. 5.10. SECTION 2. Hawkers and Peddlers and Business Regulation	33
131	ART. 5.10. SECTION 3. Handicapped Parking	33
132	ART. 5.10. SECTION 4. False Alarms	34
133	ART. 5.10. SECTION 5. Code of Conduct and Dress	35
134	ART. 5.10. SECTION 6. Demeanor and Conduct on Public Ways and Public Property.....	36
135	ART. 5.10. SECTION 7. Off-Road Vehicles	38
136	ART. 5.10. SECTION 8. Alcohol.....	38
137	ART. 5.10. SECTION 9. Public Consumption of Marijuana and Tetrahydrocannabinol (THC)	38
138	ART. 5.10. SECTION 10. Enforcement	39
139	ART. 5.10. SECTION 11. Civil Fingerprinting	39
140	ART. 5.10. SECTION 12. Other	40
141	ART. 5.10. SECTION 13. Marijuana Establishments Prohibited	41
142	ARTICLE 5.20. Animal Control.....	41
143	ART. 5.20. SECTION 1. Definitions	41
144	ART. 5.20. SECTION 2. Licenses and Tags.....	42
145	ART. 5.20. SECTION 3. Vaccinations of Dogs and Cats Against Rabies	43
146	ART. 5.20. SECTION 4. Restraint and Confinement Required	43
147	ART. 5.20. SECTION 5. Violations/Penalties and Complaints as to Dogs.....	44
148	ART. 5.20. SECTION 6. Impoundment.....	44
149	ART. 5.20. SECTION 7. Kennel License.....	44
150	ART. 5.20. SECTION 8. Emergency Fees for Dogs and Cats Injured in Public Ways.....	45
151	ART. 5.20. SECTION 9. Applicable Statutes.....	45
152	ART. 5.20. SECTION 10. Hearings [reserved]	45
153	ARTICLE 5.30. Fire Department	45
154	ART. 5.30. SECTION 1. Licenses and Registration Fees for Flammables.....	45
155	ARTICLE 5.40. Emergency Management [reserved]	45
156	ARTICLE 5.50. Communications [reserved].....	45
157	TITLE VI. PUBLIC WORKS	46
158	ARTICLE 6.10. DPW, General [reserved]	46
159	ARTICLE 6.20. DPW, Highways.....	46
160	ART. 6.20. SECTION 1. Snow Removal.....	46
161	ART. 6.20. SECTION 2. Excavating in Public Ways	46
162	ART. 6.20. SECTION 3. Plans of Town Ways.....	47
163	ART. 6.20. SECTION 4. Scenic Roads	47

164	ART. 6.20. SECTION 5. Other	47
165	ARTICLE 6.30. DPW, Water	47
166	ART. 6.30. SECTION 1. Water Extension	47
167	ART. 6.30. SECTION 2. Water System Demand Fee	48
168	ART. 6.30. SECTION 3. Backflow Prevention.....	48
169	ART. 6.30. SECTION 4. Water Use Restriction [added STM 11-14-16, art. 16]	48
170	ARTICLE 6.40. DPW, Buildings and Facilities.....	51
171	ART. 6.40. SECTION 1. Control of Town Buildings.....	51
172	ART. 6.40. SECTION 2. Placement or Removal of Buildings on Town Land	52
173	ARTICLE 6.50. DPW, Solid Waste and Recycling	52
174	ART. 6.50. SECTION 1. Mandatory Recycling	52
175	ARTICLE 6.51. Solid Waste Recycling Committee	54
176	ART. 6.51. SECTION 1. General	54
177	ART. 6.51. SECTION 2. Role and Responsibility.....	54
178	ARTICLE 6.60. Town Common Landscape Memorial Committee.....	54
179	ART. 6.60. SECTION 1. General	54
180	ART. 6.60. SECTION 2. Role and Responsibility.....	55
181	ARTICLE 6.80 Prohibition of Illicit Discharges to the Storm Drain System [added STM 11/4/19, art.	
182	19].....	55
183	TITLE VII. DEVELOPMENT AND LAND USE	63
184	ARTICLE 7.10. Planning Board	63
185	ART. 7.10. SECTION 1. Zoning	63
186	ARTICLE. 7.11. Earth Removal.....	63
187	ART. 7.11. SECTION 1. Purpose.....	63
188	ART. 7.11. SECTION 2. Authority	63
189	ART. 7.11. SECTION 3. Definitions	63
190	ART. 7.11. SECTION 4. Earth Removal Prohibited Without a Permit	63
191	ART. 7.11. SECTION 5. Conditional Exemptions	63
192	ART. 7.11. SECTION 6. Earth Removal Permit Requirements	64
193	ART. 7.11. SECTION 7. Earth Removal Permit Decision and Required Conditions	66
194	ART. 7.11. SECTION 8. Special Conditions.....	68
195	ART. 7.11. SECTION 9. Bond Requirement	68
196	ART. 7.11. SECTION 10. Term of Permit and Permit Renewal	68
197	ART. 7.11. SECTION 11. Earth Removal Operations in Existence.....	69
198	ART. 7.11. SECTION 12. Earth Removal in Connection with Other Uses.....	69
199	ART. 7.11. SECTION 13. Enforcement and Penalty.....	69
200	ARTICLE. 7.12. Scenic Roads.....	69
201	ART. 7.12. SECTION 1. Purpose.....	69
202	ART. 7.12. SECTION 2. Definitions	70
203	ART. 7.12. SECTION 3. Procedure for Scenic Road Designation	70
204	ART. 7.12. SECTION 4. Review Procedures for Work Within Designated Scenic Roads.....	71
205	ART. 7.12. SECTION 5. Enforcement.....	73
206	ART. 7.12. SECTION 6. Designated Roads	74
207	ART. 7.12. SECTION 7. Appeals.....	74
208	ARTICLE 7.20. Board of Appeals	74
209	ART. 7.20. SECTION 1. General	74
210	ART. 7.20. SECTION 2. Role and Responsibility.....	74

211	ARTICLE 7.30. Conservation Commission	74
212	ART. 7.30. SECTION 1. General	74
213	ART. 7.30. SECTION 2. Role and Responsibility.....	75
214	ART. 7.31. Wetland Protection	75
215	ART. 7.31. SECTION 1. Purpose.....	75
216	ART. 7.31. SECTION 2. Definitions	75
217	ART. 7.31. SECTION 3. Jurisdiction	76
218	ART. 7.31. SECTION 4. Exceptions.....	76
219	ART. 7.31. SECTION 5. Applications for Permits and Requests for Determination	76
220	ART. 7.31. SECTION 6. Fees.....	77
221	ART. 7.31. SECTION 7. Notice and Hearings.....	78
222	ART. 7.31. SECTION 8. Burden of Proof	79
223	ART. 7.31. SECTION 9. Permits and Conditions.....	79
224	ART. 7.31. SECTION 10. Security.....	80
225	ART. 7.31. SECTION 11. Regulations.....	80
226	ART. 7.31. SECTION 12. Enforcement	80
227	ART. 7.31. SECTION 13. Appeals	81
228	ART. 7.31. SECTION 14. Relations to Wetlands Protection Act	81
229	ARTICLE 7.40. Open Space Committee.....	81
230	ART. 7.40. SECTION 1. General	81
231	ART. 7.40. SECTION 2. Role and Responsibilities	81
232	ARTICLE 7.60. Building Inspector.....	82
233	ART. 7.60. SECTION 1. Appointment of Inspectors	82
234	ART. 7.60. SECTION 2. Demolition of Historically Significant Properties.....	82
235	ARTICLE 7.70. Board of Health	84
236	ART. 7.70. SECTION 1. Building on Shores of Lakes Pearl, Archer and Mirror.....	84
237	ART. 7.70. SECTION 2. Enforcement and Penalties of Rules and Regulations.....	84
238	ART. 7.70. SECTION 3. Carting Materials on the Streets of the Town	84
239	ART. 7.70. SECTION 4. Reduction of Single-Use Plastic Bags [amended STM 11/4/19, art. 16]	84
240	ARTICLE 7.80. Economic Development Commission	85
241	ART. 7.80. SECTION 1. General	86
242	ART. 7.80. SECTION 2. Role and Responsibility.....	86
243	ARTICLE 7.90. Community Preservation Committee [added STM 11-14-16, art. 18]	86
244	ART. 7.90. SECTION 1. General	86
245	ART. 7.90. SECTION 2. Role and Responsibility.....	86
246	TITLE VIII: HUMAN SERVICES	90
247	ARTICLE 8.10. Council on Aging	90
248	ART. 8.10. SECTION 1. General	90
249	ART. 8.10. SECTION 2. Role and Responsibility.....	90
250	ARTICLE 8.20. Veterans Agent [reserved]	90
251	ARTICLE 8.30. Recreation Commission	90
252	ART. 8.30. SECTION 1. General	90
253	ART. 8.30. SECTION 2. Role and Responsibility.....	90
254	ARTICLE 8.40. Commission on Disability.....	91
255	ART. 8.40. SECTION 1. General	91
256	ART. 8.40. SECTION 2. Role and Responsibilities	91
257		

258	ARTICLE 8.50. Library Trustees [reserved]	91
259	ARTICLE 8.60. Cultural Council	91
260	ART. 8.60. SECTION 1. General	91
261	ART. 8.60. SECTION 2. Role and Responsibility.....	92
262	ARTICLE 8.70. Historical Commission	92
263	ART. 8.70. SECTION 1. General	92
264	ART. 8.70. SECTION 2. Role and Responsibility.....	92
265	ARTICLE 8.80. Elderly and Disabled Tax Aid Committee	92
266	ART. 8.80. SECTION 1. General	92
267	ART. 8.80. SECTION 2. Role and Responsibility.....	92
268	TITLE IX: EDUCATION	93
269	ARTICLE 9.10. Wrentham Public School Committee [reserved]	93
270	ARTICLE 9.30. Scholarship Committee and Educational Fund Committee.....	93
271	ART. 9.30. SECTION 1. General	93
272	ART. 9.30. SECTION 2. Role and Responsibility.....	93
273	ARTICLE 9.51. Regional Public Schools [reserved]	93
274	ART. 9.51. SECTION 1. King Phillip Regional Public Schools [reserved].....	93
275	ART. 9.51. SECTION 2. Tri-County Vocational School [reserved]	93
276	ART. 9.51. SECTION 3. Norfolk Agricultural School [reserved]	93
277	APPENDIX A. Style of Codification	94
278	APPENDIX B. Accepted Statutes and Home Rule Petitions.....	95
279	APPENDIX C. Mullen’s Rule Certification	101
280		
281		

282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333

Town of Wrentham
General Bylaws
[codified and reorganized ATM 6-10-13, art. 27]

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]
- C. *“Charter”*: The Wrentham Home Rule Charter established by Chapter 116 of the Acts of 2014. [added ATM 6-8-15, art. 33]
- 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.

334 **ARTICLE 1.40. Severability**

335 These bylaws and their articles, sections, sentences or clauses are hereby declared to be severable. If
336 any article, section, sentence, or clause is adjudged invalid, it is hereby provided that the remainder of
337 these bylaws shall not be affected thereby, and these bylaws shall remain in full force and effect, as
338 amended from time to time, except for those provisions which are determined to be invalid. [added ATM
339 6-9-14, art. 17]

340

341

342 **TITLE II. GOVERNANCE**

343
344
345 **ARTICLE 2.10. Elections**

346 The regular election of all town officers and such other matters required by law to be determined by
347 ballot shall be held annually on the first Monday of April and shall be called pursuant to a separate annual
348 town meeting warrant.

349
350
351 **ARTICLE 2.15. Board of Registrars**

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

353
354 **ART. 2.15. SECTION 1. General**

355 **A.** There shall be a Board of Registrars as authorized by M.G.L, c. 51, s. 15.

356
357 **B.** The Board shall be comprised of the Town Clerk and three other persons who shall be appointed
358 by the Board of Selectmen. All appointments shall be made during February or March and shall
359 begin with April first following.

360
361 **ART. 2.15. SECTION 2. Role and Responsibility**

362 The Board shall hold sessions to register voters as provided by M.G.L. c. 51, s. 26, and take such other
363 actions to register voters as required by statute.

364
365
366 **ARTICLE 2.20. Town Meeting**

367
368 **ART. 2.20. SECTION 1. Date and Time**

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

372
373 There shall be one regularly scheduled Special Town Meeting each year, to be held between the months
374 of October and December inclusive on a date to be scheduled and noticed as provided in the General
375 Laws. [amended ATM 06-05-17, art 17].

376
377 All matters in the warrant for any Town Meeting, except the election of such officers and the
378 determination of such matters as are required by law to be elected or determined by ballot may be
379 considered only at or after 7:30 P.M., or at an adjourned meeting.

380
381 **ART. 2.20. SECTION 2. Notice**

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

385
386 Notice for every adjourned Town Meeting shall be posted by the Town Clerk by placing a notice on the
387 Town bulletin board as soon as practicable after adjournment, stating briefly the business to come before
388 such adjourned meeting.

391 **ART. 2.20. SECTION 3. Warrant**

392 Whenever a town meeting warrant is opened in accordance with Charter Section 2.7 the Board of
393 Selectmen shall strive to conduct the process in an open, public, and simple manner that facilitates
394 participation by Wrentham's citizens and encourages their interest in Town government. [amended ATM
395 6-8-15, art. 33]

396
397 Whenever any *committee* has been chosen to report upon the subject matter referred to it at a future
398 Town Meeting, the Selectmen shall, upon the request of the chairman of such *committee*, insert in the
399 warrant for such meeting any article necessary to bring the subject matter of the report of such
400 *committee* before the meeting.

401
402 **ART. 2.20. SECTION 4. Operation of the Meeting**

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

409
410 **B.** No appeal from the decision of the Moderator shall be voted by the meeting unless it is seconded
411 by at least seven persons, and no other business shall be in order until the question on the
412 appeal has been disposed of.

413
414 **C.** The Moderator shall make declaration of all votes passed, and when a question is put, the sense
415 of the meeting shall be taken by the voices, or showing of hands, of those voting. The Moderator
416 shall announce the vote as it appears to him/her. If he/she is unable to decide by the sound of
417 the voices or showing of hands, or if his/her announcement made thereupon is doubted by any
418 voter, rising in his/her place for that purpose, the Moderator shall order a standing vote without
419 further debate upon the question, and no motion whatever shall be entertained by the Chair
420 while verifying a vote.

421
422 **D.** All motions to appropriate funds for any Capital Project with a total cost projected by the Finance
423 Committee at the time of the vote to be in excess of \$2 million, or any vote to authorize the King
424 Philip Regional School District to borrow more than \$2 million, shall be voted on by secret ballot.
425 This rule may be suspended only by unanimous consent. [amended STM 11/13/06]

426
427 **E.** No person shall speak in a town meeting without consent of the Moderator, nor while another is
428 speaking, and all persons shall, at the Moderator's request, be silent.

429
430 **F.** When two or more persons shall rise to address the Chair at the same time, the Moderator shall
431 name the person who shall first be heard upon the question.

432
433 **G.** No person shall be interrupted by another, but by rising to call him/her to order and the person
434 rising for such purpose shall state his/her point of order. Any person rising to speak or vote shall
435 address the Moderator, and resume his/her seat as soon as he/she has finished speaking.

436
437 **H.** No person shall speak more than twice on one question to the prevention of any other person
438 who has not spoken and is desirous to speak, except the article proponent or a person
439 designated as an authority on the subject matter who is there to answer questions.
440 Presentations by any speaker may be limited to a specified time period if recommended by the
441 Moderator or by any registered voter via a motion. Any recommendation to limit a presentation
442 must also be approved by a majority vote of the meeting. A presentation time period may
443 subsequently be extended by a motion which is adopted by a majority vote of the meeting.

- 444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
- 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.

- 496 V. The duties of the Moderator not prescribed by the Statutes or by these Bylaws shall be
- 497 determined by the general rules of "Town Meeting Time, A Handbook of Parliamentary Law,"
- 498 latest edition.
- 499
- 500 W. Warrant Articles of a financial nature shall be first moved by a member of the Finance
- 501 Committee. If no member of the Finance Committee offers a motion on such article, then any
- 502 Wrentham registered voter may do so. [amended STM 11/13/06]
- 503
- 504 X. Warrant articles that, in whole or in part, propose an amendment to these Bylaws shall be first
- 505 moved by a member of the General Bylaw Review Committee. If no member of the General
- 506 Bylaw Review Committee offers a motion on such an article, then any Wrentham registered voter
- 507 may do so.
- 508

509 **ART. 2.20. SECTION 5. Location of the Meeting**

510 When necessary, the Board of Selectmen may choose to hold business, Annual or Special Town Meetings

511 outside the geographical limits of the Town of Wrentham. [added STM 3/28/05]

512

513

514 **ARTICLE 2.30. Moderator [reserved]**

515

516

517 **ARTICLE 2.40. Committees**

518

519 **ART. 2.40. SECTION 1. General**

- 520 A. Town *committees* may be established, and may be given responsibilities and authorities, as set
- 521 forth in these Bylaws, and consistent with the laws of the Commonwealth of Massachusetts.
- 522
- 523 B. The Standing Committees shall be: [amended STM 11/4/19, art. 13]
- 524 i. Finance Committee
- 525 ii. Cable Advisory Committee
- 526 iii. Town Common Landscape/Memorial Committee
- 527 iv. Open Space Committee
- 528 v. Permanent Building Committee
- 529 vi. General Bylaw Review Committee
- 530 vii. Board of Registrars
- 531 viii. Solid Waste Recycling Committee
- 532 ix. Board of Appeals
- 533 x. Conservation Commission
- 534 xi. Economic Development Commission
- 535 xii. Council on Aging
- 536 xiii. Recreation Commission
- 537 xiv. Commission on Disability
- 538 xv. Cultural Council
- 539 xvi. Historical Commission
- 540 xvii. Elderly and Disabled Tax Aid Committee
- 541 xviii. Scholarship Committee and Educational Fund Committee
- 542 C. All standing *committees* and *ad-hoc committees* of the Town, except those *ad-hoc committees*
- 543 that are established by the Board of Selectmen, shall be established through an article in a Town
- 544 Meeting warrant in accordance with ARTICLE 1.20. SECTION B. Such article shall specifically
- 545 state the *committee's* charge, membership and terms of office, appointing authority, and
- 546 funding; also, its relationship to any current bylaws, *committees*, or General Laws of the
- 547 Commonwealth. [STM 6-24-85, art. 1; amended STM 11-12-13, art. 13; amended ATM 6-9-14,
- 548 art. 20]

- 549
550 D. *Ad-hoc committees* that are authorized by Town Meeting may be authorized for a period not to
551 exceed one (1) complete fiscal year, and may be reauthorized by Town Meeting for periods not
552 to exceed one complete fiscal year. [added ATM 6-9-14, art. 20]
553
554 E. Except as otherwise provided by law, all standing *committees* duly established by vote of an
555 annual Town Meeting shall continue in existence until abolished by a legal vote of some
556 subsequent Annual Town Meeting.
557

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

559 *Committees* may have members who are appointed in accordance with these Bylaws; and may have *ex-*
560 *officio* members, who shall serve without voting authority unless these bylaws provide for such voting
561 authority. [amended ATM 6-9-14, art. 20]
562

563 **A. MEMBERSHIP**

564 No person whose principal residence is not within the Town of Wrentham and who is not a
565 registered voter of the Town of Wrentham may be appointed by the Board of Selectmen or the
566 Moderator to serve on any town *committee*. Any member of a *committee*, or of an *elected board*
567 who removes from the town shall be deemed to have vacated his/her office. The provisions of
568 this section shall not apply to any *ex-officio* positions or those specifically provided for by town
569 bylaw. Any person appointed to any *committee* must be duly sworn in by the Wrentham Town
570 Clerk or any other state authorized authority within sixty (60) days of the date of the
571 appointment or the appointing authority may consider that the person has declined the
572 appointment and may appoint someone else. [amended ATM 6-8-15, art. 35]
573

574 **B. APPOINTMENT and RESIGNATION**

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

- 576 1. It shall be the duty of the Town Clerk to notify in writing all members of *elected boards* and
577 *committees*, upon their appointment, stating the name of the *elected board* or *committee*
578 and business for which it was appointed.
579
580 2. Except as otherwise prescribed by statute or by a bylaw, all personnel serving on all standing
581 *committees* shall be appointed for three (3) year terms on a staggered basis and arranged so
582 that approximately one third of the members will expire each year. All personnel serving on
583 all *ad-hoc committees* shall be appointed for one (1) year terms, however, whenever an ad-
584 hoc committee is created at a special town meeting the term of the initial appointments shall
585 conclude on June 30 of the following fiscal year. Nothing in this bylaw shall be construed as
586 preventing the reappointment by the proper appointing authority of any individual to any
587 Standing Committee or to any other committee the life of which has been extended for
588 another year by the vote of the Annual Town Meeting.
589
590 3. All appointed terms shall begin on July 1, however, when an *ad-hoc committee* is created at
591 a special town meeting the initial appointments shall be made promptly.
592
593 4. Any member of a *committee* may resign at any time by giving written notice to the Town
594 Clerk pursuant to M.G.L. c. 41, s. 109, and to the chair of the respective *committee*. The
595 Town Clerk shall notify the appointing authority within seven (7) days.
596
597 5. Whenever a vacancy occurs in the membership of a *committee*, by reason of death,
598 resignation, removal from the town, inability to act, or for any other reason, the vacancy
599 shall be promptly filled by appointment for the unexpired portion of the term.
600
601 6. All members of all *committees* shall serve without pay.

602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653

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 B₂ 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.

654 **ART. 2.40. SECTION 4. Operation**

655 [added ATM 6-9-14, art. 20]

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

658
659 Every *committee* and every *elected board* shall also submit an annual report of its activities to the
660 Board of Selectmen for inclusion in the Annual Town Report, and send copies to any relevant
661 state agencies.

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

663
664 **C.** *Committees* may expend necessary funds subject to lawful appropriation and approval.

665
666 **D.** *Committees* and *elected boards* may expend such funds received as monetary grants and gifts
667 subject to prior approval of the Board of Selectmen. *Committees* and *elected boards* may accept
668 gifts of tangible property subject to prior approval of the Board of Selectmen.

669
670 **E.** *Committees* may, in fulfilling their role and responsibilities, employ staff or change the
671 employment status of any person(s) employed by the *committee* subject to the prior approval of
672 the Board of Selectmen or other appointing authority.

673
674 **F.** *Committees* and *elected boards*, in compliance with the requirement of M.G.L. c. 30A, s. 22, shall
675 prepare and act on minutes of each meeting at the next following meeting. However, a draft of
676 the minutes of a meeting shall be available within fourteen (14) days of the date of such
677 meeting. Each *committee* and *elected board* shall submit copies of all minutes, except minutes
678 of executive sessions, to the Town Clerk upon their approval. Minutes of executive sessions shall
679 be submitted to the Town Clerk upon the determination by the *committee* or *elected board*, or its
680 chair or designee that publication of the minutes would not defeat the purpose of the executive
681 session.

682

683

684
685 **ARTICLE 2.50. Vacancies in Office [reserved]**

686

687

688 **ARTICLE 2.60. Meetings and Executive Sessions**

689

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

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

696

697 **ART. 2.60. SECTION 2. Exception to the "Mullin Rule"**

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

700

701 **ART. 2.60. SECTION 3. Conclusion of Public Meetings**

702 All public meetings, shall conclude no later than 11:00 pm. A *committee*, or an *elected board* may, by
703 the affirmative vote of two-thirds of its members who are present, extend a meeting to 11:30 pm if the
704 prompt and orderly conduct of public business so requires. Under no circumstances shall any meeting
705 extend beyond 11:30 pm. This section shall not apply to emergency meetings as defined in the

706 Commonwealth's Open Meeting Law or to meetings in executive session, provided that the public vote to
707 go into executive session is properly taken prior to the relevant deadline. [amended ATM 6-9-14, art. 20]
708

709

710 **ARTICLE 2.70. Notices [reserved]**

711

712

713 **ARTICLE 2.80. Policies and Procedures [reserved]**

714

715

716

TITLE III. ADMINISTRATION

717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765

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.

766 **C. Wires for the Transmission of Electricity or Data**

767 No person shall erect, construct or maintain wires for the transmission of electricity or data, or
768 any poles, piers, structures, abutments or conduits necessary therefore, upon, along, under or
769 across a public way without first obtaining a permit from the Board of Selectmen pursuant to
770 G. L. c.166, Section 22. Each day that any such equipment remains in place without a permit
771 shall be deemed a separate offense.
772

773
774 **ARTICLE 3.20. Town Administrator**

775
776 **ART. 3.20. SECTION 1. Duties and Responsibilities**

777 [Art. 3.20, STM 6/3/96]

778 The Town Administrator shall be appointed by the Board of Selectmen, and shall act for the Board of
779 Selectmen in any matter they delegate to the Town Administrator relating to the administration of the
780 affairs of the Town or of any office or department under their supervision. When doing so, the Town
781 Administrator acts as the agent for and with the authority of the Board of Selectmen. The Town
782 Administrator shall be responsible to the Board of Selectmen for the proper management and
783 administration of the functions, officials, and departments under the jurisdiction of the Board of
784 Selectmen. The duties and responsibilities of the Town Administrator shall include, in addition to those
785 duties and responsibilities that are specified in the *Charter*, but shall not be limited to the following:
786 [amended ATM 6-8-15, art. 33]
787

- 788 **A.** Perform all functions of Risk Manager, as advised by the Insurance Committee, and administer
789 the municipal insurance program; [amended ATM 6-8-15, art. 33]
790
791 **B.** Supervise the issuance and renewal of all licenses and permits that may be issued by the Board
792 of Selectmen; [amended ATM 6-8-15, art. 33]
793
794
795 **C.** The Town Administrator shall report directly to the Chairman of the Board. [amended ATM 6-8-
796 15, art. 33]
797
798 **D.** Fulfill such other and further specific duties and delegations as may from time to time be
799 assigned to the Town Administrator by the Board of Selectmen. [amended ATM 6-8-15, art. 33]
800

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

802 The Town Administrator shall not, during his term of office, hold or be appointed to the office of town
803 accountant. [amended ATM 6-8-15, art. 33]
804

805
806 **ARTICLE 3.30. Procurement and Chief Procurement Officer**

807
808 **ART. 3.30. SECTION 1. Contracts with Town Officers and Employees**

809 No town officer and no salaried employee of the town or any agent of any officer or employee shall sell
810 materials or supplies or furnish labor to the town, by contract or otherwise, without permission of the
811 Chief Procurement Officer or other board authorized to purchase or otherwise secure materials, supplies
812 and labor for the town, expressed in a vote which shall appear on the records of such board with the
813 reason therefore. All such contracts or agreements shall be made or awarded, as far as is practicable, in
814 such a manner as to secure reasonable competition. [amended ATM 6-8-15, art. 33]
815

816 **ART. 3.30. SECTION 2. Competitive Public Bidding**

817 The Town of Wrentham shall use competitive bidding procedures as specified in M.G.L. c. 30B for any
818 contract. Section 1 (b) of Chapter 30B, the exemptions from 30B, shall continue to apply except that the
819 designer exception in Section (15) will be revoked. [amended ATM 6-8-15, art. 35]

820
821 When the actual or estimated amount of a proposed contract amounts to ten thousand dollars or more,
822 such contract shall be awarded in accordance with the terms specified under Chapter 30B, of the General
823 Laws, as amended.

824
825 The bids shall be sealed, properly endorsed, and kept under lock and key until opened at the time stated,
826 in the presence of board, *committee* or officer authorized by the town to make the contract. No bids
827 shall be received after the time advertised for opening. Any or all bids may be rejected.

828
829 **ART. 3.30. SECTION 3. Disposal of Town Property**

830 **A. Scrap Metal**

831 The Superintendent of the Department of Public Works or his designee, with the prior approval of
832 the Town Administrator, shall be authorized to dispose of scrap metals in the best interest of the
833 town. [amended ATM 6-8-15, art. 33]

834
835
836 **ARTICLE 3.40. Legal Affairs**

837
838 **ART. 3.40. SECTION 1. Selectmen as Agents of the Town**

839 The Selectmen shall have full authority as agents of the town to institute, prosecute and compromise
840 suits in the name of the Town, and to appear, defend and compromise suits brought against the Town,
841 and to appear in proceedings before any tribunal, unless it is otherwise specially voted by the town.

842
843 **ART. 3.40. SECTION 2. Town Counsel**

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

850
851 **ART. 3.40. SECTION 3. Treasurer to Execute Deeds and Other Instruments**

852 Whenever it shall be necessary to execute any deed conveying land or any other instrument required to
853 carry into effect any vote of the Town, the same shall be executed by the Treasurer unless the Town
854 shall otherwise vote.

855
856
857 **ARTICLE 3.50. Town Clerk**

858
859 **ART. 3.50. SECTION 1. Certification of Appropriations by Town Meeting**

860 Whenever, at any Town Meeting, an order or vote appropriating money becomes effective, the Town
861 Clerk shall certify to the Assessors and the Town Accountant each appropriation in detail, and the
862 provision made for meeting the same, if specified in the appropriation order or vote.

863
864

865 **ART. 3.50. SECTION 2. Custodian of Records**

866 **A. Deeds and Conveyances**

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

871

872 **B. Plans of Town Ways**

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

877

878 **ART. 3.50. SECTION 3. Public Notices**

879 Any notice posted under the seal of the Town Clerk or any notice date stamped and posted by the Town
880 Clerk on the principal official bulletin board of the Town or in a public place so designated for such
881 posting shall not be removed. Removal of such notices shall be punishable by a fine in the amount
882 specified in ART. 4.10, SECTION 7.B., and shall be enforced by the Chief of Police. [amended ATM 6-8-
883 15, art. 34]

884

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

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

892

893

894 **ARTICLE 3.55. Records and Annual Reports**

895

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

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

901

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

904 Not later than the date set by the Board of Selectmen all boards of town officers, and committees having
905 charge of the expenditure of town money, including grants and gifts, revolving funds, and any other
906 funds, shall annually report in writing to the Board of Selectmen in such manner as to give the citizens a
907 fair and full understanding of the objects and methods of such expenditures. [amended ATM 6-9-14, art.
908 20]

909

910 **ART. 3.55. SECTION 3. Town Report**

911 **A. General**

912 The town clerk shall furnish for publication in the annual town report an abstract of the official
913 records of all town meetings held during the preceding fiscal year, shall also furnish for the same
914 purpose an abstract of the vital statistics for the preceding fiscal year.

915

916

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

921
922 **C. Decennial valuation by Assessors**
923 Each decennial valuation of estates made by the assessors, or an abstract thereof, shall be
924 printed and distributed with the annual town report for the next year.

925
926 **ART. 3.55. SECTION 4. Town Seal**

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

931
932
933 **ARTICLE 3.60. General Bylaw Review Committee**

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

935
936 **ART. 3.60. SECTION 1. General**

- 937 **A.** There shall be a standing *committee* known as the General Bylaw Review Committee.
938
939 **B.** The members of the Committee will be appointed by the Moderator, and shall be comprised of
940 the following voting members:
941 a member of the Board of Selectmen, a Finance Committee member, a Planning Board member,
942 Town Clerk, and three citizens-at-large, preferably one from each precinct. *Ex-officio*, non-voting
943 members shall be: Building Inspector, Police Chief, Fire Chief, and DPW Superintendent.
944
945 **C.** A *quorum* shall be three present voting members.

946
947 **ART. 3.60. SECTION 2. Role and Responsibility**

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

954
955
956 **ARTICLE 3.70. Cable Advisory Committee**

957
958 **ART. 3.70. SECTION 1. General**

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

- 960 **A.** There shall be a standing *committee* to be known as the Cable Advisory Committee.
961
962 **B.** The committee, which shall be appointed by the Board of Selectmen, shall consist of:
963 five (5) voting members and one (1) non-voting liaison from the Board of Selectmen, as follows:
964 one (1) member representing the Wrentham School Committee, one (1) member representing
965 the King Philip Regional School Committee, one (1) member nominated by and to represent
966 Wrentham Cable Access Corporation, and two (2) members at large, each of whom shall be a
967 subscriber to the local cable network.
968

969 No person shall be disqualified from serving as a member at large by reason of being a member
970 of Wrentham Cable Access Corporation, provided that he or she is not an officer or director of
971 said corporation.
972

973 **ART. 3.70. SECTION 2. Role and Responsibility**

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

975 The Committee shall:

- 976 i. monitor and advise and/or make recommendation to the Town of Wrentham and to its
977 franchising authority (the Board of Selectmen) on matters related to the current operations of
978 those educational access, public cable access, or cable network television operations franchised
979 by the Town, including but not limited to network and local programming, rates/fees, service and
980 distribution and franchising compliance;
- 981
- 982 ii. play a key role in the license renewal process, including ascertaining the Town's cable needs and
983 interests pursuant to 47 U.S.C. 446;
- 984
- 985 iii. facilitate communications and activities between the Town's cable network vendor(s), the
986 Wrentham Cable Access Corporation, interested citizens and the franchising authority;
- 987
- 988 iv. educate municipal and school officials, community organizations and the general public about the
989 available benefits of, and rights under, the cable license; and,
- 990
- 991 v. such other matters as the Board of Selectmen may request from time to time. With regard to the
992 license renewal process, the Committee shall gather information and conduct necessary hearings
993 related to system design/upgrade, consumer protection, expansion of service area, programming
994 and local programming/access, rates and fees and other such relevant matters.
995

996
997
998
999

TITLE IV. FINANCE

1000
1001
1002
1003
1004
1005
1006
1007
1008
1009
1010
1011
1012
1013
1014
1015
1016
1017
1018
1019
1020
1021
1022
1023
1024
1025
1026
1027
1028
1029
1030
1031
1032
1033
1034
1035
1036
1037
1038
1039
1040
1041
1042
1043
1044
1045
1046
1047
1048
1049
1050
1051
1052

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.

- 1053
1054
1055
1056
1057
1058
1059
1060
1061
- 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.

1062 **ART. 4.10. SECTION 7. Fees, Fines and Other Charges** [amended STM 11-04-19, art. 16]

1063 **A. Fees:**

- | | | | |
|------|------|---|----------|
| 1064 | i. | Flammables, original fee (ART. 5.30, SECTION 1.) | \$500.00 |
| 1065 | ii. | Flammables, renewal fee (ART 5.30, SECTION 1.) | \$250.00 |
| 1066 | iii. | Excavating in public ways, application fee (ART. 6.20, SECTION 2.C.) | \$50.00 |
| 1067 | iv. | Test of any testable backflow prevention device (ART. 6.30, SECTION 3.) | \$50.00 |
| 1068 | v. | Water use violation (ART. 6.30, SECTION 4.) | |
| 1069 | | 1. first violation | \$50.00 |
| 1070 | | 2. second violation | \$100.00 |
| 1071 | | 3. third and subsequent violations (and termination of water service | \$200.00 |
| 1072 | | for water customers). Each day may be considered a separate offense. | |

1073 **B. Fines:**

- | | | | |
|------|-------|--|----------------------|
| 1074 | i. | Removal of public notices (ART. 3.50, SECTION 3) | \$100.00 |
| 1075 | ii. | Failure to affix numbering to buildings (ART. 4.50, SECTION G): | |
| 1076 | | 1. first offense | \$100.00 |
| 1077 | | 2. second offense | \$200.00 |
| 1078 | | 3. third offense | \$300.00 |
| 1079 | iii. | False alarms (ART. 5.10, SECTION 4.B.): | |
| 1080 | | 1. fifth and sixth alarms | \$25.00 |
| 1081 | | 2. seventh and subsequent alarms | \$50.00 |
| 1082 | iv. | Incessant continuation of audible alarm (ART. 5.10 SECTION 4.C.) | \$50.00 |
| 1083 | v. | Unauthorized use of off-road vehicle (ART. 5.10, SECTION 7.C.) | \$250.00 |
| 1084 | vi. | Unauthorized consumption of alcoholic beverages by a patron (ART. 5.10, | |
| 1085 | | SECTION 8.B.) | \$300.00 |
| 1086 | vii. | Public consumption of marijuana (ART. 5.10, SECTION 9) | \$300.00 |
| 1087 | viii. | Failure to license dog (ART. 5.20, SECTION 2.) | \$50.00 |
| 1088 | ix. | Complaints as to dogs (ART. 5.20, SECTION 5): | |
| 1089 | | 1. first and second offense | \$25.00 per dog plus |
| 1090 | | \$40.00 administrative fee (\$80.00 administrative fee if dog is impounded and | |
| 1091 | | released) | |
| 1092 | | 2. third and subsequent offense | \$50.00 per dog plus |
| 1093 | | \$40.00 administrative fee (\$80.00 administrative fee if dog is impounded and | |
| 1094 | | released) | |
| 1095 | | Failure to obtain a kennel license (ART 5.20, SECTION 7) | \$50.00 |
| 1096 | x. | Excavating in public ways (ART. 6.20, SECTION 2.I.) | \$50.00 |
| 1097 | xi. | Violation of mandatory recycling (ART. 6.50, SECTION 1.G.): | |
| 1098 | | 1. First violation | Written Warning |
| 1099 | | 2. Second violation | \$35.00 |
| 1100 | | 3. Third and subsequent violations | \$75.00 |
| 1101 | xii. | Violation of Single-Use Plastic Bags (ART 7.70, SECTION 4) | |
| 1102 | | 1. First violation | Written Warning |
| 1103 | | 2. Second violation (if occurs within one year after warning notice issued) | \$50.00 |
| 1104 | | 3. Third and subsequent violations | \$100.00 |

1105

1106	xiii.	Destruction of stone walls or cutting trees on a scenic road (ART. 7.12, SECTION 5.1.)	
1107	1.	First violation	Written Warning
1108	2.	Second violation	\$35.00
1109	3.	Third and subsequent violations	\$75.00
1110	xiv.	Violation of wetland protection bylaw (ART. 7.31, SECTION 12.)	
1111	1.	First violation	\$100.00
1112	2.	Second violation	\$200.00
1113	3.	Third and subsequent violations	\$300.00

1114
1115 **C. Other Charges:**

1116	i.	Additional collection fee, failure to license dog (ART. 5.20, SECTION 2.)	\$100.00
1117	ii.	Excavation in public way, guarantee proper replacement (ART. 6.20, SECTION 2.E.):	
1118	1.	Bituminous concrete Streets/Sidewalks	\$50.00 per square yard
1119	2.	Bituminous concrete berm	\$10.00 per lineal foot
1120	3.	Vertical granite curbing (Remove & rest)	\$15.00 per lineal foot
1121	4.	Grass plot	\$10.00 per square yard
1122	5.	Gravel shoulder	\$10.00 per square yard
1123	6.	Cement concrete sidewalks	\$70.00 per square yard
1124	iii.	Earth removal review consultant expenses (ART. 7.11, SECTION 6.B.2.):	
1125	1.	earth removal of 5,000 cubic yards or less	not to exceed \$2,500.00
1126	2.	earth removal of more than 5,000 cubic yards	not to exceed \$5,000.00

1127
1128 **ART. 4.10. SECTION 8. Revolving Funds** [amended ATM 06-03-19, art. 13]

1129
1130 **A. Purpose.** This bylaw establishes and authorizes revolving funds for use by town departments,
1131 boards, committees, agencies or officers in connection with the operation of programs or
1132 activities that generate fees, charges or other receipts to support all or some of the expenses of
1133 those programs or activities. These revolving funds are established under and governed by MGL
1134 Chapter 44, Section 53E ½.

1135
1136 **B. Expenditure Limitations.** A department or agency head, board, committee or officer may incur
1137 liabilities against and spend monies from a revolving fund established and authorized by this
1138 bylaw without appropriation subject to the following limitations:

- 1139 i. Fringe benefits of full-time employees whose salaries or wages are paid from the fund
1140 shall also be paid from the fund.
- 1141 ii. No liability shall be incurred in excess of the available balance of the fund.
- 1142 iii. The total amount spent during a fiscal year shall not exceed the amount authorized by
1143 town meeting on or before July 1 of that fiscal year, or any increased amount of that
1144 authorization that is later approved during that fiscal year by the Board of Selectmen and
1145 finance committee.

1146
1147 **C. Interest.** Interest earned on monies credited to a revolving fund established by this bylaw shall
1148 be credited to the general fund.

1149
1150 **D. Procedures and Reports.** Except as provided in MGL Chapter 44, Section 53 ½ and this bylaw,
1151 the laws, charter provisions, bylaws, rules, regulations, policies or procedures that govern the
1152 receipt and custody of town monies and the expenditure and payment of town funds shall apply
1153 to the use of a revolving fund established and authorized by this bylaw. The town accountant
1154 shall include a statement on the collections credited to each fund, the encumbrances and
1155 expenditures charged to the fund and the balance available for expenditures in the regular report
1156 the town accountant provides the department, board, committee, agency or officer on the
1157 appropriations made for its use.

1160
1161
1162
1163
1164
1165
1166
1167
1168
1169
1170
1171
1172
1173
1174

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 that 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.

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

1175
1176 **ARTICLE 4.20. Finance Department**
1177 [ATM 5/9/03]

1178
1179 **SECTION 1. Organization**

1180 There shall be a Consolidated Department of Municipal Finance as provided under Massachusetts General
1181 Laws, Chapter 43C, Section 11 which shall be responsible for all fiscal and financial affairs of the Town of
1182 Wrentham and for the supervision and coordination of all activities of all government agencies in relation
1183 to any fiscal or financial matters. This department shall include the following existing entities which shall
1184 become divisions of the consolidated department: Accountant, Treasurer and Tax Collector. Additionally,
1185 the functions of automated data processing shall also become part of the responsibilities of this
1186 department.

1187
1188
1189 **ARTICLE 4.30. Finance Director** (reserved) [amended ATM 6-8-15, art. 33]

1190
1191
1192 **ARTICLE 4.35. Town Accountant**

1193
1194 **ART. 4.35. SECTION 1. Appointment**

1195 The Finance Director may appoint a town accountant, who shall keep the financial records of the town,
1196 according to the system of accounting adopted by the town. Said accountant may fill such other
1197 positions as the town shall determine, consistently with the statutes, and shall furnish for publication, in
1198 the annual town report, a detailed account of the receipts and expenditures of the town for the preceding
1199 financial year; also a statement of the town's indebtedness, and a list of bills outstanding at the close of
1200 the financial year. [amended ATM 6-8-15, art. 33]

1201
1202 **ART. 4.35. SECTION 2. Duties and Responsibilities** [reserved]

1203
1204
1205 **ARTICLE 4.40. Treasurer/Collector**

1206
1207 **ART. 4.40. SECTION 1. Collector to Collect all Accounts Due to the Town**

1208 On and after January 1, 1945, the Collector of Taxes shall collect, under the title of Town Collector, all
1209 accounts due the Town.

1210
1211 **ART. 4.40. SECTION 2. Denial, Revocation or Suspension of Licenses for Failure to Pay**
1212 **Municipal Taxes or Charges**

1213 **A.** The tax collector or other municipal official responsible for records of all municipal taxes,
1214 assessments, betterments and other municipal charges, hereinafter referred to as the tax
1215 collector, shall annually, and may periodically, furnish to each department, board, commission or
1216 division, hereinafter referred to as the licensing authority, that issues licenses or permits
1217 including renewals and transfers, a list of any person, corporation, or business enterprise,
1218 hereinafter referred to as the party that has neglected or refused to pay any local taxes, fees,
1219 assessments, betterments or other municipal charges, and that such party has not filed in good
1220 faith a pending application for an abatement of such tax or pending petition before the appellate
1221 tax board [amended ATM 6-7-17, art. 20].

1222
1223 **B.** The licensing authority may deny, revoke or suspend any license or permit, including renewals
1224 and transfers of any party whose name appears on said list furnished to the licensing authority
1225 from the tax collector, or with respect to any activity, event or other matter which is the subject
1226 of such license or permit and which activity, event or matter is carried out or exercised or is to be
1227 carried out or exercised on or about real estate owned by any party whose name appears on said

1228 list furnished to the licensing authority from the tax collector; provided, however, that written
1229 notice is given to the party and the tax collector, as required by applicable provisions of law, and
1230 the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list
1231 shall be prima facie evidence for denial, revocation or suspension of said license or permit to any
1232 party. (amended 4/24/95)
1233

1234 C. The tax collector shall have the right to intervene in any hearing conducted with respect to such
1235 license denial, revocation or suspension. Any findings made by the licensing authority with
1236 respect to such license denial, revocation or suspension shall be made only for the purposes of
1237 such proceeding and shall not be relevant to or introduced in any other proceeding at law, except
1238 for any appeal from such license denial, revocation or suspension. Any license or permit denied,
1239 suspended or revoked under this section shall not be reissued or renewed until the license
1240 authority receives a certificate issued by the tax collector that the party is in good standing with
1241 respect to any and all local taxes, fees, assessments, betterments or other municipal charges,
1242 payable to the municipality as the date of issuance of said certificate.
1243

1244 D. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the
1245 licensing authority to issue a certificate indicating said limitations to the license or permit and the
1246 validity of said license shall be conditioned upon the satisfactory compliance with said agreement.
1247 Failure to comply with said agreement shall be grounds for the suspension or revocation of said
1248 license or permit; provided, however, that the holder be given notice and a hearing as required
1249 by applicable provisions of law.
1250

1251 E. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no
1252 direct or indirect business interest by the property owner, its officers or stockholders, if any, or
1253 members of his immediate family, as defined in section one of chapter two hundred and sixty-
1254 eight, in the business or activity conducted in or on said property.
1255

1256 **ART. 4.40. SECTION 3. Annual Report by the Town Treasurer of Town Debt and Expenditures**

1257 In his annual town report the town treasurer shall state specifically the objects for which the debt of the
1258 town was increased, if any, during the preceding year, and recite the votes under which the money was
1259 borrowed, and shall render a classified statement of all receipts and expenditures of the town in such
1260 detail as to give a fair and full exhibit of the objects and methods of all expenditures. He shall also give a
1261 statement of all funds held in trust by the town, including the amount, for what purpose created and how
1262 the same are invested.
1263

1264 **ART. 4.40. SECTION 4. Town Treasurer's Warrant Upon the Assessors of Taxes**

1265 It shall be the duty of the town treasurer, whenever money is to be raised by taxation, to draw his
1266 warrant upon the assessors of taxes, requiring them to assess and apportion the amount certified to him
1267 by the town clerk, upon the polls and estates, both real and personal, and upon the lands of non-resident
1268 owners.
1269

1270 **ARTICLE 4.50. Board of Assessors**

1271 **ART. 4.50. SECTION 1. Numbering of Buildings**

1272
1273 A. Every property owner, manager or responsible party shall ensure that street numbers are
1274 installed and maintained to be visible at all times within the intent of this bylaw as well as being
1275 in accordance with M.G.L. Chapter 148, Section 59 and the International Building Code.
1276
1277

1278 B. The Board of Assessors through the Assessors' office shall assign a lot number and associated
1279 street number to each building lot shown on a plan approved or endorsed by the Planning Board,
1280 and each dwelling, store, public garage, factory, or other building located upon a street or way,

1281 public or private. All such buildings shall bear a number, such building number shall be associated
1282 with the street or way, public or private that provides for the driveway entrance [amended STM
1283 11-09-15, art. 14].
1284

1285 C. The format for all numbers that are assigned after the effective date of this bylaw shall be
1286 numbers that are divisible by five, i.e. 5 – 10 – 15 – 20 – etc. Numbering shall be consistent,
1287 odd on the left side of the roadway, even on the right. Declination shall be from the town center
1288 outward toward the town borders.
1289

1290 D. Upon mobilization of construction, renovation or repair the lot number and street number will be
1291 displayed so as to be visible from the street on the driveway entrance. This display shall be in
1292 place at all times, upon completion of work prior to an occupancy permit being issued the street
1293 number shall be visible from the associated street, either on the structure or at the driveway
1294 entrance, as prescribed within paragraph E.
1295

1296 E. Numbers affixed to a structure shall be of contrasting color from the background, a minimum of
1297 3" in height, visible from the driveway entrance. When the numbers are not visible on the
1298 structure from the street due to set back distance, over growth or other impediments, a post
1299 within six feet of the driveway will be installed, this post must be a minimum of 48" in height,
1300 have reflective numbers of 3" on either side of the post. A mailbox may be used in lieu of a post
1301 installation; reflective numbers of 3" height must be on both sides. The structure to which
1302 numbers are affixed must be installed on the same side of the roadway as the entry driveway.
1303 The structure will be orientated on the town center declination side of the driveway.
1304

1305 F. Multiple occupancy buildings which have individual street numbers shall provide for contrasting
1306 numbers 3" in height at the entryway, for the occupancy, visible from the street. If numbers are
1307 not visible from the street options within paragraph E will be adhered to.
1308

1309 G. Structures which do not meet the conditions of this bylaw will not be issued an occupancy permit,
1310 or other permits under the purview of the Town of Wrentham and its associated elected boards,
1311 committees or departments. Penalties for compliance failure may include fines in the amount
1312 specified in ART. 4.10, SECTION 7.B: The Fire Chief shall issue a written warning of violation,
1313 then fines for first offense, second offense, and third offense, after the third offense a civil
1314 violation will be pursued in District Court. [amended ATM 6-13-16, art. 25]
1315

1316 H. The Fire Chief shall interpret and enforce this bylaw.
1317

1318

1319 **ARTICLE 4.60. Finance Committee**

1320

1321 **ART. 4.60. SECTION 1. General**

1322 [amended ATM 6-9-14, art. 21]

1323 A. There shall be a *committee* known as the Finance Committee as authorized by M.G.L. c. 39, s.
1324 16.
1325

1326 B. The Committee shall consist of seven (7) members who shall be appointed by the Moderator. No
1327 member of the Committee shall be an elected official, paid committee member or town
1328 employee. An employee of the Town shall be deemed to mean one whose position or
1329 employment has not been expressly classified as that of a special employee under the provisions
1330 of General Laws, Chapter 268A, Section 1. [amended ATM 6-8-15, art. 35]
1331
1332

1333 **ART. 4.60. SECTION 2. Role and Responsibility**

1334 It shall be the duty of said Committee to consider all the articles of the warrant or warrants referred to it
1335 and make report thereon in writing, with the estimates and recommendations for the final action of the
1336 Town, at the Annual Meeting, and at any Special Meeting, unless otherwise directed by vote of the Town.
1337 Said Committee shall also act as an Advisory Committee for the Town.

1338
1339

1340 **ARTICLE 4.70. Budget** (reserved) [amended ATM 6-8-15, art. 33]

1341
1342

1343 **ARTICLE 4.80. Permanent Building Committee**

1344 [added ATM 6-9-14, art. 21]

1345
1346

1347 **ART. 4.80. SECTION 1. General**

- 1348 **A.** There shall be a standing *committee* known as the Permanent Building Committee.
- 1349 **B.** The Committee shall consist of seven (7) members with expertise and experience in architecture,
1350 construction, finance and other areas of expertise related to public construction, who shall be
1351 appointed by the Board of Selectmen.

1352
1353

1354 **ART. 4.80. SECTION 2. Role and Responsibility**

- 1355 **A.** The Committee shall oversee and supervise the design and construction of projects for
1356 construction, reconstruction, improvement, addition, or capital repair of a building (project)
1357 within its jurisdiction, including the designer selection process for the solicitation, evaluation and
1358 recommendation of a project designer, schematic design, design development, production of
1359 construction documents, public construction bidding, contract award recommendation, and
1360 construction administration in compliance with the General Laws. All projects shall be developed
1361 in a manner consistent with the project goals and physical requirements established by the
1362 *elected board, committee* or department (proposing agency) and the applicable provisions of the
1363 General Laws. All solicitations for designer services and invitations for bids for construction shall
1364 be prepared and issued by the Chief Procurement Officer, to assure compliance with the
1365 applicable provisions of the General Laws.

1366
1367

1368 Prior to the initial funding of a project, the determination shall be made whether the Committee
1369 or the Proposing Body shall supervise the construction of a project as follows, however, Town
1370 Meeting may specify otherwise:

1371
1372

- 1373 **1.** The Committee shall supervise all projects that are estimated to cost at least \$25,000, unless
1374 the Committee and the proposing agency agree that the proposing agency shall supervise
1375 the project.
- 1376 **2.** The proposing agency shall supervise any project estimated to cost less than \$25,000, unless
1377 the Committee and the proposing agency agree that the Committee shall supervise the
1378 project.
- 1379 **3.** Notwithstanding the provisions of paragraph A. 1. the proposing agency shall supervise all
1380 projects for which funds are appropriated within its operating budget.

1381
1382

- 1383 **B.** Review and Evaluate Buildings: The Committee shall annually review and evaluate the physical
1384 condition of all municipal and school buildings, including service equipment and major systems.
1385 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.

1386
1387
1388
1389
1390
1391
1392
1393
1394
1395
1396
1397
1398
1399
1400
1401
1402
1403
1404
1405
1406
1407
1408
1409
1410
1411
1412
1413
1414
1415
1416
1417

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.

1418 **TITLE V. PUBLIC SAFETY**

1419

1420

1421 **ARTICLE 5.10. Police Department**

1422

1423 **ART. 5.10. SECTION 1. General**

- 1424 **A.** The Town Administrator shall appoint a Chief of Police who shall appoint such Regular or Special
1425 Police Officers as required, who, in addition to the duties required by the laws of the
1426 Commonwealth, shall make complaints for violation of these Bylaws. [amended ATM 6-8-15,
1427 art. 33]
- 1428
- 1429 **B.** The Chief of Police possesses the discretion to determine the appropriate level of police service in
1430 the Town to ensure public safety. Therefore, notwithstanding any regulations or guidelines to
1431 the contrary, the Chief of Police has the discretion to require the presence of a sworn police
1432 officer, employed on a paid detail basis, in all instances where there is a street opening or any
1433 work to be done on a public way or at a public function in Town. The Chief shall have further
1434 discretion to determine the number of officers assigned to any such instance necessary to
1435 maintain public safety.
- 1436

1437 **ART. 5.10. SECTION 2. Hawkers and Peddlers and Business Regulation**

1438 The Chief of Police shall administer and enforce the provisions of M.G.L. Chapter 101 that are not
1439 reserved to the Office of Consumer Affairs and Business Regulation or similar agency of the
1440 Commonwealth of Massachusetts.

1441

1442 The Board of Selectmen may promulgate rules and regulations, in consideration of any recommendation
1443 by the Chief of Police, for the effective administration and enforcement of the Section.

1444

1445 The Board of Selectmen may establish fees after conducting a public hearing for any license or permit
1446 that is authorized or required by this Section and by M.G.L. c. 101.

1447

1448 **ART. 5.10. SECTION 3. Handicapped Parking**

- 1449 **A.** Any person or body that has lawful control of a public or private way or of improved or enclosed
1450 property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums,
1451 sporting or recreational facilities, cultural centers, residential dwellings, or for any other place
1452 where the public has a right of access as invitees or licensees, shall reserve parking spaces in
1453 said off-street parking areas for any vehicle owned and operated by a disabled veteran or
1454 handicapped person whose vehicle bears the distinguishing license plate authorized by Section 2,
1455 of Chapter 90 of the Massachusetts General Laws or for any vehicle bearing the official
1456 identification of a handicapped person issued by any other state or any Canadian Province,
1457 according to the following formula: If the number of parking spaces in any such area is more
1458 than fifteen but not more than twenty-five, one parking space; more than twenty-five but not
1459 more than forty, five percent of such spaces but not less than two; more than forty but not more
1460 than one hundred, four percent of such spaces but not less than three; more than one hundred
1461 but not more than two hundred, three percent of such spaces but not less than four; more than
1462 two hundred but not more than five hundred, two percent of such spaces but not less than six;
1463 more than five hundred but not more than one thousand, one and one-half percent of such
1464 spaces but not less than ten; more than one thousand but not more than two thousand, one
1465 percent of such spaces but not less than fifteen; more than two thousand but less than five
1466 thousand, three-fourths of one percent of such spaces but not less than twenty; and more than
1467 five thousand, one-half of one percent of such spaces but not less than thirty.
- 1468
- 1469

1470 B. Parking spaces designated as reserved under the provisions of Paragraph A, shall be identified by
1471 the use of above grade signs with white lettering against a blue background and shall bear the
1472 words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at
1473 Owner's Expense"; shall be as near as possible to a building entrance or walkway; shall be
1474 adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a
1475 handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four feet of
1476 cross hatch between them. No person shall leave an unauthorized vehicle within parking spaces
1477 designated for use of disabled veterans or handicapped persons as authorized by this section or
1478 in such a manner as to obstruct a curb ramp designated for use by handicapped persons as a
1479 means of egress to a street or a public way. The penalty for violation of this bylaw shall be as
1480 follows: one hundred and fifty dollars; and for each subsequent offense the vehicle may be
1481 removed according to the provisions of Section 120D, of Chapter 266 of the Massachusetts
1482 General Laws.

1483
1484 **ART. 5.10. SECTION 4. False Alarms**

1485 **A. Definitions**

1486 For the purpose of this amendment, the following works and phrases shall have the following
1487 meanings:

- 1488
- 1489 1. Alarm System. Any assembly of equipment and/or devices that are designed to be activated
1490 either manually or automatically for the purpose of drawing attention to the presence of a
1491 hazard or situation, criminal or otherwise, to which the police are expected to respond.
1492
 - 1493 2. Alarm User. Any person or business on whose premises an alarm system is installed and
1494 maintained within the Town of Wrentham, except for alarm systems that are installed in or on
1495 motor vehicles.
1496
 - 1497 3. False Alarm. The activation of an alarm system through mechanical failure, malfunction,
1498 improper installation or negligence of the use of the alarm system or his or her employees or
1499 agents and any signal or communication of fact when there has been no unauthorized entry
1500 or intrusion into the premises and there has been no attempted robbery or burglary at the
1501 premises. Excluded from this definition shall be the activation of an alarm system by power
1502 outages, utility companies or other outside sources, hurricanes, severe storms and similar
1503 conditions.
1504

1505 **B. False Alarms**

1506 After the Police Department has recorded four (4) separate false alarms within the fiscal year, the
1507 alarm user shall be assessed following fines in the amount specified in ART. 4.7, SECTION 7.B.
1508 [amended ATM 6-8-15, art. 34]

1509 Failure to pay the fine within 45 days from the billing date will result in court action for violation
1510 of a town bylaw or a municipal charges lien being placed on real property pursuant to M.G.L.
1511 Chapter 40, Section 58 in the Norfolk Registry of Deeds until the fine is paid.
1512

1513
1514 **C. Audible Alarm**

1515 All alarm systems that emit an audible signal shall be equipped with a device for limiting the
1516 length of the audible signal to ten (10) minutes. Any user of an alarm system that either does
1517 not have such a device nor has a malfunction that allows the audible signal to continue for more
1518 than ten (10) minutes shall be assessed a fine in the amount specified in ART. 4.7, SECTION 7.B.
1519 Failure to pay such fine within forty-five (45) days of the billing date will result in either court
1520 action of a violation or a town bylaw or the placement of a municipal charges lien on the real
1521 property pursuant to M.G.L. 40, Section 58 in the Norfolk Registry of Deeds until the fine is paid.
1522 [amended ATM 6-8-15, art. 34]

1523

1524
1525
1526
1527
1528
1529
1530
1531
1532
1533
1534
1535
1536
1537
1538
1539
1540
1541
1542
1543
1544
1545
1546
1547
1548
1549
1550
1551
1552
1553
1554
1555
1556
1557
1558
1559
1560
1561
1562
1563
1564
1565
1566
1567
1568
1569
1570
1571
1572
1573
1574
1575
1576

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.

1577
1578
1579
1580
1581
1582
1583
1584
1585
1586
1587
1588
1589
1590
1591
1592
1593
1594
1595
1596
1597
1598
1599
1600
1601
1602
1603
1604
1605
1606
1607
1608
1609
1610
1611
1612
1613
1614
1615
1616
1617
1618
1619
1620
1621
1622
1623
1624
1625
1626
1627
1628

- 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.

- 1629 C. Three or more persons shall not stand in a group or near each other on any public way or
1630 sidewalk in such a manner as to obstruct a free passage for pedestrians after a request to move
1631 on made by any constable or police officer.
1632
- 1633 D. No person shall throw or deposit in any manner upon any public way, place or square in the town
1634 any article, substance or material which may prove injurious in any respect to the hoofs of
1635 animals, the tires of bicycles or the rubber tires of automobiles and other vehicles.
1636
- 1637 E. No person having the charge of a vehicle in any street shall neglect or refuse to stop the same as
1638 directed by a constable or police officer.
1639
- 1640 F. No person shall, without proper authority, intermeddle with or willfully break any arc lamp or
1641 lamp globe or incandescent lamps or any insulators or attachments used to carry power for
1642 electric street lighting or any parts of said lamps or globes or of the fixtures thereof placed or
1643 located within the limits of any public way or place in the town.
1644
- 1645 G. No person shall, without proper authority, intermeddle with or willfully break or injure any
1646 hydrant, gate, gate box, or water pipe placed or located within the limits of any public way or
1647 place in the town.
1648
- 1649 H. No person shall make any figures or write any obscene words upon any fence, building, or
1650 structure in any public place, or deface any sidewalk, tree, building or structure.
1651
- 1652 I. No person shall ride any horse or drive any horse or horses attached to a vehicle of any
1653 description in or upon any street or way for public travel at such an immoderate rate of speed as
1654 to injure or inconvenience any person standing, walking or riding therein.
1655
- 1656 J. No person shall, by any means or in any manner willfully frighten any horse; or play at any game
1657 in which a ball is used, or shoot with bows and arrows, air guns, fly any kites, or throw stones or
1658 other missiles in any street or any sidewalk.
1659
- 1660 K. No person shall skate or coast upon any sled upon any sidewalk or any street or public place
1661 except at such times and upon such streets or places as the selectmen may, by public notice,
1662 designate for such purpose.
1663
- 1664 L. No person shall discharge any gun, fowling piece, pistol or fire arm, or set fire to any material
1665 known as fireworks, or other combustible matter, or throw any such lighted fireworks in any of
1666 the public ways or streets of the town, except on such occasions and of such character and kind
1667 as the Board of Selectmen may, by public note, permit; provided however, this section shall not
1668 apply to any person in the exercise of a duty required or justified by law.
1669
- 1670 M. No person shall have more than one unregistered motor vehicle ungaraged on his premises in a
1671 residential district at any time. In no event will an unregistered, unsightly motor vehicle be
1672 stored in the front yard.
1673
- 1674 N. No person shall enter any real property under the control of the Board of Selectmen, the
1675 Department of Public Works, the School Department, the Conservation Commission or any other
1676 board or agency of the Town of Wrentham after having been forbidden to do so, whether
1677 personally or by notice posted thereon. (added STM 3/14/94)
1678
- 1679 O. No person shall violate any lawfully posted regulation of the Board of Selectmen regarding
1680 fishing, boating, bathing, skating and other recreational activities in or on Lake Archer, Mirror
1681 Lake and Lake Pearl.

1682
1683
1684
1685
1686
1687
1688
1689
1690
1691
1692
1693
1694
1695
1696
1697
1698
1699
1700
1701
1702
1703
1704
1705
1706
1707
1708
1709
1710
1711
1712
1713
1714
1715
1716
1717
1718
1719
1720
1721
1722
1723
1724
1725
1726
1727
1728
1729
1730
1731
1732
1733

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.

- 1734 D. This bylaw may be enforced through any lawful means in law or in equity including, but not
1735 limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, § 21, or by
1736 non-criminal disposition pursuant to G.L. c. 40, § 21D, by any police officer. Any person found to
1737 be in violation of this bylaw, or who refuses to give the above-noted information or if any
1738 information proves false, shall be liable to a fine in the amount specified in ART. 4.7, SECTION
1739 7.B. for each such violation. Any penalty imposed under this ordinance shall be in addition to any
1740 civil penalty imposed under G.L. c. 94C, § 32L. [amended ATM 6-8-15, art. 34]
1741

1742 **ART. 5.10. SECTION 10. Enforcement**

1743 Any officer of the Wrentham Police Department shall have the power to enforce the provisions of this
1744 article. Any person who violates any provision of this Article shall be subject to a penalty of \$100.00
1745 unless a particular fine is specified for such violation. Any officer taking cognizance of a violation of any
1746 provision of this article, as an alternative to initiating criminal proceedings, may give to the offender a
1747 written notice to appear before the Clerk of the Wrentham District Court at any time during office hours,
1748 not later than twenty-one days after the date of such notice. Such notice shall be served in the form and
1749 manner prescribed by General Laws, Chapter 40, Section 21D, and shall be subject to the procedure for
1750 disposition set forth therein.
1751

1752 **ART. 5.10. SECTION 11. Civil Fingerprinting**

1753 **A. Criminal History Check Authorization**

1754 The Wrentham Police Department shall, as authorized by Massachusetts General Laws Chapter 6,
1755 Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for
1756 individuals applying for the following licenses:
1757

- 1758 i. Hawking and Peddling or other Door-to- Door Salespeople
- 1759 ii. Manager of Alcoholic Beverage License
- 1760 iii. Owner or Operator of Public Conveyance
- 1761 iv. Dealer of Second-hand Articles
- 1762 v. Pawn Dealers
- 1763 vi. Hackney Drivers
- 1764 vii. Ice Cream Truck Vendors
- 1765 viii. Tattoo Parlors
- 1766 ix. Carnivals

1767
1768 At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that
1769 the fingerprints will be used to check the individual's criminal history records. The Police Chief
1770 shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which
1771 has issued an Informational Bulletin which explains the requirements for town bylaws and the
1772 procedures for obtaining criminal history information, to see if there have been any updates to be
1773 sure the Town remains in compliance.
1774

1775 Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the
1776 fingerprints it has obtained pursuant to this bylaw to the Identification Section of the
1777 Massachusetts State Police, the Massachusetts Department of Criminal Justice Information
1778 Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such
1779 agencies as may be necessary for the purpose of conducting fingerprint-based state and national
1780 criminal records background checks of license applicants specified in this bylaw.
1781

1782 The Town of Wrentham (Town) authorizes the Massachusetts State Police, the Massachusetts
1783 Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of
1784 Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based
1785 state and national criminal record background checks, including FBI records, consistent with this
1786 bylaw. The Town authorizes the Police Department to receive and utilize State and FBI records in

1787 connection with such background checks, consistent with this bylaw. The State and FBI criminal
1788 history will not be disseminated to unauthorized entities.
1789

1790 Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record
1791 subject may request and receive a copy of his/her criminal history record from the Police
1792 Department. Should the record subject seek to amend or correct his/her record, he/she must
1793 take appropriate action to correct said record, which action currently includes contacting the
1794 Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or
1795 the FBI for records from other jurisdictions maintained in its file. An applicant that wants to
1796 challenge the accuracy or completeness of the record shall be advised that the procedures to
1797 change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department
1798 shall not utilize and/or transmit the results of the fingerprint-based criminal record background
1799 check to any licensing authority pursuant to this bylaw until it has taken the steps detailed in this
1800 paragraph. Municipal officials should not deny an applicant the license based on information in
1801 the record until the applicant has been afforded a reasonable time to correct or complete the
1802 information, or has declined to do so.
1803

1804 The Police Department shall communicate the results of fingerprint-based criminal record
1805 background checks to the appropriate governmental licensing authority within the Town as listed.
1806 The Police Department shall indicate whether the applicant has been convicted of, or is awaiting
1807 final adjudication for, a crime that bears upon his or her suitability, or any felony or misdemeanor
1808 that involved force or threat of force, controlled substances or a sex-related offense.
1809

1810 The Board of Selectmen is authorized to promulgate regulations for the implementation of this,
1811 but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and
1812 the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to
1813 ensure that such regulations are consistent with the statute, the FBI's requirements for access to
1814 the national database, and other applicable state laws. [amended ATM 6-8-15, art. 35]
1815

1816 **B. Use of Criminal Record by Licensing Authorities**

1817 Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record
1818 background checks for the sole purpose of determining the suitability of the subjects of the
1819 checks in connection with the license applications specified in this bylaw. A Town licensing
1820 authority may deny an application for a license on the basis of the results of a fingerprint-based
1821 criminal record background check if it determines that the results of the check render the subject
1822 unsuitable for the proposed occupational activity. The licensing authority shall consider all
1823 applicable laws, regulations and Town policies bearing on an applicant's suitability in making this
1824 determination.
1825

1826 The Town or any of its officers, departments, boards, *committees* or other licensing authorities is
1827 hereby authorized to deny any application for, including renewals and transfers thereof, for any
1828 person who is determined unfit for the license, as determined by the licensing authority, due to
1829 information obtained pursuant to this bylaw.
1830

1831 **C. Fees**

1832 The Chief of Police may fix a fee, in accordance with Article 4.10. Section 6. of these bylaws, to
1833 be charged by the Police Department for the purpose of conducting fingerprint-based criminal
1834 record background checks.
1835

1836 **ART. 5.10. SECTION 12. Other**

1837 **A.** No person shall distribute or deposit advertising circulars, papers, or other matter on the streets
1838 of the town or shall team manure, hay, rubbish, ashes, liquid or other material in such manner as
1839 to litter, pollute or injure the streets of the town.

1840
1841
1842
1843
1844
1845
1846
1847
1848
1849
1850
1851
1852
1853
1854
1855
1856
1857
1858
1859
1860
1861
1862
1863
1864
1865
1866
1867
1868
1869
1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892

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

[STM 9/26/94; amended ATM 6-10-13, art. 25]

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. [amended ATM 6-8-15, art. 33]
- 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.

1893
1894
1895
1896
1897
1898
1899
1900
1901
1902
1903
1904
1905
1906
1907
1908
1909
1910
1911
1912
1913
1914
1915
1916
1917
1918
1919
1920
1921
1922
1923
1924
1925
1926
1927
1928
1929
1930
1931
1932
1933
1934
1935
1936
1937
1938
1939
1940
1941
1942
1943
1944
1945

- 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

1946 its neck or body a collar or harness to which he shall securely attach the license tag. In the event of loss
1947 of tag, a substitute tag will be issued by the Clerk for the cost of the tag as designated by the Board of
1948 Selectmen. Any owner or keeper of a dog who moves into the Town of Wrentham, and has a valid
1949 current dog license from another municipality in the Commonwealth of Massachusetts, may obtain a dog
1950 license upon the forfeiture of the old license and payment of a fee to be set by the Board of Selectmen.

1951
1952 The Town Clerk shall not issue a license for any dog unless the owner or keeper provides the Clerk with a
1953 veterinarian's certificate verifying that the dog is currently vaccinated against rabies.

1954
1955 Upon presentation to the Clerk of a certificate of training, no fee shall be charged for a dog specially
1956 trained to lead or serve a visually or hearing impaired person.

1957
1958 The provisions of this section shall not apply to any pet shop licensed by the Commonwealth under the
1959 authority of G.L. c. 129, 39A.

1960
1961 Whoever violates the provisions of this bylaw subsection, or fails to license their dog before the last day
1962 in February of the licensing period, shall be subject to a fine in the amount specified in ART. 4.10,
1963 SECTION 7. B. of these bylaws. An owner, who does not register their dog by May 1st of the licensing
1964 period, shall be charged an additional collection fee in the amount specified in ART. 4.10, SECTION 7. C.
1965 of these bylaws. [amended ATM 6-4-18, art. 14]

1966
1967 **ART. 5.20. SECTION 3. Vaccinations of Dogs and Cats Against Rabies**

1968 The owner or keeper of a dog or cat six months of age or older, shall cause the dog or cat to be properly
1969 vaccinated against rabies by a licensed veterinarian as is required under MGL Chapter 140, Section 145b.
1970 Upon vaccination, the veterinarian shall issue a tag, which the owner shall secure to a collar or harness.
1971 The tag shall show the year the vaccination was given, the rabies tag number, and the name of the
1972 veterinary clinic or hospital.

1973
1974 **ART. 5.20. SECTION 4. Restraint and Confinement Required**

1975 The owner or keeper of a dog shall maintain said dog in care and control. The owner or keeper of a dog
1976 shall not allow or permit said dog to run at large in any of the streets or public ways or places within the
1977 confines of the Town of Wrentham, or upon the premises of anyone other than the owner or keeper
1978 unless the owner or occupant of such premises expressly grants permission. The owner or keeper of a
1979 dog shall not allow or permit such dog, even though at heel or secured by suitable leash or lead, on
1980 private property unless the owner or occupant of such private property grants permission. The owner or
1981 keeper of a dog shall not allow or permit said dog to become a public nuisance in the Town of
1982 Wrentham. Nothing in this paragraph shall be construed to restrict the use of dogs for lawful hunting or
1983 the use of certified dogs to assist the visually or hearing impaired.

1984
1985 The owner or keeper of a vicious dog shall keep it confined in a secure enclosure or on a leash or lead
1986 accompanied by its owner or keeper.

1987
1988 No person owning or keeping a dog shall chain or tether a dog to a stationary object including, but not
1989 limited to, a structure, dog house, pole or tree for longer than 24 consecutive hours.

1990
1991 Stray dogs will be impounded. If the owner is known, notice shall be given to such owner. Strays will be
1992 detained by the Animal control Officer for 7 days.

1993
1994 The owner or keeper of a dangerous dog shall keep it confined in a secure enclosure, or on a leash or
1995 lead and accompanied by its owner or keeper.

1996
1997 No person over the age of 17 who has actual knowledge that a dog has been deemed dangerous shall
1998 permit a child under the age of 17 to own, possess or have the care or custody of such dog.

1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
2034
2035
2036
2037
2038
2039
2040
2041
2042
2043
2044
2045
2046
2047
2048
2049
2050

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

2051 Animal Control Officer, a Police Officer, or the Wrentham Board of Health at any time, to ascertain
2052 compliance with all state and local laws and bylaws.
2053
2054 The Town Clerk shall issue a kennel license without charge to any charitable corporation, incorporated
2055 exclusively for the purpose of protecting animals from cruelty, neglect, or abuse, and for the relief of
2056 suffering animals.
2057
2058 A veterinary clinic within the Town of Wrentham shall not be considered a commercial kennel, unless it
2059 contains an area for grooming or selling of dogs, or for boarding or dogs for other than medical purpose.
2060
2061 Any person or corporation maintaining a kennel for thirty days without the proper license, shall be in
2062 violation of this provision.
2063
2064 Whoever violates any provision of this bylaw subsection shall be punished by a fine in the amount
2065 specified in ART. 4.7, SECTION 7.B., payable to the Town of Wrentham. [amended ATM 6-9-15, art. 34]
2066
2067 **ART. 5.20. SECTION 8. Emergency Fees for Dogs and Cats Injured in Public Ways**
2068 Any veterinarian who renders emergency care or treatment to, or disposes of any dog or cat injured on
2069 any public way in the Town of Wrentham, shall receive payment of reasonable costs from the owner of
2070 such dog or cat, if known, or if not known, shall receive a fair and reasonable sum not to exceed fifty
2071 dollars (\$50) without approval of the Board of Selectmen from the Town of Wrentham for such care,
2072 treatment and/or disposal.
2073
2074 Care treatment, and/or disposal shall be for the purpose of maintaining life, stabilizing the animal, or
2075 alleviating pain or suffering until the owner of such dog or cat is identified, or for a period of twenty-four
2076 hours, whichever is sooner. Any veterinarian who renders such emergency care of treatment to, or
2077 euthanizes, or disposes of such dog or cat, shall notify the Animal Control Officer in Wrentham, and upon
2078 notification, the Animal Control Officer shall assume control of such dog or cat.
2079
2080 **ART. 5.20. SECTION 9. Applicable Statutes**
2081 All references to the Massachusetts General Laws in this bylaw are those in effect as of August 31, 2012.
2082 Any amendment to the statues incorporated by reference into this bylaw shall not apply, unless its
2083 application is mandatory.
2084
2085 **ART. 5.20. SECTION 10. Hearings [reserved]**
2086
2087
2088 **ARTICLE 5.30. Fire Department**
2089
2090 **ART. 5.30. SECTION 1. Licenses and Registration Fees for Flammables**
2091 The fee to be charged for any license or registration as required by Chapter 148, Section 13 of the Mass.
2092 General Laws applicable to the keeping, storage, manufacture or sale of gunpowder, dynamite, crude
2093 petroleum or any of its' products, or explosive or inflammable fluids or compounds or other articles
2094 covered by Chapter 148, Section 9 of the Mass. General Laws in the amount specified in ART 4.70,
2095 SECTION 7. A. [amended ATM 6-8-15, art. 34]
2096
2097
2098 **ARTICLE 5.40. Emergency Management [reserved]**
2099
2100
2101 **ARTICLE 5.50. Communications [reserved]**
2102
2103
2104

TITLE VI. PUBLIC WORKS

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).

- 2157 F. If the applicant does any work contrary to this bylaw or the regulations governing street
2158 excavations as adopted by the Wrentham Board of Selectmen, and after being notified of same,
2159 fails to correct such work, the Wrentham Public Works Department may seize the cash deposit
2160 and/or bond to correct or complete such work and the applicant shall be liable for all costs
2161 incurred.
- 2162
- 2163 G. The superintendent of public works may issue such permits subject to such conditions as he
2164 deems necessary or desirable to protect the public safety and property of the Town of Wrentham
2165 and to secure the full performance of the work by the permittee.
- 2166
- 2167 H. The Wrentham Board of Selectmen shall promulgate such regulations as it deems necessary to
2168 direct the applicant in the proper execution of street excavations.
- 2169
- 2170 I. The superintendent of public works shall have the authority to enforce the provisions of this
2171 article. Any person who violates any provision of this article shall be subject to a penalty in the
2172 amount specified in ART. 4.7, SECTION 7.B. Each day such violation continues shall be a
2173 separate offense and the permittee will no longer be allowed to excavate in a public way. The
2174 superintendent, upon taking cognizance of a violation of any provision of this article, as an
2175 alternative to initiating criminal proceedings, may give to the offender a written notice to appear
2176 before the Clerk of the Wrentham District Court not later than twenty-one days after the date of
2177 such notice. Said notice shall be served in the form and manner prescribed by GLC 40, Section
2178 2ID and shall be subject to the procedure for disposition set forth therein. [amended ATM 6-8-15,
2179 art. 34]
- 2180
- 2181 J. Except for emergencies, no permits for excavating within a public way shall be issued between
2182 December 1 and March 15.
- 2183

2184 **ART. 6.20. SECTION 3. Plans of Town Ways**

2185 (Refer to **ARTICLE 3.50. SECTION 2.2.**)

2186

2187 **ART. 6.20. SECTION 4. Scenic Roads**

2188 (Refer to **ARTICLE 7.12. SCENIC ROADS**)

2189

2190 **ART. 6.20. SECTION 5. Other**

- 2191 A. No person shall, without proper authority, extinguish or remove any light placed to denote an
2192 obstruction or defect in a street or way.
- 2193
- 2194 B. No person shall suffer or permit the growth of trees, bushes or other vegetation on his or her
2195 property in a manner that obstructs safe sight distance at any intersection of public or private
2196 ways or interferes with a pedestrian's use of a public walkway. If any person fails to remove
2197 such vegetation within 14 days after being requested to do so in writing by the Superintendent of
2198 Public Works, the Superintendent or his or her designee may enter the property and remove such
2199 vegetation, as provided in General Law, Chapter 87, Section 5, and may collect the reasonable
2200 costs of such work from the owner of the property. (a. 12, s. 12, paragraph H.)
- 2201
- 2202

2203 **ARTICLE 6.30. DPW, Water**

2204

2205 **ART. 6.30. SECTION 1. Water Extension**

2206 When any extension of the water system is requested on a new development or private way, the Water
2207 Commissioners shall require that, before such extension is made, a bond shall be given to the town in
2208 such amount and form and with such sureties as the commissioners and selectmen shall approve,
2209 conditioned that the obligors shall pay the entire cost of the water extension.

2210
2211
2212
2213
2214
2215
2216
2217
2218
2219
2220
2221
2222
2223
2224
2225
2226
2227
2228
2229
2230
2231
2232
2233
2234
2235
2236
2237
2238
2239
2240
2241
2242
2243
2244
2245
2246
2247
2248
2249
2250
2251
2252
2253
2254
2255
2256
2257
2258
2259
2260
2261
2262

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;

- 2263 3. for the production of food and fiber;
2264 4. for the maintenance of livestock; or
2265 5. to meet the core functions of a business (for example, irrigation by golf courses as necessary
2266 to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or
2267 agricultural operations as necessary to maintain stock or establish new plantings, wash
2268 equipment to prevent damage and/or maintain performance, pest management and plant
2269 cooling).

2270
2271 **Nonessential outdoor water uses** that are subject to mandatory restrictions include:

- 2272 • irrigation of lawns via sprinklers or automatic irrigation systems;
- 2273 • washing of vehicles, except in a commercial car wash or as necessary for operator safety or
2274 to prevent damage and/or maintain performance of agricultural or construction vehicles or
2275 equipment; and
- 2276 • washing of exterior building surfaces, parking lots, driveways or sidewalks, except as
2277 necessary to apply paint, preservatives, stucco, pavement or cement.

2278
2279 **Exceptions to nonessential outdoor water uses** are:

- 2280 • irrigation of public parks and recreation fields outside the hours of 7 AM to 7 PM and;
- 2281 • irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose
2282 outside the hours of 7 AM to 7 PM and;
- 2283 • irrigation with harvested and stored stormwater runoff.

2284
2285 The following outdoor water uses are subject to review and approval by The Town, through its
2286 Board of Selectmen or its designee:

- 2287 • irrigation to establish replanted or re-sodded lawn or plantings during the months of May and
2288 September;
- 2289 • irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes
2290 or businesses newly constructed in the previous twelve months; and
- 2291 • filling of privately owned outdoor pools.

2292
2293 Person shall mean any individual, corporation, trust, partnership, association, agency or
2294 authority, or other entity and any officer, employee, group or agent of such persons.

2295
2296 State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the
2297 Department under M.G.L. c.21G, §§ 15-17.

2298
2299 State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by
2300 the Town pursuant to paragraph E of this bylaw.

2301
2302 Water Customers shall mean all persons using the public water supply irrespective of that
2303 person's responsibility for billing purposes for use of the water.

2304
2305 Water Users shall mean all persons using water within the Town, including users of private wells.

2306
2307 **E. Declaration of a State of Water Supply Conservation**

2308 The Town, through its Board of Selectmen or its designee authorized to act as such, may declare
2309 a State of Water Supply Conservation upon a determination that conservation measures are
2310 appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the
2311 quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands and to
2312 ensure compliance with the Water Management Act and the Town's Water Withdrawal Permit.
2313 Upon notification to the public that a declaration of a State of Water Supply Conservation has
2314 been declared, no person shall violate any provision, restriction, requirement or condition of the
2315 declaration. The Board of Selectmen may designate the Public Works Superintendent or Town

2316 Administrator to declare a State of Water Supply Conservation at any time that conditions
2317 warrant. Public notice of a State of Water Conservation shall be given under paragraph H of this
2318 bylaw before it may be enforced.
2319

2320 **F. Declaration of a State of Water Supply Emergency**

2321 Upon notification to the public that a declaration of a State of Water Supply Emergency has been
2322 issued by the Department, no person shall violate any provision, restriction, requirement,
2323 condition of any order approved or issued by the Department for the purpose of bringing about
2324 an end to the State of Water Supply Emergency.
2325

2326 **G. Restricted Water Uses**

2327 A declaration of a State of Water Supply Conservation and/or a State of Water Supply Emergency
2328 shall include one or more of the following restrictions, conditions, or requirements limiting
2329 nonessential outdoor water use by Water Users as necessary to control the volume of water
2330 pumped each day, except as provided as acceptable in paragraph D. The applicable restrictions,
2331 conditions or requirements shall be included in the public notice required under paragraph H.
2332

- 2333 1) Nonessential outdoor water use days: nonessential outdoor water use is permitted only on
2334 the days per week specified in the State of Water Supply Emergency or State of Water
2335 Supply Conservation and public notice thereof. During a State of Water Supply Emergency
2336 or State of Water Supply Conservation, nonessential outdoor water use is restricted to two
2337 days or fewer per week.
2338
- 2339 2) Nonessential outdoor water use hours: nonessential outdoor water use is permitted only
2340 during the hourly periods specified in the declaration of a State of Water Supply Emergency
2341 or State of Water Supply Conservation and public notice thereof. At a minimum,
2342 nonessential outdoor water use is prohibited during the hours from 9 AM to 5 PM.
2343
- 2344 3) Nonessential outdoor water use method restriction: nonessential outdoor water use is
2345 restricted to a bucket or hand-held hose controlled by a nozzle.
2346
- 2347 4) Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all
2348 times.
2349
- 2350 5) Automatic sprinkler system ban: The use of automatic sprinkler systems is prohibited.
2351

2352 **H. Public Notification of a State of Water Supply Conservation or State of Water Supply
2353 Emergency; Notification of DEP**

- 2354 1) Public Notification of a State of Water Supply Conservation – Notice to the public of all
2355 provisions, including all restrictions, requirements and conditions imposed by the Town as
2356 part of a State of Water Supply Conservation shall be made as soon as possible, but no later
2357 than 48 hours following the declaration of a State Water Supply Conservation by publication
2358 on the town web site and by signage on major roadways or intersections or by such other
2359 means reasonably calculated to reach and inform all water users of the state of water supply
2360 conservation.” The Town may also notify the public using other means determined to be
2361 appropriate (cable TV, reverse 911, email, etc.). Notification may also include email, public
2362 service announcements on local media or other such means reasonably calculated to reach
2363 and inform all Water Users of the State of Water Supply Conservation.
2364
- 2365 2) Public Notification of a State of Water Supply Emergency – Notice to the public of all
2366 provisions, including all restrictions, requirements and conditions imposed by a State of
2367 Water Supply Emergency declared by the Department shall be made by publication on the
2368 town web site and by signage on major roadways or intersections. The Town may also notify

2369 the public using other means determined to be appropriate (cable TV, reverse 911, email,
2370 etc.). Notification may also include email, Web sites, public service announcements on local
2371 media or other such means reasonably calculated to reach and inform all Water Users of the
2372 State of Water Supply Emergency. This notice shall be provided as soon as possible, but no
2373 later than 48 hours after the public water system receives notice of the Department's
2374 declaration of a State of Water Supply Emergency.
2375

- 2376 3) Any restriction imposed under paragraph E or paragraph F or in the Department's State of
2377 Water Supply Emergency or Order shall not be effective until notification to the public is
2378 provided. Submittal of MassDEP's form "Notification of Water Use Restriction" shall be
2379 provided to the Department within 14 days of the effective date of the restrictions, per
2380 MassDEP regulations (310 CMR 22.15(8)).
2381

2382 **I. Termination of a State of Water Supply Conservation; Notice**

2383 A State of Water Supply Conservation may be terminated by a majority vote of the Board of
2384 Selectmen or by decision of its designee upon a determination by either or both of them that the
2385 conditions requiring the State of Water Supply Conservation no longer exist. Public notification of
2386 the termination of a State of Water Supply Conservation shall be given in the same manner as is
2387 required in paragraph H[1]) for notice of its imposition.
2388

2389 **J. Termination of a State of Water Supply Emergency; Notice**

2390 Upon notification to the Town that the declaration of a State of Water Supply Emergency has
2391 been terminated by the Department, the public will be notified of the termination in the same
2392 manner as is required in paragraph H[2]) for notice of its imposition.
2393

2394 Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint
2395 before the District Court, by non-criminal disposition in accordance with G.L. c. 40 § 21D, or by
2396 assessment upon a Water Customer's water bill. For purposes of non-criminal disposition, the
2397 enforcing person shall be any police officer of the town or the Public Works Superintendent or the
2398 superintendent's designee. If a State of Water Supply Emergency has been declared the Water
2399 Commissioners may, in accordance with G.L. c. 40, § 41A, shut off the water at the meter or the
2400 curb stop.
2401

2402 **K. Severability**

2403 The invalidity of any portion or provision of this bylaw shall not invalidate any other portion or
2404 provision thereof.
2405

2406 **L. Penalties**

2407 The Town through its Water Commissioners or its designee including the Public Works
2408 Superintendent, Building Inspector and/or local Police may enforce this bylaw. Any person
2409 violating this bylaw shall be liable to the Town in the amounts listed in ART. 4.10, SECTION 7. A
2410 [amended STM 11-13-17, art 13].
2411

2412
2413 **ARTICLE 6.40. DPW, Buildings and Facilities**
2414

2415 **ART. 6.40. SECTION 1. Control of Town Buildings**

2416 The Town Administrator shall have control of the town buildings, including the land on which the same
2417 are erected, and the plants by which the buildings are heated and ventilated, except for school buildings,
2418 which shall be under the control of the School Committee, and of the Fiske Public Library, which shall be
2419 under the control of the trustees of the Fiske Public Library. [amended ATM 6-8-15, art. 33]
2420

2421 **ART. 6.40. SECTION 2. Placement or Removal of Buildings on Town Land**

2422 No building or structure of a permanent nature may be constructed or placed upon or removed from any
2423 town lands unless authorized by vote of the public body having control over the same, which vote shall
2424 be preceded by a public hearing, after fourteen days' notice having been given by advertisement in a
2425 newspaper of general circulation with the town of Wrentham. This provision shall be in addition to any
2426 other requirements under the Wrentham Bylaws and Zoning Bylaws or Massachusetts General Laws.

2427
2428
2429 **ARTICLE 6.50. DPW, Solid Waste and Recycling**

2430
2431 **ART. 6.50. SECTION 1. Mandatory Recycling**

2432 Effective Date: These regulations shall take effect on January 1, 2002, pending approval by the Attorney
2433 General.

2434
2435 **A. Purpose**

2436 In order to protect the environment, promote recycling, and be in compliance with Massachusetts
2437 mandated waste bans, the Town of Wrentham hereby establishes a program for mandatory
2438 separation of recyclable and compostable materials from the solid waste stream by all owners
2439 and tenants of all residential multifamily, commercial, municipal and institutional structures in the
2440 Town, as delineated in Massachusetts General Law, Chapter 40, Section 8H.

2441
2442 **B. Applicability**

2443 The following regulations shall apply to owners and tenants of all residential, multifamily,
2444 commercial, municipal and institutional structures in the Town of Wrentham and also to waste
2445 haulers duly licensed by the Town.

2446
2447 **C. Definitions**

- 2448 1. Agent/Assignee: Person, business, or Town Board designated and authorized by the board
2449 of Selectmen to act on their behalf.
- 2450
2451 2. Commercial/Business: any building, including but not limited to; those used for retail,
2452 wholesale, industrial, manufacturing, dining, offices, professional services, automobile
2453 service, hotels and motels, restaurants, or shipping and receiving areas.
- 2454
2455 3. Hazardous Waste: any waste or material, in any amount, which is defined, characterized or
2456 regulated as hazardous by or pursuant to Federal or State laws, or any waste or material, in
2457 any amount, which is so regulated under Federal or State laws. For purposes of this bylaw,
2458 the term "Hazardous Waste" shall also include motor oil, gasoline, oil-based paint, asbestos,
2459 and ammunition.
- 2460
2461 4. Institutional: an establishment dedicated to public service or culture, including but not
2462 limited to, educational, religious and health care functions.
- 2463
2464 5. Multifamily: All dwelling units served by waste management systems other than the Town's
2465 curbside collection of recyclables and/or trash collection.
- 2466
2467 6. Municipal: any building owned by the Town of Wrentham.
- 2468
2469 7. Recyclable Materials: Any type of refuse designated by the State of Massachusetts through
2470 the Code of Mass. Regulations (310 CMR 19.017) including but not limited to: glass bottles
2471 and jars, empty aerosol cans, tin, steel and aluminum food cans and lids, deposit and non-
2472 deposit beverage cans and aluminum foil, milk and juice boxes, plastic containers,
2473 newspaper, magazines, catalogs, junk mail and phone books, paperboard, corrugated

2474 cardboard, yard waste (leaves, grass clippings, weeds, hedge/shrub clippings, garden waste,
2475 brush up to 3 inches in diameter, Christmas trees).

2476

2477 **8.** Residential: all dwelling units participating in municipal curbside collection of recyclables
2478 and/or served by trash collection.

2479

2480 **9.** Solid Waste: Any useless, unwanted, or discarded material that is abandoned by being
2481 disposed of or is stored, treated or transferred pending such disposal, not including any
2482 hazardous waste, or leaf and yard wastes.

2483

2484 **10.** Waste Hauler: any person, business, or Town Department who is duly licensed to collect
2485 refuse and/or recyclables within the Town of Wrentham.

2486

2487 **D. Waste Haulers**

2488 Every waste hauler must be duly licensed by the Town Board of Health on an annual basis to
2489 operate within the Town of Wrentham; see M.G.L., Ch. 111, Sections 31A and 31B.

2490

2491 Every waste hauler shall provide an integrated waste management service whereby collection of
2492 recyclables is provided to all trash collection customers.

2493

2494 Every non-municipal waste hauler, upon request, shall provide the Town Administrator with an
2495 updated customer list which includes the names and address of customers within the Town, the
2496 degree of service, and pick-up schedule. Upon request, every waste hauler shall also provide
2497 educational material to customers. [amended ATM 6-8-15, art. 33]

2498

2499 No waste hauler may accept a load with greater than 5% (by volume) recyclables. In addition,
2500 every waste hauler shall report violations of this provision to the Board of Health or its agent.

2501

2502 **E. Property Owners/Tenants**

2503 It shall be mandatory for each occupier of land in Wrentham to separate all designated recyclable
2504 materials from other refuse.

2505

2506 Every residential owner/tenant shall place a town provided or approved recycling bin at the curb
2507 for collection. Yard waste may be brought to the DPW yard [amended STM 11/4/19, art. 18].

2508

2509 Every owner/tenant of a residential or multifamily dwelling, business, or institution shall be
2510 responsible for the proper disposal of recyclables, including the set-up on-site of recycling
2511 collection areas for inhabitants/tenants.

2512

2513 **F. Ownership of Recyclables**

2514 Upon placement of recyclables at the curbside for collection by the Town, such materials shall
2515 become property of the Town. No person or business, other than licensed and/or authorized
2516 agents of the Town, acting in the course of their employment, may collect or pick up any
2517 recyclable materials so placed.

2518

2519 **G. Enforcement and Penalties**

2520 **1.** Enforcement of mandatory recycling is at the discretion of the Town Administrator or their
2521 designated agent/assignee, who may elect to apply the provisions of this section as follows:
2522 [amended ATM 6-8-15, art. 33]

2523

2524 **2.** Any person or entity who violates the provisions of this bylaw may be penalized by a non-
2525 criminal disposition as provided in M.G.L. C.40, Section 21D. The penalty for each violation
2526 shall be in the amount specified in ART. 4.7, SECTION 7.B. [amended ATM 6-8-15, art. 34]

- 2527
2528
2529
2530
2531
2532
2533
2534
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.

2535 **ARTICLE 6.51. Solid Waste Recycling Committee**

2536 [M.G.L. c. 40, s. 8H accepted under ATM April 29, 1991, art. 38; added ATM 6-9-14, art. 18]

2537
2538 **ART. 6.51. SECTION 1. General**

- 2539
2540
2541
2542
2543
2544
- 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.

2545 **ART. 6.51. SECTION 2. Role and Responsibility**

- 2546
2547
2548
2549
2550
2551
2552
2553
2554
2555
2556
2557
2558
2559
2560
- 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.

2561 **ARTICLE 6.60. Town Common Landscape Memorial Committee**

2562
2563 **ART. 6.60. SECTION 1. General**

2564 [amended ATM 6-9-14, art. 21]

- 2565
2566
2567
2568
2569
2570
2571
2572
2573
2574
2575
- 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]

2576 **ART. 6.60. SECTION 2. Role and Responsibility**

2577 The committee shall:

- 2578 i. monitor and advise and/or make recommendations to the Town of Wrentham and to its authority
2579 (Board of Selectmen) on matters related to the Town Common, Sweatt Park and any other public
2580 park spaces in the center of town as well as public memorials located throughout the town
2581 including but not limited to rehabilitation, renovation or repair;
- 2582
- 2583 ii. gather information and conduct meetings related to rehabilitation, renovation and/or repair and
2584 other such relevant matters;
- 2585
- 2586 iii. facilitate communications and activities related to these matters among the following groups:
2587 Board of Selectmen, Department of Public Works, Recreation Committee, Historical Commission,
2588 Veterans' Agent, and citizens of the Town of Wrentham; and,
- 2589
- 2590 iv. other matters as the Board of Selectmen may request.

2591
2592
2593
2594 **ARTICLE 6.80 Prohibition of Illicit Discharges to the Storm Drain System [added STM**
2595 **11/4/19, art. 19]**

2596
2597 **A. Purpose**

2598 Increased volumes and contamination of stormwater lead to impaired water quality and flow in
2599 lakes, streams, rivers, wetlands, and groundwater; contamination of drinking water supplies;
2600 alteration or destruction of wildlife habitat; and flooding. The purpose of this bylaw is to
2601 safeguard the environment and the health and general welfare of the citizens of the Town of
2602 Wrentham through the regulation of illicit connections and illicit discharges to the municipal
2603 separate storm sewer system (MS4). The objectives of this bylaw are:

- 2604 1. To establish legal authority to carry out all inspection, surveillance and monitoring
2605 procedures necessary to ensure compliance with this bylaw;
- 2606 2. To comply with state and federal statutes and regulations related to stormwater discharges;
- 2607 3. To prevent pollutants from entering the MS4 by stormwater discharges;
- 2608 4. To prohibit illicit connections and discharges to the MS4 and;
- 2609 5. To require the removal of such illicit connections.

2610
2611 **B. Definitions**

2612 For the purposes of this bylaw, the following terms shall mean:

- 2613 1. Best Management Practices (BMPs): Schedules of activities, prohibitions of practices,
2614 general good housekeeping practices, pollution prevention and educational practices,
2615 maintenance procedures, and other management practices to prevent or reduce the
2616 discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater
2617 conveyance systems. BMPs also include treatment practices, operating procedures, and
2618 practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from
2619 raw materials storage.
- 2620 2. Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and
2621 any subsequent amendments thereto.
- 2622 3. Construction Activity: Activities subject to NPDES Construction Permits that result in a land
2623 disturbance of greater than or equal to one acre. This shall also include disturbances less
2624 than one acre if that disturbance is part of a larger common plan of development or sale
2625 that would disturb one or more acres. This would include any land disturbance resulting
2626 from but not limited to, clearing and grubbing, grading, excavating, and demolition.
- 2627 4. Hazardous Materials: Any material, including any substance, waste, or combination thereof,
2628 which because of its quantity, concentration, or physical, chemical, or infectious

- 2629 characteristics may cause, or significantly contribute to, a substantial present or potential
 2630 hazard to human health, safety, property, or the environment when improperly treated,
 2631 stored, transported, disposed of, or otherwise managed.
- 2632 5. **Illegal Discharge:** Any direct or indirect non-stormwater discharge to the MS4, except as
 2633 exempted in Section 8 of this bylaw.
 - 2634 6. **Illicit Connections:** A surface or subsurface drain or conveyance which allows an illicit
 2635 discharge into the MS4, including, but not limited to, sewage, process wastewater or wash
 2636 water, and any connections from indoor drains, sinks, or toilets, regardless of whether said
 2637 connection was previously allowed, permitted, or approved before the effective date of this
 2638 bylaw.
 - 2639 7. **Industrial Activity:** Activities and facilities subject to NPDES Industrial Permits as defined in
 2640 40 CFR, Section 122.26 (b)(14).
 - 2641 8. **MS4: Municipal Separate Storm Sewer Systems,** also known as the municipal storm drain
 2642 system.
 - 2643 9. **National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit:** A
 2644 permit issued by U.S. Environmental Protection Agency or jointly with the State of
 2645 Massachusetts under authority delegated pursuant to 33 USC § 1342(b) that authorizes the
 2646 discharge of pollutants to waters of the United States.
 - 2647 10. **Non-Stormwater Discharge:** Any discharge to the MS4 that is not composed entirely of
 2648 stormwater.
 - 2649 11. **Person:** Any individual, association, organization, partnership, firm, corporation or other
 2650 entity recognized by law and acting as either the owner or as the owner's agent.
 - 2651 12. **Pollutant:** Anything which causes or contributes to pollution. Pollutants may include, but are
 2652 not limited to:
 - 2653 (a) Paints, varnishes, and solvents;
 - 2654 (b) Oil, gasoline, and other automotive fluids;
 - 2655 (c) Non-hazardous liquid and solid wastes` and yard wastes;
 - 2656 (d) Refuse, rubbish, garbage, litter, or other discarded or abandoned objects, bylaws,
 2657 and accumulations;
 - 2658 (e) Floatables;
 - 2659 (f) Pesticides, herbicides, and fertilizers;
 - 2660 (g) Hazardous substances and wastes;
 - 2661 (h) Sewage, fecal coliform and pathogens;
 - 2662 (i) dissolved and particulate metals;
 - 2663 (j) animal wastes;
 - 2664 (k) Wastes and residues that result from constructing a building or structure;
 - 2665 (l) noxious or offensive matter of any kind.
 - 2666 13. **Premises:** Any building, lot, parcel of land, or portion of land whether improved or
 2667 unimproved including adjacent sidewalks and parking strips.
 - 2668 14. **Process Wastewater:** Water that comes into direct contact with or results from the
 2669 production or use of any material, intermediate product, finished product, or waste product
 2670 in manufacturing or processing.
 - 2671 15. **Storm Drainage System:** Publicly-owned facilities by which stormwater is collected and/or
 2672 conveyed, including, but not limited to, any roads with drainage systems, municipal streets,
 2673 gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins,
 2674 natural and human-made or altered drainage channels, reservoirs, and other drainage
 2675 structures.
 - 2676 16. **Stormwater:** Any surface flow, runoff, and drainage consisting entirely of water from any
 2677 form of natural precipitation, and resulting from such precipitation.
 - 2678 17. **Stormwater Pollution Prevention Plan:** A document which describes the Best Management
 2679 Practices and activities to be implemented by a person or business to identify sources of
 2680 pollution or contamination at a site and the actions to eliminate or reduce pollutant
 2681 discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to

- 2682 the Maximum Extent Practicable.
- 2683 **18. Wastewater:** Any water or other liquid, other than uncontaminated stormwater, discharged
- 2684 from a facility.
- 2685 **19. Watercourse:** A manmade or natural channel through which water flows, such as a river,
- 2686 brook, or underground stream.
- 2687 **20. Waters of the Commonwealth:** All waters within the jurisdiction of the Commonwealth,
- 2688 including without limitation, rivers, streams, lakes, ponds, springs, impoundments,
- 2689 estuaries, wetlands, coastal rivers, and groundwater.

2690

2691 **C. Applicability**

2692 This bylaw shall apply to all water entering the municipal storm drainage system generated on

2693 any developed and undeveloped lands unless explicitly exempted by the Department of Public Works

2694 and/or the Conservation Commission. The provisions in this bylaw shall take precedence over any

2695 conflicting provisions from previous bylaws.

2696

2697 **D. Authority**

2698 This bylaw is adopted under the authority granted by the Home Rule Amendment of the

2699 Massachusetts Constitution and the Home Rule Procedures Act and pursuant to the regulations

2700 set forth in the federal Clean Water Act found at 40 CFR 122.34.

2701

2702 **E. Responsibility for Administration and Enforcement**

2703 The Department of Public Works and the Conservation Commission shall jointly administer,

2704 implement, and enforce the provisions of this bylaw. The Superintendent of Public Works and

2705 the Conservation Agent may delegate, in writing, any powers granted or duties of the

2706 Department of Public Works and the Conservation Commission to its employees or agents.

2707

2708 **F. Prohibited Activities**

2709 **1. Prohibition of Illegal Discharges.**

2710 No person shall discharge or cause to be discharged into the MS4 or watercourses any

2711 materials, including, but not limited to, pollutants or waters containing any pollutants set

2712 forth in this bylaw.

2713

2714 **2. Prohibition of Illicit Connections.**

2715 No person shall construct, maintain, use, or allow the continued existence of illicit

2716 connections to the MS4, regardless of whether the illicit connection was permissible under

2717 law, regulation, or custom at the time of connection.

2718

2719 **3. Obstruction of MS4.**

2720 No person shall obstruct or interfere with the normal flow of stormwater into or out of the

2721 MS4 without prior written approval from the Department of Public Works and the

2722 Conservation Commission.

2723

2724 **G. Exemptions**

2725 The following discharges are exempt from discharge prohibitions established by this bylaw,

2726 unless the discharge is determined by the Town or the United States Environmental Protection

2727 Agency (USEPA) to be a significant contributor of a pollutant to the MS4, in which case the

2728 following discharges may be subject to the terms of this bylaw.

- 2729
- 2730 **1.** Water line and hydrant flushing;
- 2731 **2.** Flow from potable water sources;
- 2732 **3.** Flow from landscape irrigation or lawn watering;
- 2733 **4.** Wastewater from non-commercial washing of vehicles;
- 2734 **5.** Flow resulting from firefighting activities;

- 2735 6. Dechlorinated water from swimming pools (if dechlorinated to less than one part per million
- 2736 chlorine);
- 2737 7. Uncontaminated water originating from residential pumping including air conditioning
- 2738 condensation and water from exterior fountain or footing drains (not including active
- 2739 groundwater dewatering systems);
- 2740 8. Diverted stream flows, rising ground water, ground water infiltration to storm drains,
- 2741 springs, or natural flow from riparian habitats or wetlands;
- 2742 9. Dye testing, given a verbal notification to the Department of Public Works and/or the
- 2743 Conservation Commission prior to the time of testing;
- 2744 10. Discharges specified in writing by the Department of Public Works and/or the Conservation
- 2745 Commission as being necessary to protect public health and safety; and
- 2746 11. Any non-stormwater discharge that is permitted under an NPDES permit, waiver, or waste
- 2747 discharge order issued to the discharger and administered under the authority of the U.S.
- 2748 Environmental Protection Agency, provided that the discharger is in full compliance with all
- 2749 requirements of the permit, waiver, or order and other applicable laws and regulations, and
- 2750 provided that written approval has been granted for any discharge to the MS4.
- 2751
- 2752

H. Suspension of Municipal Storm Drain System Access

- 2753 1. Suspension Due to Illicit Discharges in Emergency Situations.
- 2754 The Department of Public Works and/or the Conservation Commission may, without prior
- 2755 notice, suspend MS4 discharge access to a person if it is necessary to stop an actual or
- 2756 threatened discharge which presents or may present imminent and substantial danger to the
- 2757 environment, or to the health or welfare of persons, or to the MS4 or waters of the
- 2758 Commonwealth. If the violator fails to comply with a suspension order issued in an
- 2759 emergency, the Department of Public Works and/or the Conservation Commission may take
- 2760 such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of
- 2761 the Commonwealth or to minimize danger to persons.
- 2762
- 2763 2. Suspension Due to the Detection of Illicit Discharge.
- 2764 Any person discharging to the MS4 in violation of this bylaw may have their MS4 access
- 2765 terminated if such termination would abate or reduce an illicit discharge. The Department of
- 2766 Public Works and/or the Conservation Commission will notify a violator of the proposed
- 2767 termination of its MS4 access. The violator may petition the Department of Public Works
- 2768 and the Conservation Commission for a reconsideration and hearing.
- 2769

I. Industrial or Construction Activity Discharges

2770 Any person subject to an industrial or construction activity NPDES stormwater discharge permit

2771 shall comply with all provisions of such permit. Proof of compliance with said permit may be

2772 required in a form acceptable to the Department of Public Works and the Conservation

2773 Commission prior to the allowing of discharges to the MS4.

2774

2775

J. Monitoring of Industrial or Construction Activity Discharges

- 2776 1. Applicability.
- 2777 This section applies to all facilities that have stormwater discharges associated with
- 2778 industrial activity or construction activity.
- 2779
- 2780 2. Access to Facilities.
- 2781 a) To the extent permitted by state law, or if authorized by the owner or the other party in
- 2782 control of the property, the Department of Public Works and/or the Conservation
- 2783 Commission, its agents, or officers, and employees may enter and inspect facilities
- 2784 subject to regulation under this bylaw as often as may be necessary to determine
- 2785 compliance with this bylaw. If a discharger has security measures in place which require
- 2786 proper identification and clearance before entry into its premises, the discharger shall
- 2787

2788 make the necessary arrangements to allow access to representatives of the Department
2789 of Public Works and the Conservation Commission.

2790
2791 **b)** Facility operators shall allow the Department of Public Works and the Conservation
2792 Commission ready access to all parts of the premises for the purposes of inspection,
2793 sampling, examination and copying of records that must be kept under the conditions of
2794 an NPDES permit to discharge stormwater, and the performance of any additional
2795 duties as defined by state and federal law.

2796
2797 **c)** The Department of Public Works and/or the Conservation Commission shall have the
2798 right to set up on any permitted facility such devices as are necessary in the opinion of
2799 the Department of Public Works and/or the Conservation Commission to conduct
2800 monitoring and/or sampling of the facility's stormwater discharge.

2801
2802 **d)** The Department of Public Works and the Conservation Commission have the right to
2803 require the discharger to install monitoring equipment as necessary. The facility's
2804 sampling and monitoring equipment shall be maintained at all times in a safe and proper
2805 operating condition by the discharger at its own expense. All devices used to measure
2806 stormwater flow and quality shall be calibrated to ensure their accuracy.

2807
2808 **e)** Any temporary or permanent obstruction to safe and easy access to the facility to be
2809 inspected and/or sampled shall be promptly removed by the operator at the written or
2810 oral request of the Department of Public Works and/or the Conservation Commission
2811 and shall not be replaced. The costs of clearing such access shall be borne by the
2812 operator.

2813
2814 **f)** Unreasonable delays in allowing the Department of Public Works and/or the
2815 Conservation Commission access to a permitted facility is a violation of a stormwater
2816 discharge permit and of this bylaw. A person who is the operator of a facility with a
2817 NPDES permit to discharge stormwater associated with industrial activity commits an
2818 offense if the person denies the Department of Public Works and/or the Conservation
2819 Commission reasonable access to the permitted facility for the purpose of conducting
2820 any activity authorized or required by this bylaw.

2821
2822 **g)** If the Department of Public Works and/or the Conservation Commission have been
2823 refused access to any part of the premises from which stormwater is discharged, and
2824 he/she is able to demonstrate probable cause to believe that there may be a violation of
2825 this bylaw, or that there is a need to inspect and/or sample as part of a routine
2826 inspection and sampling program designed to verify compliance with this bylaw or any
2827 order issued hereunder, or to protect the overall public health, safety, and welfare of
2828 the community, then the Department of Public Works and/or the Conservation
2829 Commission may seek issuance of a search warrant from any court of competent
2830 jurisdiction.

2831
2832 **K. Requirement to Prevent, Control, and Reduce Stormwater Pollutants by the Use of**
2833 **Best Management Practices**

2834 The Conservation Commission will adopt requirements identifying Best Management Practices
2835 for any activity, operation, or facility which may cause or contribute to pollution or
2836 contamination of stormwater, the MS4, or waters of the Commonwealth. The owner or operator
2837 of a commercial or industrial establishment shall provide, at their own expense, reasonable
2838 protection from accidental discharge of prohibited materials or other wastes into the MS4 or
2839 watercourses through the use of these structural and non-structural BMPs. Further, any person
2840 responsible for a property or premise, which is, or may be, the source of an illicit discharge,

2841 may be required to implement, at said person's expense, additional structural and non-structural
2842 BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer
2843 system. Compliance with all terms and conditions of a valid NPDES permit authorizing the
2844 discharge of stormwater associated with industrial activity, to the extent practicable, shall be
2845 deemed compliance with the provisions of this section. These BMPs shall be part of a
2846 stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of
2847 the NPDES permit.

2848

2849

L. Watercourse Protection

2850

2851

2852

2853

2854

2855

2856

2857

M. Notification of Spills

2858

2859

2860

2861

2862

2863

2864

2865

2866

2867

2868

2869

2870

2871

2872

2873

N. Enforcement

2874

1. Authorized Agent.

2875

2876

2877

2878

2879

2. Orders.

2880

2881

2882

2883

2884

2885

2886

2887

2888

2889

2890

2891

2892

- 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

2893 set forth a deadline within which such remediation or restoration must be completed. If
2894 elimination of illicit connections or discharges is required as abatement, such elimination must
2895 be completed within sixty (60) days from the identification of the illicit connection or
2896 discharge. If an extension beyond 60 days is necessary, the property owner must submit to
2897 the Town a written schedule for expeditious elimination of the illicit discharge ten (10) days
2898 prior to the 60-day deadline. The property owner shall provide a monthly progress report to
2899 the Department of Public Works and the Conservation Commission summarizing the status of
2900 the elimination schedule. In the interim period, the property owner may be required to take
2901 reasonable and prudent measures to minimize the discharge of pollutants to and from the
2902 MS4.

2903
2904 Should the violator fail to remediate or restore within a timeframe deemed reasonable by the
2905 Department of Public Works and/or the Conservation Commission, the work will be done by a
2906 designated governmental agency or a contractor and the expense thereof shall be charged to
2907 the violator.

2908
2909 Within thirty (30) days after abatement of the violation, the owner of the property will be
2910 notified of the cost of abatement, including administrative costs. The property owner may file
2911 a written protest objecting to the amount of the assessment within thirty (30) days of receipt
2912 of the notification of costs incurred. If the amount due is not paid within a timely manner, as
2913 determined by the decision of the Department of Public Works and/or the Conservation
2914 Commission or its designated agent, or by the expiration of the time in which to file an appeal,
2915 the charges shall become a special assessment against the property and shall constitute a lien
2916 on the property for the amount of the assessment. Interest at the rate of __ percent per
2917 annum shall begin to accrue on the unpaid balance beginning on the thirty-first (31st) day at
2918 which the costs first became due.

2919
2920 **3. Appeals.**

2921 The decisions or orders of the Department of Public Works and/or the Conservation
2922 Commission or its designated agent shall be final. Further relief shall be to a court of
2923 competent jurisdiction.

2924
2925 **4. Entry to Perform Duties.**

2926 To the extent permitted by state law, or if authorized by the owner or the other party in
2927 control of the property, the Department of Public Works and/or the Conservation Commission,
2928 its agents, or officers, and employees may enter upon privately owned property for the
2929 purpose of performing their duties under this bylaw and may make or cause to be made such
2930 examinations, surveys or sampling as the Department of Public Works and/or the
2931 Conservation Commission deems reasonably necessary. If a violation has not been corrected
2932 pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal,
2933 within days of the decision of the upholding the decision of the Department of Public Works
2934 and/or the Conservation Commission, then representatives of the Department of Public Works
2935 and/or the Conservation Commission may enter upon the subject's private property and are
2936 authorized to take any and all measures necessary to abate the violation and/or restore the
2937 property. It shall be unlawful for any person, owner, agent or person in possession of any
2938 premises to refuse to allow the government agency or designated contractor to enter upon
2939 the premises for the purposes set forth above.

2940
2941 **5. Civil Relief.**

2942 If a person has violated or continues to violate the provisions of this bylaw, the Department of
2943 Public Works and/or the Conservation Commission may petition for a preliminary or
2944 permanent injunction restraining the person from activities which would create further
2945 violations or compelling the person to perform abatement or remediation of the violation.

2946
2947
2948
2949
2950
2951
2952
2953
2954
2955
2956
2957
2958
2959
2960
2961
2962
2963
2964
2965
2966
2967
2968
2969
2970
2971
2972
2973
2974
2975
2976
2977
2978
2979
2980
2981
2982
2983
2984
2985

- 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.

- 8. Violations Deemed a Public Nuisance.
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.

2986 **TITLE VII. DEVELOPMENT AND LAND USE**

2987

2988

2989 **ARTICLE 7.10. Planning Board**

2990

2991 **ART. 7.10. SECTION 1. Zoning**

2992 (Refer to the Zoning Bylaws)

2993

2994

2995 **ARTICLE. 7.11. Earth Removal**

2996 (Refer also to **ARTICLE 14, EARTH REMOVAL**, of the Zoning Bylaws.)

2997

2998 **ART. 7.11. SECTION 1. Purpose**

2999 This bylaw is to ensure that permanent changes in the surface contours of land from earth removal
3000 activities will leave the land in a safe and convenient condition for appropriate reuse without requiring
3001 excessive and unreasonable maintenance or creating danger of damage to public or private property, and
3002 is to provide that earth removal activities shall be conducted in a safe manner, with minimal detrimental
3003 effect upon neighboring properties and the district in which the activities occur.

3004

3005 **ART. 7.11. SECTION 2. Authority**

3006 This bylaw is adopted pursuant to the authority granted under General Laws Chapter 40, § 21, clause 17,
3007 and Article II, §6 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

3008

3009 **ART. 7.11. SECTION 3. Definitions**

3010 **A.** Incidental to/Incidental use: a use is incidental to a primary use when it is subordinate to the
3011 primary use, is consistent with the character of the existing and intended use, involves no income
3012 or profit for purposes other than the primary use, and bears a reasonable relation to it. Earth
3013 Removal activities may be an incidental use only when they are a minor use, not a major
3014 undertaking.

3015

3016 **B.** Earth: all material normally and naturally composing part of the earth's surface and immediate
3017 subsurface, excluding water, including but not limited to, soil, clay, gravel, hard pan, loam, rock,
3018 peat and sand.

3019

3020 **C.** Lot: a single parcel of land separated from contiguous land by property lines described in a
3021 recorded plan or deed.

3022

3023 **D.** Remove/Removal: The severance of any Earth from its natural location, whether or not such
3024 Earth is moved from the lot to another location on the same lot or off the lot, by any means,
3025 including but not limited to, stripping, excavating, mining or blasting.

3026

3027 **ART. 7.11. SECTION 4. Earth Removal Prohibited Without a Permit**

3028 No person, firm or corporation shall remove any Earth from any lot in the Town of Wrentham, unless
3029 such activity is a permitted or lawfully nonconforming use in the district under the Town of Wrentham
3030 Zoning Bylaw, and is authorized by a permit issued by the Planning Board under this Bylaw.

3031

3032 **ART. 7.11. SECTION 5. Conditional Exemptions**

3033 The following activities shall not be considered Earth Removal and no permit shall be required under this
3034 bylaw, provided the activities do not constitute a nuisance or danger to the public, and conform to
3035 accepted engineering or agricultural practices:

3036

- 3037 A. The Superintendent of Public Works and his/her agents and employees may perform Earth
3038 Removal activities in the performance of their public duties on any public way and on Town
3039 property.
- 3040
- 3041 B. Earth Removal incidental to the construction of the foundation of buildings, walks, driveways,
3042 septic systems or swimming pools, and incidental to the installation of utilities, provided that the
3043 quantity of Earth subject to Removal does not exceed that displaced by the portions of
3044 construction and installation below finished grade.
- 3045
- 3046 C. Earth Removal incidental to the normal operation of a cemetery.
- 3047
- 3048 D. Earth Removal incidental to landscaping in which the amount of Earth subject to Removal does
3049 not exceed 200 cubic yards in one calendar year, if the Earth is transported off the lot; and does
3050 not exceed 500 cubic yards in one calendar year, if the Earth is transported within the lot.
- 3051

3052 **ART. 7.11. SECTION 6. Earth Removal Permit Requirements**

3053 **A. Application**

3054 An application for an Earth Removal permit shall be submitted to the Planning Board on such
3055 forms or in such manner as the Planning Board shall specify. The application shall include:

- 3056 i. the location of the property upon which Earth Removal is proposed, identified by both
3057 Assessors Lot Number and Street address, if an address has been assigned to the
3058 property, and identified by the Registry of Deeds book and page;
- 3059
- 3060 ii. the name and address of the petitioner;
- 3061
- 3062 iii. the name and address of the property owner;
- 3063
- 3064 iv. the name and address of any mortgagees;
- 3065
- 3066 v. a certified list of the names and addresses of all abutters; and
- 3067
- 3068 vi. an estimated number of cubic yards of Earth proposed for Removal and an estimate,
3069 based on field data, of the number of cubic yards of loam that will be stripped and
3070 stockpiled.
- 3071
- 3072

3073 **B. Fees**

3074 **1. Administrative Fee**

3075 The Planning Board is authorized to establish a fee schedule imposing fees for permit
3076 applications and permit renewal applications. Such application fees must be based on a
3077 reasonable estimate of the actual costs incurred by the Planning Board in carrying out its
3078 duties under this bylaw.

3079

3080 **2. Consultant's Fees**

3081 The Planning Board is authorized to require the applicant to pay the reasonable costs and
3082 expenses borne by the Planning Board for specific expert engineering and consultant services
3083 deemed necessary by the Planning Board to review any permit application, or permit renewal
3084 application, up to a maximum amount specified in ART. 4.7, SECTION 7.C. In cases where
3085 the Earth Removal project will exceed 5,000 cubic yards, the maximum consultant fee shall
3086 be in the amount specified in ART. 4.7, SECTION 7.A. Such services may include, without
3087 limitation, the delineation and survey of wetland resource areas, the delineation and survey
3088 of surface contours, analysis of resource area values, hydrogeological and drainage analyses,
3089 and legal services. The Planning Board is authorized to charge the applicant for said fee

3090 based upon its reasonable finding that the additional information it may acquire through
3091 outside consultants will be helpful for the making of an objective decision and the
3092 formulation of appropriate conditions. Said fee may be requested of the applicant within
3093 thirty (30) days of the filing of the application, or from the last amendment thereto. In its
3094 request, the Planning Board shall identify the consultant it has selected, include an estimate
3095 of the charges for the proposed services, and state the amount due as an initial deposit. The
3096 applicant may appeal from the selection of the consultant to the Board of Selectmen within
3097 ten (10) days of receiving notice from the Planning Board of the same. The Selectmen may
3098 set aside the selection of the consultant only if the consultant lacks sufficient qualifications to
3099 perform the work or has a conflict of interest. Subject to this right of appeal, all deposits
3100 requested by the Planning Board shall be delivered to the Town Treasurer within ten (10)
3101 days of the Planning Board's request. [amended ATM 6-8-15, art. 34]
3102

3103 **3. Town Exempt**

3104 No application or consultant fees shall be due from the Town of Wrentham in connection
3105 with any project performed by the Town or on its behalf.
3106

3107 **C. Site Plan**

3108 A Site Plan shall be submitted as part of an Earth Removal Permit Application. The Site Plan shall
3109 be submitted in the quantities and in the form required by the Planning Board. The Site Plan shall
3110 be prepared by a registered civil engineer licensed to practice in the Commonwealth of
3111 Massachusetts. The Site Plan shall include, without limitation:

- 3112 **i.** all the property where the earth is to be removed showing boundary lines, easements and
3113 rights of way in detail, and the names of abutters;
- 3114 **ii.** the elevations of abutting land at the lot lines;
- 3115 **iii.** all adjacent roads and structures, public or private, their elevations and established
3116 grades;
- 3117 **iv.** All waterways and wetlands resource areas (as defined in 310 CMR 10.00), and any land
3118 within the Watershed Protection, Aquifer Protection and Flood Plain Districts (as defined
3119 by the Wrentham Zoning Bylaw) on the locus and their respective elevations;
- 3120 **v.** existing and proposed contours at two (2) foot intervals with all profiles drawn to a scale
3121 of one (1) inch equals eight (8) feet;
- 3122 **vi.** a minimum of two (2) vertical control benchmarks (one to be permanent) must be
3123 established and maintained on site on the National Geodetic Vertical Datum, U.S.
3124 Geological Survey base to the closest hundredth of a foot (0.01 foot) with an additional
3125 benchmark similarly provided per each additional four (4) acres or portion thereof on the
3126 site;
- 3127 **vii.** drainage calculations in support of the specification found in Paragraph 7., Sub-paragraph
3128 xii.; and,
- 3129 **viii.** surface water flows, groundwater elevations before and after Removal.

3130 The Planning Board may in any particular case, where such action is in the public interest and not
3131 inconsistent with the intent and purpose of this bylaw, waive or modify any of these Site Plan
3132 requirements upon the written request of the applicant. The Planning Board may require
3133
3134
3135
3136
3137
3138
3139
3140
3141

3142 additional information in the Site Plan if such information will assist it in making the required
3143 findings under this bylaw.
3144

3145 **D. Public Hearing**

3146 The Planning Board shall, within 65 days after the filing of a complete application, hold a public
3147 hearing on said application. Notification of the public hearing shall be advertised for two
3148 consecutive weeks in a newspaper generally circulated in Town beginning at least 14 days before
3149 the hearing date. The applicant shall notify all abutters and other parties in interest by certified
3150 mail, return receipt requested, mailed at least 14 days before the hearing date, and shall present
3151 copies of the returned receipts to the Planning Board on or before the hearing date. The
3152 applicant shall pay the cost of the publishing notice.
3153

3154 The applicant must introduce evidence establishing, and the Planning Board must make specific
3155 findings of fact, that each of the following general requirements will be met:
3156

- 3157 **i.** that the earth removal may be accomplished without unreasonable danger to the health,
3158 safety and general welfare of the inhabitants of the Town in general nor to that of those
3159 in the immediate vicinity;
- 3160 **ii.** that the earth removal will not produce unreasonable noise, dust, or other effects
3161 observable as detrimental to the normal use of adjacent land;
- 3162 **iii.** that the earth removal and change in topography may be accomplished without adverse
3163 effect to abutting land by reason of surface water drainage nor to the recharge of the
3164 water table nor to the pumping rate of any nearby Town well site; and,
- 3165 **iv.** that the earth removal will not have a material adverse effect on the health or safety of
3166 persons living in the neighborhood or on the use or amenities of adjacent land.
3167

3170
3171 **ART. 7.11. SECTION 7. Earth Removal Permit Decision and Required Conditions**

3172 The Planning Board may grant, grant with conditions, deny, or grant in part and deny in part, any Earth
3173 Removal permit application or application for permit renewal. The Planning Board shall file a copy of its
3174 permit decision in the office of the Town Clerk, and mail a copy of its decision to the applicant, within 30
3175 days after the close of the last public hearing or the application. In the event that the Planning Board
3176 shall fail to file its decision in the office of the Town Clerk within 100 days of the filing of the application,
3177 or by such a later date to which the applicant may agree in writing, the application shall be deemed to be
3178 constructively granted subject to the general conditions set forth herein.
3179

3180 All work performed under a permit granted under this bylaw shall be done in accordance with the
3181 required conditions set forth below, which shall be deemed to be incorporated therein by reference,
3182 unless specifically waived or modified by the Planning Board. The Planning Board may waive or modify
3183 any of the required conditions if such action is consistent with the purposes and intent of this bylaw and
3184 will not substantially compromise the protection of the public and the environment.
3185

- 3186 **A.** All trees are to be cut, not bulldozed. All trees and brush are to be chipped on site unless
3187 removed for commercial purposes. Stumps may not be buried on the site except in accordance
3188 with a site assignment issued under G.L. c. 111, § 150A.
3189
- 3190 **B.** All loam and topsoil must be scraped and stockpiled on the site for use in later landscaping. No
3191 loam or topsoil may be removed from the site.
3192

- 3193
3194
3195
3196
3197
3198
3199
3200
3201
3202
3203
3204
3205
3206
3207
3208
3209
3210
3211
3212
3213
3214
3215
3216
3217
3218
3219
3220
3221
3222
3223
3224
3225
3226
3227
3228
3229
3230
3231
3232
3233
3234
3235
3236
3237
3238
3239
3240
3241
3242
3243
3244
3245
- 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.

- 3246
3247 **N.** Any earth removal in the vicinity or within wetland areas governed by M.G.L. Ch.131 or other
3248 wetlands related laws, shall also be subject to orders of conditions from the Conservation
3249 Commission. Whether such proposed earth removal projects fall within the jurisdiction of the
3250 Conservation Commission shall be determined by the Conservation Commission and the
3251 applicable Town, State and Federal laws.
3252
- 3253 **O.** The applicant shall be responsible for monitoring the amount of earth removed from the site. A
3254 bi-weekly report, prepared and certified by a registered civil engineer, licensed to practice in the
3255 Commonwealth of Massachusetts, shall be forwarded to the Planning Board for the duration of
3256 the earth removal project. The report shall include a daily account of the number of truckloads of
3257 earth removed from the site, the number of cubic yards of earth contained in each truckload,
3258 daily and weekly totals of the number of cubic yards of earth removed from the site and a
3259 cumulative total, from project inception to date, of the number of cubic yards of earth removed
3260 from the site.

3261 **ART. 7.11. SECTION 8. Special Conditions**

3262 The Planning Board shall set forth particular hours of operation for each individual operation as a special
3263 condition.
3264

3265 The Planning Board may impose additional special conditions deemed necessary in the light of
3266 circumstances. Special conditions may include, without limitation, requirements or limitations relating to
3267 the proximity of residential or commercial uses that might be affected by dust, noise and traffic, blasting
3268 with respect to ledge removal, drainage matters, lateral support of abutting property and the like.
3269

3270 **ART. 7.11. SECTION 9. Bond Requirement**

3271 Prior to the start of any work under a permit granted hereunder, a surety company bond or deposit of
3272 money (which may take the form of an assignment of a bank account assented to by the depository
3273 bank) shall be delivered to the Planning Board to ensure compliance with this bylaw and of the
3274 conditions of the permit. The bond shall have a term of not less than two (2) years beyond the
3275 estimated completion date of the earth removal project. Such bond or other security shall be held by the
3276 Town Treasurer until the permit holder submits an "as built" plan, prepared and certified by a registered
3277 civil engineer licensed to practice in the Commonwealth of Massachusetts, showing that all excavation
3278 has been to grades approved on the Site Plan, and that all restoration work has been completed.
3279

3280 **ART. 7.11. SECTION 10. Term of Permit and Permit Renewal**

3281 No permit shall be issued for a period in excess of 12 months.
3282

3283 A permit may be renewed annually, upon written request of the applicant to the Planning Board. The
3284 Planning Board may impose a renewal application fee under SECTION 6.B.1., and may charge the
3285 applicant the reasonable costs of its own consultants under Section 6.B.2.
3286

3287 A permit renewal application shall include a letter prepared by a registered civil engineer licensed to
3288 practice in the Commonwealth of Massachusetts, certifying that all work performed under the prior permit
3289 was undertaken in substantial compliance with the approved plans and permit requirements and
3290 conditions, and setting forth what deviation, if any, exists from those plans and permit requirements. The
3291 Planning Board may require submission of further materials, including, without limitation, reports of
3292 engineers or consultants.
3293

3294 A renewal request must be received by the Planning Board at least 65 days before the expiration of the
3295 prior permit. Within 14 days of its receipt, the Planning Board shall post notice of the request for permit
3296 renewal for at least 10 days. A permit may be renewed without public hearing, unless an abutter or
3297

3298 other party in interest requests a public hearing in writing within the first 10 days the notice is posted. If
3299 a public hearing is requested, the notice and burden of proof provisions of Section 6.D. shall apply.
3300

3301 The Planning Board shall hold its meeting, or commence the public hearing on the request within 65
3302 days of its receipt. The Planning Board shall notify the applicant of its decision within 21 days after the
3303 close of the meeting or the public hearing. If a prior permit has lapsed before a determination on a
3304 permit renewal has been made final, no Earth Removal may be performed.
3305

3306 The Planning Board may renew a permit only upon a showing that the activities carried out under the prior
3307 permit were performed in accordance with the plans, specifications and conditions of the prior permit, and
3308 that the activities proposed under the renewed permit will not entail Earth Removal of a larger quantity or
3309 from a larger portion of a lot than allowed on the prior permit.
3310

3311 The Planning Board may impose additional conditions upon a renewed permit, and may renew it for any
3312 period of time, not to exceed 12 months.
3313

3314 **ART. 7.11. SECTION 11. Earth Removal Operations in Existence**

3315 This Bylaw shall take effect 30 days from the date of its approval by the Attorney General of the
3316 Commonwealth. Earth Removal operations in existence on May 1, 1999, may continue through June 30,
3317 2000, provided that an application for any such operation is filed with the Planning Board before March 1,
3318 2000. A Special Permit issued under Article 14 of the Wrentham Zoning bylaw (as adopted by the Town on
3319 December 21, 1987) between December 21, 1987 and the effective date of this bylaw shall be treated as
3320 an original permit under this bylaw expiring on July 1, 2000, and may be renewed annually pursuant to
3321 Section 10 of this bylaw, subject to any reasonable conditions imposed by the Planning Board under this
3322 bylaw.
3323

3324 **ART. 7.11. SECTION 12. Earth Removal in Connection with Other Uses**

3325 In appropriate circumstances, the Planning Board may combine any hearing required under this Bylaw
3326 with the hearing on an application for definitive plan approval under G.L. c. 41, §81U, or an application
3327 for a special permit or site plan approval under the Wrentham Zoning Bylaw, and may accept plans or
3328 information submitted in support of such applications in satisfaction of the requirements of this Bylaw. In
3329 such cases, the Board shall ensure that the separate requirements of this Bylaw are met, and shall issue
3330 a separate permit under this Bylaw.
3331

3332 **ART. 7.11. SECTION 13. Enforcement and Penalty**

3333 The Building Inspector shall be responsible for enforcing provisions of this bylaw and the decisions
3334 rendered in accordance with Sections 6.0 and 9.0 herein. Once notified by the Building Inspector, an
3335 Earth Removal operator shall immediately cease such activities or begin to correct such conditions
3336 determined to be contrary to said provisions or decisions. Failure to do so shall constitute a non-criminal
3337 violation subject to a fine in accordance with MGL c. 40, s. 21D, as follows: fifty dollars for the first
3338 offense, one hundred dollars for the second offense, and two hundred dollars for each subsequent
3339 offense. (amended ATM 4/30/01)
3340

3341
3342 **ARTICLE. 7.12. Scenic Roads**
3343 [amended STM 11-12-13, art. 14]
3344

3345 **ART. 7.12. SECTION 1. Purpose**

3346 The purpose of this bylaw is to increase environmental protection, maintain aesthetic qualities, and
3347 preserve the historical values of designated roads in the Town. The bylaw regulates certain roadway
3348 repair, maintenance and reconstruction activities in order to help achieve these objectives.
3349

3350 **ART. 7.12. SECTION 2. Definitions**

3351 In the absence of contrary meaning established through legislative or judicial action pursuant to M.G.L.
3352 (Massachusetts General Law) Chapter 40, Section 15C, the following terms contained in that statute shall
3353 be defined as follows:
3354

- 3355 **A.** "Cutting or removal of trees" shall mean the destruction of one or more trees having a trunk
3356 diameter of four (4) inches or more measured four (4) feet from the ground, trimming of major
3357 branches or trimming of roots sufficient in the Tree Warden's opinion to cause eventual
3358 destruction of a tree. Not included in this definition is the routine or emergency maintenance
3359 which removes only permanently diseased or damaged limbs, trunks, or roots, and dead whole
3360 trees.
3361
- 3362 **B.** "Repair, maintenance, reconstruction, or paving work" shall mean any work done within the right
3363 of way by any person or agency, public or private. Construction of new driveways or alterations
3364 of existing ones is included to the extent such work takes place within the right-of-way. Roadside
3365 clearing of trees to provide for vehicle clearance or for improvement to line-of-sight shall also be
3366 included in this definition. Construction of alteration of water, sewer, electric, telephone, cable
3367 TV of other utilities within the right-of-way is also included.
3368
- 3369 **C.** "Road" shall mean the right-of-way of any way used and maintained as public way including the
3370 vehicular traveled way, plus shoulders, the portion of intersecting driveways within the right-of-
3371 way, and necessary appurtenances within the right-of-way such as bridge structures, drainage
3372 systems, retaining walls, and paths. When the boundary of the right-of-way is in issue so that
3373 there is a question as to whether or not certain trees or stone walls or portions thereof are within
3374 or without the way, the trees or stone walls shall be presumed to be within the way until the
3375 contrary is shown.
3376
- 3377 **D.** "Tree" shall mean a perennial woody plant whose trunk has a diameter of four (4) inches or more
3378 as measured four (4) feet above the ground.
3379
- 3380 **E.** "Stone Wall" shall mean an assembled grouping of stones comprising at least one (1) cubic foot
3381 of stone per linear foot and totaling five (5) or more feet in length.
3382
- 3383 **F.** "Tearing down or destruction of stone walls" shall mean the removal or covering with earth of
3384 more than two (2) linear feet of stone wall. Temporary removal and replacement with the same
3385 materials at the same location within thirty (30) days shall not be construed to be within this
3386 definition.
3387

3388 **ART. 7.12. SECTION 3. Procedure for Scenic Road Designation**

3389 **A. Process**

- 3390 **1.** Any person or group of persons may submit an application to the Town Administrator to
3391 request that a public road be designated as a scenic road. Such application shall be
3392 accompanied by a written description of the characteristics of the road that qualify it for
3393 protection afforded by this chapter.
3394
- 3395 **2.** The Town Administrator shall refer all such applications to the Planning Board, the
3396 Conservation Commission and the Historical Commission within 15 days of the date of receipt
3397 of the application.
3398
- 3399 **3.** Within 45 days of receipt of an application thereunder, the Planning Board, the Conservation
3400 Commission and the Historical Commission may make a recommendation to the Board of
3401 Selectmen or request in writing that the road described in the application be designated a

3402 scenic road. Upon recommendation, the Board of Selectmen shall include a warrant article
3403 for the next Town Meeting.

3404
3405 4. Designation is by majority vote of Town Meeting.
3406

3407 **B. Findings**

3408 In considering whether to recommend a road as a scenic road to the Town Meeting, the Board
3409 shall consider the following factors:

- 3410 i. Historic significance of affected trees and stone walls.
3411
3412 ii. Contribution of trees and stone walls to scenic beauty.
3413
3414 iii. Exceptional qualities of trees in terms of age, spread, species or specimen size.
3415
3416 iv. Protection of natural resources as well as scenic and aesthetic quality of area including
3417 scenic views.
3418
3419 v. Bordering land uses, present and prospective, and how they impact the importance of
3420 retaining trees and walls.
3421
3422 vi. Feasibility of accomplishing the intent of the Scenic Roads Act in light of road design and
3423 use.
3424

3425
3426 **C. Non-qualifying roads**

3427 Numbered routes and state highways may not be designated scenic roads.
3428

3429 **ART. 7.12. SECTION 4. Review Procedures for Work Within Designated Scenic Roads**

3430 **A. Scenic road work permit**

3431 The Planning Board shall issue a scenic road work permit in accordance with the following review
3432 procedures. The Planning Board shall advertise, notify abutters and hold a public hearing on all
3433 work permit applications filed hereunder, in accordance with the notice requirements of M.G.L.
3434 Chapter 40A, Section 11.
3435

3436 **B. Activities requiring approval**

3437 Within a public road layout which has been designated a scenic road, the following activities shall
3438 require approval of the Planning Board in accordance with the provisions of this article: The
3439 cutting or removal of trees and/or the tearing down or destruction of stone walls or portions
3440 thereof, in connection with repair, maintenance, reconstruction, paving or other work within the
3441 layout of a public road.
3442

3443 **C. Imminent threats to public safety**

3444 In cases where an imminent threat to public safety newly arises and does not allow sufficient
3445 time to obtain advance approval of the Planning Board as required by this chapter, the Planning
3446 Board must be notified within five business days of any action taken which, had such a threat not
3447 arisen, would have been a violation of this article.
3448

3449 **D. Application content**

- 3450 1. A notice identifying the location of the proposed activity which enables readers to reasonably
3451 locate it on the ground, without need for additional references, describing the proposed
3452 changes to tree(s) and/or stone wall(s).
3453

- 3454 2. A certified abutters list prepared by the Wrentham Assessor's Office including owners of land
 3455 which is both abutting and within 300 feet of the affected scenic road location.
 3456
 3457 3. A plan, describing the proposed activity and mitigation measures, including protection,
 3458 restoration and any compensatory efforts.
 3459
 3460 4. A certificate by the petitioner attesting to the marking of all trees and walls to be affected,
 3461 sufficient to enable the Board and all interested parties to identify those trees and walls.
 3462
 3463 5. Photographs of all stone walls and trees within the proposed work area.
 3464
 3465 6. Application form.
 3466

3467 **E. Public Shade Tree Act**

3468 Whenever feasible, notice shall be given and Planning Board hearings shall be held in conjunction
 3469 with those held by the tree warden acting under M.G.L. Chapter 87. The consent of the Planning
 3470 Board to a proposed action shall not be regarded as inferring consent by the tree warden, or vice
 3471 versa. The Planning Board decision shall contain a condition that no work should be done until
 3472 all applicable provisions of the Public Shade Tree Law, M.G.L. Chapter 87, have been complied
 3473 with.
 3474

3475 **F. Fees**

3476 Actual advertising costs and abutter notification mailings for a scenic roads work permit shall be
 3477 borne by the petitioner and shall be billed directly to the petitioner. A scenic roads work permit
 3478 fee shall be established by the Planning Board to cover the town's administrative costs.
 3479

3480 **G. Compensatory actions**

3481 1. Since the purpose of this chapter is to protect the scenic quality and character of designated
 3482 scenic roads, the Planning Board shall approve the proposed work only upon finding that
 3483 adequate compensatory actions have been included in the applicant's proposed plan. The
 3484 Planning Board shall consider the value of compensatory actions, such as the planting of new
 3485 replacement trees or the reconstruction of stone walls, in making its decision. Reasonable
 3486 measures should be taken in road widening and traffic safety projects on scenic roads so as
 3487 to minimize tree removal and destruction of any portion of a stone wall. All feasible
 3488 measures should be employed in the construction to minimize the removal of trees, stone
 3489 walls and the grade of adjacent lands.
 3490

3491 **2. Limited review standards**

3492 **(a) Replacement Trees.**

3493 **(1)** Trees destroyed shall be replaced with nursery grade trees on the following basis:
 3494

Tree Removed	Replacement
Up to 12 inches dbh caliper	2 trees minimum, 2-inch caliper
12 inches to 24 inches dbh caliper	6 trees minimum, 2-inch caliper
Over 24 inches dbh caliper	8 trees minimum, 2-inch caliper

3500 [amended STM 11-10-14, art. 13]
 3501

3502 **(2)** The Planning Board shall approve the final specimen and replanting location selected
 3503 with a preference for replacement tree(s) planted within the outer edge of the right-
 3504 of-way.
 3505
 3506

3507 (3) The preference is for replacement tree(s) to be planted in the vicinity of the original
3508 tree removal location, however, in the event compensatory planting is not feasible
3509 or desirable near the project site, the Planning Board, upon recommendation from
3510 the Tree Warden, may authorize compensatory planting in alternate locations based
3511 on the following preference:

3512
3513 First: Compensatory tree planting will occur within the outer edge of the
3514 right-of-way of the same scenic road, in close proximity to the proposed
3515 location of tree removal.

3516
3517 Second: Compensatory tree planting will occur in suitable location(s) on same
3518 scenic road as proposed tree removal location.

3519
3520 Third: Compensatory tree planting will occur on another scenic road in
3521 Wrentham.

3522
3523 Fourth: Compensatory tree planting will occur in another location in Town.

3524
3525 (b) Stone walls shall be replaced so as to reconnect with undisturbed walls - wherever
3526 physically possible.

3527
3528 (c) Reasonable steps to be described in D(4)(c) will be taken to insure protection of tree
3529 trunks, branches, and root systems of remaining trees in the project area from temporary
3530 or permanent damage.

3531
3532 **H. General**

3533 The Planning Board, after a public hearing consistent with the provisions of this article of the
3534 Town Bylaws, may adopt additional regulations for carrying out provisions hereof.

3535
3536 **ART. 7.12. SECTION 5. Enforcement**

3537 The Planning Board and the Tree Warden shall have the authority to enforce the provisions of this
3538 section, as applicable.

3539
3540 1. Any violation of this bylaw, whether for the tearing down or destruction of stone walls or the
3541 cutting or removal of trees, shall result in a fine levied against the offending property owner, in
3542 the amount specified in ART. 4.7, SECTION 7B. Each day, or portion thereof, that a violation of
3543 this bylaw continues shall be deemed a separate offense. [amended ATM 6-8-15, art. 34]

3544
3545 2. In addition to the foregoing remedies, the Town of Wrentham acting by and through its Planning
3546 Board, and with the approval of the Board of Selectmen, shall have all other legal and equitable
3547 remedies, which may exist, including without limitation the right to seek injunctive relief.

3548
3549 3. In addition and as an alternative method of enforcement, the Town of Wrentham may in its
3550 discretion enforce the provisions of this bylaw in the manner provided in MGL c. 40, §21D.

3551
3552

3553 **ART. 7.12. SECTION 6. Designated Roads**

3554 The following are designated as scenic roads as provided for in M.G.L. Chapter 40 Section 15C. The
3555 entire length of each road is protected under this bylaw, unless more specific limits are defined:

3556			
3557	Arnold Street	Jenks Street	Spring Street
3558	Beach Street	Hancock Street	Summer Street
3559	Bennett Street	Madison Street (from	Taunton Street (from Senior
3560	Berry Street	Stoney Brook Lane to	Center to town line)
3561	Burnt Swamp Road	Route 1)	Vine Street
3562	Cherry Street	Myrtle Street	Wampum Street
3563	Chestnut Street	North Street	West Street (from
3564	Ellery Street	Otis Street	Spring Street to the
3565	Everett Street	Ray Road	Bellingham town line)
3566			Williams Street
3567			

3568 **ART. 7.12. SECTION 7. Appeals**

3569 The applicant may appeal the decision of the Permit Granting authority to the Board of Selectmen within
3570 30 days of the filing of the decision with the Town Clerk. The Board of Selectmen shall hear the appeal
3571 within 60 days of receipt of a notice of appeal. The appeal shall be submitted to the Board of Selectmen
3572 by certified letter in which the reasons for the appeal are itemized.

3575 **ARTICLE 7.20. Board of Appeals**

3576 [amended ATM 6-9-14, art. 21]

3578 **ART. 7.20. SECTION 1. General**

- 3579 **A.** There shall be a standing *committee* known as the Board of Appeals as authorized by M.G.L, c.
3580 40A, s. 12.
- 3581
- 3582 **B.** The Board shall be comprised of five (5) members who shall be appointed by the Board of
3583 Selectmen. The term of appointment shall be five (5) years.
- 3584
- 3585 **C.** The Board shall also be comprised of up to three (3) associate members who shall be appointed
3586 by the Board of Selectmen. The term of appointment shall be three years.

3588 **ART. 7.20. SECTION 2. Role and Responsibility**

3589 The Board of Appeals shall have the powers as specified in Section 14 of Chapter 40A of the General
3590 Laws of Massachusetts as amended. Furthermore, the Board of Appeals shall act as the Board of Appeals
3591 for the Planning Board under the provisions of Sections 81Z through 81CC of Chapter 41 of the General
3592 Laws as amended.

3595 **ARTICLE 7.30. Conservation Commission**

3596 [M.G.L. c. 40, s. 8C, accepted by town meeting 6/4/62, however, Town Meeting’s action did not include
3597 amending the bylaws.; added ATM 6-9-14, art. 18]

3599 **ART. 7.30. SECTION 1. General**

- 3600 **A.** There shall be a standing *committee* known as the Conservation Commission as authorized by
3601 M.G.L, c. 40, s. 8C.
- 3602
- 3603 **B.** The Commission shall be comprised of seven (7) members who shall be appointed by the Board
3604 of Selectmen.

3606 **ART. 7.30. SECTION 2. Role and Responsibility**
3607 The Conservation Commission shall act to protect and develop the natural resources and protect the
3608 watershed resources of the Town, and perform other functions as directed or authorized by statute.
3609

3610
3611 **ART. 7.31. Wetland Protection**
3612 [amended ATM 6-9-14, art. 17 and art. 18]
3613

3614 **ART. 7.31. SECTION 1. Purpose**
3615 The purpose of this bylaw is to protect the wetlands, related water resources, and adjoining land areas in
3616 the Town of Wrentham by controlling activities likely to have a significant or cumulative effect upon the
3617 important public values of those areas, which include, without limitation, the following: public or private
3618 water supply, ground water supply, flood control, erosion and sedimentation control, storm damage
3619 prevention, protection of surrounding land and other homes or buildings, water pollution control,
3620 fisheries, wildlife habitat, agriculture, recreation, and the historic and natural scenic character of wetland
3621 resource areas, watercourses, lakes and ponds (collectively, the "interests protected by this bylaw").
3622

3623 **ART. 7.31. SECTION 2. Definitions**
3624 The following definitions shall apply in the interpretation and implementation of this bylaw.
3625

- 3626 **A.** The term "alter" means to change the conditions of any area subject to protection under this
3627 bylaw and shall include but not be limited to one or more of the following actions upon areas
3628 described in this bylaw:
3629
- 3630 **i.** the removal, excavation or dredging of soil, sand, gravel or aggregate material of any
3631 kind;
3632
 - 3633 **ii.** the changing of preexisting drainage characteristics, flushing characteristics to include
3634 soil structure, salinity distribution to include soil compositions and chemistry,
3635 sedimentation patterns, flow patterns and flood storage retention areas;
3636
 - 3637 **iii.** the disturbance or raising or lowering of the water level or water table;
3638
 - 3639 **iv.** the dumping, discharging or filling with any material which could degrade the water
3640 quality or change water flow or quantity;
3641
 - 3642 **v.** the driving of piling, erection of buildings or structures of any kind;
3643
 - 3644 **vi.** the placing of any object or obstruction whether or not it interferes with the flow of
3645 water;
3646
 - 3647 **vii.** the destruction of plant life, including the cutting of trees, and the removal of stumps,
3648 within any resource area other than the buffer zone, or the cutting of shrubbery or trees
3649 greater than 50% of the overhead canopy;
3650
 - 3651 **viii.** the changing of water temperature, biochemical oxygen demand and other natural
3652 characteristics of the receiving water;
3653
 - 3654 **ix.** any activities, changes or work which pollutes any body of water or ground water; and
3655
 - 3656 **x.** the application of pesticides or herbicides.
3657

3658 B. The term "person" shall include any individual, group of individuals, associations, partnerships,
3659 corporations, business organizations, trust, estate, Commonwealth of Massachusetts when
3660 subject to town bylaws, any public or quasi-public corporation or body when subject to town
3661 bylaws or any other legal entity, including the Town of Wrentham or its legal representative,
3662 agents or assigns.
3663

3664 Except as otherwise provided in this bylaw or in regulations of the Commission, the definitions of terms in
3665 this bylaw shall be as set forth in the Wetlands Protection Act, G.L.C. 131, Sec. 40, and regulations 310,
3666 CMR 10.00, thereunder.
3667

3668 **ART. 7.31. SECTION 3. Jurisdiction**

3669 Except as permitted by the Conservation Commission or as provided in this bylaw, no person shall
3670 remove, fill, dredge, build upon, degrade, or otherwise alter the following resource areas: any bank,
3671 freshwater wetland, marsh, wet meadow, bog, swamp, vernal pool (whether certified or potential),
3672 reservoir, lake, pond, creek, river or stream, or any land under said waters or any land subject to flooding
3673 or inundation by groundwater or surface water, or any land within 100 feet of any of the aforesaid
3674 resource areas (collectively, the "resource areas protected by this bylaw") and within 200 feet of any
3675 perennial stream. The area of flooding or inundation shall include all lands up to the elevation of the
3676 100-year floodplain.
3677

3678 **ART. 7.31. SECTION 4. Exceptions**

3679 The application and permit required by this bylaw shall not be required for maintaining, repairing or
3680 replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility
3681 used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other
3682 telecommunication services, provided that written notice has been given to the Commission prior to the
3683 commencement of the work, and provided that the work conforms to performance standards and design
3684 specifications in any regulations adopted by the Commission.
3685

3686 The application and permit required by this bylaw shall not be required for work performed for normal
3687 maintenance or improvement of land in agricultural use, provided that written notice has been given to
3688 the Commission prior to commencement of work, and provided that the work conforms to performance
3689 standards and design specifications in regulations adopted by the Commission.
3690

3691 The application and permit required by this bylaw shall not apply to emergency projects necessary for the
3692 protection of the health and safety of the public, provided that the work is to be performed by or has
3693 been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof;
3694 provided that advance notice, oral or written, has been given to the Commission prior to commencement
3695 of work or within 24 hours after commencement; provided that the Commission or its agent certifies the
3696 work as an emergency project; provided that the work is performed only for the time and place certified
3697 by the Commission for the limited purposes necessary to abate the emergency; and provided that within
3698 21 days of commencement of an emergency project a permit application shall be filed with the
3699 Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of
3700 the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency
3701 project approval and order restoration and mitigation measures.
3702

3703 Other than stated in this section, the exceptions provided in the Wetlands Protection Act, G.L.C. 131, Sec.
3704 40, and Regulations, 310 CMR 10.00, shall not apply under this bylaw.
3705

3706 **ART. 7.31. SECTION 5. Applications for Permits and Requests for Determination**

3707 Written application shall be filed with the Commission to perform activities affecting resource areas
3708 protected by this bylaw. The permit application shall include such information and plans as are deemed
3709 necessary by the Commission to describe proposed activities and their effects on the resource areas
3710 protected by this bylaw. No activities shall commence without receiving and complying with an

3711 appropriate permit issued pursuant to the bylaw whether the entity allowing or performing the work is
3712 private, commercial, municipal, or agricultural.

3713
3714 The Commission in an appropriate case may accept as the permit application and plans under this bylaw
3715 the Notice of Intent and plans filed under the Wetlands Protection Act, G.L.C. 131, Sec. 40, and
3716 Regulations 310 CMR 10.00.

3717
3718 Any person desiring to know whether or not a proposed activity or an area is subject to this bylaw may
3719 be writing request a determination from the Commission. Such a request for determination shall include
3720 information and plans as are deemed necessary by the Commission. The Commission may determine
3721 that a proposed activity or an area is not governed by this bylaw subject to the observance of conditions
3722 imposed by the Commission on the work to be performed by the applicant or may require a Notice of
3723 Intent.

3724
3725 At the time of a permit application or request for determination, the applicant shall pay a filing fee
3726 specified in regulations of the Commission. The fee is in addition to that required by the Wetlands
3727 Protection Act, G.L.C. 131, Sec. 40, and Regulations, 310 CMR 10.00.

3728
3729 **ART. 7.31. SECTION 6. Fees**

3730 **A. Administrative Fee**

3731 The Commission is authorized to include in any regulations adopted under this bylaw a fee
3732 schedule imposing fees for permits, determinations and certificates of compliance. Such fees
3733 must be based on a reasonable estimate of the actual costs incurred by the Commission in
3734 carrying out its duties under this bylaw, taking into account any fees provided under the
3735 Wetlands Protection Act. Failure to pay any fee required by regulations duly promulgated by the
3736 Commission shall be grounds for denial of the application.

3737
3738 **B. Consultant Fee**

3739 The Commission is authorized to require the applicant to pay the reasonable costs and expenses
3740 borne by the Commission for specific expert engineering and consultant services deemed
3741 necessary by the Commission to review any application and/or submissions, and to monitor or
3742 provide field services required under an Order of Conditions. Such services may include, without
3743 limitation, the delineation, survey, monitoring, and inspection of wetland resource areas including
3744 any construction within Conservation Commission's jurisdiction, including an analysis of resource
3745 area values, hydrogeological and drainage analyses, evaluation of wildlife habitat, and legal
3746 services. The Commission is authorized to charge the applicant for said fee based upon its
3747 reasonable finding that the additional information acquirable only through outside consultants
3748 would be necessary for the making of an objective decision, and when the application or request
3749 for determination proposes any of the following:

3750
3751 **i.** the alteration of 500 square feet or more of any land under a water body or bordering
3752 vegetated wetlands;

3753
3754 **ii.** the alteration of 50 linear feet or more, or the alteration of 10% or more, whichever is
3755 less, of the bank of any water body or waterway;

3756
3757 **iii.** the alteration of 1000 square feet or more of the buffer zone;

3758
3759 **iv.** the creation or evaluation of any point source discharge, detention or retention basin,
3760 water control structure or wetland replication area;

3761
3762 **v.** new construction proposed within any area that falls within the jurisdiction of the
3763 Conservation Commission as listed in Paragraph 3., Jurisdiction; or,

3764
3765 vi. the determination of the boundary line of any resource area by the Commission.
3766
3767 Said fee may be requested of the applicant within thirty (30) days of the filing of the application,
3768 or from the last amendment thereto. In its request, the Commission shall identify the consultant
3769 it has selected and include an estimate of the charges for the proposed services. The applicant
3770 may appeal the selection of the consultant to the Board of Selectmen within ten (10) days of
3771 receiving notice from the Commission of the same. The Selectmen may set aside the selection of
3772 the consultant only if the consultant lacks sufficient qualifications to perform the work or has a
3773 conflict of interest.

3774
3775 Any fees paid to the Commission under this section shall be placed into a professional services
3776 conservation account.

3777
3778 **C. Waiver/Non-Applicability of Fees**

3779 No application or consultant fees shall be due from the Town of Wrentham in connection with
3780 any project performed by the Town or on its behalf, or from any person having no financial
3781 connection with a property which is the subject of a request for determination.

3782
3783 **D. Revolving Fund**

3784 Subject to the adoption of appropriate regulations by the Conservation Commission under G.L.
3785 Ch. 40, Section 8C, any consultant fees collected under Paragraph 7. shall be deposited,
3786 expended, and accounted for under the provisions of G.L. c. 44, Section 53G.

3787
3788 **ART. 7.31. SECTION 7. Notice and Hearings**

3789 Any person filing a Notice of Intent with the Commission at the same time shall give written notice
3790 thereof, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing
3791 addresses shown on the most recent applicable tax list of the assessors, including owners of land directly
3792 opposite on any public or private street or way, and abutters to the abutters within 100 feet of the
3793 property line of the applicant, including any in another municipality or across a body of water. The notice
3794 to abutters shall state where copies of the permit application may be examined and obtained by abutters.
3795 An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be
3796 filed with the Commission. When a person requesting a determination is other than the owner, the
3797 request, the notice of the hearing, and the determination itself shall be sent by the applicant to the
3798 owner as well as to the person making the request.

3799
3800 The Commission shall conduct a public hearing on any permit application or request for determination,
3801 with written notice given at the expense of the applicant, five business days prior to the hearing, in a
3802 newspaper of general circulation in the Town of Wrentham.

3803
3804 The Commission shall commence the public hearing within 21 calendar days from receipt of a completed
3805 permit application or request for determination unless an extension is authorized in writing by the
3806 applicant.

3807
3808 The Commission shall issue its permit or determination in writing within 21 calendar days of the close of
3809 the public hearing thereon unless an extension is authorized in writing by the applicant.

3810
3811 The Commission in an appropriate case may combine its hearing under this bylaw with the hearing
3812 conducted under the Wetlands Protection Act, G.L.C. 131, Sec. 40, and Regulations 310, CMR 10.00.
3813 Notice of a hearing so combined shall not be considered defective solely because it fails to make
3814 reference to this bylaw.
3815

3816 The Commission shall have authority to continue the hearing to a date certain announced at the hearing,
3817 for reasons stated at the hearings, which may include receipt of additional information offered by the
3818 applicant deemed necessary by the Commission in its discretion, or comments and recommendations of
3819 local, State or Federal Regulatory agencies. In the event the applicant objects to a continuance or
3820 postponement, the hearing shall be closed and the Commission shall take action on such information as
3821 is available.

3822

3823 **ART. 7.31. SECTION 8. Burden of Proof**

3824 The applicant shall have the burden of proving by a preponderance of the credible evidence that the
3825 work proposed in the permit application will not have unacceptable significant or cumulative effect upon
3826 the interests protected by this bylaw. Failure to provide adequate evidence to the Commission
3827 supporting this burden shall be sufficient cause for the Commission to deny such permit or to grant a
3828 permit with conditions.

3829

3830 **ART. 7.31. SECTION 9. Permits and Conditions**

3831 If, after said hearing, the Commission determines that the activities which are subject to the permit
3832 application are likely to have a significant or cumulative effect upon the interests protected by this bylaw,
3833 the Commission, within 21 days of the close of the public hearing or such further time as the Commission
3834 and the applicant shall agree on, shall issue or deny a permit for the activities proposed. If it issues a
3835 permit, the Commission shall impose conditions which it deems necessary or desirable to protect those
3836 interests, and all work shall be done in accordance with those conditions.

3837

3838 The Commission is empowered to deny a permit for failure to meet the requirements of this bylaw; for
3839 failure to submit necessary information and plans requested by the Commission; for failure to meet the
3840 design specifications, performance standards, and other requirements in regulations of the Commission;
3841 for failure to avoid or prevent unacceptable significant or cumulative effects upon the interests protected
3842 by this bylaw; and where no conditions are adequate to protect those interests. Due consideration shall
3843 be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public
3844 hearing.

3845

3846 Lands within 200 feet of perennial rivers and streams, and lands within 100 feet of other resource areas,
3847 are presumed important to the protection of these resources because activities undertaken in close
3848 proximity to resource areas have a high likelihood of adverse impact upon the wetland or watercourse,
3849 either immediately, as a consequence of construction, or over time, as a consequence of daily operation
3850 or existence of those activities. In addition, such areas are often vital to the preservation of species that
3851 depend on wetlands for food or reproduction. The Commission therefore will require that the applicant
3852 maintain a fifty-foot wide continuous strip of undisturbed vegetative cover within the 200-foot (or 100-
3853 foot) area. A variance to this criteria may be granted under three circumstances: 1) if the applicant
3854 demonstrates that the proposed project will have no adverse affect on any of the interests protected by
3855 this bylaw; 2) if the project is a rare or unusual case; and 3) if the project is not approved by the
3856 Commission this action will restrict the use of the property to such an extent to constitute a constitutional
3857 taking without compensation. If no evidence is supplied to support the claims that the project meet the
3858 specified criteria above the hearing will be delayed or continued until this information is provided, or the
3859 project request will be denied without prejudice.

3860

3861 To prevent wetlands loss, the Commission shall require applicants to avoid wetlands alteration wherever
3862 feasible, to minimize wetlands alteration, and where alteration is unavoidable, to incorporate mitigation
3863 measures into the project design.

3864

3865 A permit shall expire three years from the date of issuance. Notwithstanding the above, the Commission
3866 in its discretion may issue a permit expiring five years from the date of issuance for recurring or
3867 continuous maintenance work, provided that annual notification of time and location of work is given to
3868 the Commission. Any permit may be renewed for up to three years, unless otherwise set by the

3869 Commission, provided that a request for a renewal is received in writing by the Commission one month
3870 prior to expiration.

3871
3872 For good cause the Commission may revoke a permit or determination issued under this bylaw after
3873 notice to the holder of the permit or determination, notice to the public, abutters, and town boards,
3874 pursuant to Paragraphs F. and G., and a public hearing.

3875
3876 The Commission in an appropriate case may combine the permit or determination issued under this bylaw
3877 with the Order of Conditions or Determination of Applicability issued under the Wetlands Protection Act,
3878 G.L.C. 131, Sec. 40, and Regulations 310, CMR 10.00.

3879
3880 No work proposed in any permit application shall be undertaken until the permit issued by the
3881 Commission with respect to such work has been recorded in the Registry of Deeds or, if the land affected
3882 is registered land, in the registry section of the land court for the district wherein the land lies, and until
3883 the holder of the permit certifies in writing to the Commission that the permit has been recorded.

3884
3885 **ART. 7.31. SECTION 10. Security**

3886 As part of a permit issued under this bylaw, the Commission may require, in addition to any security
3887 required by any other town or state board, commission, agency or officer, that the performance and
3888 observance of the conditions imposed hereunder be secured wholly or in part by one or more of the
3889 methods described below:

3890
3891 i. by a proper bond or deposit of money or negotiable securities, sufficient in the opinion of the
3892 Conservation Commission to secure performance of the conditions and observance of the
3893 safeguards of such permit, to be released upon the issuance of a certificate of compliance for
3894 work performed pursuant to the permit; or,

3895
3896 ii. by a conservation restriction, easement, or other covenant enforceable in a court of law,
3897 executed and duly recorded by the owner of record, running with the land to the benefit of the
3898 Commission whereby the permit conditions shall be performed and observed before any lot may
3899 be conveyed other than by mortgage deed.

3900
3901 **ART. 7.31. SECTION 11. Regulations**

3902 The Commission shall promulgate after due notice and public hearing Rules and Regulations to effectuate
3903 the purposes of this bylaw. Failure by the Commission to promulgate such rules and regulations or a
3904 legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this
3905 bylaw.

3906
3907 At a minimum these regulations shall define key terms in this bylaw not inconsistent with the bylaw and
3908 procedures governing the amount and filing of fees.

3909
3910 **ART. 7.31. SECTION 12. Enforcement**

3911 No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by
3912 this bylaw, or cause, suffer, or allow such activity to continue or allow such fill or other alteration to be
3913 left in place, without the required authorization pursuant to this bylaw.

3914
3915 The Commission, its agents, officers, and employees shall have authority, with prior approval from the
3916 property owner or pursuant to court process, to enter upon privately owned land for the purpose of
3917 performing their duties under this bylaw and may make or cause to be made such examinations, surveys,
3918 or sampling as the Commission deems necessary.

3919
3920 The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder
3921 by violation notices, administrative orders, and civil and criminal court actions. Any person who violates

3922 provisions of this bylaw may be ordered to restore the property to its original condition and take other
3923 action deemed necessary to remedy such violations.

3924
3925 Upon request of the Commission, the Town Administrator and the Town Counsel shall take legal action
3926 for enforcement under civil law. Upon request of the Commission, the Chief of Police shall take legal
3927 action for enforcement under criminal law. [amended ATM 6-8-15, art. 33]

3928
3929 Municipal boards and officers, including any police officer or other officer having police powers, shall have
3930 authority to assist the Commission in enforcement.

3931
3932 Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders
3933 issued thereunder, shall be punished by a fine in the amount specified in ART. 4.70, SECTION 7.B. Each
3934 day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains
3935 in place, shall constitute a separate offense, and each provision of the bylaw regulations, permits, or
3936 administrative orders violated shall constitute a separate offense. [amended ATM 6-8-15, art. 34]

3937
3938 As an alternative to criminal prosecution in a specific case, the Commission may issue citations under the
3939 non-criminal disposition procedure set forth in M.G.L. c. 40, s. 21D.

3940
3941 **ART. 7.31. SECTION 13. Appeals**

3942 A decision of the Commission shall be reviewable in the Superior Court in an action filed within 60 days
3943 thereof, in accordance with General Laws chapter 249, Section 4.

3944
3945 **ART. 7.31. SECTION 14. Relations to Wetlands Protection Act**

3946 This Bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home
3947 Rule statutes, independent of the Wetlands Protection Act, G.L.C. 131, Sec. 40, and regulations 310, CMR
3948 10.00, thereunder.

3949
3950
3951 **ARTICLE 7.40. Open Space Committee**

3952 [amended ATM 6-9-14, art. 21]

3953
3954 **ART. 7.40. SECTION 1. General**

3955 **A.** There shall be a standing *committee* to be known as the "Open Space Committee."

3956
3957 **B.** Such Committee shall be appointed by the Board of Selectmen, and shall consist of seven (7) full
3958 members and two (2) alternate members.

3959
3960 **ART. 7.40. SECTION 2. Role and Responsibilities**

3961 **A.** The primary purpose of the Open Space Committee shall be to promote the preservation of land
3962 in the Town of Wrentham as Open Space.

3963
3964 **B.** Other areas of responsibility include but are not limited to the following:

3965
3966 **i.** The Committee shall make recommendations to the Board of Selectmen regarding any
3967 parcels of land which become available to the Town under the provisions of Chapters 61,
3968 61A, or 61B.

3969
3970 **ii.** The Committee may make recommendations to the Town regarding the financing and
3971 facilitating of open space preservation, in the best interest of the Town.

3972
3973 **iii.** The Committee may make recommendations to the Town regarding bylaws and zoning
3974 bylaws, as they relate to open space preservation.

3975
3976
3977
3978
3979
3980
3981
3982
3983
3984
3985
3986
3987
3988
3989
3990
3991
3992
3993
3994
3995
3996
3997
3998
3999
4000
4001
4002
4003
4004
4005
4006
4007
4008
4009
4010
4011
4012
4013
4014
4015
4016
4017
4018
4019
4020
4021
4022
4023
4024
4025
4026

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

[STM 10/15/01]

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.**

4027 The application shall include all current Field Cards from the Board of Assessors for the
4028 subject property, as well as a description of the demolition intended, including a list of all
4029 structures or portions thereof to be demolished.

4030
4031 **2.** Within thirty (30) days from the Building Inspector's receipt of a complete demolition permit
4032 application, the Commission shall determine whether the structure is historically or
4033 architecturally significant. If the Commission determines the building or structure **is not**
4034 considered significant, the Commission shall so notify the Inspector in writing and the
4035 Inspector may issue a demolition permit.

4036
4037 **3.** If the building or structure **is** determined to be significant, the Commission shall so notify the
4038 owner and the Inspector in writing, and the Inspector shall not issue a demolition permit for
4039 a period of twelve (12) months from the date of the application, unless the Commission
4040 informs the Inspector prior to the expiration of said twelve (12) months that the applicant for
4041 the demolition has made a reasonable but unsuccessful effort to locate a purchaser for the
4042 building or structure, or one who is willing to preserve, rehabilitate or restore the building or
4043 structure, or has agreed to accept a demolition permit on specified conditions approved by
4044 the Commission. If the Commission does not determine that the building or structure is
4045 considered significant within 30 days of the Building Inspector's receipt of a complete
4046 demolition permit application, the Inspector may issue a demolition permit.

4047
4048 **D. Emergency Demolition**

4049 Nothing in this bylaw shall restrict the Building Inspector from immediately ordering the
4050 demolition of any building or structure in the event of an imminent danger to the safety of the
4051 public.

4052
4053 **E. Enforcement and Remedies**

4054 **1.** The Building Inspector and/or the Commission, as well as the Town, are authorized to
4055 institute any and all actions and proceedings, in law or equity, as they may deem necessary
4056 and appropriate to obtain compliance with the requirements of this bylaw or to prevent a
4057 threatened violation thereof.

4058
4059 **2.** No building permit shall be issued with respect to any premises upon which a building fifty
4060 (50) years or older has been voluntarily demolished with disregard for the provisions of the
4061 bylaw, for a period of three (3) years after the date of the cessation of such demolition. As
4062 used herein, "premises" refers to the land contained within the parcel upon which the
4063 demolished building or structure was located and the land contained within all adjoining
4064 parcels under common ownership or control, whether subdivided or re-divided.

4065
4066 **3.** No permit for the erection of a new structure on the site of an existing building determined
4067 to be a preferably-preserved significant building or structure may be issued prior to issuance
4068 of a permit for demolition of such existing buildings.

4069
4070 **F. Appeal**

4071 Appeal from decisions or determinations of the Commission or Inspector may be made to the
4072 Zoning Board of Appeals.

4073
4074
4075

4076 **ARTICLE 7.70. Board of Health**
4077

4078 **ART. 7.70. SECTION 1. Building on Shores of Lakes Pearl, Archer and Mirror**

4079 No building permit, foundation permit, or special building permit shall be issued nor shall any work which
4080 is the subject of such permits, be performed on any property along the shore line of Lake Pearl, Lake
4081 Archer, Mirror Lake without prior approval of the Wrentham Board of Health. The Board of Health shall
4082 not give approval unless, in its opinion, the sewage disposal system is adequate to serve any existing
4083 uses as well as the proposed use without violation of town and state health and environmental
4084 regulations in effect at the time of application for the proposal.
4085

4086 **ART. 7.70. SECTION 2. Enforcement and Penalties of Rules and Regulations**

4087 Any rule or regulation promulgated by the Board of Health pursuant to G.L. c. 111, §31 or any other
4088 provision of the General Laws, and for which a specific penalty of not more than \$300 is provided in such
4089 rule or regulation, may be enforced by the non-criminal disposition provisions of G.L. c. 40, §21D. Any
4090 member of the Board of Health, an agent of the Board of Health, or any duly appointed member of the
4091 Wrentham Police Department taking cognizance of a violation of a rule or regulation of the Board of
4092 Health, as an alternative to initiating criminal proceedings, may give to the offender written notice of said
4093 violation in the form specified in M.G.L. c. 40, s. 21D, and the violation shall be disposed of as provided in
4094 that statute. (ATM 4/28/03)
4095

4096 **ART. 7.70. SECTION 3. Carting Materials on the Streets of the Town**

4097 No person shall cart or convey garbage, manure, swill, rubbish, or filth of any kind nor any noxious or
4098 refuse liquid or solid matter or substance in any public street or place, excepting in the manner provided
4099 by the Board of Health.
4100

4101 **ART. 7.70. SECTION 4. Reduction of Single-Use Plastic Bags [amended STM 11/4/19, art.**
4102 **16]**
4103

4104 **A. Intent and Purpose**

4105 This Bylaw is enacted for the purpose of eliminating the usage of thin-film single-use plastic bags by
4106 all retail establishments at the point of sale and promote the use of reusable check-out bags to help
4107 reduce the deterioration of the environment and the ensuing potential health risks.
4108

4109 **B. Definitions**

- 4110 **1.** Plastic Check-Out Bag: A plastic check-out bag is a thin film plastic bag, typically with handles,
4111 constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low
4112 density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or
4113 polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than
4114 4.0 mils in thickness provided to a customer by a retail establishment and used to transport
4115 merchandise from the establishment. Plastic check-out bags do not include those plastic bags
4116 typically without handles used to contain dry cleaning, newspapers, or small bags used to
4117 contain fish, meat, produce or other products provided to the consumer, free of charge, to
4118 deliver the items to the point of sale.
4119
- 4120 **2.** Reusable Check-Out Bag: "Reusable Check-out bag" shall mean a sewn bag with
4121 stitched handles that is specifically designed for multiple reuse and that
4122
- 4123 **i)** can carry 25 pounds over a distance of 300 feet;
 - 4124 **ii)** is machine washable; and,
 - 4125 **iii)** is either made of natural fibers (such as cotton or linen); or made of durable, non-toxic
4126 plastic other than polyethylene or polyvinyl chloride that is generally considered a food-
4127 grade material that is more than 4 mils thick.
4128

4129
4130
4131
4132
4133
4134
4135
4136
4137
4138
4139
4140
4141
4142
4143
4144
4145
4146
4147
4148
4149
4150
4151
4152
4153
4154
4155
4156
4157
4158
4159
4160
4161
4162
4163
4164
4165
4166
4167
4168
4169
4170
4171
4172
4173
4174
4175
4176
4177
4178
4179
4180

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]

4181 **ART. 7.80. SECTION 1. General**

- 4182 **A.** There shall be a standing *committee* known as the Economic Development Commission as
4183 authorized by M.G.L, c. 40, s. 8A.
4184
4185 **B.** The Commission shall be comprised of seven (7) members who shall be appointed by the Board
4186 of Selectmen. The term of appointment shall be five (5) years.
4187

4188 **ART. 7.80. SECTION 2. Role and Responsibility**

- 4189 **A.** The Commission shall enhance Wrentham's economy by investigating current economic
4190 conditions and assisting the Town with the formation and execution of appropriate economic
4191 development and marketing opportunities.
4192

4193 The Commission shall:

- 4194 **i.** serve as a resource for the Town's *elected boards, committees,* and staff with respect to
4195 economic development opportunities, strategic planning initiatives and other matters
4196 impacting economic development;
4197
4198 **ii.** coordinate economic development activities amongst such organizations; and,
4199
4200 **iii.** provide recommendations on specific economic development proposals when the
4201 Commission deems it to be in the best interests of the Town residents to provide such
4202 recommendations.
4203
4204

4205 **ARTICLE 7.90. Community Preservation Committee** [added STM 11-14-16, art. 18]
4206

4207 **ART. 7.90. SECTION 1. General**

4208 Under the provisions of the Massachusetts Community Preservation Act (Sections 3 through 7 inclusive
4209 of M.G.L., Chapter 44B), there is hereby established in the Town of Wrentham a Committee to be known
4210 as the "Community Preservation Committee".
4211

4212 **ART. 7.90. SECTION 2. Role and Responsibility**

- 4213 **A.** Such Committee shall consist of nine (9) members as described below:
4214
 - 4215 • one member of the Conservation Commission established under Section 8C of M.G.L.,
4216 Chapter 40, as designated by that commission
 - 4217 • one member of the Historical Commission established under Section 8D of said Chapter 40,
4218 as designated by that commission
 - 4219 • one member of the Planning Board established under Section 81A of M.G.L., Chapter 41 and
4220 Article 3, Section 3.7 of the Charter of the Town of Wrentham, as designated by that board
 - 4221 • one member of the Board of Park Commissioners established under Section 2 of M.G.L.,
4222 Chapter 45, as designated by the Board of Selectmen in their role as the Board of Park
4223 Commissioners
 - 4224 • one member of the Housing Authority established under Section 3 of M.G.L., Chapter 121B
4225 and Article 3, Section 3.10 of the Charter of the Town of Wrentham, as designated by that
4226 authority
 - 4227 • one member of the Open Space Committee established under Article 7.40 of these bylaws, as
4228 designated by that committee
 - 4229 • one member of the Recreation Commission established under Article 8.30 of these bylaws, as
4230 designated by that committee
 - 4231 • two (2) at-large citizen members, who shall not be paid employees of the Town nor members
4232 of any Town body which designates or appoints members to this Committee, appointed by the
4233 Board of Selectmen

4234 **B.** The designees of the above-listed municipal entities shall be appointed forthwith to the
4235 Committee by the Board of Selectmen.
4236

4237 All terms shall expire on June 30. Each Committee member's term shall be for three years,
4238 except for the Committee's initial appointments, which shall be as stated below, so as to have an
4239 equal number of terms expiring each year:
4240

- 4241 • the initial appointment of the Conservation Commission member, the Historical Commission
4242 member and the Planning Board member shall each be for three years
- 4243 • the initial appointment of the Board of Park Commissioners member, the Housing Authority
4244 member and one at-large citizen member shall each be for two years
- 4245 • the initial appointment of the Open Space Committee member, the Recreation Committee
4246 member and one at-large citizen member shall each be for one year
4247

4248 The initial appointments of the Committee shall be made in accordance with Section F of this
4249 Article. The tenure of any initial term beginning less than 180 days prior to June 30 shall be
4250 calculated as if starting on July 1, so that, for example, a member appointed in April for an initial
4251 one-year term may serve that term until June 30 of the following year.
4252

4253 At the initial appointment, the Board of Selectmen shall assign to one Committee member the
4254 responsibility to call the Committee to its initial meeting.
4255

4256 If a designating body's member leaves the Committee for any reason, the designating body shall
4257 within thirty days submit to the Board of Selectmen the name of one of its members as a
4258 replacement to serve for the remainder of the unexpired term. The Board of Selectmen shall
4259 forthwith appoint the replacement to the Committee. The Board of Selectmen shall similarly
4260 appoint a replacement for a departing at-large citizen member to serve the remainder of that
4261 member's unexpired term.
4262

4263 **C.** The Community Preservation Committee shall study the needs, possibilities, and resources of the
4264 Town regarding community preservation. The Committee shall consult with existing municipal
4265 boards, including the Conservation Commission, the Historical Commission, the Planning Board,
4266 the Board of Park Commissioners, the Open Space Committee, the Recreation Committee and
4267 the Housing Authority. As part of its study, the Committee shall hold one or more public
4268 informational hearings each year on the needs, possibilities and resources of the Town regarding
4269 community preservation possibilities and resources, notice of which shall be posted publicly and
4270 published for each of the two weeks preceding a hearing in a newspaper of general circulation in
4271 Wrentham.

4272 **D.** The Community Preservation Committee shall make recommendations to Town Meeting for the
4273 acquisition, creation and preservation of open space; for the acquisition, preservation,
4274 rehabilitation and restoration of historic resources; for the acquisition, creation, preservation,
4275 rehabilitation and restoration of property for recreational use; for the acquisition, creation,
4276 preservation and support of community housing; and for the rehabilitation or restoration of open
4277 space and community housing that is acquired or created as provided in this section. With
4278 respect to community housing, the Committee shall recommend, wherever possible, the reuse of
4279 existing buildings or construction of new buildings on previously developed sites.

4280 The Community Preservation Committee may include, in its recommendation to the Town
4281 Meeting, a recommendation to set aside for later spending funds for specific purposes that are
4282 consistent with community preservation but for which sufficient revenues are not then available in
4283 the Community Preservation Fund to accomplish that specific purpose, or to set funds aside for
4284 later spending for general purposes that are consistent with community preservation. The
4285 Committee may recommend the issuance of general obligation bonds or notes in anticipation of
4286 revenues to be raised pursuant to the Massachusetts Community Preservation Act.

4287
4288 In every fiscal year, the Community Preservation Committee shall recommend in accordance with
4289 M.G.L., Chapter 44B, either that Town Meeting spend, or set aside for later spending, not less
4290 than ten percent (10%) of the annual revenues of the Town's Community Preservation Fund in
4291 each of the following areas: (a) open space and land for recreational use, (b) historic resources,
4292 and (c) community housing.

4293
4294 No expenditures shall be made from the Community Preservation Fund without the approval of
4295 Town Meeting. Town Meeting may not appropriate or reserve any Community Preservation Fund
4296 monies on its own initiative without a prior recommendation by the Committee. Town Meeting
4297 may, however, approve such additional non-Fund appropriations as it deems appropriate to carry
4298 out the recommendation of the Committee. Subject to and without limitation of the foregoing, in
4299 performing the duties and responsibilities of the legislative body as set forth in the Community
4300 Preservation Act, Town Meeting shall, in its sole and absolute discretion, have the power and
4301 authority to accept, reject or modify, in whole or in part, any recommendation by the Community
4302 Preservation Committee.

4303
4304 The Community Preservation Committee shall submit a recommendation for Town Meeting
4305 approval for annual administrative and operating expenses for the Committee, in an amount not
4306 to exceed five percent (5%) of the annual revenues of the Community Preservation Fund.

4307
4308 The Committee shall comply with the provision of the Open Meeting Law (G.L. c.39, s23B). The
4309 Committee shall keep a full and accurate account of all of its actions including its
4310 recommendations and the action taken on them, and records of all appropriations or expenditures
4311 made from the Community Preservation Fund. The records of the Committee shall be public
4312 records, to the full extent provided by law.

4313
4314 **E. Requirement for a Quorum and Cost Estimate Requirement**

4315
4316 The Community Preservation Committee shall not meet or conduct business without the
4317 presence of a quorum. A majority of the members of the Committee shall constitute a quorum.
4318 The Committee shall approve its actions by majority vote of the quorum. Recommendations to
4319 Town Meeting shall include anticipated costs of the proposed appropriation and a description of
4320 the project.

4321
4322 **F. Amendments**

4323
4324 This section may be amended from time to time by a majority vote of Town Meeting, provided that
4325 such amendment would not cause a conflict to occur with M.G.L., Chapter 44B.

4326
4327 **G. Severability**

4328
4329 In case any section, paragraph or part of this bylaw be for any reason declared invalid or
4330 unconstitutional by any court of last resort, every other section, paragraph or part shall continue
4331 in full force and effect.

4332
4333 **H. Effective Date**

4334
4335 This bylaw shall take effect after all requirements of M.G.L., Chapter 40, Section 32 have been met,
4336 including approval by the Attorney General of the Commonwealth, and the acceptance of M.G.L.,
4337 Chapter 44B, Sections 3 through 7 inclusive, by the Town at a town-wide election. Each designating
4338 body shall make its initial designation within sixty days after the later of approval of this bylaw by the
4339 Attorney General, or acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, at a town-
4340 wide election. The Board of Selectmen shall appoint said designees and the citizen members at-
4341 large within ninety days after the later of approval of this bylaw by the Attorney General, or
4342 acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, at a town-wide election.

4343
4344
4345
4346

TITLE VIII: HUMAN SERVICES

4347
4348
4349
4350
4351
4352
4353
4354
4355
4356
4357
4358
4359
4360
4361
4362
4363
4364
4365
4366
4367
4368
4369
4370
4371
4372
4373
4374
4375
4376
4377
4378
4379
4380
4381
4382
4383
4384
4385
4386
4387
4388
4389
4390
4391
4392
4393
4394
4395
4396
4397
4398
4399

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 to 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]

4400 **ARTICLE 8.40. Commission on Disability**
4401 [M.G.L. c. 40, s. 8J accepted by town meeting 4/28/03, however, Town Meeting did not act to amend the
4402 General Bylaws.; added ATM 6-9-14, art. 18]
4403

4404 **ART. 8.40. SECTION 1. General**

- 4405 **A.** There shall be a standing *committee* known as the Disability Commission as authorized by M.G.L.
4406 c. 40, s. 8J.
4407
- 4408 **B.** The Commission shall be comprised of five members who shall be appointed by the Board of
4409 Selectmen. The Board of Selectmen may vote to appoint up to four additional members,
4410 however, having done so, whenever any position remains vacant for more than sixty (60) days
4411 that position shall be discontinued without further action and may be reauthorized later by the
4412 Board of Selectmen. A majority of said Commission members shall consist of people with
4413 disabilities, one member shall be a member of the immediate family of a person with a disability
4414 and one member of said Commission shall be either an elected or appointed official.
4415

4416 **ART. 8.40. SECTION 2. Role and Responsibilities**

- 4417 **A.** The Commission shall coordinate or carry out programs that are designed to bring about full
4418 integration and participation of people with disabilities in the Town.
4419
- 4420 **B.** The Commission shall act as a centralizing force in the Town of Wrentham by providing
4421 information, referral, guidance, coordination, and technical assistance to public and private
4422 agencies, individuals, organizations and institutions engaged in activities and programs intended
4423 to eliminate discrimination against persons with disabilities.
4424
- 4425 **C.** The Commission shall also take such action as the Commission considers appropriate to ensure
4426 the equal access status of persons with disabilities, including:
4427
- 4428 **i.** encouraging public awareness of disability issues;
 - 4429
 - 4430 **ii.** collaborating with other boards, *committees*, and departments of the Town to bring about
4431 maximum participation of people with disabilities; and to assure that the services and
4432 programs of every agency of the Town of Wrentham that serves persons with disabilities
4433 are fully coordinated and delivered effectively and efficiently;
 - 4434
 - 4435 **iii.** initiating, promoting and monitoring promoting legislation at the town, state and federal
4436 level which advances the equal status of people with disabilities and ensure that
4437 appropriate regulations are adopted and enforced pursuant to such legislation.
4438
4439

4440 **ARTICLE 8.50. Library Trustees [reserved]**
4441
4442

4443 **ARTICLE 8.60. Cultural Council**

4444 [added ATM 6-9-14, art. 18]
4445

4446 **ART. 8.60. SECTION 1. General**

- 4447 **A.** There shall be a standing *committee* known as the Cultural Council as authorized by M.G.L, c. 10,
4448 s. 58.
4449
4450

- 4451 **B.** The Council shall be comprised of five (5) members who shall be appointed by the Board of
4452 Selectmen. The Board of Selectmen may vote to appoint up to seventeen (17) additional
4453 members, however, having done so, whenever any position remains vacant for more than sixty
4454 (60) days that position shall be discontinued without further action and may be reauthorized later
4455 by the Board of Selectmen.
4456

4457 **ART. 8.60. SECTION 2. Role and Responsibility**

- 4458 **A.** The Council shall conduct activities to promote and encourage the arts.
4459
4460 **B.** The Council may decide the distribution of arts lottery funds.
4461

4462
4463 **ARTICLE 8.70. Historical Commission**

4464
4465 [M.G.L. c. 40, s. 8D was accepted under Art. 49, ATM, March 28, 1967. However, Town Meeting's action
4466 did not include amending the General Bylaws.; added ATM 6-9-14, art. 18]
4467

4468 **ART. 8.70. SECTION 1. General**

- 4469 **A.** There shall be a standing *committee* known as the Historical Commission as authorized by M.G.L.,
4470 c. 40, s. 8D.
4471
4472 **B.** The Committee shall consist of seven (7) members who shall be appointed by the Board of
4473 Selectmen.
4474

4475 **ART. 8.70. SECTION 2. Role and Responsibility**

4476 The Commission shall act to preserve, protect and develop the historical or archeological assets of the
4477 Town.
4478

4479
4480 **ARTICLE 8.80. Elderly and Disabled Tax Aid Committee**

4481
4482 [M.G.L. Chapter 60, Section 3D was accepted by Town Meeting on June 14, 2004, however, Town
4483 Meeting's action did not include amending the General Bylaws.; added ATM 6-9-14, art. 18]
4484

4485 **ART. 8.80. SECTION 1. General**

- 4486 **A.** There shall be a standing *committee* known as the Elderly and Disabled Tax Aid Committee as
4487 authorized by M.G.L., c. 60, s. 3D.
4488
4489 **B.** The Committee shall consist of the chair of the Board of Assessors, the Treasurer and three
4490 residents of the city or town who shall be appointed by the Board of Selectmen, and the Director
4491 of the Council on Aging or his/her designee.
4492

4493 **ART. 8.80. SECTION 2. Role and Responsibility**

4494 The Committee shall carry out the provisions of M.G.L. c. 60, s. 3D to provide aid to elderly or disabled
4495 persons of low income to defray real estate taxes. In doing so, the Committee may seek input from the
4496 senior manager of other appropriate town departments and *committees*, such as the Council on Aging,
4497 Veterans, and Public Health Nurses.
4498
4499
4500

TITLE IX: EDUCATION

4501
4502
4503
4504
4505
4506
4507
4508
4509
4510
4511
4512
4513
4514
4515
4516
4517
4518
4519
4520
4521
4522
4523
4524
4525
4526
4527
4528
4529
4530

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]

4531 **APPENDIX A. STYLE OF CODIFICATION**

4532

4533 **ARTICLE 1.00**

4534

4535 **ART. 1.00, SECTION 1.**

4536 Paragraph A.

4537 Sub-Paragraph 1.

4538 Second Sub-Paragraph (a)

4539

4540 Third Sub-Paragraph (1)

4541

4542 Fourth Sub-Paragraph [A]

4543

4544 Lower case roman numerals (i. ii. iii.) are used to enumerate items in lists regardless of the level at

4545 which the list appears in the outline.

4546

4547 The legislative history including the date and article number of any action by Town Meeting is shown

4548 following the relevant article, section, or paragraph in the following format: [added/amended ATM 5-10-

4549 98, art. 12]

4550

4551

4552 -- Example --

4553

4554 **TITLE 7. DEVELOPMENT AND LAND USE**

4555

4556 **ARTICLE 7.40. Open Space Committee**

4557

4558 **ART. 7.40. SECTION 1. GENERAL**

4559 There is hereby established in the Town of Wrentham a committee to be known as the "Open Space

4560 Committee." Such committee shall be appointed by the Board of Selectmen, and shall consist of seven

4561 (7) full members and two (2) alternate members. Members shall be appointed for one-year terms which

4562 shall expire upon the opening session of the next Annual Town Meeting.

4563

4564 **ART. 7.40. SECTION 1. ROLE AND RESPONSIBILITIES**

- 4565 **A.** The Committee shall have the authority to expend any funds entrusted to them, subject to
- 4566 any conditions attached thereto.
- 4567
- 4568 **B.** The primary purpose of the Open Space Committee shall be to promote the preservation of
- 4569 land in the Town of Wrentham as Open Space.
- 4570
- 4571 **C.** Other areas of responsibility include but are not limited to the following:
- 4572
- 4573 **i.** The committee shall make recommendations to the Board of Selectmen regarding any
- 4574 parcels of land which become available to the Town under the provisions of Chapters 61,
- 4575 61A, or 61B.
- 4576
- 4577 **ii.** The committee may make recommendations to the Town regarding the financing and
- 4578 facilitating of open space preservation, in the best interest of the Town.
- 4579
- 4580 **iii.** The committee may make recommendations to the Town regarding bylaws and zoning
- 4581 bylaws, as they relate to open space preservation.

APPENDIX B. ACCEPTED STATUTES AND HOME RULE PETITIONS

Not an official record.

Chapter & Section	Amended By	Acts of	Date of Town Meeting	Action	Topic
23		1917		Accepted	Licensing coffee house
25		1939	3/6/1939	Accepted	Wrentham Cemetery
	R.L. 28			Accepted	Public parks
50		P.S.		Accepted	Sidewalks
59		1916		Accepted	Town meetings
77		1937	3/7/1938	Accepted	Absentee Voting
86		1904	9/20/2005	No action	Water Supply
	R.L. 102			Accepted	Licensing groves for picnics
119		1959	3/26/1968	Accepted	Sheldon Cemetery Corp.
133		1992	6/28/1993	Accepted	Early retirement incentive programs for certain municipal emp.
153		1916		Accepted	Slaughter houses
166		1946		Accepted	Establish contributory retirement
209		1908		Accepted	Sprout land fires
217		1914		Accepted	Laborers vacations
240		1916		Accepted	Labor public employees
254		1917		Accepted	Salaries - municipal employees
281		1922		Accepted	Public ways
291		1907	6/6/1907	Accepted	Water supply by Town - amends 86 - 1904
291		1990	4/29/1991	Accepted	Enhance 9-1-1
293		1916		Accepted	Licensing motor vehicles for public hire
297		1954		Accepted	Establish Development and Industrial Commission
311		1919		Accepted	Continuation schools
366		1869		Accepted	Impounding cattle
391		1923		Accepted	Collection of water rates
397		1913		Accepted	Moderator - one year

399		1992	6/28/1993	Accepted	Retirement system funding schedule
486		1964	3/27/1967	Accepted	Pension increase - former public employees
486		1971	3/6/1972	Accepted	Beano
503		1912		Accepted	Pensioning laborers
548		1898	10/16/1899	Accepted	Ballots
598		1920		Accepted	Accounting system
635		1912		Accepted	Tenement houses
647		1960	3/13/1961	Accepted	Pension Increase - certain former public employees
688		1914		Accepted	Saturday half-holiday
790		1914	11/13/1914	Accepted	Party Enrollment
807		1913		Accepted	Workmen's Comp. (county)
C.31, ss. 48, 49			3/6/1950	Accepted	Police and Firemen
C.31, S.58A			11/12/2002	Accepted	Maximum age restriction for police officer appointments
C.32, ss. 1 through 28			11/8/1946	Accepted	Establish contributory retirement
C.32, S.4, Sd.2, P.B			10/2/1989	Accepted	Allow certain call firefighters credit for time spent in service to the Town if appointed a permanent member of Fire Dept.
C.32, S.22D			6/28/1993	Accepted	Establish retirement system funding schedule to reduce the to reduce unfunded actuarial liability of the system
C.32, S.56-6-			12/28/1945	Accepted by BOS	Pensions of veterans of Spanish and World Wars
C.32B			TM 3/6/56	Accepted	Group life, accidental death & dismemberment, group gen. Ins.
C.32B, S.7A			12/14/1987	Accepted	Town pay subsidiary or additional rate to health & group insurance in addition to 50% for employees
C.32B, S.7A			12/14/1988	Accepted	Contribution to health care for town employees
C.32B, S.8A			4/1/1974	Accepted	Group insurance, balance of group dividend
C.32B, S.9			3/5/1956	Accepted	Group insurance
C.32B, S.9A			3/7/1966	Accepted	Insurance premiums
C.32B, S.9D			4/1/1974	Accepted	Group health insurance, 1/2 to surviving spouse or retired emp
C.32B, S.9F			3/5/1973	Accepted	Group life insurance \$2000 group life, \$2000 accidental & dismem
C.32B, S.18			Adj.ATM 6/14/04	Accepted	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
C.39, S.20			9/24/1973	Accepted	Annual town meeting

C.40, S.4G			5/1/1984	Accepted	Increase Municipal bidding from \$2000 to \$4000
C.40, S.4H	C. 477	1984	5/7/1985	Accepted	Allow a municipality to purchase and enter into contracts, surplus
C.40, S.5D	C. 156	1985	6/10/1986	Accepted	Establish a pension reserve fund
C.40, S.6A				Accepted	Municipal advertising
C.40, S.6H	319	1961	1962	Accepted	Repairs on Private Ways
C.40, S.8			6/4/1962	Accepted	Zoning Ordinances
C.40, S.8A			3/14/1960	Accepted	Establish Development and Industrial Commission
C.40, S.8C	486	1971	5/28/72 - 1978	Accepted - Resc	Appoint Conservation Committee - <i>Beano</i>
C.40, S.8C			6/4/1962	Accepted	Establish Conservation Commission
C.40, S.8D			1977	Inoperative	Establish Historical Commission
C.40, S.8D			3/27/1967	Accept	Historical Commission
C.40, S.8G			2/24/1997	Accepted	Authorize Town to enter into agreements with other cities and towns providing for mutual aid between police departments
C.40, S.8J			ATM 4/28/03	Accepted	Establish a commission on disability
C.40, S.9				Accepted	American Legion headquarters
C.40, S.13			ATM 4/24/06	Accepted	Establish a municipal buildings insurance fund
C.40, S.22F			6/17/1992	Accepted	Fix reasonable fees for licenses, permits or certificates
C.40, S.46			5/1/1984	Accepted	Bid limit \$4000
C.40, S.57			11/18/1991	Accepted	Denial, revocation or suspension of licenses for failure to pay taxes
C.40, S.83			8/3/1992	Accepted	Creation of a disability commission
C.40A, S.8				Accepted	Zoning Ordinances - Reconsideration of proposed change in ordinance or bylaw after unfavorable action
C.41, S.7				Accepted	Official ballots
C.41, S.19K, 108P				Accepted	Election - town officers
C.41, S.19K, 108P			6/19/2000	Accepted	Allow additional Compensation for Town Clerk or Collector or Treasurer upon certification
C.41, S.21				Accepted	Selectmen to act as Board of Public Works
C.41, S.23A				Accepted	Establish Executive Secretary of Wrentham
C.41, S.69B			12/11/1989	Accepted	Allow town water operations to be accounted for as special revenue fund effective 7/1/90

C.41, S.69C-69F			3/9/1972	Accepted	Establishment of a Board of Public Works
C.41, S.81U, P.12			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
C.41, S.100B			5/27/1987	Accepted	Indemnification of retired police/firefighters for certain hosp exp
C.41, S.108L			11/20/1995	Accepted	Establish Career Incentive Program in Police Dept.
C.41, S.110A			3/12/1963	Accepted	Public offices/closed Saturdays
C.42, S.21			3/6/1972	Accepted	Selectmen to act as Board of Public Works
C.42, S.23A			3/14/1960	Accepted	Establish Executive Secretary of Wrentham
C.44, S.35			3/7/1939	Accepted	Annual audits
C.44, S.53C			4/2/1973	Accepted	Revolving fund
C.44, S.53D			5/4/1991	Accepted	Establish Recreation self-supporting service revolving fund
C.44, S.53E			ATM 4/25/05	Accepted	Establish offset fund for partially funding curbside collection of solid waste
C.44,S.53F 1/2			ATM 4/27/09	Accepted	Water Dept. - Enterprise Fund (effective FY10)
C.44, S.65			3/12/1962	Accepted	Advance Vacation Pay to officers
C.44B, S.3-7			STM 11/14/05	Accepted	Accept Massachusetts Community Preservation Act
C.48, S.42-44			4/20/1982	Accepted	Strong Chief
p.s.50				Accepted	Sidewalks
C.54, S.16A			ATM 4/25/05	Accepted	Fill a vacancy of an election officer at the opening of the polls
C.59, S.2A			3/26/1992	Accepted	Allow Assessors to include value of bldgs. and fixtures added between Jan. 1 and July 1 in assessments following FY
C.59, S.5	C.170, S.5	1981	6/8/1982	Accepted	Relative to exemption for elderly persons, surviving spouses & minors
C.59, S.5, Cl. 17D	C. 73	1986	10/20/1987	Accepted	Easing requirements on assessment for elderly & minor children
C.59, S.5, Cl.41B			5/7/1985	Accepted	Granting an exemption under certain qualifying conditions for real estate taxes for persons of 70 years prior to July 1
C.59, S.5, Cl.41C	C.73	1986	10/20/1987	Accepted	Concerning elderly assessment
C.59, S.5, Cl.41C	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

C.59, S.5, Cl.54		2000	4/29/2002	Accepted	Accepting a small personal property account exemption minimum of \$2500 of the full and fair cash value
C.59, S.5C, 141B			5/7/1985	Accepted	Real estate tax exemption for persons over 70
C.59, S.5K			11/10/2003	Accepted	Program for persons over age 60 to provide volunteer services to town in exchange for reduction in real property tax obligations
C.59, S.5L	s. 12, C. 260 of	2006	5/14/2007	Accepted	taxes of National Guard and Reserve members
C.59, S.57B			5/24/1988	Accepted	Payment of property taxes for \$50 or less
C.59, S.57C			3/26/1992	Accepted	Authorize Tax Collector to send out tax bills quarterly
C.60, S.3C			STM 6/14/04	Accepted	Establish a Local Educational Fund
C.60, S.3C			STM 6/14/04	Accepted	Establish a Scholarship Fund
C.60, S.3D			STM 6/14/04	Accepted	Establish Elderly and Disabled Taxation Fund
C.60, S.23B			STM 11/13/06	Accepted	Certificates of Lien
C.60, S.106	C. 55	1984	5/7/1985	Accepted	Allow real estate bills under \$25 to be made in one payment
C. 64G, S.3A			6/10/1986	Accepted	Imposition of a local excise tax of 4% on motels/hotels
C.64G, S.3A			ATM 4/28/03	Accepted	Impose local excise tax of 4% on total amount of rent for rooms in B&B, hotel, lodging house or motel
C.71, S.71E			10/5/1981	Accepted	Moneys received by school committee from adult education
C.79		2006	11/13/2006	<i>Rejected</i>	Adjudicatory hearings votes
C.90, S.20C			6/8/1974	Accepted	Parking violations
C.90, SS.10A, 20C, 20D, 20E			10/5/1981	Accepted	Parking violations
C. 90, SS. 20A, 20C, 20D, 20E			10/20/1987	Resc. 10/19/81	Fine schedule for parking violations
C.90, S.20A1/2			10/20/1987	Accepted	Fine schedule for parking violations, to be collected and returned to the Town, effective 1/1/88
C.133, S.48			6/28/1993	Accepted	Provides for an early retirement incentive program for certain municipal employees
C.136				Accepted	Sunday sports
C.137		2003	ATM 4/24/06	Accepted	Public employees serving in the armed forces
C.138			STM 11/8/10	Accepted	Sales of alcoholic beverages Sundays 10AM-12 noon

C.140, S.147A			9/26/1994	Accepted	Authorize Town to withdraw from County dog program effective 1/1/95, and assume full responsibility for licensing, control, and regulation of dogs
C.140, S.188			STM 3/28/05	Accepted	Picnic Groves - Grant of license, terms conditions & regulations
C.140, S.189			STM 3/28/05	Accepted	Picnic Groves - Maintenance of grove without license
C.140, S.190			STM 3/28/05	Accepted	Picnic Groves - Peddling, Selling, Gaming, Horse Racing, or Exhibitions near grove
C.147, ss.13A through 13C			10/30/1961	Accepted	Establish reserve police force
C.147, S.13C			3/12/1963	Rescind	Reserve police force
C.148, S.26C			1979	Accepted	Install automatic smoke or heat detectors in certain apartment houses, hotel, lodging houses
C.148, S.26G	S.26G & 2		5/23/1983	Accepted	Sprinklers in bldgs. More than 7500 sq. ft. require sprinklers
C.148, S.26H			10/1/1986	Accepted	Automatic sprinklers in lodging and boarding houses
C.148, S.26I			2/10/1990	Accepted	Require automatic sprinklers in residential bldgs with four or more units. Will not require sprinklers in existing structures.
C.149, S.33C			4/7/1969	Accepted	Overtime pay for certain town employees
C.149, S.148			5/27/1987	Accepted	Establish a Police Special Detail revolving fund
C.258, S.13			1980	Accepted	Indemnifying municipal officers
C.258, S.13			STM 10/20/87	Rescinded	Indemnifying municipal officers
C.262, S.34	C.329, S.73	1980	10/5/1981	Accepted	Adopt fee schedule
C.262, S.34	C.329, S.73	1980	10/5/1987	Accepted	Location of poles, piers, abuts
C.268A, S.20	C.612, S.12	1983	11/29/1983	Acc. by BOS	Exemption of call firemen as recommended by Chief McNamara
C.612, S.12			11/29/1983	Accepted	Call men
C.32577			11/5/1912	Accepted	Pensioning laborers
C.71521			11/4/1915	Accepted	Continuation School
C.152 369			11/4/1913	Accepted	Workmen's Comp. (county)
C.152 369			2/13/1915	Accepted	Workmen's Comp. (town)
C.413 110			11/3/1914	Accepted	Saturday 1/2 day holiday
		1935			Additional list of acceptance
		1963	3/11/1963	Accepted	Building Codes

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: _____