

By-Laws of the Town of Granville, MA

Article I – General Provisions

Section 1. These by-laws shall be known and designated as by-laws of the Town of Granville, Massachusetts.

Section 2. All by-laws or parts of by-laws heretofore adopted, which are inconsistent with the provisions of these by-laws are hereby repealed and annulled. But the provisions of these by-laws as far as the same are identical with the provisions of by-laws heretofore adopted shall be construed as a continuation thereof.

Section 3. The repeal of a by-law heretofore adopted shall not affect any act done; ratified or confirmed or any right accrued or established, nor any action suit or proceeding commenced nor affect any punishment, penalty, or forfeiture incurred under such by-law.

Section 4. These by-laws shall take effect when duly adopted by a Town Meeting, approved by the Attorney General of the Commonwealth of Massachusetts and published or posted pursuant to Section 32 of Chapter 40 of the General Laws or any act or acts amendatory thereof or supplementary thereto.

Article II – Town Meetings

Section 1. The annual Town Meeting shall be held on the first Monday in February of each year.

Section 2. Notice of the annual Town Meeting as well as all special meetings shall be given by posting attested copies of the warrant calling same, in at least three public places in Town, not less than seven days before date appointed for such meeting, and the return of the officer, stating the manner of notice, shall be endorsed on the warrant.

Section 3. All special meetings shall start at 8 o'clock P.M.

Article III – Town Meeting Procedure

Section 1. The moderator shall preserve decorum and order; may speak on points of order in preference to others, and shall decide all questions of order.

Section 2. When any voter shall require a question to be determined by yeas and nays, the moderator shall take the sense of the meeting in that manner, provided one-third of the voters are in favor of it.

Section 3. The Moderator shall propound all questions in the order in which they are moved, unless the subsequent motion be previous in its nature, except that in naming sums and fixing times the largest and longest sums shall be first.

Section 4. When a question is under debate the Moderator shall receive no question but to adjourn, to lay on the table for the previous question, to postpone to an hour certain, to amend or to postpone indefinitely: Which several motions shall have precedence in the order in which they stand arranged.

Section 5. When two or more persons arise at once the Moderator shall name the one who is to speak first.

Section 6. No voter shall speak more than three times on one question, without first obtaining leave of the meeting, no more than twice until others who have not spoken shall speak if they desire.

Section 7. All committees shall be appointed by the Moderator unless otherwise specially directed by the meeting.

Section 8. When any voter shall make a motion and such a motion shall be seconded by another the same shall be received and considered by the meeting and not otherwise.

Section 9. When a vote is passed it shall be in order for any one of the majority to move for a reconsideration thereof, and when a reconsideration is decided that decision shall not be reconsidered.

Section 10. No one shall be allowed to interrupt while another is speaking or pass unnecessarily between the Moderator and the speaker.

Section 11. Every motion shall be reduced to writing if the Moderator so desires.

Section 12. Any voter may call for a division of the question where the sense will permit it.

Section 13. No motion or proposition of a subject different from that under consideration shall be admitted under color or amendment.

Section 14. When a vote is doubted the voters for or against the question, when called on by the Moderator shall rise and stand until they shall be counted.

Section 15. Individuals while speaking shall stand uncovered and address the Moderator.

Section 16. Smoking shall not be permitted at any annual or special meeting.

Section 17. A motion to adjourn without date shall be debatable but a motion to adjourn to a day certain shall not be debatable.

Article IV – Selectmen

Section 1. The Selectmen shall have full authority as agents of the Town, acting on advise of special council to settle any claim or suit against the Town which in their judgment cannot be successfully defended, when the sum does not exceed five hundred dollars. Any settlement requiring the payment of a sum greater than five hundred dollars, except as authorized by law, shall be made only when so authorized by vote of the town.

Section 2. The Selectmen may appear in the interests of the Town, either personally or by special counsel before any court, committee of the Legislature, or any state or county board or commission. They shall have full authority as agents of the Town, acting upon advise of special counsel, to prosecute any and all necessary suits and proceedings in favor of the Town and to appear and defend any and all suits and legal proceedings against or involving the Town interests.

Section 3. The Selectmen shall have authority to make parking rules and set speed limits.

Article V

Section 1. No person not a resident of the Town can be employed in any capacity, on any project of the Town provided that there is a resident who is qualified and available for any position that may be open.

Article VI – Treasurer

Section 1. The Treasurer shall be custodian of all trust funds, deeds, bonds and insurance policies belonging to the Town, except the bond of the Treasurer which shall be in the custody of the chairman of the Board of Selectmen.

Article VII – Finance Committee

Section 1. The Moderator shall appoint a Finance Committee of five members for a term of three years from date of appointment or to fill any vacancies that may occur.

Section 2. It shall be the duty of the Finance Committee to make recommendations relative to all appropriations. They shall make a study of the estimated requirements submitted by the Board of Selectmen and all other department officials and publish their recommendations in the Town report.

Section 3. The recommendations of the Finance Committee shall stand as a motion before the meeting.

Section 4. The Finance committee shall require from the Selectmen, Assessors, School Committee or any other Town officials an itemized account of all expenditures; not later than December twenty-first of each year.

Section 5. A copy of the warrant calling any meeting shall be furnished the chairman of the Finance Committee at least seven days prior to the date of meeting as designated in the warrant.

Article VIII – Penalties

Section 1. Any person violating any section of the by-laws shall be subject to a fine of not more than twenty dollars.

The foregoing by-laws were approved by the Attorney General Devers, December 14, 1939.

Original by-laws listed in Town Report for year ending December 31, 1939 as adopted at special Town meeting July 31, 1939

Changes in by-laws as follows:

ANNUAL TOWN MEETING, FEBRUARY 10, 1941, ARTICLE 21

Voted to amend Section 1 of Article 2 of Town by-laws, to read as follows: The annual Town Meeting shall be held on second Monday of February.

ANNUAL TOWN MEETING, FEBRUARY 8, 1943, ARTICLE 14

Voted to have the following Article added to the Town by-laws: That twenty-five (25) voters shall constitute a quorum at any Town Meeting. A number less than a quorum may from time to time adjourn the same. This section shall not apply to such parts of meetings as are devoted exclusively, to the election of Town Officers.

ANNUAL TOWN MEETING, FEBRUARY 10, 1947, ARTICLE 8

Voted to amend the by-laws, to hold the annual Town Meeting on the first Monday in March instead of the second Monday in February.

ANNUAL TOWN MEETING MARCH 1, 1948, ARTICLE 24

Voted to amend the by-laws to conform with the provisions of Chapter 346, Section 1 of the Acts of 1941, Section 21, Chapter 90 of the General Laws as appearing in the Tercentenary Edition is hereby amended by inserting at the end of the following new clause (16): for authorizing the Superintendent of Streets or other officer having charge of ways for the purpose of removing or plowing snow or removing ice from any way to remove or cause to be removed to some convenient place including such term a public garage any vehicle interfering with such work and for imposing liability for the cost of such removal and of storage charge if any resulting there-from upon the owner for such vehicle, effective date, January 1, 1948.

ANNUAL TOWN MEETING MARCH 3, 1952

Voted to have the following added to the Town by-laws: the annual Town Caucus to nominate candidates to be voted upon at the annual election shall be held under Chapter 52 Section 121 of the General Laws. Said annual Caucus to take place on the First Monday in February of each year at 7:30 o'clock P.M.; polls to be opened from 7:30 P.M. to 9:00 P.M. and nominations shall be made on one ballot.

ANNUAL TOWN MEETING MARCH 1, 1954

Voted to have the following Article added to the Town by-laws: The Town Books shall be audited annually by the State Auditors.

SPECIAL TOWN MEETING APRIL 22, 1954

Voted: To hold the business portion of the Annual Town Meeting at 8 o'clock P.M. on the first Monday in March

ANNUAL TOWN MEETING MARCH 7, 1955

Voted: The Town to self-insure Laborers, Workmen and Mechanics as to include all employees regardless of nature of their duties, but not include members of the Police or Fire Forces.

Voted: to accept Section 103A Chapter 54 of the General Laws, which permits absent voting at city and town elections.

ANNUAL TOWN MEETING MARCH 5, 1956

Article 29 voted to amend by-laws to hold the business portion of the Annual Meeting at 7:00 P.M. on the first Monday in March.

SPECIAL TOWN MEETING DECEMBER 17, 1957

Article 6 Voted to notify voters by mail of Special Town Meetings

ANNUAL TOWN MEETING MARCH 6, 1967

Article 23 voted to accept the following addition to the Town by-laws: "No driveway of right of way shall be constructed or connected to any paved or traveled portion of a Town way until a written permit for the same is issued by the Board of Selectmen who shall see that the applicant shall make proper provisions for road drainage, grades, visibility, and any other conditions that they deem necessary for proper and safe use of a way." 2/3 majority.

ADJOURNED ANNUAL TOWN MEETING APRIL 1, 1974

Article 34 voted to amend the accepted by-laws of the Town of Granville, Article 2, Section 2, to read as follows: The Annual Town Caucus shall be held the 3rd Monday in March at 7:30 P.M., polls to be opened from 7:30 P.M. to 9:00 P.M.

Article 35 voted to amend that section of the by-laws accepted at the Annual Town Meeting, March 5, 1956; Article 29 to read as follows: voted to amend by-laws to hold annual Town Meeting at 7:00 P.M. the 2nd Monday of May.

JULY 30, 1973

Article 6. Voted to accept the following by-law: Pursuant to the provisions of the General Laws, Chapter 40, Section 8B, there is hereby established a Council of Ageing consisting of five (5) members to be appointed by the Board of Selectmen, from the voters and residents of the town and they shall be appointed ... Two members to be appointed for three years, two members for two years and one member for one year. The council shall annually elect its chairmen and other officers as it deems appropriate.

TOWN MEETING 1975

Article 36. Voted to amend the Town by-laws by adding the following: A single year's term of office for elected and appointed town officials for any given year shall be deemed to extend from immediately following the Annual Town Meeting at which time those newly elected and/or appointed officials may be sworn in, until the adjournments of the next Annual Town Meeting of the Following year.

113 – Yes; 1 – No; The Required 2/3 majority

Article 38. Voted to amend the accepted by-laws of the Town of Granville, Article VII, Section 4. The Finance Committee shall require from the Selectmen, Assessors, School Committee or any other town officials an itemized account of all expenditures; not later than 90 days prior to the Town Meeting.

118 – Yes; 0 – No;

TOWN MEETING 1983

Article 46: Voted to accept the following change in the by-laws: An Article or Articles with similar intent, voted down at an Annual Town Meeting shall not be brought up until the next Annual Town Meeting and this article only to be changed at an Annual Town Meeting.

SPECIAL TOWN MEETING APRIL 29, 1985

Article 9: Voted to amend the Granville Zoning by-laws by adding the following permitted use:

“That Section III 3-1B of the Zoning by-laws of the Town of Granville entitled “Permitted Uses of Special Authorization” be amended by adding at the end thereof the following new Permitted Use:

(9) The construction, maintenance, and operation of a Meat Packing and Processing Facility; provided, however that the construction, maintenance, and operation of any such facility be in compliance, with all state and federal laws, rules and regulations, including but not limited to the rules and regulations promulgated from time to time by the United States Department of Agriculture.”

67 – Yes; 12 – No; Passed with 2/3 vote

Article 10: Voted to amend the Granville Zone by-laws to read as follows:

“That Section III 3-1B of the Zoning by-laws of the Town of Granville entitled “Permitted Uses of Special Authorization” be amended by adding at the end thereof the following new Permitted Use:

(10) The Use of one or more rooms in a dwelling or other structure as the office of a physician, surgeon, dentist, attorney, or veterinarian. In such uses a professional sign of not more than six square feet in area attached to the dwelling or structure may be used”

78 – Yes; 2 – No; Passed with 2/3 vote

SPECIAL TOWN MEETING JUNE 13, 1988

Article 3: Voted to amend the Town by-laws with the following section
Ambulance Service

Section 1. Definitions. As used in this ordinance, the following words and phrases shall have the following meanings, unless the context clearly indicates a different meaning:

“Ambulance”: A vehicle which is designed to intended to be used in providing transportation of wounded, injured, sick, invalid or incapacitated human beings, or expectant mothers.

“Attendant”: A trained and qualified individual responsible for the operation of an ambulance and the care of the patients whether or not the attendant also serves a driver or operator, including emergency medical technicians as described under Section 8 of this ordinance.

Section 2. Purpose. This ordinance is for the purpose of providing adequate emergency transportation and emergency medical assistance for the sick and injured and promoting the public health, safety, comfort and welfare of the citizens of the Town and adjacent incorporated areas.

Section 3. Volunteer ambulance service established. There is hereby established a volunteer ambulance service for the Town to provide adequate provisions for the emergency transportation and emergency medical assistance of the sick and injured to and from hospitals, asylums, medical centers or institutions where proper treatments and assistance may be administered; and it shall consist of a director, assistant director, and three supervisors and a number of members to be determined by the Board of Selectmen.

Section 4. Election. The director shall be appointed annually by the Board of Selectmen. The Director shall hold office for one year and until his or her successor has been duly appointed, except that he or she may be removed at any time, by the Board of Selectmen with or without cause. An assistant Director and ambulance attendants shall be appointed by the Board of Selectmen. The Board of Selectmen shall receive, but not be bound by, the advice of the members of the ambulance service on appointments. Ambulance attendants shall continue as members of the service during good behavior and may be removed by the Board of Selectmen with or without cause.

Section 5. Duties of Director. The ambulance service shall be directed and supervised by the director whose duty it shall be to keep all ambulance equipment in order, to establish rules and regulations for use and operation of the same and otherwise accomplish the aims of this ordinance. The director shall make a report annually or as required to the Board of Selectmen as to the condition of the equipment and needs of the ambulance service. The Director shall submit additional reports and recommendations and perform such other administrative duties as required by the Board of Selectmen. The Director shall be responsible for the proper training and discipline of the members of the ambulance service.

Section 6. Assistant Director. In the absence or disability of the director, the assistant director shall perform all the functions and exercise all of the authority of the director.

Section 7. Ambulance Attendant Qualification. The Ambulance Attendants shall be able-bodied, not less than 18 years of age, and must pass a physical examination. They shall possess a current driver's license and shall have successfully completed the training requirements set forth in Massachusetts General Laws, Chapter 111C, as amended, and set forth in the Code of Massachusetts Regulations, 105 CMR 170.400 et seq., as amended, promulgated thereunder.

Section 8. Compensation. The members and officers of the ambulance service shall receive compensation as is determined by the Board of Selectmen.

Section 9. Establishment of Rates. Board of Selectmen shall establish a schedule of charges for the use of the ambulance which will pay costs incurred in the operation of the ambulance service.

- (a) The Schedule of charges provided hereunder shall be based on actual costs and shall be presented to the Board of Selectmen for approval in March of each year. The schedule of rates shall encompass manpower, equipment, material and maintenance costs in such a form as to insure proper charges for services rendered. Said schedule shall be in effect after its adoption in the form of an ordinance.
- (b) The above fees shall be binding upon all persons receiving such services as well as their successors in interest, assigns, estates and heirs.
- (c) All monies received under the provisions of this ordinance shall be placed in the ambulance fund hereinafter established.
- (d) Billing, collection, and administrative duties shall be performed by the Ambulance Service

Section 10. Ambulance Fund Established. There is hereby established and the

Town Treasurer shall maintain a fund to be known as the “Ambulance Fund”, a record of which shall be kept by the Town Treasurer, into which shall be paid all moneys received from the use of an ambulance and from which all disbursements shall be paid.

Section 11. Records. Upon completion of each ambulance run, the attendants on duty shall complete such records including an Emergency Medical Service Record Form or its equivalent as prescribed by the State Department of Public Health and/or the Town of Granville.

Section 12. Equipment Requirements. The ambulance, when in service, shall be equipped with and carry at least the minimum equipment recommended or required under the provisions of Massachusetts General Laws Chapter 111C, as amended, and the rules and regulations promulgated thereunder.

Section 13. Licensing. The ambulance shall possess all necessary licenses and certifications required under Massachusetts General Laws Chapter 111C, as amended, and the rules and regulations promulgated thereunder. It shall be the duty of the Director and Assistant Director to procure and maintain such licenses and certifications.

Section 14. Interference with Service. It shall be unlawful for any person to make or cause to be made a call for ambulance service without probable cause, or to neglect to obey any reasonable order of a driver or attendants at an ambulance call, or to interfere with the ambulance service’s discharge of its duties.

Section 15. Litigations. The Town may enforce the provisions of this ordinance by civil actions in court, for the collection of amounts due or other appropriate relief.

Section 16. Service not to be refused for nonpayment. Nothing in this ordinance shall authorize any Town department or Town personnel to refuse or delay any service to any person, firm or corporation that has not paid for service or that owes for previous service or owes any money.

Section 17. Prohibited Acts; Penalties.

- (a) No person shall operate an ambulance or be an attendant thereon or impersonate, or hold oneself out as, or use the title of emergency medical technician or the acronym, EMT, unless he has successfully completed a full course in emergency medical care approved by the State Department of Public Health pursuant to Mass. Gen. Laws Chapter 111C, as amended, or has received training in the provision of emergency medical care which subject to such regulations as the said department may establish, the department finds to be substantially equivalent to that provided by full courses in emergency medical care approved by the department pursuant to said chapter, and unless in each year following the completion of such course he participates satisfactorily in a supplemental course in emergency medical care approved by the said department pursuant to said chapter.

- (b) No person shall engage in any of the activities or acts prohibited under Massachusetts General Laws Chapter 111C, as amended, and the rules and regulations promulgated thereunder.

Whoever engages in, aids, abets, causes, or permits any act prohibited under this ordinance shall be punished by a fine of not less than one hundred dollars and not more than five hundred dollars for each offense. A separate and distinct offense shall be deemed to have been committed on each day during which any prohibited act continues after written notice by the Town to the Selectmen for investigation and, if appropriate, prosecution in the courts of the commonwealth.

89 – Yes; 0 – No; Unanimous (majority vote required)

SPECIAL TOWN MEETING FEBRUARY 27, 1989

Article 1. VOTED to appoint a five-member Committee to study the disposition of the West Granville School after the new Village School addition is completed. Members to be appointed by the Moderator.

Article 2. VOTED to amend the Town by-laws by adopting the following additional by-law: Every town resident shall separate ordinary household waste into such categories as determined by the Board of Health before depositing the same for disposal at the Town Transfer Station. No waste material which has not been separated will be accepted. Anyone dumping illegally shall be subject to a \$300.00 fine for each violation. The Board of Health shall adopt such rules and regulations as it deems necessary to implement this by-law.

169 – Yes; 9 – No; 2/3 required vote

ANNUAL TOWN MEETING MAY 14, 1990

Article 13. VOTED to amend the Town by-laws by adding the following section or to take any action relative thereto: “Unless otherwise provided by by-law, the parliamentary procedures outlined in TOWN MEETING TIME, 2nd edition and any amendments or future editions thereof shall govern the procedures followed at Town Meetings.”

Article 14. VOTED to amend the Town by-laws by adding the following section or to take any action relative thereto: “Unless otherwise provided by a vote of Town Meeting, the Board of Selectmen or Chief Procurement Officer designated pursuant to G.L. chapter 30B is authorized to enter into any contract for the exercise of the Town’s corporate powers, on such terms and conditions as are deemed appropriate. Notwithstanding the foregoing, the Board of Selectmen or Chief Procurement Officer shall not contract for any applicable provision of any general or specific law.”

ANNUAL TOWN MEETING JUN 25, 1990

Article 5. VOTED to authorize the Moderator to appoint a committee which shall consist of five members, to serve a one-year term each whose duties shall include long range planning, evaluation of capital expenditure, fund raising and other activities and shall be

known as the “Granville Long Range Planning Committee”. The Committee shall report to the Selectboard, the Finance Committee and the Town, or to take any action thereto.

ANNUAL TOWN MEETING MAY 13, 1991

Article 12. VOTED to make the Long Range Planning Committee, as an advisory and informational committee, a committee of the Town consisting of five members, appointed by the Moderator. The Committee shall be in existence for a term of five years after which term it will be renewable by a town vote.

Article 13. VOTED to amend Section 3 of Article II of the Town by-laws in the following manner:

All Special Town Meetings shall begin at 7:00 pm.

63 – Yes; 0 – No; 2/3 majority required

Article 14. VOTED to rescind the following section from the Town by-laws:

The Annual Town Caucus to nominate candidates to be voted on at the Annual election shall be held under Chapter 53, Section 121 of the General Laws. Said Annual Caucus to take place the first Monday in February of each year at 7:30pm: polls to open from 7:30 pm to 9:00 pm and nominations shall be made on one ballot

62 – Yes; 0 – No; 2/3 majority required

ANNUAL TOWN MEETING MAY 9, 2016

Article 19. VOTED to amend the General Bylaws by adding thereto an amendment entitled "Stretch Energy Code" for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the "Stretch Energy Code", including amendments or modifications thereto.

STRETCH ENERGY CODE

Section 1 - Definitions.

International Energy Conservation Code (IECC) - International Energy Conservation Code (IECC) - The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code - Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the 8th edition Massachusetts building code, the Stretch Energy Code is an appendix to the Massachusetts building code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

Section 2 - Purpose.

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for both new construction and existing buildings.

Section 3 - Applicability.

The Stretch Energy Code applies to residential and commercial buildings. Buildings not included in the scope of this code shall comply with 780 CMR 13, 34, and 51, as applicable.

Section 4 - Stretch Code.

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Granville General Bylaws.

Section 5 - Enforcement.

The Stretch Energy Code is enforceable by the inspector of buildings.

Section 6 - Effective Date.

The Stretch Energy Code was adopted by the May 9, 2016, Annual Town Meeting, with a concurrency start date of January 1, 2017 and a sole effective date of July 1, 2017.

Article 20. VOTED to amend the Zoning Bylaws by adding a new section (4.4) to the Special Use Regulations section to allow “as-of-right siting” potential for development of Large Scale Ground Mounted Solar Photovoltaic Installations (LSGMSPI) in the Town of Granville

50 – Yes; 13 – No; 2/3 majority required

ANNUAL TOWN MEETING MAY 13, 2019

Article 24. VOTED to amend the General Bylaws by inserting a new Bylaw entitled "Animal Control Bylaw."

ANIMAL CONTROL BYLAW

In addition to the requirements set forth in this Bylaw, the licensing, keeping and control of animals shall be in accordance with all applicable provisions of the Massachusetts General Laws, including but not limited to the provisions of G.L. c. 140, §§136A to 174E, inclusive.

The Selectboard shall annually appoint an Animal Control Officer who shall be sworn in by the Town Clerk. The Animal Control Officer and/or his assistants are not required to be a resident of the Town. The Animal Control Officer may be a salaried employee of the Town. The Animal Control Officer shall receive such compensation as agreed upon by the Animal Control Officer and the Selectboard.

Annual dog and kennel licenses, as required by G.L. c. 140, §§137 and 137A , must be obtained from the Office of the Town Clerk by January 1 for a licensing period of January 1 through December 31. When licensing a dog for the first time, proof of spay or neutering should be presented in order to be eligible for neutered or spayed license fee. There will be a late fee per dog for licensing after May 1.

Applications for kennel licenses shall include the name, breed, age, proof of fixing (if applicable), proof of rabies vaccinations, a photograph of each dog, and the telephone number where the licensee can be reached at all times.

In addition to meeting all of the requirements of G.L. c. 140, §§137A to 137C, any person who receives a kennel license shall maintain the premises in accordance with the following specifications:

- a. A minimum of four by eight (4x8) feet for each dog shall be provided.
- b. Locks on gates to prevent the escape of dogs and the entry of children shall be provided.
- c. Kennel shall be sixty (60) feet from the street and forty (40) feet from lot lines.

No kennel license shall be issued unless the applicant demonstrates that the use of the subject property as a kennel is permitted under the Town's Zoning bylaws.

The annual fee for individual and kennel licenses shall be as follows:

- a. Individual Dog, fixed \$10.00
- b. Individual Dog, intact \$15.00
- c. Kennel, 2-7 dogs \$40.00
- d. Kennel, 8 or more dogs \$80.00
- e. Late fee \$20.00
- f. Replacement tags. \$2.00

No person shall permit any dog, whether licensed or unlicensed, to wander on private property without permission of the owner thereof, or on any public property within the Town, including but not limited to public ways, school grounds, recreation areas and cemeteries, unless the dog is properly restrained. A dog is under restraint for purposes of this Bylaw if it is accompanied by its owner or other person responsible for the dog, who is in full control of such dog, or unless the dog is held firmly on a leash of not more than six (6) feet.

Unrestrained or unlicensed dogs may be sought out, caught and confined by the Animal Control Officer or any police officer of the Town, and impounded pursuant to G.L. c. 140, §§151A and 167.

Nothing in this Bylaw shall be deemed to prohibit the use of dogs for hunting, sporting or working purposes as long as said dogs are properly restrained.

The owner or keeper of any dog impounded under the provisions of G.L. c. 140, §167 may claim such dog, provided he or she first procures from the Town Clerk a license and tag for any such dog that is not licensed and pays all impound fees and per diems, as set forth by the Selectboard, for the care of the dog during the period of impoundment.

No person shall fail to promptly remove and properly dispose of any feces left by any dog owned, kept or controlled by them on the property of another, including but not limited to any public property within the Town.

No person shall keep more than four dogs being over the age of six months. Owners or keepers of dogs may be keepers of more than four dogs only upon the issuance of a kennel license after a public hearing before the Selectboard. Those persons who kept more than four dogs licensed at their premises as of the date of the enactment of this bylaw may keep said animals in excess of the aforesaid limit, but said animals may not be replaced so as to exceed the four dog limit.

The Animal Control Officer or any police officer of the Town shall be empowered to enforce provisions of this Bylaw.

In addition to the remedies set forth herein and in G.L. c. 140, §§136A to 174E, inclusive, or any other applicable provision of law, this Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any person who violates any provision of this Bylaw shall be subject to the following penalties:

First Offense:	Written Warning
Second Offense:	\$50 fine
Third and subsequent Offense :	\$100 fine

Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Severability: If any provision of this Bylaw is declared invalid, or unenforceable, the other provisions shall not be affected thereby.

62 – Yes; 25 – No; 2/3 majority required