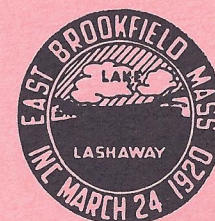


# **BYLAWS**

of the Town of  
**EAST BROOKFIELD**  
Massachusetts



**Revised 1995**



## TABLE OF CONTENTS

<i>Article</i>	<i>Section Description</i>	<i>Page Number</i>
I	General Provisions	1
II	Town Meetings	1
III	Government of Town Meetings	2
IV	Elective Town Officers	3
	1. Town Clerk	3
	2. Selectmen	4
	3. Moderator	4
	4. Treasurer	4
	5. Town Collector	5
	6. Assessors	5
	7. School Committee	5
	8. Spencer-East Brookfield Regional School Committee	5
	9. Board of Health	6
	10. Water Commissioners	6
	11. Planning Board	6
	12. Trustees of Shade Trees and Cemetery Funds, Cemetery Commissioners, Trustees of Public Library, Tree Warden and Constables	6
V	Finance Committee	7
VI	Appointive Town Officers and Committees	8
VII	Contracts by Town Officers	9
VIII	Deeds and Legal	10
IX	Records and Reports	11
X	Rules of Order in Public Ways and Places	12



## TABLE OF CONTENTS

<i>Article</i>	<i>Section Description</i>	<i>Page Number</i>
XI	Junk, Old Metal, Unused and Unregistered Motor Vehicles	14
XII	Soil, Loam, Sand or Gravel	15
XIII	Building Permits	15
XIV	Dog Control and Licensing	16
XV	Solid Waste Department	17
XVI	Street Numbering	19

## ARTICLE I

### General Provisions

**Section 1.** The following provisions shall constitute the General Bylaws of the Town of East Brookfield, which shall be in lieu of all General bylaws heretofore in force.

**Section 2.** Whoever violates any of the provisions of these Bylaws, whereby any act or thing is enjoined or prohibited, shall, unless other provision is expressly made, forfeit and pay a fine not exceeding fifty (\$50.00) dollars for each offense.

**Section 3.** Prosecution of any violation of the Bylaws of the Town may be made by any law enforcement officer of the Town, except when otherwise provided by law.

**Section 4.** These Bylaws shall go into effect upon their acceptance at any Town Meeting, their approval by the Attorney General, their publication in the manner required by law, and shall supersede any Bylaws previously enacted.

## ARTICLE II

### Town Meetings

**Section 1.** The first article of the Annual Town Meeting shall consist of the election of Town Officers, and the determination of such matters as are required by law, which shall take place by means of official ballots at a Town election to be held on the ~~first Monday~~ <sup>and Tues</sup> in May, during hours previously specified in the Annual Town Warrant.

**Section 2.** Subsequent to the closing of said polls, which shall be construed to mean an adjournment of the Annual Town Meeting, the said Meeting shall be reconvened at a time and place previously specified in the Annual Town Warrant. All other Town business shall be considered at said reconvened Meeting.

**Section 3.** Notice of every Town Meeting shall be given by posting attested copies of the Warrant in at least three places in the Town, which shall include the Selectmen's Room, the Post Office in East Brookfield, the Chapel on Podunk Road, and in such other place or places as the



Selectmen shall determine. The posting shall be done at least seven (7) days before the date of the Meeting.

**Section 4.** As soon as practicable after the adjournment of any Town Meeting on a vote to adjourn to another day, the Town Clerk shall cause a notice of the day and hour and place to which this adjournment was voted, together with the business to come before the Meeting, to be posted as prescribed in Section 3 preceding.

### ARTICLE III

#### Government of Town Meetings

**Section 1.** The number of voters necessary to constitute a quorum at any Town Meeting shall be twenty (20) registered voters on the current official list as provided by the Board of Registrars, provided, however, that a number less than a quorum may adjourn the same to a time certain. This Section shall not apply to such parts of meetings as are devoted exclusively to the election of Town Officers.

**Section 2.** No person shall address the Meeting without first being recognized by the Moderator, and all persons shall, at the request of the Moderator, be silent. When two or more persons rise to speak at the same time, the Moderator shall name the one entitled to speak.

**Section 3.** No person while speaking shall be interrupted by another, except to raise a point of order, or for a privileged motion, or to give notice of a motion to reconsider.

**Section 4.** All votes on motions shall be taken in the first instance by a voice vote; if the Moderator be in doubt, a call may be made for a standing vote; if the Moderator be still in doubt, or if the vote as declared by the Moderator be immediately questioned by seven (7) or more of the voters present, the vote shall be taken by a written ballot. Nothing in this Section shall be construed to prevent the taking of a vote by a written ballot in the first instance, if a motion to that effect shall be duly made and carried by a majority of the voters present and voting thereon. The vote on any motion calling for a written ballot shall be by use of a check list provided by the Board of Registrars.

**Section 5.** The Moderator may decline to put motions before the Meeting that are frivolous or tending to disorder. The Moderator shall

be governed by the provisions of these Bylaws, and the General Laws of the Commonwealth.

**Section 6.** When a question is before the Meeting, subsidiary motions shall be received and have precedence according to customary parliamentary procedure as applied to Town Meetings.

**Section 7.** All motions shall require a majority vote to be passed, unless otherwise provided by law, bylaw, or accepted parliamentary procedure.

**Section 8.** No motion, the effect of which would be to dissolve the Meeting, shall be in order until every Article in the Warrant therefore has been duly considered and acted upon, but this shall not preclude the postponement of consideration of any Article to an adjournment of the Meeting to a stated time and place.

**Section 9.** All motions having to do with the expenditure of money shall be presented in writing. Other motions shall be in writing, if so directed by the Moderator.

**Section 10.** When a motion can readily be divided into two or more parts, it may be so divided, and the vote on each part taken separately, provided the Moderator deems best, or seven (7) or more voters present so request.

**Section 11.** After an Article in the Warrant has been acted upon, it shall not be reconsidered at the same Meeting, except by a majority vote of those present and voting.

**Section 12.** A vote of two-thirds (2/3) of those present and voting is necessary for a motion to be received at an adjourned Meeting for the reconsideration of any vote passed at a prior session of that Meeting, unless notice of such reconsideration shall be given at the Session at which the vote was passed.

### ARTICLE IV

#### Elective Town Officers

##### Section 1. *Town Clerk*

The Town Clerk shall record the disposition of all motions as announced by the Moderator at a Town Meeting, and submit a copy of same to the



Selectmen. The Town Clerk shall, immediately after each annual election of Town Officers, transmit to the Secretary of State and the Selectmen a complete list of all Town Officers elected and qualified, and shall promptly report to the Secretary of State and the Selectmen any changes in such offices. The Town Clerk shall make and keep an index of instruments filed with the Town Clerk and required by law to be recorded, and this record shall be open to public inspection. The Town Clerk shall administer the oaths of office to all Town Officers who apply to the Town Clerk to be sworn, and shall make a record thereof, and of the oaths of office taken before the Moderator or Justices of the Peace, of which certificates are filed.

### **Section 2. *Selectmen***

The Selectmen shall have the general direction and management of the property and affairs of the Town, except as otherwise provided by the General Laws of the Commonwealth and these Bylaws. As soon as practicable after the Annual Town Meeting, the Selectmen shall organize by choosing one of their number as Chairman.

### **Section 3. *Moderator***

The Moderator shall preside at all Town Meetings in accordance with Article III, "Government of Town Meetings," and the General Laws of the Commonwealth.

### **Section 4. *Treasurer***

The Treasurer shall receive and take charge of all money belonging to the Town, and pay over and account for the same according to the order of the Town or of its authorized officers. The Treasurer may, in the Treasurer's own name and official capacity, prosecute actions upon bonds, notes or other securities given to the Treasurer or to the Treasurer's predecessors in office. The Treasurer shall prepare a report, to be published in the Town Report, of all the Treasurer's receipts and payments, together with a statement of the balance of the Treasurer's accounts; and a detailed statement of all Town debt, showing when the same was issued, the amount due each year, and the rate of interest charged.

### **Section 5. *Town Collector***

The Town Collector shall collect all accounts due to the Town, and shall, in the collection of such accounts, have all the remedies provided by Sections 35, 36 and 93 of Chapter 60 of the General Laws for the collection of same. This Section shall not apply to the collections of interest on investment of sinking or trust funds. All bills for accounts due the Town shall state that all checks, drafts or money orders shall be made payable to, or to the order of, the Town of East Brookfield, and not to, or to the order of, any officer, board or commission. The Town Collector is allowed to keep for his/her personal services the fee for issuance of certificate of tax lien or charge upon any real estate in the Town of East Brookfield.<sup>1</sup>

### **Section 6. *Assessors***

The Assessors shall assess taxes and estimate the value of real and personal property for the purpose of taxation for the Town. As soon as practicable after the Annual Town Meeting, the Assessors shall organize by choosing one of their number as Chairman.

### **Section 7. *School Committee***

The School Committee for the schools of East Brookfield shall consist of three (3) members, elected one (1) member per year, for a term of (3) three years. The School Committee shall prepare a budget for the operation of the schools, authorize and approve expenditures, and exercise general supervision of the school department through the office of Superintendent of Schools.

### **Section 8. *Spencer-East Brookfield Regional School Committee***

The Spencer-East Brookfield Regional School Committee shall consist of five (5) members, three (3) from the Town of Spencer and two (2) from the Town of East Brookfield. One (1) member from East Brookfield shall be elected for a three (3) year term by the voters at an Annual Town Meeting, and the other member shall be appointed for a one (1) year term by the East Brookfield School Committee from amongst its members. The Committee shall prepare a budget for the operation of the

<sup>1</sup> This Amendment was adopted at the Special Town Meeting held November 26, 1984 by the addition of this sentence.



schools in the District, authorize and approve expenditures, and exercise general supervision of the District through the office of the Superintendent of the District.

### **Section 9. *Board of Health***

The Board of Health may make reasonable health regulations, for which notice and public hearing shall be given in the same manner and extent as required by the provisions of Section 2 of Chapter 30A of the General Laws of the Commonwealth. As soon as practicable after the Annual Town Meeting, the Board of Health shall organize by choosing one of its number as Chairman.

### **Section 10. *Water Commissioners***

The Water Commissioners shall make such rules and regulations for the management and control of the business of the Water Department as they may deem judicious, not inconsistent with the General Laws of the Commonwealth. As soon as practicable after the Annual Town Meeting, the Water Commissioners shall organize by choosing one of its number as Chairman.

### **Section 11. *Planning Board***

The Planning Board shall have the powers and duties as conferred by Section 81A of Chapter 41 of the General Laws. As soon as practicable after the Annual Town Meeting, the Planning Board shall organize by choosing one of its number as Chairman.

**Section 12.** The duties of *Trustees of Shade Trees and Cemetery Funds, Cemetery Commissioners, Trustees of Public Library, Tree Warden* and *Constables* are hereby incorporated by reference only, inasmuch as they are completely set forth in the General Laws of the Commonwealth provided therefore with such adaptations as may be necessary to meet local requirements.

**Section 13.** All of the above officers, unless otherwise specified by statute to the contrary, shall serve for three (3) years.

## **ARTICLE V**

### **Finance Committee**

**Section 1.** There shall be a Finance Committee composed of nine (9) registered voters of the Town. No member of the Finance Committee shall have the care, custody, or disposal of Town funds, nor the care, custody or disposal of Town property, either as a Town officer or member of any Town committee. Each year one (1) member shall be appointed by the Selectmen, one (1) member by the Moderator, and one (1) member elected by ballot at the Annual Town Meeting. The term of office shall be three (3) years. Any vacancy which shall occur in its membership shall be filled by the Selectmen for the unexpired term. As soon as practicable after the Annual Town Meeting, the Finance Committee shall organize by choosing one of its number as Chairman and one of its number as Clerk.

**Section 2.** At the next Annual Town Meeting following the Town Meeting at which these Bylaws are adopted, subsequently approved and then published, the Selectmen shall appoint one (1) member for a one (1) year term, one (1) member for a two (2) year term, and one (1) member for a three (3) year term. The Moderator shall likewise appoint one (1) member for a one (1) year term, one (1) member for a two (2) year term, and one (1) member for a three (3) year term. At the Annual Town Meeting, one (1) member shall be elected for a one (1) year term, one member elected for a two (2) year term, and one (1) member elected for a three (3) year term. In subsequent years, the members shall be appointed and elected in accordance with Section 1 of Article V.

**Section 3.** The Finance Committee shall consider matters relative to the appropriation, borrowing and expenditure of money by the Town; its indebtedness, the methods of administration of its various officers or departments, property valuation and assessment, and other Town affairs, and make recommendations to the Town, or to any Town board, official or committee relative to such matters. Meetings of the Finance Committee shall be open to the public.

**Section 4.** The Finance Committee shall consider the budget for the ensuing year as well as the budget for the Town and Regional School Committees, and may obtain from any elected Town officer, employee, board or committee such supplemental information in such form and



detail as the Finance Committee deems necessary. The Finance Committee may require any elected Town official, employee, board or committee to meet and confer with it and hold hearings as the Finance Committee deems advisable.

**Section 5.** The Selectmen shall transmit to the Finance Committee a copy of all the articles in Town warrants at least seven (7) days before the date of the meetings pursuant to said warrants, and the Finance Committee shall make a report to the voters with such recommendations or suggestions as the Finance Committee shall deem advisable.

## ARTICLE VI

### Appointive Town Officers and Committees

**Section 1.** All committees, except as otherwise provided by law or by the vote of the Town Meeting, shall be appointed by the Selectmen in the ordinary course of business. When, however, at a Town Meeting a vote is passed creating a committee, the Moderator shall make the appointments, and in choosing a committee by nominations from the floor no person shall nominate more than one member of such committee.

**Section 2.** Deleted.

**Section 3.** The Selectmen shall appoint a Board of Appeals, consisting of three (3) members, which shall have the powers conferred to it by the Zoning Enabling Act, Chapter 40A of the General Laws.

**Section 4.** All committees shall report to the Town, unless otherwise specified by the Town. A committee shall be discharged if no report is made to the Town within a year of its appointment, unless in the meantime the Town Meeting shall vote otherwise. When an appointed committee reports to the Town Meeting, recommending action upon the matter referred to it, and a vote is taken thereon, such committee shall be automatically discharged, unless otherwise voted by the Meeting.

**Section 5.** When anyone appointed to a committee or board is absent repeatedly from duly called meetings, same may be reported to the authority making the original appointment, who shall declare that a vacancy exists.

**Section 6.** Unless otherwise specified in these Bylaws, any vacancies occurring on appointive committees and boards shall be filled by the authority making the original appointment.

## ARTICLE VII

### Contracts by Town Officers

**Section 1.** No Town officer, salaried employee of the Town, or agent of such officer or employee, shall sell materials or supplies to the Town, nor receive compensation or commission for services rendered, except the official salaries and fees allowed by law, without obtaining the permission of the Selectmen, expressed in a vote which shall appear on their records, with the reason therefore.

**Section 2.** Every board or officer in charge of a department may, with the approval of the Selectmen, sell any property or material not required by such department, if not in excess of one hundred (\$100.00) dollars in value.

**Section 3.** If the value of property to be disposed of by sale exceeds one hundred (\$100.00) dollars in the judgment of the officer, board or department having charge or responsibility for said property, the property shall be advertised in a newspaper having general circulation in the Town, and bids requested.

**Section 4.** In accordance with Chapter 30B of the General Laws of the Commonwealth, "The Uniform Procurement Act," every officer or board in charge of a department, and every committee of the Town, when authorized to purchase any supplies or property, or to do any public or private work, or erect, construct, reconstruct or repair any building, the estimated cost of which exceeds ten thousand (\$10,000.00) dollars, shall make a written specification thereof, and before executing any such contract shall invite bids on said specification by advertising in one or more newspapers having general circulation in the Town with a statement of time and place for opening such bids, and reserving the right to such officer, board or committee to reject any or all bids received, for reasonable cause.<sup>2</sup>

<sup>2</sup> This Amendment was adopted at the Special Town Meeting held October 1, 1990. Prior to this Amendment the estimated cost was \$2,000.00.



**Section 5.** On all contracts with the Town for labor, supplies, services, materials, machinery and equipment, the estimated cost of which exceeds twenty-five thousand (\$25,000.00) dollars, a bond of an approved surety company, or other security, in an amount equal to the estimated contract price, conditioned upon full and faithful performance of the contract, shall be posted by the contracting party, unless otherwise expressly eliminated by a vote of the Town. Contractual amounts less than \$25,000.00 may also be bonded by an approved surety company, if the Selectmen so request.

**Section 6.** No board, committee or officer shall make any contract in behalf of the Town, the execution of which shall necessarily extend beyond one (1) year from the date thereof, except as otherwise provided by law, unless specific authority to do so has been given by vote of the Town.

**ARTICLE VIII**

**Deeds and Legal**

**Section 1.** Whenever it is necessary to execute a deed or other instrument conveying any interest in land belonging to the Town, other than a tax deed, and unless otherwise provided by law or by a vote of the Town, such deed or instrument shall be executed in behalf of the Town by a majority of the Selectmen of the Town, and it shall be sealed with the Town Seal.

**Section 2.** The Selectmen shall be agents of the Town to institute, prosecute and defend any and all claims, actions and proceedings to which the Town is a party, and in which the interests of the Town are or may be involved.

**Section 3.** The Selectmen shall, unless otherwise provided by law or by vote of the Town, have the full and exclusive authority as agents of the Town to institute, prosecute, defend, compromise and settle all claims, suits and actions brought by or against the Town, provided, however, that no claim or action against the Town, unless reduced to the form of an execution or decree of the court, shall be compromised or settled by payment of an amount in excess of one thousand (\$1,000.00) dollars. The Selectmen shall also have authority as agent of the Town to appear personally or by counsel before any court, committee of the

legislature, or any county or state board, or commission, but such authority does not authorize the Selectmen to commit the Town to any course of action without a vote of the Town therefore.

**Section 4.** The Selectmen shall state in their Annual Report what actions have been brought against and on behalf of the Town; what cases have been compromised or settled, and the current standing of all suits at law involving the Town, or any of its interests.

**Section 5.** The Selectmen shall each year, within thirty (30) days after the Annual Town Meeting, appoint an attorney-at-law as Town Counsel. Town Counsel shall serve for the term of one (1) year and until a successor is appointed. Town Counsel shall receive for services such compensation as the Selectmen may determine, and may be removed at any time by a majority vote of said Selectmen. The Selectmen shall have the sole authority for referring cases to the Town Counsel. The Selectmen may, whenever it deems necessary, employ special counsel to assist or act in place of the Town Counsel.

**Section 6.** Town Counsel shall prosecute or defend all cases and proceedings to which the Town is a party, and which have been referred to Town Counsel. Town Counsel shall report in writing to the Selectmen periodically, and at least once a year, the following:

- (a) all actions by or against the Town which were pending at the beginning of the preceding fiscal year;
- (b) all actions brought by or against the Town during such year; and
- (c) all actions settled or disposed of during such year.

Such report shall show the full name of each plaintiff or defendant, the nature and the amount claimed in each case, and the terms upon which any case was settled or disposed of during such year.

**ARTICLE IX**

**Records and Reports**

**Section 1.** All boards, standing committees and officers of the Town shall cause records of their doings and accounts to be kept in suitable books. Said record books shall be open to the inspection of the citizens



of the Town, but under the supervision of the board, committee or officer having charge of the same.

**Section 2.** All boards, standing committees, special committees or officers of the Town having charge of the expenditure of money shall annually report thereon in writing no later than January 31 to the Selectmen, unless otherwise directed by these Bylaws, in such manner as to give the citizens a fair and full understanding of the objects and methods of such expenditures. The Selectmen shall cause such reports to be included in the Annual Town Report.

**Section 3.** Deleted.

## ARTICLE X

### Rules of Order in Public Ways and Places

**Section 1.** Deleted.

**Section 2.** No person shall coast or ride upon or across any sidewalk in the Town in a manner hazardous to persons or property.

**Section 3.** No person shall bathe in any of the waters of the Town in a state of nudity when in places exposed to public view, or in immediate sight of the occupants of any dwelling.

**Section 4.** No swimming shall be permitted from any of the bridges or dams in the Town, or within 25 feet of said bridges or dams.

**Section 5.** No person shall place an obstruction of any nature on any sidewalk or highway of the Town, or break or dig the ground of same, or place or maintain any structure, apparatus, sign, awning, canopy, shade, frame or post for the same, in or over any street, without first obtaining a permit from the Selectmen, in writing. The Selectmen will not issue a permit under this Section without first having been presented with a surety bond in the amount of four thousand (\$4,000.00) dollars. In the event that said bond should, at some scheduled time, lapse or be terminated, any rights acquired under said permit will also terminate simultaneously. In lieu of a surety bond the Selectmen may, in their discretion, accept evidence of equivalent liability insurance coverage.

**Section 6.** No person shall extinguish any street light, or extinguish or remove any warning device placed to warn the public against an

obstruction or way, without such person being authorized so to do by those having charge of such warning device, or of the street or way.

**Section 7.** No person shall post, affix, or in any way attach any poster, handbill, notice, advertisement, or placard upon any tree, pole, wall, fence, building or structure without the permission of the owner of said tree, pole, wall, fence, building or structure. When Town property is involved, permission must be secured from the Selectmen.

**Section 8.** Deleted.

**Section 9.** No person shall go from house to house within the Town for the purpose of begging, soliciting alms or contributions, or selling merchandise or services, without first obtaining a permit from the Town Police Department. The provisions of this Section shall not apply to Federal or State chartered charitable, religious or public service organizations.

**Section 10.** No person shall be or remain upon any sidewalk, doorway, stairs or public passage way to any church, public hall or office, or upon any steps, portico or other protection from any house or other building, that will obstruct any person lawfully entitled to pass, inhabit or resort thereto; and no person shall sit or be upon any wall, fence, railing, bank or doorsteps facing upon any street or public place, not being the occupant or owner thereof, without the consent of the owner or occupant of the premises, after being requested by the owner or any occupant of the premises to remove therefrom.

**Section 11.** No person shall connect with or drain, or attempt to connect with or drain, into any common sewer or drain built by the Town, without authority therefore having first been obtained from the Selectmen, and evidenced by the issuance of a permit from the Selectmen.

**Section 12.** No person shall throw stones, snowballs, sticks, or other missiles, or kick footballs, or play at any games in which a ball is used, or fly kites, or balloons, or shoot with an airgun, bow and arrow, sling shot or similar device in or across any of the public ways of the Town.

**Section 13.** No person shall drink any alcoholic beverages while on, in or upon any public or private way to which the public has a right of access, or any place to which the public has access as invitees or



licensees, without the consent of the owner or person in control thereof. This Section does not, however, prohibit the Selectmen from granting permission in special circumstances.

**Section 14.** No person shall operate any boat or vehicle in such a manner as to create a wake during periods of high water on Lakes Quaboag, Quacumquasit and Lashaway and associated flood plains. High water is defined as water that is at or above 601 feet above sea level for Lakes Quaboag and Quacumquasit and 619.6 feet above sea level for Lake Lashaway.<sup>3</sup>

**Section 15.** Any person violating any of the above Sections in Article X shall be subject to a fine of not more than fifty (\$50.00) dollars.

## ARTICLE XI

### Junk, Old Metal, Unused and Unregistered Motor Vehicles

**Section 1.** No person, except the holder of a license granted under Chapter 140 of the General Laws, or a junk dealer duly licensed under these Bylaws, shall store or cause to be stored any junk, old metal, unused and unregistered motor vehicles for a period in excess of thirty (30) days within view of a public way, or within twenty-five (25) feet of a property line, except in a suitable building, or within an enclosure that obstructs the view of the junk, old metal, unused and unregistered motor vehicles from the public way. This shall not apply to vehicles or equipment used in connection with agriculture.

**Section 2.** The Selectmen may, after public hearing, license a suitable person or persons to be collectors of, or dealers in, junk, old metal, unused or unregistered motor vehicles, and make such additional rules and regulations as they may deem necessary, not inconsistent with the law or these Bylaws.

**Section 3.** Every vehicle and receptacle used by a collector of junk, old metal, unused or unregistered motor vehicles shall at all times be open to the inspection of the Board of Selectmen, or any person or persons authorized by the Board of Selectmen or by law to make such inspection.

<sup>3</sup> This Amendment was adopted at a Special Town Meeting held June 22, 1987.

## ARTICLE XII

### Soil, Loam, Sand or Gravel

**Section 1.** No person shall remove any soil, loam, sand or gravel from any land not in public use in Town without the written permission of the Board of Selectmen, unless said removal is incidental to agricultural use.

**Section 2.** No such permit shall be issued until an application therefore is filed with the Board of Selectmen. The Board shall hold a public hearing on the application. Notice of the filing of such application and the date and time of the public hearing shall be advertised at least seven (7) days prior to the public hearing in a newspaper generally circulated in the Town. Copy of such notice shall be sent seven (7) days at least before the public hearing from the applicant, by registered mail, to each owner of said premises abutting land from which the soil, loam, sand or gravel is to be removed.

**Section 3.** When issuing a permit under this Bylaw, the Board of Selectmen shall impose such reasonable conditions as may be necessary for the adequate protection of the neighborhood and the Town, which conditions shall be attached to and made a part of the permit. No permit shall be issued under this Bylaw for a period of more than one (1) year; however, a renewal of the permit may be issued by the Board of Selectmen without requiring a public hearing. No permit shall be required for the continuous operation of any parcel of a sand or gravel pit in operation at the time this Bylaw is adopted, provided such operation is not thereafter discontinued for more than one (1) year. The Board of Selectmen shall revoke any permit for violation of any conditions thereof.

**Section 4.** The penalty for a violation of the Bylaw shall be fifty (\$50.00) dollars for the first offense, one hundred (\$100.00) dollars for the second offense, and two hundred (\$200.00) dollars for each subsequent offense.

## ARTICLE XIII

### Building Permits

**Section 1.** No building or structure, after these Bylaws go into effect, shall be constructed, reconstructed, erected, removed or materially al-



tered without first obtaining a permit therefore. Plans and specifications may be required before such permit is issued. The fee for such permit shall conform to the schedule of fees on file in the Selectmen's Office.

**Section 2.** No driveway, or vehicular entrance to a public way, or private way to which the general public has a right of access as licensees or invitees shall be constructed, paved, or materially altered, without first obtaining a permit therefore. No such permit shall be issued until an application therefore is filed with the Building Inspector, who may, if in his opinion it would be necessary, require plans and specifications. Approval for the issuance of such permit shall be required from both the Building Inspector and the Highway Superintendent. The fee for such permit shall conform to the schedule of fees on file in the Selectmen's Office.<sup>4</sup>

## ARTICLE XIV<sup>5</sup>

### Dog Control and Licensing

**Section 1.** Should any owner or keeper of a dog fail to license that dog on or before June 1 of any year, that owner or keeper shall pay an additional fee of \$10.00 excepting a dog brought into the Town as provided in Section 138 of Chapter 140, Massachusetts General Laws. This late fee shall be applicable from the 61st day after arrival of such dog.

Any person maintaining a kennel in the Town who fails to obtain a kennel license by June 1 of any year, that person or persons shall pay an additional fee of \$15.00.

The fees so collected shall be deposited in the Town Treasury to become a part of the Town's General Fund.

**Section 2.** All dogs, six (6) months of age or older, shall be required to be vaccinated against rabies and proof of vaccination shall be required before licensing.

<sup>4</sup> This Amendment was adopted at a Special Town Meeting held April 22, 1985.

<sup>5</sup> This Amendment was adopted at a Special Town Meeting held November 18, 1984.

## ARTICLE XV<sup>6</sup>

### Solid Waste Department

**Section 1.** There shall be a Solid Waste Department to regulate the gathering and disposal of solid waste material generated within the Town.

**Section 2.** The Board of Selectmen of the Town shall be in control and manage the Department at all times and are directed to perform the following:

1. Appoint an Agent to supervise the Department;
2. Make all necessary contracts and agreements to operate the Department and to provide for the collection and disposal of solid waste and residential acceptable waste.

**Section 3.** The Board of Selectmen shall establish rates or fees to cover the operational expenses of the Department and shall be responsible for issuing bills at the proper time. The Town, to be assured of the revenue to cover the annual operating expense of curbside collection, shall direct the Town Collector to invoke the provisions contained in Massachusetts General Law No. 626 of the Acts of 1987 accepted by the Town at the Annual Town Meeting of May 3, 1988 and at that time applied to the collecting of users' fees for cost of curbside collection of residential acceptable waste material.

**Section 4.** The Board of Selectmen shall be the sole authority to act in the Town's behalf to decide on all questions or matters concerning the Solid Waste Department.

**Section 5.** Residential acceptable waste is defined as that waste that is acceptable for incineration by whichever company the Town has contracted with for waste removal.

**Section 6.** Collection of the solid waste user fee is to be in compliance with conditions as set forth in Massachusetts General Laws Chapter 44, Section 28C (F). A property owner must pay the fee by choice and shall have the option of not utilizing the collection service and thereby avoiding the fee. Any residential property owner who does not choose to

<sup>6</sup> This Amendment was adopted at a Special Town Meeting held October 7, 1991.



have the collection service must notify the Solid Waste Agent in writing. A cancellation of service to the residential property owner shall be issued by the Agent of the Solid Waste Department and shall be for a minimum of twelve (12) months and shall remain in effect until notified otherwise.

**Section 7.** Any residential property owner who does not choose to accept the solid waste collection service and pay the user fee shall not combine or dispose of his or her solid waste in conjunction with the solid waste of another property owner who has chosen to participate in the solid waste collection. Any person who combines waste in this manner will be in violation of this Section of the Town Bylaws and subject to a fine in the amount of fifty (\$50.00) dollars for each violation. In addition, the property owner who violates this Section of the Bylaws by including his or her waste with a fee payer's waste shall be assessed and shall pay the current annual user fee to the Town for using collection service in the above manner.

**Section 8.** Any residential property owner who has chosen the solid waste collection service and pays the user fee shall not allow another person or property owner who does not pay the user fee for collection service to dispose of their solid waste in conjunction with his or her own. Any person who pays a fee for collection service and allows waste to be combined with his or her own, when such waste is not included in the collection service and paid for by a user fee, shall be in violation of this Section of the Town Bylaws and subject to a fine in the amount of fifty (\$50.00) dollars for each violation.

**Section 9.** Residential solid waste shall not be disposed of by combining it with commercial waste except by permit from the Solid Waste Department. No waste is to be moved on the streets in Town in violation of Massachusetts General Laws, Chapter 111, Section 31A. Violation of this Section of the Bylaws is subject to a fine of fifty (\$50.00) dollars for each violation.

**Section 10.** Residential property owners who do not choose to participate in the Solid Waste Department curbside collection of residential acceptable waste will be required to show proof that their waste is in fact being collected and properly disposed of. Refusal to show proof will be in

violation of this Section of the Bylaws and subject to a fine in the amount of fifty (\$50.00) dollars for each violation.

**Section 11.** Recycling—All materials banned by the Department of Environmental Protection from disposal by incineration or dumping at landfill sites must be recycled. All such materials shall be brought to the proper recycling site of the Town and there disposed of as directed. The Solid Waste Department shall set dates and times of collection and shall be responsible for all recycling. Permits or passes will be issued to residents and/or property owners for identification to gain access to the recycle site.

**Section 12.** The annual user's fee shall be for the period of August 1 each year to July 31 of the following year. The user fee shall be paid in two (2) equal installments. One installment shall be paid February 1 and the other paid August 1 of each year.

## ARTICLE XVI<sup>7</sup>

### Street Numbering

Every property owner shall make visible the proper street number(s) as assigned by the street numbering committee or the Board of Assessors on his/her property(ies). Each number shall be clearly visible from the street at all times and shall be at least three (3) inches in height. The number(s) may be attached to the dwelling unit(s) or to a permanent post at least three (3) feet in height, located at the entrance to the driveway next to the roadway. Any owner refusing to comply with such an order shall be liable for a fine of Twenty-Five (\$25.00) Dollars.



<sup>7</sup> This Amendment was adopted at a Special Town Meeting held June 12, 1995.



## INDEX

<i>Item</i>	<i>Page Number</i>
Annual Town Meeting .....	1
Appointive Town Officers and Committees.....	8
Assessors .....	5
Board of Health.....	6
Building Permits .....	15
Contracts by Town Officers .....	9
Deeds and Legal .....	10
Dog Licensing and Rabies Vaccination.....	16
Election of Town Officers .....	1
Elective Town Officers.....	3
Finance Committee .....	7
General Provisions.....	1
Government of Town Meetings .....	2
Junk, Old Metal, Unused and Unregistered Motor Vehicles .....	14
Moderator.....	4
Motions and Order of Business .....	2
Notice of Town Meetings .....	1
Parliamentary Rules .....	2
Payment of Solid Waste User Fee.....	19
Penalty for Violation of Bylaws .....	1
Planning Board .....	6
Prosecution of Violation of Bylaws.....	1
Quorum for Town Meetings .....	2
Reconsideration of Motions .....	3
Records and Reports .....	11
Recycling .....	19
Rules of Order in Public Ways and Places.....	12
School Committee .....	5
Selectmen .....	4
Solid Waste Department .....	17

## INDEX

<i>Item</i>	<i>Page Number</i>
Soil, Loam, Sand or Gravel.....	15
Spencer-East Brookfield Regional School Committee.....	5
Street Numbering .....	19
Subsidiary Motions .....	3
Town Clerk.....	3
Town Collector .....	5
Town Counsel .....	11
Town Meetings.....	1
Treasurer.....	4
Water Commissioners .....	6



1. The first part of the report discusses the importance of maintaining accurate records of all transactions. It emphasizes that this is crucial for the company's financial health and for providing reliable information to stakeholders.

2. The second part of the report details the various methods used to collect and analyze data. It includes a discussion on the use of statistical software and the importance of ensuring the accuracy of the data collected.

3. The third part of the report presents the results of the analysis. It shows that there has been a significant increase in sales over the past year, which is a positive indicator for the company's growth.

4. The fourth part of the report discusses the challenges faced by the company and the strategies used to overcome them. It highlights the importance of innovation and the need to stay ahead of the competition.

5. The fifth part of the report provides a summary of the findings and offers recommendations for future action. It suggests that the company should continue to invest in research and development to maintain its competitive edge.





