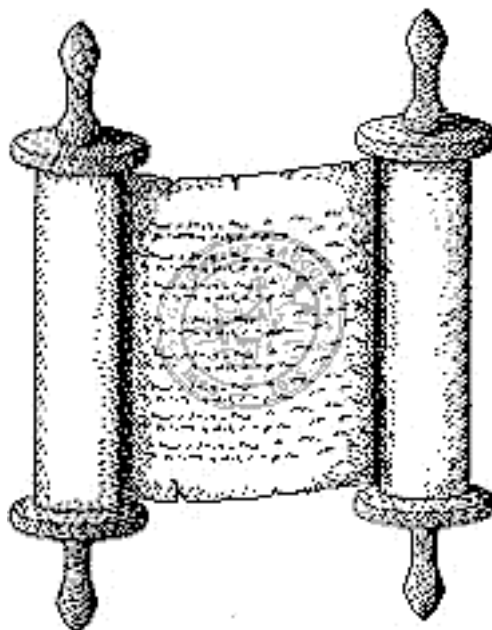


TOWN OF SAUGUS



BY-LAWS

February 1998

100.00

GENERAL PROVISIONS

101.00 Definitions

In construing these By-laws the following words shall have the meaning herein given unless a contrary intention clearly appears.

- a. The word “street” shall include highways, town ways, public ways and all public streets roads, bridges, alleys, courts, and sidewalks, and also those portions of public squares and places which form traveled parts of public ways.
- b. The words “public place” shall include all parks, playgrounds and public lands belonging to or in the charge of the town, or any of the departments and those portions of public squares and places which form traveled parts of public ways.
- c. The word “vehicle” shall include all vehicles and conveyances (except street or trolley cars) whether on wheels or runners, however drawn propelled or moved, and any animal harnessed thereto.
- d. The word “driver” shall mean the person having the charge, operation or control of the vehicle, horse, or other animal upon a street.

102.00 Violations

Whoever violates any By-law of the Town, excepting the Zoning By-law and the By-laws regulating the inspection and construction of buildings, whereby any act or thing is enjoined, required or prohibited shall forfeit and pay for each offense a fine not exceeding fifty (\$50.00) dollars unless some other penalty is expressly provided by law or by some By-law of the Town. As provided for in the Massachusetts General Laws, Chapter 40, Section 21. (Town Clerk letter to AG 7/10/86)

103.00 Penalty or Forfeiture

Wherever a penalty or forfeiture is provided for the violation of a By-law, it shall be for each such violation.

104.00 Jurisdiction

Without further particular specifications all By-laws shall relate only to persons, property and acts done within the limits of the Town of Saugus.

105.00 Effect of By-Laws

So far as the provisions of these By-laws are the same in effect as those previously existing, either by By-law or by vote of the Town, they shall be construed as a continuation of such By-laws or votes.

106.00 Non-Criminal Disposition

Whoever violates any provision of the rules and regulations of the Board of Health may, in the discretion of the Health Agent or the Board of Health, be penalized by a non-criminal complaint in

the District Court pursuant to the provisions of General Laws, Chapter 40, Section 21D. For the purpose of this provision the penalty to apply in the event of a violation shall be as follows: \$25.00 for the first offense; \$50.00 for the second offense; \$100.00 for the third offense and \$200.00 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed to be a separate offense.

107.00 Repeal of By-Laws

Upon the acceptance of the foregoing By-laws by the Town and the publication as required by law of such thereof as shall be approved by the Attorney General, all By-laws heretofore existing, excepting the Zoning By-laws, the rules and regulations of the Board of Health, By-laws relating to plumbers and plumbing, and building regulations for inspection and construction of buildings, shall be annulled and repealed, provided that this repeal shall not apply to or affect any statute of the Commonwealth, and shall not revive any By-law in force before or at the time when the By-law repeal took effect.

200.00

GOVERNMENT OF TOWN MEETING

201.00 Notice of Town Meeting

Notice of every Town Meeting shall be given by posting attested copies of the warrant calling the same in at least one public place in each precinct not less than fourteen days before the day appointed for such meeting and the Town Clerk shall mail printed copies of the warrant to the limited Town Meeting members at least fourteen days before the time at which any representative Town Meeting is to be held; provided, however, that no meeting shall be invalidated by reason of any mistake or omission as to mailing copies to Town Meeting members.

202.00 Warrant Articles

All articles in the town warrant shall be taken up in the order of their arrangement unless otherwise decided by a two-thirds vote of those present and voting.

203.00 Appraisalment Of Town Property

There shall be chosen at each annual meeting a committee of three (3) persons who shall make an annual appraisalment of all property owned by the Town and make a report of their appraisalment in the annual Town Report.

204.00 Motions For Expenditures

All questions and motions submitted for the consideration of the Town involving the expenditure of money, and such other motions as may be required by the Moderator, shall be in writing.

205.00 Use Of Check List

On demand of fifteen (15) Town Meeting members the check list shall be used in taking the vote, and the meeting to determine whether by ballot or yea or nay vote, on any motion or resolution properly before a meeting of the Town.

206.00 Reconsideration

No vote shall be reconsidered at the meeting at which it was passed except upon a motion made within one hour after such vote has passed and upon notice that such a motion is to be made, given within a half hour after such vote has passed nor unless such motion to reconsider is made by a person who voted with the prevailing side.

207.00 Motions And Precedence Of Motions

When a questions under debate no motion shall be received, but to adjourn the meeting to reconsider a previous vote, the previous question, to lay on the table, to commit or amend to refer or postpone to a certain day, or to postpone indefinitely, which several motions shall have precedence in the order in which they are. herein arranged.

208.00 Speaking On A Subject

Town Meeting members, the chairman of the Board of Selectmen, Chairman of the School Committee and Town Manager may speak on the same subject not more than twice or for more

than ten (10) minutes, without the consent of the meeting. Non members and citizens may speak on the same subject not more than twice or for more than five (5) minutes without the consent of the meeting. Full time employees of the Town, who are not residents of the Town, may speak on the same subject not more than once or for more than five (5) minutes without the consent of the meeting. Other non residents may speak on the same subject not more than once or for five (5) minutes and then only with the unanimous consent of the meeting.

209.00 Committees Appointed By The Moderator

All committees shall be appointed by the Moderator unless otherwise directed by the meeting and it shall be the duty of the member first named promptly to call the committee together for organization.

210.00 First Order Of Business

The first business in order at each adjourned meeting shall be the reading of the records of the previous session by the Town Clerk.

211.00 Rules Of Practice

The powers and duties of the presiding officer, not especially provided for by law or in the foregoing rules, shall be determined by the rules of practice contained in the Roberts Rules of Order, most recent edition, so far as they are adapted to the conditions and powers of the Town.

212.00 Duty Of Moderator

It shall be the duty of the Moderator to request all persons not Town Meeting members to retire from such portion of the hall as may be designated by the Moderator to be occupied by Town Meeting members during transaction of all Town business.

213.00 Motion To Dissolve Meeting

Any motion, the effect of which would be to dissolve the meeting, if made before every article in the warrant for such meeting has been finally disposed of, shall require the affirmative vote of at least two-thirds of those present and voting; but this shall not preclude an adjournment of the meeting to some other time.

300.00

PROVISIONS RELATED TO TOWN OFFICERS AND EMPLOYEES

301.00 Duty of Town Clerk To Notify

It shall be the duty of the Town Clerk to immediately notify in writing all members of committees that may be elected or appointed at any Town Meeting stating the business on which they are to act and the names of the members.

302.00 Disposal of Town Property

Every board or officer in charge of a department may, with the approval of the Selectmen sell or otherwise dispose of any personal property or material of the Town in the custody or control of such department and not required by such department and not exceeding three hundred dollars (\$300.00) in value.

303.00 Disposal of Town Owned Land

303.01 Selectmen are henceforth authorized by Town Meeting to hold public sales of tax title and low-value land ONLY under the following conditions:

303.02 That no parcel be offered for sale which does not have the previous approval of the Conservation Commission, the Planning Board and the Playground Commission;

303.03 That the decision by majority vote by the Conservation Commission, the Planning Board and the Playground Commission shall take into account the future land needs of the Town for public buildings, parks or recreation, as well as the desirability of setting aside land for open space or other conservation purposes.

304.00 Traffic Safety Unit Within Police Department

304.01 The Selectmen are hereby authorized to establish a safety unit within the Police Department that shall enforce the Traffic Rules and Regulations of the Town of Saugus, By-laws relating to streets, fire lanes, handicapped parking and State Laws relating to speed limits, truck weights, pedestrian right of way as well as any other duties deemed necessary and proper by the Police Chief that will promote the public safety.

304.02 The Police Chief and Parking Clerk shall maintain statistics and annually prepare a report to the Selectmen detailing the activities of such unit including the amount of tickets issued, the total amount of fines levied, the streets and areas monitored, and any other information relevant to the unit.

305.00 Town Counsel

305.01 The Town Manager shall annually appoint an Attorney-at-law to act as Town Counsel.

305.02 The Board of Selectmen shall have authority to prosecute, defend and compromise all litigation to which the town is a party, and to employ special counsel to assist the Town Counsel whenever in their judgment necessity therefor arises.

305.03 The Town Counsel shall draft all bonds, deeds, leases, obligations, conveyances and other legal instruments, and perform every professional act which may be required of him by vote of the

town or any board of town officers. Also, when required by said boards or any committee of the Town, he shall furnish a written opinion on any legal question that may be submitted to him, and he shall at all times furnish legal advice to any officer of the Town who may require his opinion upon any subject concerning the duties incumbent upon such officer by virtue of his office. He shall prosecute all suits ordered to be brought by the Town or Board of Selectmen, and shall appear at any court in the Commonwealth in defense of all actions or suits brought against the Town or its officers in their official capacity. He also shall argue and try any and all causes in which the Town shall be party, before any tribunal, whether in law or equity in the Commonwealth, or before any Board of Referees on Commission, and shall appear at any and all hearings on behalf of the Town whenever his services may be required.

306.00 Employee Work Schedule

306.01 Fire Department. The hours of duty of permanent members of the uniformed fire fighting force shall be established so that the average weekly hours of duty in any year, other than when members are summoned and kept on duty because of conflagrations or emergencies, shall not exceed forty-two (42) hours.

306.02 Police Department. The schedule of duty for permanent members of the Police Department shall be established to consist of four (4) consecutive working days and two (2) consecutive days off.

306.03 Town Employees (other than Fire, Police and School). The work week for Full Time Town Employees (other than Fire, Police and School Departments) and limited to office or clerical employees shall be established at thirty-six and one-half ($36\frac{1}{2}$) hours (Monday 8:30 A.M. to 8:00 P.M.; Tuesday through Thursday 8:30 A.M. to 5:00 P.M.; Friday 8:30 A.M. to 12:30 P.M.) with the exception of June, July and August when the hours shall be established at thirty-three and one-half ($33\frac{1}{2}$) hours. (Monday 8:30 A.M. to 8:00 P.M., Tuesday through Thursday 8:30 A.M. to 4:00 P.M., Friday 8:30 AM. to 12:30 P.M.).

400.00
FINANCE

401.00 Duty of Town Clerk To Notify

It shall be the duty of the Town Clerk immediately after every Town Meeting to furnish the Town Accountant, Board of Assessors, Board of Selectmen, and Finance Committee with a statement of all monies appropriated by the Town at such meeting, and of the purposes for which monies were respectively appropriated.

402.00 Audits

All of the accounts of the Town shall be audited annually by the Division of Accounts, Department of Corporations and Taxation, in accordance with the laws of the Commonwealth.

403.00 Purchases

No officer, board or committee having the disbursement of an appropriation shall make purchases of supplies or materials or contract for services to be rendered the Town without issuing a written purchase order, therefor on prescribed forms, provided however, that the provisions of this section shall not apply to the wages of persons temporarily employed by the Town. All purchase orders are to be in triplicate; one to be designated for and delivered to the Town Accountant; and one to be designated for the files of the office issuing the order. The order designated for the vendor shall be submitted to the Town Accountant and shall not be delivered to the vendor until the Town Accountant shall have certified thereon that there is sufficient unencumbrance against such appropriation; provided, however, that verbal orders for supplies or materials or services to be rendered may be issued for an amount not to exceed twenty-five (\$25.00) dollars. All order forms on the day the orders are given and transmitted within forty-eight (48) hours to the Town Accountant to be certified and recorded.

404.00 Accounting

The Town Accountant shall prescribe the methods of accounting and the forms to be used by several officers, boards and committees of the Town pertaining to their receipts and disbursements, and shall provide that such methods and forms shall conform to the requirements prescribed by law or any rules or regulations made thereunder.

500.00

BOARDS, COMMITTEES, COUNCILS, DEPARTMENTS, AND COMMISSIONS

501.00 Finance Committee

501.01 Organization

The Committee shall meet for organization forthwith after the conclusion of the Annual Town Meeting. Said meeting shall be called by the chairman of the committee, or in his absence by the secretary. If no officer exists said committee shall be called by the senior member.

501.02 Chairman

The committee shall choose a chairman who shall schedule and call committee meetings, preside at meetings and represent the committee when required.

501.03 Secretary

The committee shall choose a secretary, who shall preside in the absence of the chairman keep a true record of the committee proceedings, and initiate and answer various committee correspondence.

501.04 Vacancies of Offices

Vacancies in the offices of chairman and secretary may be filled at any time.

501.05 Duties of Committee

The committee may consider matters relating to the appropriation the borrowing and the expenditure of money by the town and its indebtedness, and may make recommendations to the town to any town board, officer or committee relative to such matters.

501.06 Receipt of Estimates of Expenditures

The various town boards, officers and committees charged with the expenditure of town money shall prepare detailed estimates of the amount deemed by them necessary for the ensuing year, with explanatory statements as to the reasons for any changes from the amounts appropriated for the same purpose in the preceding year and shall submit the same to the secretary on or before December first of each year.

501.07 Receipt of Estimates of Incomes

The various Town boards, officers and committees charged with the expenditure of Town money shall prepare estimates of all probable items of income which may be received by them during the ensuing year in connection with the administration of their offices and departments. Detailed statements concerning the prior years appropriations and expenditures shall be presented by each board, officer and committee and shall be submitted to the secretary of the committee on or before January 31 of each year.

502.00 Cemetery Commissioners

502.01 Duties and Responsibilities

The Board of Cemetery Commissioners shall have the sole care, superintendence and management of all public burial grounds in the Town, may lay out any existing public burial grounds in the Town of any land purchased and set apart by said Town, for such cemeteries, in lots, or other suitable sub-divisions, with proper paths and avenues; may plant, embellish, ornament and fence the same and erect therein suitable edifices and conveniences and make such improvements as it considers convenient and shall have all the powers delegated to such boards under the General Laws.

503.00 Department of Civil Defense

503.01 There is hereby established a department of civil defense (hereinafter called the "department"). It shall be the function of the department to have charge of civil defense as defined in Section 1, Chapter 639, Acts of 1950 and to perform civil defense functions as authorized or directed by said chapter or by any and all executive orders or general regulations promulgated thereunder, and to exercise any authority delegated to it by the Governor under said Chapter 639.

503.02 Director of Civil Defense

The department shall be under the direction of a director of civil defense (hereinafter called the "director") who shall be appointed as prescribed by law. The director shall have direct responsibility for the organization, administration, and operation of the department, subject to the direction and control of the appointing authority, and shall receive such salary as may be fixed from time to time by the appointing authority. The director may, with the limits of the amount appropriated therefor, appoint such experts, clerks and other assistants as work of the department may require and may remove them and may make such expenditures as may be necessary to execute effectively the purposes of Chapter 639, Acts of 1950. The director or the appointing authority shall submit a detailed budget for the defense department.

The director shall also have the authority to appoint district coordinators and may accept and may receive, on behalf of the Town, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of civil defense, offered by the federal government or any agency or officer thereof or any person, firm or corporation, subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer. The director shall cause appropriate records to be kept of all matters relating to such gifts, grants or loans.

503.03 Civil Defense Advisory Council

There is hereby established a civil defense advisory council (hereinafter called the "council"). Said council shall serve without pay and shall consist of the director of civil defense, such other department heads and such other persons as the authority appointing said director may deem necessary. Such member of said council as said appointing authority shall designate shall serve as chairman of said council. Said council shall serve subject to the direction and control of the appointing authority and shall advise said appointing authority and director on matters pertaining to civil defense.

503.04 Police Aid to Other Cities and Towns in Event of Riots or Other Violence Therein

The Police Department shall, after the issuing of any proclamation provided for in Chapter 639, Acts of 1950, by hereby authorized to go to aid another city or town at the request of said city or town in the suppression of riots or other forms of violence therein.

503.05 Termination of By-law

This By-law shall remain in force during the effective period of Chapter 639, Acts of 1950, and any act in amendment or continuation thereof or substitution therefor.

503.06 Definition

All references to Chapter 639, Acts of 1950, as now in force, shall be applicable to any act or acts in amendment or continuation of or substitution for said Chapter 639.

504.00 Building Committee

504.01 Upon this passage of this amendment by the Town Meeting, and approval of this amendment by the Attorney General, the Moderator forthwith shall appoint a permanent Building Committee of nine (9) members, three for a term of one year, three for a term of two years, and three for a term of three years, and on the expiration of the original term of any member, the appointment shall be for a term of three years. Wherever possible, in the discretion of the Moderator, representation on said committee may be given to persons having experience in commercial construction, architectural and engineering experience, or experience in the building trade such as the electrical or plumbing, or heating trades, or general experience which the Moderator may feel to be valuable to the function of this committee. Of the original appointees, at least, one shall be a Town Meeting member at the time of said appointment, and thereafter further appointments should be made so that at least one member of the entire committee are Town Meeting members at the time of appointment in any given year.

Said committee shall serve in an advisory capacity, and shall advise the Town Meeting as to the construction of new Town buildings or the additions to or renovations of Town buildings, and where possible said committee shall cooperate with the Board of Selectmen, Town Manager, and without any interference with or deviation from the duties and responsibilities of the Town Manager under the Town charter as to the construction of buildings, to cooperate further with the contractors and other agents of the Town or in proceedings before public boards concerned with the construction of said buildings. Said committee shall have the right to have access to all contracts, correspondence, and official papers concerning said construction of said buildings in order to be informed so as to make appropriate recommendations.

The committee shall make periodic reports, as deemed necessary to the Town Meeting, or reports to Special Town Meetings upon all questions of construction of Town Buildings as heretofore set forth.

505.00 Salt Water Marsh and River Basin Planning

505.01 The Town Manager shall appoint a committee consisting of seven (7) persons for the purpose of reviewing, investigating, and recommending plans to realize the greatest potential usage of the Saugus Salt Water Marshes bordering Route 107, Route 95 and the Saugus and Pines Rivers. The committee shall assist the Town Manger and the Saugus Planning Board in working with State agencies, including the Department of Natural Resources, in obtaining information and/or approvals to be used in recommending zoning and/or rezonings to accomplish the most equitable distribution of the area for purposes of conservation, industrial development, marine commerce and marine recreation. Initially three (3) members shall be appointed for two (2) years and four (4) for one (1) year with the appointments expiring December 31, 1971 and 1972. Subsequent appointments shall be for terms of two (2) years. The committee shall serve the further purpose of investigating and recommending actions on petitions for land filling which are received by the Board of Selectmen and the Board of Health. This service will be done upon request of the two boards, and recommendations shall not be binding.

506.00 Personnel Board

506.01 Appointment of Personnel Board

There shall be established a non-salaried Personnel Board consisting of three (3) registered voters of the town. Said board shall be appointed by the Town Manager. No elected or appointed town official, or no employee of the town shall be eligible to serve on said board.

The term of office shall be for three (3) years beginning on the first January of the year of the appointment and expiring on December 31st, three years hence. Initial appointments shall be made in the same year but have staggered expiration dates.

Not more than one (1) member shall have an appointment that expires in the same year. When a vacancy in an ongoing appointment occurs, the Manager shall appoint a qualified individual to fill the balance of the unexpired portion of that term.

The Personnel Board shall annually, following the appointment of new members, elect its own chairman and secretary. It shall cause to be kept a true record of its proceedings and may, subject to appropriations thereof, make such expenditures as may be necessary in the performance of its duties. Said Board shall meet at least quarterly in open session, for the transaction of business, and it may hold such special meetings as may be called by the chairman or directed by vote of said Board. A majority of said Board's total membership shall be necessary for any official act of said Board.

The Manager shall furnish said Board with such space as it may require for the performance of its duties and the storage of its property; and, upon application of said Board, shall provide it with an adequate place for holding public hearings.

506.02 Duties of Personnel Board

The Personnel Board shall perform studies of any and all personnel positions of the personnel-related activities in the town, except labor negotiations and grievances. The personnel-related activities shall include studies on any written policies / procedures for compliance with applicable laws. Said Board shall also review and recommend any changes in policy / procedures, hiring practices, or job descriptions in writing to the town manager.

506.03 Access to Information

The Personnel Board shall file with the Town Clerk, for inclusion in the annual report of the Town an annual report of its activities.

506.04 Employees Suggestion Plan

The Personnel Board shall be responsible for creating, administering, changing, and executing an employee suggestion plan for all Town employees.

507.00 Canine Control

507.01 Definitions.

As used in this By-law, the following terms mean:

ANIMAL SHELTER. Any premises designated by Town Administrative Authority for the purpose of impounding and caring for animals held under authority of this By-Law.

CANINE CONTROL BOARD. An unpaid advisory board made up of three (3) registered voters of the Town, appointed annually by the Town Manager with the tasks of monitoring the effectiveness of this by-law, assuring the humane treatment of the animals regulated by the By-Law and promulgating necessary changes to the By-Law.

CANINE CONTROL OFFICER. Any person or persons appointed by the Selectmen as the Dog Officer or Officers under the provisions of Chapter 140, Sections 151 and 151A of the General Laws to carry out the provisions of this by-law. In the absence or vacancy in the office or unavailability of the Canine Control Officer, the Town’s Inspector of Animals or his deputy shall perform the duties of the Canine Control Officer(s).

HUMANE OFFICER. Any person designated by the Humane Society as a law enforcement officer and who qualifies to perform such duties under the laws of the Commonwealth of Massachusetts.

HUMANE SOCIETY. Any organization for the prevention of cruelty to animals incorporated under the laws of the Commonwealth of Massachusetts.

OWNER. Any person, having reached the age of majority, owning, keeping, or harboring dogs.

PERSON. Any individual, partnership, company, or corporation.

RESTRAINT. A dog shall be deemed to be under restraint if on the premises of its owner or, if outside the premises of the owner, is accompanied by a person who shall have the dog under control by holding it firmly on a leash.

VETERINARY HOSPITAL. An establishment maintained and operated by a licensed veterinarian for the boarding of animals or the diagnosis and treatment of diseases and injuries of animals.

507.02 Requirement for an Identification Tag

Every owner issued a license in accordance with the provisions of Chapter 140, Section 137 of the General Laws of the Commonwealth for a dog owned or kept within the Town will also receive an Identification Tag form the Town Clerk’s office. The Identification Tag shall be a durable tag stamped with an identifying number and of a particular color to signify the specific year of issuance. Tags will be designed that they may conveniently be fastened to the dog’s collar or harness. Dogs must wear Identification Tags at all times when the animal is off the premises of the owner. The Canine Control Officer shall maintain a record of the identifying numbers and shall make this record available to the public.

507.03 Restraint of Dogs

No person shall own, keep or harbor in the Town of Saugus, outside the confines of the owner’s property, any dog which is not held firmly on a leash by a person who shall have control of such a dog.

507.04 Unrestrained Dogs

Unrestrained dogs may be taken by Police, the Canine Control Officer or a Humane Officer and impounded in an animal shelter, and there confined in a humane manner. If by an Identification

Tag or by other means the owner can be identified, the Canine Control Officer shall immediately upon impoundment notify the owner of the impoundment of the animal. Impounded dogs shall be kept for ten (10) days unless reclaimed by their owners. Dogs not claimed by their owners within ten (10) days, or placed in suitable new homes, may be humanely euthanized by the Canine Control Officer or by an agency delegated by him to exercise that authority.

507.05 Reclaiming Impounded Dogs

An owner reclaiming an impounded dog shall pay an administrative fee of \$20.00 plus \$3.00 boarding charge for each day that the dog has been impounded, to a maximum payment of \$50.00.

507.06 Female Dogs in Heat

Every female dog in heat shall be confined in a building or secure enclosure in a such manner that such female dog cannot come into contact with another animal except for planned breeding.

507.07 Nuisances

No owner shall fail to exercise proper care and control of his animals to prevent them for becoming a public nuisance. Excessive or untimely barking, molesting passerby, chasing vehicles, habitually attacking people or other domestic animals, trespassing upon school grounds, or trespassing upon private property in such manner as to damage property, shall be deemed a nuisance.

Certain acts prohibited in Public Parks, Playgrounds, Schoolyards and Public Recreation Areas, except at Prankers Pond where leashed dogs and horseback riding will be permitted. No person shall permit dogs or other such animals to enter these areas, nor shall any person willfully ride a horse or other such animal in these areas unless designated to do so by proper authority.

507.08 Using Animals as Prizes

No person shall give away any live vertebrate animal as a prize for or as an inducement to enter, any contest, game or other competition, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.

507.09 Quarantining of Dog that Bites

Any dog which bites a person shall be quarantined for ten (10) days if ordered by the Inspector of Animals. During quarantine the dog shall be securely confined and kept from contact with any other animal. At the discretion of the Inspector of Animals, the quarantine may be on the premises of the owner. If the Inspector of Animals requires other confinement, the owner shall surrender the animal for the quarantine period to an animal shelter or shall, at his own expense, place it in a veterinary hospital.

507.10 Animals Suspected of Being Rabid

No Police Officer or other person shall kill, or cause to be killed any animal suspected of being rabid, except after the animal has been placed in quarantine and the diagnosis of rabies made by a licensed veterinarian. If a veterinarian diagnoses rabies in an animal in quarantine, then the animal shall be humanely killed and the head of such animal be sent to a laboratory for pathological examination and confirmation of diagnosis.

507.10-A

Whoever is the owner or keeper of a dog or cat in the Town of Saugus six months or older shall cause such dog or cat to be vaccinated against rabies by a licensed veterinarian using licensed vaccine according to the manufacturer's directions and shall cause such dog or cat to be revaccinated at intervals recommended by the manufacturer. Who ever violates the provisions of this section shall be punished by a fine of not more than fifty (\$50.00) dollars. Each day of noncompliance shall constitute a separate offense.

507.11 Hindering the By-law Enforcement

Any Canine Control Officer or Humane Officer shall have police power in the enforcement of this By-law and no person shall interfere with or hinder, molest or abuse any Canine Control Officer or Humane Officer in the exercise of such powers.

507.12 By-law Violation Fine

Any person violating any provision of this By-law shall be deemed guilty of a misdemeanor and shall be punished by a fine of \$25.00 for the first and each subsequent offense. If any violation be continuing, each day's violation shall be deemed a separate violation. (6/25/87)

507.13 If Parts of By-law are Invalid

If any part of this By-law shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this By-law. No provision or interpretation of a provision of this By-law is intended to be either in conflict with, or an attempt to change, any statutory provision in Chapter 140 pertaining to dogs.

507.14 Fees:

Adoptions:	\$ 7.00
Licenses:	
Un-neutered Males	10.00
Neutered Males	6.00
Spayed Females	10.00
Un-Spayed Females	10.00
Kennels (for 4 dogs)	20.00
Kennels (up to 10 dogs)	40.00
Kennels (over 10 dogs)	50.00

508.00 Conservation Commission / Wetland Control

508.01 The purpose of this By-law is to protect the wetlands, related water resources, and adjoining land areas of the Town of Saugus by controlling activities deemed to have a significant effect upon wetland values, including, but not limited to the following public or private water supply, ground water, flood control, erosion and sedimentation control, storm damage, water pollution, fisheries, shellfish, wildlife, wildlife habitat, recreation, and wetland-related structures and locations of historic significance.

No person shall remove, fill, dredged water resources, and adjoining land areas of the Town of Saugus controlling activities deemed to have a significant effect upon wetland values, including, but not limited to the following public or private water supply, ground water, flood control, erosion and sedimentation control, storm damage, water pollution, fisheries, shellfish, wildlife, wildlife habitat, recreation, and wetland-related structures and locations of historic significance.

No person shall remove, fill, dredge or alter any bank fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow, bog, swamp, or lands bordering on the ocean or on any estuary, creek, river, stream, pond, or lake, or any land subject to tidal action, coastal storm flowage, or flooding, other than in the course of maintaining repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services, without filing written notice of his intention to so remove, fill, dredge or alter and without receiving and complying with an Order of Conditions and provided all appeal periods have elapsed.

Said notice, including such plans as may be necessary to describe such proposed activity and its effect on the environment, shall be filed by delivery in hand to the Commission or its authorized representative or by certified mail, return receipt to the Commission. Each such notice shall be accompanied by a filing fee as specified by the Commission's rules and regulations and shall be in addition to that required by Chapter 131, Section 40. No filing fee shall be required when the Town of Saugus files an application for a permit. The same notice, plans and specifications required to be filed by an applicant under Massachusetts General Laws Chapter 131, Section 40 will be accepted as fulfilling the requirements of this By-Law. The Commission, in its discretion, may hear any oral presentation under this By-Law at the same public hearing required to be held under the provisions of said Chapter 131, Section 40 of the Massachusetts General Laws. Definitions set forth in said Chapter and Section and in the regulations issued and as may be amended by the Department of Environmental Quality Engineering thereunder, are hereby made a part of this By-Law.

508.02 The term "person", as used in this By-Law, shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof, administrative agency, public or quasi-public corporation or body, or any other legal entity or its legal representative, agents or assigns.

508.03 The Commission shall hold a public hearing on the application within twenty-one days (21) after receipt of the notice of intent required under Section 1 of this By-Law Notice of the time and place of the hearing shall be given by the Commission at the expense of the applicant, not less than five days (5) prior to the hearing, by publication in a newspaper of general circulation within the Town of Saugus and by mailing a notice to the applicant, Board of Health, Planning Board, Board of Selectmen, and all abutters and holders of real estate who might be affected.

508.04 Within twenty-one days (21) of the receipt by the Commission of a written request made by any person and sent by certified mail, the Commission shall make a written determination as to whether this By-Law is applicable to any land or work thereon. When such person is other than the owner, notice of any such determination shall also be sent to the owner.

508.05 The Commission, its agents, officers and employees, may enter upon the land upon which the proposed work is to be done in response to a request for a prior determination or for the purpose of carrying out its duties under this By-Law and may make or cause to be made such examination or survey as deemed necessary.

508.06 Due consideration shall be given to possible effects of the proposal on all values to be protected under this By-Law and to any demonstrated hardship on the petitioner by reason of a denial, as brought forth at the public hearing. Nevertheless, the Commission is empowered to deny permission for any removal, dredging, filling, or altering of subject lands within the town if, in its judgment, such denial is necessary to preserve environmental quality of either or both the subject lands and contiguous lands.

508.07 Within twenty-one days (21) of the close of the public hearing, the Commission shall issue an Order of Conditions, and all work shall be done in accordance therewith. The Commission may impose such conditions as it deems necessary to contribute to the protection and preservation of subject lands in accordance with the purposes of this By-Law. Any Order of Conditions issued under this By-Law may be subject to the same constraints and may be identical to any such Order issued by the Commission under the provisions of Massachusetts General Laws, Chapter 131, Section 40.

508.08

Section 1 - Purpose:

The purpose of this by-law is to protect the wetlands, water resources, and contiguous land areas of the Town of Saugus by controlling activities deemed to have a significant effect upon wetland values, including but not limited to the following: public or private water supply, ground water, flood control, erosion and sedimentation control, storm damage prevention including coastal storm flowage, water quality, water pollution control, fisheries, shellfish, wildlife, wildlife habitat, recreation, and historically significant wetland-related structures and locations.

Section 2 - Definitions:

A. The following definitions shall apply in the interpretation and implementation of this by-law.

1. The term "aesthetics" shall include the natural scenery and appearance of any area visually accessible to the public.
2. The term "alter" shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource area protected by this by-law:
 - a. Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind;
 - b. Changing of pre-existing drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics;
 - c. Drainage, or other disturbance of water level or water table;
 - d. Dumping, discharging or filling with any material which may degrade water quality;
 - e. Placing of fill, or removal of material, which would alter elevation;
 - f. Driving of piles, erection, or repair of buildings, or structures of any kind;
 - g. Placing of obstructions or objects in water;
 - h. Destruction of plant life including cutting of trees;
 - i. Changing temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters;
 - j. Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or ground water;

k. Application of pesticides or herbicides;

1. Incremental activities that have, or may have, a cumulative adverse impact on the resource areas protected by this by-law.

3. The term “bank” shall include the land area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary being the first observable break in the slope or the mean annual flood level, whichever is higher.

4. The term “date of issuance” shall mean the date an Order of Conditions, modification or extension of an Order, or any written decision of the Commission is mailed, as evidenced by a postmark’ certified mail card, or the date it is hand-delivered.

5. The term “isolated wetland” shall mean an isolated depression with no inlet or outlet which serves as a ponding area for run-off or high ground water which has risen above the ground surface’ and shall be capable of containing at least 5,000 cubic feet of water.

6. The term “person” shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town by-laws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

7. The term “rare species” shall include, without limitation, all vertebrate and invertebrate animal and plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless of whether the site in which they occur has been previously identified by the Division.

8. The term “vernal pool” shall include a confined basin depression which, at least in most years, holds water for a minimum of two months during the spring and/or summer, and which is free of adult fish populations, as well as the area within 100 feet of the mean annual boundary of such a depression, regardless of whether the site has been certified by the Massachusetts Division of Wildlife and Fisheries.

B. Except as otherwise provided in this by-law or in Regulations of the Commission, the definitions of terms in this by-law shall be as set forth in The Wetlands Protection Act, G.L. Ch. 131, §40, and regulations, 310 CMR 10.00, as they may be amended.

Section 3 - Jurisdiction:

No person shall remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: any bank; freshwater or coastal wetland; beach; dune; flat; marsh; wet meadow; bog; swamp; vernal pool; lake; pond of any size; creek estuary; the ocean; land under water bodies; land subject to flooding or inundation by ground water or surface water; land subject to tidal action, coastal storm flowage, or flooding; lands within one hundred (100) feet of any of the aforesaid resource areas; rivers and streams; and lands within two hundred (200) feet of any river or stream, without filing a Notice of Intent with the Saugus Conservation Commission (Commission) and receiving and complying with an Order of Conditions issued by the Commission. Said resource areas shall be protected whether or not they border surface waters.

Section 4 - Conditional Exceptions:

- A. This by-law shall not apply to emergency projects necessary for the protection of the health or safety of the residents of Saugus and to be performed or ordered to be performed by an administrative agency of the Commonwealth or by the Town of Saugus. Emergency project shall mean any project certified to be an emergency by the Commissioner of the Department of Environmental Protection (DEP) and the Commission if this by-law and G.L. Ch. 131, §40 are both applicable, or by the Commission if only this by-law is applicable. In no case shall any removal, filling, dredging, or alteration authorized by such certification extend beyond the time necessary to abate the emergency.
- B. The application and permit required by this by-law shall not be required for other maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services, provided written notice has been given to the Commission prior to commencement of work, and provided that the work conforms to performance standards and design specifications in regulations adopted by the Commission.

Section 5 - Applications and Hearings for Permits and Requests for Determination:

- A. Said Notice of Intent (NOI), including such plans as may be necessary to describe such proposed activity and its effect on the environment, shall be filed by delivery in hand to the Commission or its authorized representative or by certified mail, return receipt requested, to the Commission. The NOI shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this by-law. Each such NOI shall be accompanied by a filing fee as specified by the Commission's rules and regulations and shall be in addition to that required by G.L. Ch. 131, §40. No filing fee shall be required when the Town of Saugus files an application for a permit. The Commission, in its discretion, shall hear any oral presentation under this by-law at the same public hearing required to be held under the provisions of said G.L. Ch. 131, §40.
- B. The Commission shall hold a public hearing on the application within twenty-one (21) days of receipt of the completed NOI required under Section 5A of this by-law, unless the applicant authorizes an extension in writing. Notice of the time and place of the hearing shall be given by the Commission, at the expense of the applicant, not less than, five days prior to the hearing. Such notice shall be published in a newspaper of general circulation within the Town of Saugus and by mailing a notice to the applicant, Board, of Health, Planning Board, Zoning Board of Appeals, Town Engineer, Building Inspector, and Board of Selectmen. The Commission shall have the authority to continue the hearing to a date certain announced at the hearing, for reasons stated at the hearing. Such reasons may include receipt of additional information from the applicant or others deemed necessary by the Commission in its discretion, or comments and recommendations of the boards and officials listed above. The Commission shall issue its Order of Conditions within twenty-one (21) days of the close of the public hearing thereon unless the applicant authorizes an extension in writing.
- C. Within twenty-one days of the receipt by the Commission of a written request made by any person and sent certified mail, the Commission shall make a written determination as to whether this by-law is applicable to any land or work thereon, unless the applicant authorizes an extension in writing. Such a Request for Determination of Applicability (RDA) shall include information and plans as are deemed necessary by the Commission. When such person is other than the owner, the RDA, notice of any such determination, and the Commission's determination shall also be sent to the owner, as well as to the person making the request.
- D. Any person filing a NOI or a RDA with the Commission shall, at the same time, give written

notice thereof, by certified mail (return receipt requested) or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors. This shall include owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line of the applicant, including any in another municipality or across a body of water. The notice to abutters shall have enclosed a copy of the NOI or RDA, with plans, or shall state where copies may be examined and obtained. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission.

Section 6 - Consultant Fees:

A. Upon receipt of a permit application or RDA, or at any point in the hearing process, the commission is authorized to require an applicant to pay a fee for the reasonable costs and expenses borne by the Commission for specific expert engineering and other consulting services deemed necessary by the Commission to come to a final decision on the application. This fee is called the “consultant fee”. The specific consulting services may include, but are not limited to, performing or verifying the accuracy of resource area survey and delineation, analysis of resource area functions, including wildlife habitat evaluations, hydrogeologic and drainage analysis, and environmental or land use law.

B. The Commission may require the payment of the consultant fee at any point in its deliberations prior to a final decision. The applicant shall pay the fee to be put into a revolving fund which may be drawn upon by the Commission for specific consulting services approved by the Commission at one of its public meetings.

C. The exercise of discretion by the Commission in making its determination to require the payment of a consultant fee shall be based upon its reasonable finding that additional information acquirable only through outside, independent consultants would be necessary for the making of an objective decision.

D. The Commission shall return any unused portion of the consultant fee to the applicant unless the Commission decides at a public meeting that other action is necessary. Any applicant aggrieved by the imposition of, or the size of, or any act related thereto, may appeal according to the provisions of the Massachusetts General Laws.

E. The maximum consultant fee charged to reimburse the commission for reasonable costs and expenses shall be according to the following schedule:

<u>PROJECT COST</u>	<u>MAXIMUM FEE</u>
Up to \$100,000	\$500
\$100,001 - \$500,000	\$2,500
\$500,001 - \$1,000,000	\$5,000
\$1,000,001 - \$1~00,000	\$7,500
\$1,500,001 - \$2,000,000	\$10,000

Each additional \$500,000 project cost increment over\$2,000,000 shall be charged an additional \$2,500 maximum fee per increment.

F. The project cost means the estimated, entire cost of the project including, but not limited to, building construction, site preparation, landscaping, and all site improvements. The project shall not be segmented to avoid being subject to the consultant fee, but the Commission may allow reasonable phasing of the project. The applicant shall submit estimated project costs at the Commission’s request, but the lack of such estimated project costs shall not avoid the payment of

the consultant fee.

Section 7 - Permits and Conditions:

- A. If the Commission, after a public hearing, determines that the activities which are subject to the permit application or the land and water uses which will result therefrom are likely to have a significant individual or cumulative effect upon the resource area values protected by this by-law, the Commission, within 21 days of the close of the hearing, shall approve or deny a permit for the activities requested. If it approves a permit, the Commission shall impose conditions that the Commission deems necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions. The Commission shall take into account the cumulative adverse effects of loss, degradation, isolation and replication of protected resource areas throughout the community, resulting from past activities, permitted and exempt, and foreseeable future activities.
- B. The Commission is empowered to deny a permit for failure to meet the requirements of this by-law; for failure to submit necessary information and plans requested by the Commission; for failure to meet the design specifications, performance standards, and other requirements in regulations of the Commission; for failure to avoid or prevent unacceptable significant or cumulative effects upon the resource area values protected by this by-law; and where no conditions are adequate to protect those values. Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing.
- C. To prevent wetland loss, the Commission shall require applicants to avoid wetland alteration wherever feasible or minimize wetland alteration where alteration is unavoidable, with the requirement of full mitigation. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with adequate security, professional design, and monitoring to assure success, because of the high likelihood of failure of replication.
- D. Lands within 100 feet of specific resource areas, and within 200 feet of rivers and streams, are presumed important to the protection of these resources because activities undertaken in close proximity to wetlands, rivers and streams, and other resources have a high likelihood of adverse effect upon them either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, but not be limited to, erosion, siltation, loss of ground water recharge, poor water quality, and loss of wildlife habitat. The Commission therefore may require that the applicant maintain a strip of continuous, undisturbed vegetative cover within aforesaid 100 or 200-foot area, unless the applicant convince the Commission that the area or part of it may be disturbed without harm to the values protected by this by-law.
- E. In the case of areas within 200 feet of rivers and streams, no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this by-law, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effects, and (2) should there be no practicable alternative, that such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this by-law. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purposes, logistics, existing technology, costs of the alternatives, and overall project cost.
- F. A permit shall expire three (3) years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit for a period up to five (5) years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an

additional one-year periods, provided that a request for a renewal is received in writing by the Commission thirty (30) days prior to the expiration date. Notwithstanding the above, a permit may contain requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all owners of the land.

- G. For good cause the Commission may revoke or modify a permit or determination issued under this by-law after notice to the holder of the permit or determination, notice to the public, abutters, and town boards pursuant to Section 5D of this by-law, and a public hearing.
- H. The Commission may combine the permit issued under this by-law with the Order of Conditions issued under G.L. Ch. 131, §40, and its implementing regulations, 310 CMR 10.00 as they may be amended.
- I. No work proposed in any permit application shall be undertaken until the permit issued by the Commission with respect to such work has been recorded in the Registry of Deeds or, if the land affected is registered land in the Land Court, and until the holder of the permit certifies in writing to the Commission that the permit has been recorded.

Section 8 - Security:

- A. As part of a permit issued under this by-law, in addition to any security required by any other municipal or state board, agency, or official, the Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or both of the following methods:
 - 1. By a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility in an amount determined by the Commission to be sufficient and payable to the Town of Saugus upon default;
 - 2. By accepting a conservation restriction, easement or other covenant enforceable in a court of law, executed and duly recorded by the owner of record (or registered, in the case of registered land), running with the land to the benefit of the Town of Saugus whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed.

Section 9 - Enforcement:

- A. The Commission, its agents, officers and employees, shall have the authority to enter upon privately owned land for the purpose of carrying out its duties under this by-law and may make or cause to be made such examination, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.
- B. The Commission shall have authority to enforce this by-law, its regulations, and permits issued thereunder by violation notices, and civil and criminal court actions. Any person who violates provisions of this by-law may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.
- C. Upon request of the Commission, the Board of Selectmen and the Town Counsel shall take legal action for enforcement under civil law. Upon request of the commission, the Chief of Police shall take legal action for enforcement under criminal law.
- D. Municipal boards and officers, including any police officer or other officer having police

powers, shall have authority to assist the Commission in enforcement.

- E. Any person who violates any provision of this by-law, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than three hundred dollars (\$300.00). Each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the by-law, regulations, permits, or administrative orders violated shall constitute a separate offense.

Section 10 - Regulations:

- A. Following a public hearing, rules and regulations shall be promulgated by the Commission to effectuate the purposes of this by-law. However, failure by the Commission to promulgate rules and regulations shall not act to suspend or invalidate the effect of this by-law.
- B. At a minimum, these regulations shall define key terms in this by-law not inconsistent with the by-law and procedures governing the amount and filing of fees.

Section 11- Burden of Proof:

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the resource area values protected by this by-law. Failure to provide adequate evidence to the Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

Section. 12 - Relation to the Wetlands Protection Act:

This by-law is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Statutes, independent of the G.L. Ch. 131, §40, and regulations 310 CMR 10.00 thereunder, as they may be amended.

Section 13 - Appeals:

A decision of the Commission shall be reviewable in the Superior Court in accordance with G.L. Ch. 249, §4.

Section 14 - Severability:

The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof, nor shall it invalidate any permit or determination that previously has been issued.

508.09 The notice required by Section 1 of this By-Law shall not apply to emergency projects necessary for the protection of the health or safety of the residents of Saugus and to be performed or ordered to be performed by an administrative agency of the Commonwealth or by the Town of Saugus. Emergency projects shall mean any projects certified to be an emergency by the Commissioner of the Department of Environmental Quality Engineering and the Saugus Conservation Commission if this By-Law and Massachusetts General Laws Chapter 131, Section 40 are both applicable, or by the Commission if only this By-Law is applicable In no case shall any removal, filling, dredging or alteration authorized by such certification extend beyond the time necessary to abate the emergency.

508.10 Any person who violates any provision of this By-Law or any condition of an Order issued pursuant to it shall be punished by a fine of not more than three hundred dollars (\$300.00). Each day or portion thereof during which a violation continues shall constitute a separate offense: if more than one, each condition violated shall constitute a separate offense. This By-Law may be enforced by any officer having police powers. Upon request of the Commission, the Board of Selectmen and Town Counsel shall take such legal action as may be necessary to enforce this By-Law and Orders issued pursuant to this By-Law.

508.11 Following a public hearing, rules and regulations shall be promulgated by the Commission to effectuate the purposes of this By-Law. However, failure by the Commission to promulgate rules and regulations shall not act to suspend or invalidate the effect of this By-Law.

Non-criminal disposition: In addition to the procedures for enforcement as described above, the provisions of this by-law may also be enforced, by the Commission or its agent, by non-criminal complaint pursuant to the provisions of M.G.L. c. 40, section 21D. Each day on which a violation occurs shall be deemed to be a separate offense. The penalty for violation of any provision of this by-law shall be \$25.00 for the first offense; \$50.00 for the second offense; \$100.00 for the third offense and \$200.00 for the fourth and each subsequent offense.

508.12 This By-Law is adopted under Home Rule Amendment of the Massachusetts Constitution and the Home Rule Statutes, independent of the Wetlands Protection Act, MGL Chapter 131, Section 40, and regulations thereunder.

508.13 The decisions of the Commission made under this By-Law may be appealed according to the provisions of the Massachusetts General Laws. The process for such appeal shall be set forth by the Commission in its rules and regulations.

509.00 Council on Aging

509.01 A council on Aging is herewith established for the purpose of carrying out, coordinating or establishing programs designed to meet the problems of aging. The Council shall make an annual report to the Town.

509.02 The Council may, in its own name, accept contributions, gifts and assistance for the furtherance of its program.

510.00 Kasabuski Memorial Skating Rink and Athletic Field Board of Governors

510.011 There shall be a Board of Governors consisting of not less than eleven members. The members shall receive no remuneration in consideration of their management duties and responsibilities. Eight of the members shall be elected by the following organizations in the quantities stated:

Saugus Youth Hockey Association	3 Members
Figure Skating Club	1 Member
Saugus National Little League	2 Members
Saugus Youth Soccer Association	1 Member
Town of Saugus Playground Commission	1 Member

The Saugus High School Varsity Hockey Coach shall be an automatic member.

Additionally, the above eight members shall elect three individuals to fill the remaining positions. These individuals may be any Saugus residents interested in the objectives and purposes of this

plan. These individuals must also work in the Professional, Financial or Business Management fields. These members shall be deemed appointed immediately.

510.02 The Board Members' terms of office shall be as follows:

- a. The three members from Saugus Youth Hockey shall serve one, two, and three years, respectively.
- b. The Skating Club Member shall serve three years.
- c. The Saugus National Little League Members shall serve two and three years, respectively.
- d. The Saugus Youth Soccer member shall serve two years.
- e. The term of office of the Varsity Hockey Coach shall be on a continuing basis.
- f. The term of office of the appointed (elected by the members in a. thru e.) members shall be one year.

510.03 In the event that a member has served two successive terms, he/she shall not be eligible for reelection to the Board before the next annual meeting following the expiration of his/ her second term.

510.04 Six members shall constitute a quorum at any regular or special meeting of the Board.

510.05 The Board must hold regular meetings on a monthly basis and may call special meetings as deemed required.

510.06 The Board shall elect a Chairman, Vice-Chairman, Secretary and Treasurer as its principal officers. The Chairman shall preside at all regular or special meetings and the Vice-Chairman shall attend and keep accurate records of all business transacted at meetings. The Treasurer shall see that accurate books of accounts are kept and shall work closely with the Town of Saugus Treasurer and Accountant. He/she shall provide a financial report to the Board of Governors at each of its regular meetings.

510.07 In the event of a vacancy, the Board shall forthwith, request that the vacancy be filled by an election within the member organization (i.e. Youth Hockey, Skating Club, National Little League, Youth Soccer). If a vacancy occurs in the appointed membership, the Board shall fill that vacancy within thirty (30) days.

510.08 The Governors shall be charged with management of the Kasabuski Bros. Skating Rink, including all lands, buildings and incidental activities thereto, and shall be vested with full and complete power to carry out the objectives and purposes of this plan. They shall be vested with the power to promulgate regulations governing the use of the Ice Rink. The Board shall have the power to fix, and as necessary, change fees to be charged for the use of the leased facilities.

510.09 The Board of Governors shall have the power to hire, and discharge personnel (full or part time) that are employed in the operation of the facilities. (Attachment A)

510.10 Employees of the faculty shall not be employees of the Town of Saugus.

510.11 The Board of Governors shall set the salaries and terms and conditions of employment for all employees.

510.12 Any member of the board of Governors may be removed from office for cause at any time by a two-thirds vote of all Board of Governors' Members taken by a written ballot at a duly called meeting of the Board. The call of the meeting at which such action is proposed shall clearly set forth such proposed removal. Written notice of such removal proceeding must be mailed to each Governor and the organization he represents seven days (7) prior to the removal hearing. The member proposed to be removed shall have the opportunity to defend him/herself.

511.00 Boats and Waterways Commission

511.01 Purpose

The waterways Commission, hereinafter the "Commission" is formulated for the purpose of providing a clear, effective and professional policy for the planning, development and management of Saugus' waterways. The Commission will bring continuity in policy to secure public access to the waterfront, protect the rights of current marine interests and promote development consistent with historic usage and the public interest. The policy of the Commission will ensure the interests of commercial, fishing, and recreational boating and that the waterways will be accessible to all citizens.

511.02 Composition

There shall be a Waterways Commission which shall consist of five (5) members who must be residents of the Town of Saugus. The members shall be appointed by the Board of Selectmen from a list of persons recommended by the Town Manager, because of their interest in waterways and adjoining land activities. Said commission shall be composed of the following categories: Waterway abutting homeowner with no commercial interests in waterways or adjacent lands, a commercial fisherman / lobsterman, a recreational boat owner, business owner in the predominate waterways area, and a town meeting member. In addition, there shall be two (2) alternate members appointed from any of the proceeding categories of members to serve in place of absent members, if necessary. The harbormaster shall serve as an ex-officio member of the commission, without vote.

511.03 Tenure

The term of all members shall run for three (3) years except that the initial term shall be staggered so that the term of not more than two (2) members shall terminate in any year. Alternate members appointments shall not expire in the same year. If a member resigns or is removed for any reason before his/ her term expires, a replacement shall be appointed within two months of termination by the board of Selectmen, in accordance with Section 2, to complete that term. A commission member can be removed by the Board of Selectmen for good cause, upon request of the commission. Failure to attend four consecutive meetings without good reason shall constitute good cause for removal. The commission shall elect a chairperson and secretary.

511.04 Powers and Duties

The Saugus Waterways Commission is hereby authorized, empowered and required: To prepare and implement a comprehensive Waterway Master Plan and to provide for the annual review of said plan This plan shall be known as the Saugus Waterways Plan and shall be subject to Town meeting approval.

To recommend procedures, and long range plans for recreational and commercial boats in regard to dockage, launching, moorings and for water dependent development projects; to confirm the

enforcement powers of Town; State, and Federal authorities; to advise the Board of Selectmen concerning fees and charges for Town owned and operated facilities within the commission's jurisdiction; to recommend to the Board of Selectmen setting fines for violation of regulations; all consistent with existing law and State and Federal guidelines.

To research, articulate, publicize and help implement the various rules and regulations by the State Department of Environmental Protection, Chapter 91, permitting process and the Army Corps of Engineers licensing procedures as they apply to all development projects in the areas of the waterways of the Town of Saugus under the jurisdiction of the Commission.

To make recommend By-Laws for adoption by the Saugus Town Meeting consistent with any Saugus Waterways Commission Plan ultimately adopted. To advise the harbormaster in the assignment of moorings and placement of floats or rafts held by bottom moorings, the management of mooring areas and the collection of mooring fees as established.

To advise the Town Manager and the park managers in the management, maintenance, and supervision of the Ballard Street Public Parking, and Lobsterman's Landing / Vitale Memorial Park, including any public parking areas related thereto. The Commission shall make recommendations on the fees to be charged for the use of such facilities.

To review the operating budget related to the revolving fund set aside for the cooler facility, and to investigate the feasibility of adding to such a fund other income received from local appropriations, mooring fees, excise taxes collected under M.G.L. Chapter 60B, violation fines, and/or a harbor management fund established hereafter by By-Law; and to make recommendations hereunder to the Town Manager and the Finance Committee.

To act as a liaison between the Town of Saugus and the Army Corps of Engineers, DEP's Division of Wetlands and Waterways and the Massachusetts Office of Coastal Zone Management.

To review and make recommendations on proposed zoning changes for land bordering the waterways. Such recommendations shall be forwarded to the Planning Board and the Town Counsel.

To review and make recommendations to the Town Manager and the Board of Selectmen on proposed water use activities contiguous to the waterfront and within the waters delineated in Section 5 of this By-Law, that are received for review by other municipal agencies.

To review for consistency with any harbor management plan any public notice of an application for local, state or federal permit for an activity taking section place within the commission's jurisdiction as described in Section 5 of this By-Law, and to respond in a timely fashion with recommendations to the regulating agencies.

To conduct or cause to be conducted, studies of the conditions and operations in and adjacent to Saugus waters and to present to the Town Manager proposals for the harbor's efficient operation.

To work with other Town Agencies and Departments in making applications for, receiving and administering grants or subsidies from any State or Federal Agency and to investigate all accepted financial policies to raise revenues for the planning, construction or financing of any waterways related project.

To prepare an annual report in accordance with the Town Charter.

To meet at least once a month on a day to be scheduled by the Commission.

511.05 Areas of Jurisdiction

The Commission has geographic jurisdiction over:

The areas located in the waters of the Town of Saugus bounded by the projection of the boundary lines of neighboring towns or cities.

All tidal and intertidal zones within these boundaries and all land in the Town of Saugus immediately contiguous to these zones.

All current and future launching and docking facilities within these boundaries.

511.06 Severability

If any provision of this By-Law or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of this By-Law which can be given effect without the invalid provisions or application, and to this end, all the provisions of this By-Law are declared to be severable.

511.07 Concurrent Jurisdiction

Nothing contained in this By-Law shall be construed to supersede or conflict with the jurisdiction of the Federal Government with respect to the enforcement of the navigation, shipping, anchorage and associated laws of the United States, or any lawful regulation of the Division of Wetlands and Waterways Regulation, Department of Environmental Protection, or the Division of Marine and Recreational Vehicles or any laws of the Commonwealth of Massachusetts.

In the event that any provision of this By-Law is hereby found to be invalid the remainder of the By-Law shall continue in full force and effect.

511.08 Harbormaster, Boats and Waterways Rules and Regulations

A. Fishing Equipment, Bait Receptacles

No bait, receptacles for the storage or keeping of bait, or other equipment used for fishing purposes, commercial or otherwise, including traps, buoys, lines, etc., shall be kept or stored on a float or adjoining pier or wharf used as a common landing in whole or in part by the Town including the Town Boat Ramp and Vitale Memorial Park. Receptacles for bait and all other equipment used for fishing purposes shall be kept suitably covered to prevent unsightliness or the presence of odor, and shall be kept clean. Any receptacle or equipment used for fishing must be removed from any common landing on order of the harbormaster if found to be in violation of regulations.

B. Use of Any Common Landing for Commercial Fishing Purposes Prohibited: Exception

No person or persons shall dock at any common landing for the purpose of discharging, unloading, or taking on commercial fishing products without a valid town permit, nor shall any person or persons load or discharge any commercial fishing equipment at any common landing without prior written permission of the harbormaster.

C. Float Permits

No float may be moored in Saugus Harbor without a float permit. A float permit shall be issued on a yearly basis and the locations, size, and holding equipment shall be under the inspection and control of the harbormaster. Any person aggrieved by the decision of the harbormaster under this subsection has the right to appeal for a hearing to the Board of Selectmen whose decision, after holding a public hearing, is final.

D. Permit to Anchor or Moor a Vessel

A master or person acting as master, owner, custodian or any other person shall moor or anchor any vessel within the limits of Saugus Harbor without first obtaining from the harbormaster a permit to anchor or moor said vessel. Any person aggrieved by the decision of the harbormaster under this subsection has the right to appeal for a hearing to the Board of Selectmen whose decision, after holding a public hearing, is final.

E. Application for Mooring Permit

An applicant requesting a mooring permit shall file an application therefor with the harbormaster, and said application shall contain such information as the harbormaster may require to determine the adequacy of the mooring and gear to be used by the applicant. Upon receipt of the application, the harbormaster may also require an inspection of said mooring and gear. The harbormaster shall issue to the applicant a mooring permit designating the mooring location if, in the opinion of the harbormaster, said mooring and gear to be used is adequate to secure the boat described and there is space available without endangering other boats. The holder of a mooring permit shall cause his mooring identification number to be painted or attached to the float of his or her mooring. Application shall be dated and numbered. If space is not available, applicants will be wait-listed by dated seniority. Any person aggrieved by the decision of the harbormaster under this subsection has the right to appeal for a hearing to the Board of Selectmen whose decision, after holding a public hearing, is final.

F. Fee for Mooring Permits; Expiration of Permits; Permits Nontransferable

The mooring for all who are liable under law to pay to the Town of Saugus their excise taxes for vessels moored in Town waters shall be as determined by the licensing authority, measured from the stem in a straight line aft to the stern. No mooring permit shall be issued until the fee established herein shall be paid to the Town of Saugus. All permits shall expire at midnight, December 31st of the year in which they are issued. Failure of a vessel owner to apply for a permit before April 15th will result in the loss of mooring space. No mooring permit shall be transferable. No vessel, other than the vessel for which the permit is issued may be attached to any mooring. However, the Harbormaster may authorize, in writing, the temporary use of a mooring by another boat upon application by the holder of the permit.

G. Winter Mooring Buoy

Winter Mooring Buoy spars shall be upright at all times, They shall carry the same permit number issued. The winter spars shall be removed the first day of June and shall not be set until on or after the first day of October of each calendar year.

H. Buoys Visibility

All spars, cans, balls or styrene or equivalent chain flotation buoys shall be visible at any tide level unless winter line are dropped to the bottom.

I. Harbormaster to Establish and Enforce Regulations for Buoys and Moorings

The Harbormaster shall make regulation regarding the size, kind and placing of all moorings and buoys within the anchorage areas of the Town and shall enforce these regulations as provided in the Mass. General Laws.

J. Setting Out Moorings; Chain and Buoys

All moorings shall be placed under the supervision of the Harbormaster. Moorings shall have such suitable chain and buoy as deemed necessary by the Harbormaster. Proper mooring tackle is necessary to secure vessels adequately at their moorings. The Harbormaster's standards in this matter are advisory only, and the Town of Saugus assumes no liability for personal injury or property damage which results in the utilization of any tackle which meets or exceeds these recommended standards. Any person aggrieved by the decision of the Harbormaster under this subsection has the right to appeal for a hearing to the Commission whose decision, after holding a public hearing, is final.

K. Tying Vessels up to Piers

No vessels may be tied to common landings unless the express permission of the Harbormaster has been obtained, and then only for emergencies.

L. Tying Vessels to Common Landing for more than Thirty Minutes Prohibited; Exception

No vessels shall be tied to any common landings in the Town unless for the express purpose of loading or unloading.

M. Speed Limits of Boats; Excessive Wake

No boats shall exceed five (5) miles per hour, or cause a disturbing wake within the confines of posted areas or anchorage areas within Town waters.

N. Skin Divers, Scuba Divers to a Tow Float, Flag; to Surface Under Same; Exception

Persons skin diving or scuba diving in the Saugus Harbor shall tow the float and flag required by Mass. General Laws Chapter 90B, Section 13A while submerged. Such persons shall surface under such float and flag. The provisions of this section shall not apply to persons diving for commercial purposes.

O. Preventing Harbor Contamination

No person shall discharge or cause to be discharged any petroleum products or other products into the Saugus harbor or any waters surrounding the Town. Every caution shall be exercised during transfer operations to prevent the discharge of petroleum products into the Harbor.

All vessels discharging or transferring petroleum or any other pollutants in Saugus waters shall deploy an efficient spill guard so as to retain any spill or leakage.

All vessels unloading a cargo in Saugus waters other than petroleum shall deploy a spill guard at the request of the Harbormaster.

P. Notification to Harbormaster of Arrival of Vessel; Information to be Included in Notice.

All shippers or receivers of petroleum products or other goods and firms doing business in the

Town on arrival of a ship or vessel at their wharf, dock, or otherwise, shall immediately notify the Harbormaster of this fact and forward to him or her, a statement setting forth the following information:

1. Date of Arrival
2. Rig
3. Name of Vessel
4. Nationality
5. Captain
6. Arrival Form
7. Cargo
8. Amount of Cargo
9. Consignee of Cargo
10. Agent of Vessel
11. Register tons gross
12. Register tons net

Q. Non-Criminal Disposition

Whoever violates any provision of this By-Law, in the discretion of the Harbormaster, shall be penalized by a non-criminal complaint in the District Court pursuant to the provisions of Mass. General Laws Chapter 40, Section 21D. For the purpose of this provision, the penalty to apply in the event of a violation shall be as follows: \$25 for the first offense; \$50 for the second offense; \$100 for the third offense and \$200 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed to be a separate offense.

512.00 Youth Commission

512.01 A Youth Commission is herewith established for the purpose of carrying out programs which may be designed to meet the opportunities, challenges, and problems of the youth in the Town of Saugus in conjunction with any similar or related programs of any agency of the Commonwealth or any agency of the Federal Government.

512.02 The Commission will consist of five Saugus residents appointed by the Town Manager subject to the approval of the Board of Selectmen with a majority vote of the roll. Upon the establishment of said Commission the terms of the members shall be for one, two, or three years and so arranged that the terms of approximately one third of the members will expire each year, and their successors shall be appointed for a term of three years each. Any member of the commission so appointed may, after a public hearing if requested, be removed for cause by the appointing authority.

512.03 A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

512.04 Said commission may receive gifts of property, both real and personal, in the name of the Town of Saugus, subject to the approval of the Board of Selectmen. Such gifts will be managed and controlled by the commission in a manner consistent with the Massachusetts General Laws and Acts.

600.00

PUBLIC SAFETY

601.00 Public Ways

601.01 No person shall leave any vehicle, coal, wood, or other obstruction in any street, and suffer the same to remain there over night without maintaining a sufficient light over or near the same throughout the night.

601.02 No person, without lawful authority to do so, shall dump, deposit, place or drop nor otherwise allow to be deposited and allow to remain on any public or private land, public or private way, within the Town any rubbish, refuse, garbage, dirt, ashes, stones, gravel, tacks, bottles, glass, hoops, wood, boards, shavings, sawdust, excrement, or filth of any kind, nor any noxious or refuse liquid, or any solidsubstance or matter. Any person found in the act of violating this section may be arrested without a warrant by any officer authorized to serve criminal process.

- a. No person without lawful authority to do so, shall dump, deposit, place throw or drop, nor cause nor allow to so do, snow and/or ice in any or on any public or private way within the Town.
- b. No person shall maintain or allow to be maintained upon his premises or property, or upon property or premises under his control, any excessive amount of litter, paper, cans, bottles, discarded materials or other waste and refuse. An excessive amount of said materials shall be considered in existence when the same is carried by wind or otherwise migrates from its source to the property of another or to a public way or way upon which the public has a right of access or lies dormant on the property more than twenty-four (24) hours without being stored in a proper receptacle. It shall be the responsibility of private property owners and/or persons under the control of such property to regularly maintain such property to prevent an excessive amount of litter build up; in instances where such litter is directly attributable to commercial and/or business and/or industrial uses. Persons failing to comply with this section shall be determined as maintaining a public nuisance and shall be liable for fine not more than three hundred dollars (\$300.00) and not less than two hundred dollars (\$200.00) per conviction. The court may require in addition, that such person remove at his own expense, such trash, refuse, rubbish or materials.

601.03 - 601.06 Rescinded.

601.07 No driver of a vehicle shall permit the same to remain backed to the curb, except when actually loading-and unloading.

601.08 Unless in an emergency, or to allow another vehicle or pedestrian to cross its way no driver of a vehicle shall stop the same in any street except close to the sidewalk line nor in such a way as to obstruct any street or crossing.

601.09 No driver of a vehicle shall stop or stand the same within the intersection of any street, nor within twenty (20) feet of a street corner, nor within ten (10) feet of a hydrant.

- a. No driver of a vehicle shall stop or stand the same at or within an area designated for HANDICAPPED PARKING, whether public or private, unless said vehicle is appropriately marked or licensed to do so. Any person found in violation of this section shall be cited for illegal parking by any officer authorized to do so. The penalty for violations under this By-Law, enacted under Chapter 644 of the Acts of 1981; shall be as follows: For the first offense, twenty-five (\$25.00) dollars; for the second offense, one hundred (100.00) dollars; and for

each subsequent offense the vehicle may be removed according to the provisions of Section 120D of Chapter 266 of the Mass. General Laws.

601.10 Rescinded.

601.11 No person shall drive or conduct any vehicle in such a condition, or so constructed, or so loaded as to be likely to cause delay in traffic or accident or injury to persons or to property.

601.122 No person shall break, deface or move any official sign, post, signaling, or traffic device, warning barrier, lantern street lamp or other light, placed or located in any street, or public place for the information or direction of traffic or the protection of the public.

601.13 No person shall drive, wheel, or draw upon a sidewalk a coach, cart, hand barrow, or other vehicle of burden or pleasure, except children's carriages, or carriages containing children or invalids and drawn by hand.

601.14 Rescinded.

602.00 Police Regulations

602.01 Rescinded.

602.02 No person shall coast or skate on any street or public place excepting on such streets as may be designated by the Selectmen, and on public playgrounds.

602.03 No person shall throw stones, snowballs, or other dangerous missiles, nor throw snow from private property onto public streets. Any person violating this By-Law is subject to a \$25.00 fine.

602.04 Three (3) or more persons shall not stand in a group or near each other on any street, after a request to move on is made by any constable or police officer.

602.05 No person shall accost or address another person with profane, obscene, indecent or insulting language, on any street or other public place, or in any building owned by the Town, and no person shall be rude, boisterous, indecent or disorderly on any street, or in any public place or Town building or annoy or disturb any person peaceably thereon or therein.

602.06 No person shall loiter, saunter or continue to sit or stand in any street, public place or Town building, so as to obstruct or impede the free passage of or in any manner annoy or disturb any other persons, after being directed by a police officer to move on.

602.07 No person shall habitually or otherwise gather or congregate or loaf about, on any street or public place, after being directed by a police officer to cease such a gathering or loafing.

602.08 Rescinded.

602.09 No person except an officer of the law in the performance of his duties, shall enter upon the premises of another with the intention of peeping into the windows of a house or spying upon in any manner any person or persons present.

602.10 No person shall fire or discharge any firearm within the limits of any park, playground or public property except with the consent of the Board of Selectmen, or hunt or fire or discharge any firearm on any private property except with the consent of the owner or legal occupant thereof.

This By-law shall not apply to the lawful defense of life or property, nor to any law enforcement officer acting in the discharge of his duties.

602.11 No person shall have, keep, or store, more than one unregistered car or motor vehicle ungaraged on his premises in a residential area at one time, unless authorized by the Board of Selectmen. In no event, shall an unregistered car or vehicle be stored in the front yard of a residential area.

602.12 No person shall loiter, or habitually congregate in any school yard, park, playground or beach, between the hours of 10:00 p.m. and 8:00 a.m. unless the premises have been designated as a place of assembly by the persons in charge of such premises. Any person found loitering or habitually congregating in such an area, after the prescribed time, shall be considered a trespasser, and may be arrested without a warrant, by an officer authorized to serve criminal process.

602.13 No person shall have in his, or her possession, alcoholic beverages on any playground, school yard, park or beach.

602.14 No person shall consume alcoholic beverages on a sidewalk, public way, street, playground, park, school yard or beach, or on any town owned property without written approval of the Board of Selectmen and no person shall have in his, or her possession any alcoholic beverages where he, or she, is a trespasser.

602.15 Any person, or persons, who drives, operates, parks or leaves a motor vehicle on, or in, any school yard, park, playground or beach, other than authorized persons, shall be deemed a trespasser. Violators may be arrested without a warrant. Any vehicle used, or found in violation of this section may be towed at the expense of the owner and under the direction of the Police Department.

602.16 No person, other than those employed on the premises, a police officer, a municipal employee in the course of his employment, or a person engaged in a purpose associated with the property shall drive or operate a vehicle on, or in, any playground, school yard, beach or any town owned property.

602.17 Any person found in the act of violating the following sub-sections: 601.02, 601.12, 602.03, 602.05, 602.06, 602.07, 602.09, 602.10, and 602.12 of this section may be arrested without a warrant by any officer authorized to serve criminal process. Violations of the Sections numbered in this provision shall be punishable by a fine of not more than fifty dollars (\$50.00).

602.18 No person or persons shall launch or haul a boat at the Town Landing without securing a "Ramp Pass". No person or persons shall keep, leave, repair or anchor any boat or float at the Town Landing or other Town property along the Saugus River, unless given permission by the Harbor Master for emergency repairs for a period of twenty-four (24) hours or longer if necessary. There shall be no parking of motor vehicles or boat trailers on the ramp of the Town Landing. Only authorized vehicles with a "Ramp Pass" placed in the rear window of said vehicles, or permitted by the Harbor Master, may be allowed on the ramp of the Town Landing. All other vehicles may be considered as trespassers with the owners subject to court action, or removal of said vehicle from the ramp by the Town without recourse against the Town. The Harbor Master is authorized to revoke, cancel or suspend any "Ramp Pass" for violations or infractions of this Section.

602.19 No person, except as provided by law, shall carry on his person, or carry on his person under his control in a vehicle any saber, sword, or weapon of like or similar nature; and knife

having any type of blade in excess of two and one-half (2¹/₂) inches, or other object or tool so redesigned, fashioned, prepared or treated that the same may be used to inflict bodily harm or injury on another, except those persons actually engaged in hunting or fishing or employment which requires the use of a knife with a blade in excess of two and one-half (2¹/₂) inches, and while going directly to and/or returning directly from such activities.

Any person found in the act of violating this section may be arrested without a warrant by any officer authorized to serve animal process, and shall be punished by a fine of not more than fifty dollars (\$50.00) upon conviction. (Article 62 - 3/31/80) (see AG memo to Town Clerk of 9/11/80)

602.20 Burglar Alarm System Terms and Conditions

Any residence or business located within the Town of Saugus shall have the right to connect burglar or similar alarm systems to a common alarm board located at the Police Station. The following terms and conditions shall apply to the installation, operation and maintenance of burglar alarm systems:

A. Alarm Board

Said common alarm board shall be provided under the Police Department or its designee, and shall at all times remain under control of the Police Chief.

B. Dial Alarms

No person shall install, maintain or use a mechanical protection device that is automatically keyed to or activates the telephone numbers or lines controlled by or listed to the Police Department.

C. Persons to be Notified

In consideration of the right to connect an alarm system, every alarm user shall submit to the Police Department names and telephone numbers of at least two (2) other persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by an alarm system, and who can open the premises wherein the alarm system is installed. It shall be the responsibility of the user to instruct the persons receiving calls from the Police Department as to their responsibility when notified of an alarm and of their responsibility to accept all calls from the Police Department and accepting charges for said calls.

D. Test and Shut Off Devices

All alarm systems shall be equipped with a test device which will give a ten second delay prior to alarm system activation in order to warn the alarm user of an open alarm circuit within six (6) months from the effective date of this By-Law, all alarm systems which use an audible horn or bell shall be equipped with a device that will shut off such horn or bell within fifteen minutes after activation of the alarm system.

E. False Alarm Report

The Police Department shall notify the user in writing of each false alarm attributable to his alarm system, and it shall be the responsibility of the user to forward a full written explanation specifying the reasons for such false alarms and the corrective action to be taken to prevent the further occurrence of said false alarms. Said explanation shall be forwarded directly to the Police Department no later than ten (10) days from the date of notification of a false alarm.

F. Fees for False Alarms

In consideration of the services to be provided by the Police Department, each alarm owner agrees to pay a fee to the Town of Saugus in the event of false alarms based upon the following schedule:

Three false alarms in a calendar year..... allowed
Fourth and subsequent false alarms within a calendar year..... \$50.00

The Police Department shall provide written notification to the user of assessment of set fees, and payment shall be made to the Town of Saugus through the Police Department within ten (10) days of receipt of notification of said assessment. Failure to pay set fees within thirty (30) days of assessment shall result in the disconnection of the alarm system from the board provided until said payments are made.

G. Testing of Equipment

No alarm system designed to transmit emergency messages directly to the Police Department shall be worked on, tested or demonstrated without obtaining permission from the Police Department. Permission is not required to test or demonstrate alarm devices not transmitting emergency messages directly to the Police Department. An authorized test constitutes a false alarm.

H. Electrical Storms and Power Outage

Any alarm transmitted due to electrical storm or power outage shall not be considered a false alarm for the purpose of assessing fees as provided above.

I. Start-Up Period for New Connections

Each user shall be allowed a period of sixty (60) days from the time that his system is connected to the board at the Police Station to correct faults in the system and train employees to operate the system. During this period, user shall not be subject to assessment of fees, provided that user maintains constant communication with the Chief of Police or his designee, as shall be required to minimize the inconvenience caused by said false alarms during this start-up period.

J. Waiver of Fees

The Chief of Police shall be authorized to waive the fees assessed for false alarms in the event the alarms are the result of a problem that cannot be identified within the alarm system, provided that said request is substantiated by a written report by a qualified alarm company, setting forth the fact that the defect is unidentified and what measures are being taken by the alarm company to identify the problem. The Chief of Police may grant a waiver of the imposition of fees for a reasonable period of time to allow the system to be repaired, and the user and qualified alarm company agree to cooperate fully with the Chief of Police, or his designee, and provide all information requested relative to action being taken during this time.

K. Disconnection by Town

The Town of Saugus, through its Chief of Police, reserves the right to order disconnection of any alarm system from the board at the Police Station for violation of any of the provisions of this By-Law. Said disconnection shall occur only after the expiration of thirty (30) days from the date of written notification by the Police Chief.

L. Existing Users of System

Existing users of the system shall have thirty (30) days from the time of approval of the By-Law by the Town Meeting to disconnect from the system. Failure to disconnect during this time shall be deemed to be acceptance of the terms of this By-Law, and they shall be subject to all the provisions of this By-Law.

M. Non-Criminal Disposition

Whoever violates any provision of this By-Law may, in the discretion of the Police Chief be penalized by a non-criminal complaint in the District Court pursuant to the provisions of Mass. General Laws Chapter 40, Section 21D.

602.21 Dog Feces

I. Duty to Dispose

It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any public sidewalk, public street or any public area in the town especially immediately abutting any body of water. It shall further be the duty of each person who owns, posses or controls a dog to remove and dispose any feces left by his/her dog on any private property neither owned nor occupied by said person and for which permission has not been granted by a lawfully authorized person for the disposal of such feces on said private property.

II. Method of Disposal

Disposal shall be accomplished by transporting and disposing of such feces to and at a place suitable and lawful for the disposal for canine feces or as otherwise designated as appropriate by the Board of Health.

III. Enforcement

Violation of this section shall be punishable as follows:

First Offense (over a 12 month period)	\$25.00
Second Offense (over a 12 month period)	50.00
Third Offense and each subsequent offense over a 12 month period	75.00

603.00 Fire Regulations

603.01 Rules and Regulations for Fire Detecting Systems

Section 1. Definitions:

- a. Alarm shall mean a bell, buzzer, horn, or whistle designed to give an audible signal when actuated by an electrical current, an inert gas, or a mechanical motor. Bells shall have a shell diameter of not less than four (4) inches and a bell, buzzer, horn, or whistle shall have a decibel rating of not less than sixty-five (65) decibels.
- b. Apartment shall mean that part of any building used exclusively for the home of one or more families and shall include any portion or portions of any building used to give-shelter, treatment or care to persons whether permanent, semi-permanent or transient.
- c. Approval shall mean approved by the Underwriters Laboratory, Factual Mutual, or Electric

Testing Laboratories when applied to any material and/or device for which the material and/or device is designed and limited for use.

- d. Basement shall mean that portion of a building which is below the finished grade, irrespective of the portion below the finished grade or for what purpose the basement is used and shall include crawl space(s).
- e. Department shall mean Fire Department.
- f. Building shall mean an assembly consisting of a foundation, walls, roof, and irrespective of the interior subdivisions designed to give shelter or persons as defined in subsection 1.1 (b).
- g. Detectors shall mean an approved device designed to cause an alarm to sound when subjected to heat by fire and/or by a dangerous increase in temperature.
- h. Family shall mean one (1) or more persons.
- i. Systems shall mean a complete assembly of detectors, an alarm, the power energizing the system and the connecting materials and/or components installed in a building to provide a fire detection alarm system.

Section 2. Detectors:

1. No detector shall be used in a system covered by these rules and regulations that does not bear an approval label of a laboratory as defined in subsection 1(c), and no detector shall cover an area beyond a division wall or walls where in the detector is located except one (1) detector may cover an area not in excess of ten (10) percent greater than the limit for which the detector is approved to cover provided the area has an unbroken ceiling surface.
2. The following types of detectors are approved by the Fire Department for use in a system.
 - a. Continuous Line Type: the whole line thermally sensitive.
 - b. Fixed Temperature Type: designed to operate when the temperature reaches or exceeds a certain value.
 - c. Rate of Rise Type: designed to operate when the rapidity of temperature reaches or exceeds a predetermined rate.
 - d. Unit Detectors: an assembly of components providing detection and alarm.
 - e. A detector may be a combination of fixed temperature and rate of rise detectors.

Section 3. Electrical Installation:

1. No electrical work in connection with the installation of a system shall be installed or an original system expended without first obtaining a permit from the Inspector of Wires.
2. No system shall be powered by a dry battery or batteries or a wet cell type battery, except that a wet cell type battery may be used in a system provided with a permanently connected rectifier to keep the battery charged.
3. All wiring used in connection with a system shall be installed as approved by the Inspector of

Wires, including the manner of terminating.

4. Wiring installed from the source of supply to the alarm panel shall be in rigid metal conduit or electrical metallic tubing.
5. The alarm signal if external from the alarm panel shall be wired with AVA or RH wire in rigid metal conduit or electrical metallic tubing. Extension alarms unless controlled by a separate relay shall be wired in the same manner as the primary alarm signal.
6. Wiring for open circuit detectors may be #18 gauge or larger wire, insulation may be thermoplastic or rubber.
7. A separate circuit or circuits shall be required for systems and all such circuit or circuits shall be connected to the live side of the main service disconnecting means.
8. Closed circuit series connected detectors shall be wired with single conductor rubber or plastic insulation, #18 gauge or larger wire, separated as far as possible; but not less than two and one half inches (2 $\frac{1}{2}$ ") except at the detector where at least one half inches (1 $\frac{1}{2}$ ") of spacing may be maintained.
9. Transformers shall have energy limiting characteristics.
10. Buildings of six (6) or more apartments shall have the system(s) wired in accordance with the National Board of Fire Underwriters Pamphlet #72, Article 725, Class I systems of the National Electrical Code.

Section 4. Rules for Multiple Occupancies:

1. Any building containing six (6) or more apartments, a building used in any portion or portions for any other use than apartments and having apartments, a hotel, a motel or more than two (2) stories, any Boarding or Nursing Home requiring a license from the Massachusetts Department of Public Health providing care to (10) or more persons or providing such care above the second floor, shall have a system meeting the requirements of the National Board of Fire Underwriters Pamphlet #72, Chapter 2, Article LLL4.
2. Any building covered by the provisions of the provisions of the preceding section when such building is protected by an approved sprinkler system an equipped with an electrically operated signaling system meeting the requirements of NBFU Pamphlet #72, Article 44c, and shall be accepted as a system by the Fire Department, provided the number and location of above meet the requirements of these regulations.
3. Any building covered by the provisions of subsection 4.1 when subdivided by an unpierced fire wall extending from the basement floor to the roof may have a separate system for each such subdivided section provided the alarm is common to all detector circuits in each subdivision. Any building not so subdivided or having a common basement or a basement subdivided or having a common basement subdivided by pierced fire walls or ordinary constructed walls shall have a system as required in subsection 4.1, unless protected as provided in subsection 4.2.

Section 5. Inspections, Maintenance, and Violations:

1. Every system installed shall be subject to inspection to determine that the system has been

installed and operating in accordance with these rules and regulations. Such inspections shall be made by the Fire Department. Any building wherein the system has been put out of service as the result of fire damage, repairs or alterations shall be subject to inspection after such repair or alteration. Every owner of his (her) authorized agent shall be responsible for notifying the Fire Department that a system is to be put out of service for repairs or disconnected for other reasons when such period will exceed a duration of more than eight hours. The Fire Department upon receiving such notice may require temporary protection be provided for occupied portions of the building.

2. Every owner or authorized agent of the owner shall maintain the system in a building under their control in reliable working order at all times that any portion of the building is occupied. Every building as described in Section 4 shall be inspected once each year in the month of January by a qualified person and notice of such inspection having been made shall be filed with the Fire Department.
3. Any owner or authorized agent of the owner who knowingly permits a system to remain out of service for more than forty-eight (48) hours shall be deemed to be maintaining the system in violation of the provisions of the Fire Prevention Code. Any owner or authorized agent having received a written notice of failing to maintain a system or a written notice of a system under their control being out of service, who fails to correct the condition reported to them within seventy-two (72) hours, shall be in violation of the provisions of the Fire Prevention Code. The Fire Department shall proceed against such owner or authorized agent to enforce the provisions of these regulations in the manner provided for obtaining a correction of a violation of any provision of the Fire Prevention Code.
4. The written notice to an owner or authorized agent of an owner required in subsection 3 shall be made by the Fire Department.

Upon completion of all electrical work connected with the installation and operation of such systems the Inspector of Wires shall notify the Fire Department, in writing, that the wiring, installation, and operation conforms to the National Board of Underwriters Pamphlet #72, Article 725, Class I Systems of the National Electrical Code.

Section 6. Fire Alarm System Regulations.

1. Scope

Fire alarm systems shall include systems connected to Fire Headquarters by the Municipal Fire Alarm circuit, or by direct wire, or on a telephone dial-up basis, and systems which use exterior audible signals at the alarm location.

2. Authority

Massachusetts General Laws Chapter 148, Section 26A-26H require the installation of alarm systems in certain buildings and place responsibility for the enforcement of these provisions with the Fire Chief. This By-Law is adopted to establish uniform rules and regulations, and to implement a schedule of fees for the installation, operations, and maintenance of said alarm systems.

3. Alarm System Installation

- A. Any current or future alarm user may contract with an alarm company of their choice for the purchase, lease, installation and servicing of an alarm system on their premises.
- B. No alarm system or equipment shall be connected to the Fire Department Dispatch Center

without prior written approval of the Fire Chief.

- B.1 This approval requirement shall apply to municipal connection, direct wire and dial-up devices.
- C. The only types of systems which will be allowed to connect to the Fire Department Dispatch Center will be systems which utilize telephone dialers equipped with digital transmitters, or connection via the Municipal Fire Alarm circuits, or such other types deemed by the Fire Department / Fire Chief to be compatible with the Fire Department Dispatch Center Alarm Console.
 - C.1 Existing telephone dialers using voice-type tape recorders, which are not compatible with the alarm console, may continue to use the special alarm number set up only for this purpose for a period not exceeding one (1) year from the effective date of this By-Law. No equipment, as described in C.1, shall use the primary Fire reporting telephone number. New applicants for voice-type tape systems will not be approved.
- D. Actual connection to the Fire Department's alarm console will be made by the Town's designated Alarm Contractor or Fire Alarm Division personnel. Alarm users will be required to pay the Alarm Contractor for this service as set forth in a contract between the Contractor and the Alarm user but in no case later than thirty (30) days from the installation.
- E. The Town accepts no liability whatsoever for conditions which prevent proper reception of signals from the user's premises.

4. Alarm System Regulations

- A. Each alarm user shall submit to the Fire Chief the names, addresses and telephone numbers of three (3) persons who can be reached at any time, day or night, who are authorized to gain access to the protected premises for the purposes of silencing and resetting the alarm system. It shall be the alarm user's responsibility to keep this information up to date. Each control panel shall have, locate inside its door, the above information and also the name of the company and phone numbers of the company which currently services the system.

Written instructions for resetting the control panel shall be clearly visible on the control panel. Permission to attempt a system reset must be on file with the Fire Department if user wishes the Fire Department to reset control unit. If after three (3) attempts a system will not reset, the zone or, if necessary, the system shall not be restored. In this event attempts shall be made to contact the parties from data given by the user. The Town assumes no liability to contact listed persons.

- A.1 This regulation shall apply to all alarm systems: i.e., those connected to the Fire Department Dispatch Center and those equipped with exterior audible signal devices.
 - A.1.1 Every building other than a residential building of less than six (6) units, which has a fire alarm system or other fire protection system shall provide a secure key box installed in a location accessible to the Fire Department in case of emergency. This key box shall contain keys to fire alarm control panels and other keys necessary to operate or service fire protection systems. The key box shall be a type approved by the Chief of the Fire Department and shall be located and installed as approved by the Chief.

A.1.2 All premises shall have their legal street number clearly visible as per existing Town By-law, prior to the connection of alarm to the Fire Department Dispatch Center.

- B. All alarm users must notify the Dispatch Center in advance of any testing of equipment. Failure to do so will constitute a false alarm and, therefore, be subject to fee assessment.
- C. Any direct wire user who has multiple purpose alarms must provide for individual multiple alarm connections to the Fire Department Dispatch Center as required by the Fire Department / Fire Chief.
- D. Alarm systems which generate false alarms in any twelve (12) month period shall be subject to assessment as follows:

(12 month period is a Fiscal Year - July 1 - June 30)
Fire Alarm and Emergency Medical Systems

Step 1	1 thru 3 False Alarm	No fine
Step 2	4 thru 5 False Alarms	\$150.00 Fine Each
Step 3	6 or more False Alarms	\$300.00 Fine Each

D.1 Definition of False Alarm.

The activation of an alarm system due to mechanical failure, malfunctioning equipment, improper installation or negligence of the user of the alarm system, or his employees or agents. Excluded from this definition are activations of alarm systems caused by utility company power outages, communication receiving equipment problems at Fire Headquarters, or other acts of nature beyond the control of the alarm user.

False alarms shall include, but not be limited to, the following situations:

- (A) The continued activations of alarms resulting from any condition where no effective effort is made to correct the condition.
- (B) Detection devices reacting to a condition such as smoke, steam, etc. where such occurrences are continuous with no corrective action taken; and,
- (C) Detection devices reacting to a condition such as dirt, dust, or any other debris or material resulting from the failure of the owner to properly maintain and clean the system.

“The obligation of owners for the proper maintenance of their systems shall be as set forth in 27 CMR 24.08, which is incorporated herein by reference.”

- E. Alarm users who cannot produce a valid service agreement for the protected property shall pay an additional \$50.00 fee per step. It is the intent of this section to have systems maintained on a regular basis but not less than annually (at least once per calendar year).
- E.1 False alarms caused by faulty telephone service, electrical storms, or power outages will be excluded from assessment.
 - E.1.1 False alarms received during the first thirty (30) days of connection shall be discounted provided no malicious intent has occurred and every attempt has been made to rectify new installation defects.
- E.2 Determination that a false alarm has been transmitted will be the responsibility of the Fire Chief or his duly appointed duty officer.

- E.2.1 Malicious false alarms shall be excluded provided the alarm system owner actively discourages these types of alarms through education and installation of deterrent devices specifically designed for these purposes, as requested by the Fire Chief.
- E.3 Payments of assessments will be to the Town Treasurer.
- E.4 Upon failure of an alarm user to pay two (2) consecutive fees assessed within sixty (60) days of the assessment, the Fire Chief shall order the alarm user to discontinue the use of the alarm system for not more than six (6) months. Recovery of funds to be through court proceedings
- E.5 Town, County, and State agencies are exempt from the provisions of the assessment schedule.

5. Violations

- A. The following acts and omissions shall constitute a violation of these regulations and shall be punishable by a fine of not less than \$50.00 nor more than \$200.00 per offense:
 - A.1 Failure to follow a written order issued by the Fire Chief to disconnect a fire alarm system from the municipal box or to disable a telephone dialer arranged to dial the digital alarm console or the special alarm telephone numbers;
 - A.2 Provision, after the effective date of these regulations of a telephone dialing device arranged to dial a Fire Department Dispatch Center number;
 - A.3 Failure to disconnect, after notification, an unauthorized telephone dialing device arranged to dial the Fire Dispatch Center number;
 - A.4 Failure to pay two, (2) or more consecutive fees assessed under Section 4, Paragraph E of these regulations, within sixty (60) days from the date of the second assessment;
 - A.5 Failure to comply with the requirements set forth in Sections 3 and 4 of these regulations;
 - A.6 Continued transmission of false alarms caused by the user's negligence or system malfunctions on the user's premises which is under the user's control, and where no effective effort is made to correct the condition.
- 6. Whoever violates any provision of this By-Law may, in the discretion of the Fire Chief, be Penalized by a non-criminal complaint in the District Court pursuant to the provisions of Mass. General Laws Chapter 40, Section 21D.

603.02 Vehicle Parking, Private Ways and Property

It shall be unlawful to obstruct or park a vehicle to block a private way from, access for fire apparatus to any building.

It shall be unlawful to obstruct or park a vehicle in any fire lane hereby established under Article XXVII, Section 28.16 of the Fire Prevention Code (as adopted by the Town in 1965 and amended in 1970) to be a distance of twelve (12) feet from curbing of a sidewalk in a shopping center, bowling establishment, theater and similar locations; said lane to be marked at said locations.

Any person who shall violate any of the provisions of the code hereby adopted, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Court of Jurisdiction, within the time fixed herein shall severally for each and every such violation and non-compliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than five dollars (\$5.00) or more than fifty dollars (\$50.00). The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

Any object or vehicle blocking or parked to obstruct any fire lane or private way in violation of Sections One and Two of this By-law may be removed or towed by the Town at the expense of the owner, and without liability to the Town.

700.00
PUBLIC WORKS

701.00 Streets

701.01 No person, except the Selectmen or Superintendent of Public Works, shall obstruct any street, or any part thereof, or break or dig the ground of the same, without first obtaining a written permit from the Selectmen therefor; and the Selectmen may before granting such permit require a bond on the penal sum of four thousand dollars (\$4,000.00) and with such sureties, if any, as they may approve to indemnify the Town against any liability by reason of any act done under such permit.

701.02 Any person holding a permit under Section 1 shall put, and at all times keep a suitable railing around the parts of any sidewalk or street so obstructed or dug up, so long as the same shall be unsafe or inconvenient for travelers, and shall also keep as many lighted lanterns fixed to such railing or fence, every night from twilight in the evening through the whole night, as the Selectmen or Superintendent of Public Works shall direct.

701.03 Whenever any sidewalk becomes obstructed or made impassable by reason of the erection or repairing of any building, or of doing any work, the person doing or causing the same to be done shall place a good and convenient walk around each obstruction.

701.04 No owner, tenant, or other person having control of any buildings or premises shall permit a gate or door thereon to swing open across any part of a street or sidewalk.

701.05 No person, except the Board of Selectmen or Superintendent of Public Works, shall obstruct any main street or any part thereof, or break or dig the ground of the same without first obtaining a written permit from the Department of Public Works: and if any such work is performed on those streets that are deemed main streets by the Superintendent of Public Works, a police detail must be hired to protect the safety of the public and to ensure that the normal flow of motor vehicle traffic and pedestrian foot traffic is maintained.

702.00 Water / Water Service Charges

702.01 No charges shall be placed against property owners in replacing or renewing water service lines when town labor and/or equipment is employed if such replacement or renewal is caused by unforeseen elements.

702.02 Authority

This By-Law is adopted by the Town under its home rule powers, its police powers to protect public health and welfare and its specific authorization under M.G.L. c. 40, Sections 21 and 21D.

702.03 Purpose

The purpose of this By-Law is to protect, preserve, and maintain the public health, safety, and welfare whenever there is in force a state of water supply emergency by providing for enforcement or any duly imposed restrictions, requirements, provisions, or conditions imposed by the Town or by the Department and included in the Town's plan approved by the Department of Environmental Quality Engineering to abate the emergency.

702.04 Definitions

For the purpose of this By-Law;

enforcement authority shall mean the Town's Superintendent of Public Works or his Designee

state of water supply emergency shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to G.L. c. 21G, Section 15, G.L. c. 111, Section 160, or by the Governor.

702.05 The following shall apply to all users of water supplies supplied by the Town:

Following notification by the Town, of the existence of a state of water supply emergency, no person shall violate any provision, condition, requirement or restriction included in a plan approved by the Department of environmental Quality Engineering which has as its purpose the abatement of a water supply emergency. Notification of any provision restriction, requirement or condition with which users of water supplied by the Town are required to comply to abate a situation of water emergency shall be sufficient for purposes of this By-Law if it is published in a newspaper of general circulation within the Town, or by such other notice as is reasonably calculated to reach and inform all users of the Town supply.

702.06 Penalty

Any person or entity who violates this By-Law, shall be liable to the Town in the amount of fifty dollars (\$50.00) for the first violation and one hundred dollars (\$100.00) for each subsequent violation which shall inure to the Town for such uses as the Town Meeting may direct. fines shall be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with section 21D Chapter 40 of the General Laws. Each separate instance of non-compliance following the issuance of any warning or citation pursuant to this section shall constitute a separate violation.

702.07 Right of Entry

Agents of the enforcement authority may enter any property for the purpose of inspecting or investigating any violation of this By-Law or enforcing against the same.

702.08 Severability

The invalidity of any portion or provision of this By-Law shall not invalidate any other portion, provision or section hereof.

800.00

LICENSES AND PERMITS

801.00 Taxi Licenses

801.01 Except otherwise provided by law the Selectmen may grant licenses to owners of vehicles upon such rules and regulations as said Board may deem proper, not inconsistent with these By-laws, to use such vehicles for the conveyance of persons or property for hire, and may designate stands and locations upon the streets of the Town where such vehicles may stand or wait for employment.

801.02 Every such license shall be granted. to expire on the thirty first (31st) day of December next ensuing after the date of its issue and it may be revoked at any time for cause satisfactory to said Board. Each license may cover one or more vehicles belonging to the same owner shall bear upon its face the date of its issue, the date of expiration, the name and address of the owner of the vehicle or vehicles to whom the license is issued, and a description of each vehicle so licensed sufficient for its identification. A separate number shall be designated for each vehicle so licensed and the owner shall before using such vehicle for hire, have such a number plainly marked upon each side thereof excepting only in case of motor vehicles duly registered under the laws of the Commonwealth, and in such cases the license issued hereunder shall contain the motor numbers of each motor vehicle.

The fee for each license shall be twenty-five dollars (\$25.00) for each vehicle covered thereby and no license shall be transferred except with the approval of the Board of Selectmen, duly endorsed thereon.

801.03 No person shall hold himself out as the owner, driver or operator of any vehicle used for the purpose mentioned in this article unless such vehicle is duly licensed as provided in the two proceeding sections.

- A. No person shall drive a vehicle transporting persons for hire within the limits of the Town without first obtaining a special license from the Police Chief, which may be revoked by him for cause. A fee of ten dollars (\$10.00) shall be paid before securing a special license which may be issued after application is made on forms provided by the Police Chief and accompanied by two (2) unretouched photographs.
- B. Every owner, driver or person having charge of a vehicle for hire for transportation of passengers shall place upon the back of the front seat a card having plainly printed thereon rates of fare, including any charge for waiting time, established and charged for the particular vehicle. A certified copy of such card shall be filled with the Board of Selectmen.
- C. No owner, driver or person having charge of a vehicle licensed under Section 1 shall demand or receive a higher rate than that printed on the card referred to in Section 3B, nor shall he demand or receive a higher rate than that established by the Selectmen.
- D. An applicant for a license as owner of a motor hackney carriage shall present for examination in the case of each car a valid certificate of registration issued by the Registrar of Motor Vehicles of the Commonwealth of Massachusetts, the date of which together with the car number shall be entered on the application, and also on the license, if granted, by the Board of Selectmen.
- E. Upon any change-in the certificate of -registration of a motor vehicle hackney carriage, issued

by the Registrar of motor Vehicles, licensed owners shall immediately present such certificate with the hackney carriage license to the office of the Sealer of Weights and Measures.

- F. The owner of a licensed hackney carriage must keep, on a form approved by the Board of Selectmen and the Police Chief, a record of all trips made by said vehicle and containing all information requested on the form approved by the Board of Selectmen and the Police Chief for a period of each calendar day, said forms to be held for ninety days. Said forms shall be produced upon demand of the Board of Selectmen, Police Chief or any Police Officer.
- G. An owner, or association of owners, maintaining a two-way radio service shall record all requests for service as received, and shall retain a record of these calls for not less than ninety days. Records shall contain not less than the following information: date and time of call received, address of caller, destination and number of cab to which the call was assigned.
- H. No advertising matter shall be permitted in or upon hackney carriages without the permission of the board of Selectmen.
- I. All hackney carriages must be kept in good condition, suitable for occupancy and mechanically fit for the safety of the passengers. The interior and exterior shall be clean and sanitary at all times.
- J. Every taxicab licensed under this section shall have the trade name of the owner and the name of the city or town in which it is licensed painted on the sides thereof in letters not less than four inches high and one half inches wide. (c272 S22 C40 GL)
- K. The hackney license issued by the Police Department to operate a hackney carriage shall be displayed, in full view of passengers, by the vehicle operator.
- L. All motor vehicles licensed under the license granted by the Board of Selectmen of the Town of Saugus shall have Massachusetts registration plates indicating the word "TAXI".
- M. Every licensed hackney carriage shall have affixed on the rear, thereof, plainly visible to the public, a single metal medallion of a style approved by the Board of Selectmen and the Police Chief, bearing the Police number or hackney number issued for said hackney carriage. The medallion shall be firmly fastened to the body of the vehicle in such manner that it will not easily become detached. Under no conditions will the medallion be attached to the Mass. registration plate or to the bumper of the taxicab. Said medallion shall correspond to the registration plate and vehicle identification number of the taxicab.
- N. No plate number, other than said medallion number, Massachusetts registration plate and taxi company telephone number shall be painted or affixed to the rear of any hackney carriage.
- O. The driver of a hackney carriage shall display on the inside of the vehicle, in clear view of all passengers, a card indicating the current rate of fare as approved by the Board of Selectmen.
- P. The driver of a hackney carriage shall display on the inside of the vehicle, in clear view of all passengers, a card approved by the Board of Selectmen, notifying the passengers that drivers shall not demand more than the fare recorded on the taxi-meter regardless of the number of passengers conveyed.
- Q. No driver having charge of any licensed taxicab shall take up or carry any other passenger after the taxicab has been occupied or engaged by any prior passenger, until such prior passenger shall have discharged said taxicab, without the consent of such prior passenger. Any such

prior passenger shall not be obliged or be requested to pay extra fare or fee for refusing such consent.

- R. No person in charge of a hackney carriage, known as a taxicab, shall allow anyone to ride upon the drivers seat, or adjacent to the drivers seat, of the same.
- S. In the event the rear compartment of the taxicab is fully occupied by the passengers, all of whom have entered the vehicle at the same time, and there exists need of seating one or more person of such group which has engaged the taxicab, such latter person may ride upon the drivers seat or adjacent to the drivers seat of the taxicab.
- T. No taxicab shall be licensed as a hackney carriage until the taxi-meter attached thereto has been inspected and approved by the Sealer of Weights and Measures. No owner or driver shall permit at any time to be used for conveyance of passengers for hire with a broken or unsealed meter. After sundown the face of every taxi-meter shall be illuminated by a suitable light. Every taxi-meter shall be in full view of all passengers in the taxicab. Upon order of the Board of Selectmen and the Police Chief a licensee shall have his taxi-meter re-inspected.
- U. "To increase the fee of obtaining a hackney license to \$10.00 starting April 1, 1991".
- V. "To limit the number of passengers being transported by a taxi to the number of seat belts or child restraint systems available."

802.00 Junk Licenses

802.01 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 and may make such additional rules, regulations and restrictions as they deem proper, not inconsistent with the provisions of law or of these By-laws.

802.02 The Board of Selectmen may license suitable persons to be junk collectors, to collect from place to place in this Town by purchase of otherwise, any article mention in 802.01.

802.03 No collector of junk shall, directly or indirectly, either purchase or receive by way of barter, exchange or otherwise, any of the articles mentioned in Section 4, of a minor or apprentice, knowing or having reason to believe him to be such.

803.00 Function Rooms

Except as otherwise provided by law, and not inconsistent with the laws of the Commonwealth of Massachusetts and the By-laws of the Town of Saugus, the Board of Selectmen may grant licenses or permits to the owners of buildings, or parts of buildings, or any real property which may be used as a FUNCTION ROOM as hereinafter defined. Except in case of premises where an All Alcoholic Common Victualers license has been duly issued and continued to be operative, all such buildings or premises to be used as function rooms shall be licensed by the Board of Selectmen in accordance with such reasonable terms and regulations as the said Board may promulgate as being in the best interests of the Town of Saugus.

The term Function Room shall mean and include any hall, room or real property that is used or intended for use at a rental fee, or for any gain or reward to the owner or owners thereof, or their assignees, for any of the following: public or private banquets, feasts, dances, socials, card parties, wedding parties, engagement parties or other parties, public or private testimonials, any public or private catered function.

Every license or permit issued in accordance with this section shall expire on the thirty-first (31st) day of December next ensuing after the date of issuance, unless sooner suspended or revoked, by the Board of Selectmen, after a public hearing called for that purpose, reasonable notice having been given not less than seven (7) days next prior to such public hearing.

A fee for such license or permit shall be determined by the Board of Selectmen, except that societies, associations, corporations and other non-profit organizations organized solely for religious, fraternal or charitable purposes shall not be required to pay a fee for such license or permit.

804.00 Vendors, Hawkers, Peddlers

Every transient vendor, hawker and/or peddler with a valid State License before making sales of goods, wares or merchandise in the Town, shall make an application to the Board of Selectmen for a license, and shall accompany such license application with a fee of one thousand dollars (\$1,000.00).

No such person, whether principal or agent, who engages in temporary transient business, shall offer for sale, or sell any article in an open area, way or vacant lot; and without limiting the generalities of the foregoing, such items as wreaths, flowers, Christmas trees or decorations, fruits, vegetables, unless such person has first obtained a license therefor from the Board of Selectmen Fee for said license shall be one thousand dollars (\$1,000.00) per year. No such person, whether principal or agent shall offer for sale, sell or store or warehouse Christmas trees or wreaths from within any building, dwelling or similar structure and the Chief of the Fire or Police Departments authorized hereunder shall expire annually on December 31st. Religious, fraternal, and charitable organizations as determined by the Board of Selectmen shall be exempt from this section. Any transient vendor or hawker and peddler who obtains a permit from the Board of Health shall be exempt from provisions of this By-Law. (NOTE As per A.G. 9/6/91 letter to Town Clerk... "The provisions of this by-law shall not be considered applicable to 'hawkers and peddlers' who need not be licensed pursuant to G.L. c. 101, s 17 or s 22.")

805.00 Valuable Second Hand Items

A. Dealers in Gold, Silver and Other Valuable Secondhand Items License Required.

No person who makes a business of purchasing or purchasing and selling, or who keeps a place of business in the Town of Saugus for purchasing or purchasing and selling, either gold or silver, coins, stamps, other precious metals, art objects, painting, jewelry, rugs or other secondhand items such as antiques and/or furniture, furs, computer equipment, video equipment and other electronic devices shall engage in such business or open such place of business for the said purposes unless duly licensed by the Board of Selectmen.

B. Application for License: Term of License: Fee.

Each application for a license shall set forth the name of the party licensed, the nature of the business and the building or place in which it is to be carried in and shall continue in force until the first day of January next ensuing unless sooner revoked by the Board of Selectmen. Each license shall specify the kind and character of the business to be carried on and the fee for such license shall be determined by the Board of Selectmen.

C. Record of Purchases.

Every dealer or keeper of a shop shall record, in legible written English language, at the time of purchase, the description of the item purchased, the price paid for the item, the name, age, and residence, giving a street and number of the person from whom the purchase was made. Such name, age and residence being obtained by the production of a photo identification issued by the Commonwealth of Massachusetts, passport or out of state driver's license containing a photo of the seller. At the time of purchase the day, date and hour of the purchase shall also be recorded. Further, a statement shall be taken from the seller of the item, as to the manner in which such item was obtained by the seller, which statement shall be entered on such record. No entry on such record shall be changed, erased, obliterated or defaced. Such record shall be maintained on a form approved by the Chief of Police and shall be in duplicate form. The original shall be delivered to the desk officer on duty at the Saugus Police Department at the close of every business day. The duplicate copy shall be kept in some suitable place by the owner or dealer shall be available for inspection by any person authorized by the Board of Selectmen.

D. Articles Purchased To Be Kent For Two Weeks Before Resale Or Removal From City.

No such item purchased or received by any dealer or keeper of a shop shall be removed from the town or sold or otherwise disposed of nor its identity changed for at least thirty (30) days from its date of purchase unless permission in writing has been obtained from the Chief of Police or his designee who may request to observe of photograph such item.

E. Purchase From Persons Under Eighteen Years Of Age Prohibited.

No dealer or keeper of a shop shall directly indirectly receive or buy any such items from any person under the age of eighteen (18) years.

F. Display of License.

Each such dealer or keeper of a shop shall have conspicuously displayed his license at the place where he does business.

G. Revocation of License.

A violation of any provision of the license or subsequent rule or regulation that may be passed shall be sufficient cause and reason to revoke said license. The right is granted to the Board of Selectmen at any time for any other cause sufficient to revoke said license.

H. Penalty for Violation Of Article.

Any person, firm or corporation violating any provisions of this article shall be fined not less that five dollars (\$5.00) nor more than two hundred dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

I. Examination and inspection of Records, Articles and Merchandise.

The Chief of Police or his designees, and any authorized representative of the Saugus Board of Selectmen, or its designees, shall at all times have the authority to inspect or examine all books kept by the keeper or dealer of a shop as well as to inspect and examine all articles and merchandise therein.

J. Hours of Operation.

No dealer or keeper of a shop shall purchase or conduct business except between the hours of 7:00 a.m. until 9:00 p.m.

806.00 Coin Operated Amusement Devices

806.01 A By-Law regulating the use of coin operated amusement devices in the Town of Saugus excluding coin operated music devices.

A. The term “automatic amusement device” shall have the following meaning:

Any machine whereby upon the deposit therein of a coin or token any apparatus is released or set in motion or put in position where it may be set in motion for the purpose of playing any game involving in whole or part, the skill of the player, including but not exclusively, such devices as are commonly known as pinball machines or electronic video games.

B. Licenses shall consist of the following classes:

Class I - Billiard, electronic wall games, video games, pinball machines, batting machines, and other amusement devices not classified excluding music machines.

C. Fees

Class I \$100.00 per machine

Licenses shall become renewable on the last day of December of each year and issued by the Board of Selectmen.

D. A License for any public premise to operate automatic amusement devices in the Town of Saugus shall be required.

E. Applications shall be filed with the Clerk of the Board of Selectmen to be presented to the Board of Selectmen. The applicant shall be the owner or manager of the establishment requesting the license.

F. Licenses shall be issued with a majority vote of the Board of Selectmen.

G. There shall be no more than one (1) license not to exceed two (2) machines per premises except in compliance with Section 1H of this By-Law.

H. Permits may be issued for more than two (2) devices, to placed that have certificates of public inspection issued by the Building Department of the Town of Saugus.

I. Automatic amusement devices licensed under this By-Law shall be so installed on the premises described in the application as to be in open view at all times while in operation and shall at all times be available for inspection. All machines shall have the owners name, address, and telephone number attached in clear view.

J. Any applicant who has been denied a license shall not be allowed to reapply for the premises within the calendar year.

K. No person keeping or offering for operation or allowing to be kept or offered for operation any automatic amusement device shall permit the same to be used for the purpose of gambling.

- L. No machine shall be operated within 500 foot radius of a school, while school is in session from the hours of 7:00 AM to 3:00 PM with the exception of premises licensed to serve alcoholic beverages.
- M. Any machine(s) which is in violation of this By-Law may be confiscated from the premises by order of the Board of Selectmen.

806.02 Every vendor or owner of automatic amusement devices licensed in the Town of Saugus shall on the last day of December each year file with the Clerk of the Board of Selectmen, a statement listing the principals of the corporation or business. The fee for each vendor for filing shall be \$50.00 annually.

806.03 Any vendor violating any provision of this By-Law shall be subject to an automatic thirty (30) day suspension of his license for all machines licensed in the Town of Saugus. Said suspension shall result in machines being removed from the premises. All Licenses shall be prohibited from conditioning the playing of automatic amusement devices.

806.04 Licenses may be revoked for cause by the issuing authority. Any license revoked shall be granted a hearing before the Board of Selectmen. Upon written request a hearing before the Board of Selectmen shall be required before reinstatement of any license.

806.05 Any violation of this By-Law shall be subject to a fine of two hundred dollars (\$200.00) per offense, after having been notified of the offense by the issuing authority.

806.06 The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision thereof.

806.07 This By-Law shall take effect December 31, 1993.

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

- a. The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.
- b. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of the law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be a prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied,

suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

- c. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.
- d. The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in Mass. Gen. Laws Chapter 268, Section 1 in the business or activity conducted in or on said property. This section shall not apply to the following licenses or permits:
- Open burning; Mass. Gen. Law chapter 101, section 33
 - Bicycle permits; Mass. Gen. Law chapter 85, section 11A
 - Sales of Articles for Charitable Purposes; Mass. Gen. Law chapter 101, section 33
 - Children Work Permits; Mass. Gen. Law chapter 149, section 69
 - Clubs, Associations Dispensing Food or Beverage Licenses; Mass. Gen. Law chapter 140, section 21E
 - Dog Licenses; Mass. Gen. Law chapter 140, section 137
 - Fishing, Hunting, Trapping License; Mass. Gen. Law Chapter 207, section 28
 - Marriage Licenses; Mass. Gen. Law Chapter 207, section 28
 - Theatrical Events, Public Exhibitions Permits; Mass. Gen. Law chapter 140, section 181

808.00 Trailer, Auto, Tourist Camps, Motel Motor Court

808.01 For the purpose of this ordinance, certain words and phrases are defined and certain provisions shall be construed, as herein set out, unless it shall be apparent from the context that a different meaning is intended.

808.02 Tourist Camp and Park Site defined. A “tourist camp or park site” is any place where two (2) or more overnight cabins, tents or trailers are located, or any premises designed or intended for the purpose of supplying to the public a location for overnight cabins, so called, tents or trailers.

808.03 Over-night Cabin Tent and Automobile Trailer defined. An "overnight cabin, tent and trailer” under this ordinance are construed to mean any building tent, or structure, house car or automobile trailer, used for, or adaptable to use for, living quarters.

A. Motor Court and Motel defined. A group of furnished cabins, attached or unattached, one story in height, with an outside entrance located along a public highway, where motorists may obtain overnight lodgings.

808.04 Unit defined. A “unit” is a section of ground in any tourist camp used, or designed for use, as a location for a single overnight cabin, house car, tent or trailer.

808.05 Restricted Areas. No tourist camp or trailer park shall be permitted to be located upon any land, park or beach land owned or controlled by the Town of Saugus, except on such spaces as shall be especially provided for the same.

808.06 Overnight Cabin, Tent and Trailer Regulations. No unit shall contain less than six hundred (600) square feet in area, and no unit shall be permitted to accommodate more than one (1) overnight. cabin, tent or trailer.

The provisions of this section shall not, however, be construed to prohibit any property owner, residing upon his land from accommodating auto trailers of non-paying guests; nor shall be construed as abrogating the right of any property owner to erect overnight cabins as they are commonly known, under the above unit rules and under such sanitary restrictions as the Town may establish. In such cases permits must be obtained. See Section Seven (7).

808.07 Tourist Camp Permit. It shall be unlawful for any person to establish, or maintain or to permit to be established or maintained upon any property owned or controlled by him, a tourist camp in the Town of Saugus, unless there exists a valid permit therefor granted by the Board of Health and existing in compliance with the provisions of this ordinance. The application of such a permit shall be accompanied by plans of the proposed or existing tourist camp, showing the location of all buildings, driveways, toilet facilities, baths, laundry facilities, slop sinks and other improvements, and such permit may be granted to anyone meeting the requirements as outlined. A minimum annual permit fee of ten dollars (\$10.00) per ten units or fraction thereof per tourist camp shall be paid before such permit shall be issued.

808.08 Plumbing and Sanitary Requirements. All tourists camp units shall be provided with a minimum for each sex of one (1) toilet, one (1) bath tub or shower, for every ten (10) units, or fraction thereof; a two compartment laundry tub, a slop sink and a wash basin with running water, for every ten (10) units of fraction thereof.

808.09 Garbage/Trash. A sufficient number of tightly covered containers for Garbage/Trash disposal shall be installed. Garbage/Trash so collected shall be disposed of without delay by the Management.

808.10 Record of Guests. Persons, firms or corporations conducting overnight cabins, camps or lodging places shall keep and maintain, or cause to be kept and maintained therein a card on which shall be inscribed the true name of each and every person renting or occupying such cabin camp or room. Such card shall be signed by the person renting such cabin camp or room or by someone under his direction. Cards shall be maintained, for a period of not less than three (3) years, and in consecutive serially numbered fashion. The proprietor or his agent shall write opposite each name the number of the name of each cabin, camp or room assigned to and occupied by each guest; also he or his agent shall enter the state license number of any automobile being used or operated by the registrant. The proprietor or his agent shall keep and preserve the record showing the date of registration and the time when the registrant entered and quit the cabin, camp or room. Any violation of this section of the By-laws shall be subject to a fine of twenty dollars (\$20.00). A copy of this By-law shall be conspicuously placed in each cabin, camp or lodging place as mentioned above.

808.11 Lighting. Every tourist camp shall be adequately lighted by electricity.

808.12 The Board of Health of the Town of Saugus shall have the power to promulgate rules and regulations for the enforcement of the provisions of this ordinance.

809.00 Sealing Fees for Weighing and Measuring Devices

<u>Device</u>	<u>Fee</u>
Over 10,000 lbs.	\$ 75.00
5,000 to 10,000 lbs.	45.00
1,000 to 5,000 lbs.	30.00
100 to 1,000 lbs.	20.00
More than 10 lbs. Less than 100 lbs.	10.00
10 lbs. or less	10.00
Avoirdupois (each)	1.00
Metric (each)	1.00
Apothecary (each)	1.00
Troy (each)	1.00
Each Indicator	5.00
Each 100 Gals. or Fraction Thereof	1.50
1 Gallon or less	.25
More than 1 gallon	.50
Oil, Grease (Inlet 1/2" to 1")	6.00
Gasoline (Inlet more than 1/2" to 1")	12.00
Inlet more than 1"	
Vehicle Tank Pump	12.00
Vehicle Tank Gravity	20.00
Bulk Storage	25.00
Company Supplies Prover	15.00
Each Stop on Pump	.50
Taxi Meters	12.00
Odometer-Hubdometer	6.00
Leather Meas. (Semi-Ann.)	3.00
Fabric Measuring	5.00
Wire-Rope Cordage	5.00
Yard Sticks	1.00
Tapes	1.00
Milk Jars (Per gross)	6.00
Dry Measures	.50
Adjusting fees for Liquid Measuring Devices	4.00
Adjusting fees for Weighing Devices	2.00

UNNUMBERED
SCHOOL GOVERNMENT DAY

Whereas the Massachusetts Education Reform Act of 1993 developed a Common Core of Learning for all public school students.

Whereas Chapter 4 of the Common Chapters of the Common Core of Learning established under ERA encourages a dynamic, relevant curriculum which includes partnerships with community resources as a natural extension of what has been learned in the classroom.

And whereas American Government is taught in the 9th grade in the Saugus Public Schools:

The Chairman of the board of selectmen is hereby authorized to proclaim the first Tuesday in May as Saugus Student Government Day. Said proclamation will provide for the observation of said day in the Town of Saugus and recommend that exercises appropriate to such day be observed in the Saugus Public Schools.

The Selectmen, School Committee, Housing Authority, NE Vocational Representative, Town Meeting as well as other appointed positions may be paired with a student counterpart for that day in order to observe the process of local town government in the executive, legislative, and administrative operations of the town.

There shall be a town meeting of 50 students elected by high school students from "precincts" corresponding as nearly as possible to the precincts of the town. All other elected town officials shall be selected "at large" by the high school student body. Upon election, these students, shall "select" all other positions from the at large student body who will "apply" for such positions.

Any person or civic, charitable or organization may make contributions or help sponsor such an event.