



## **NOTICE OF PUBLICATION OF ATM 2023 AMENDMENTS to the TOWN BYLAW Office of Attorney General**

**Posted June 8, 2023**

The Town of Wellesley shall henceforth publish amendments to the Town Bylaw and Zoning bylaw by way of a pamphlet and post said pamphlet in each precinct and on the bulletin board of the Town Hall and on the website for the Town of Wellesley ([www.wellesleyma.gov](http://www.wellesleyma.gov)) (MGL Chapter 40 Section 32).

### **Town Bylaw Amendments (ATM 2023)**

- Article 9 - Revise Revolving Funds, set amounts for the year – Select Board action
- Article 37 - Amend Town Bylaws for Deputy Police Chief and Assistant Fire Chief Contracts – Select Board action
- Article 38 - Amend Article 19.47 to Increase Disposal of Property Valuation – Select Board action
- Article 39 - Amend Wetlands Bylaw and Non-Criminal Disposition for Wetlands Violations - Wetlands Protection Committee action
- Article 40 - Amend Article 47.4 to Increase Dog License Fees – Select Board action

### **Article 9**

#### **REVISED REVOLVING FUND AMOUNTS Town Bylaw Article 55 – Select Board**

That the Town amend Town Bylaw Article 55, pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2024 as follows:

- a. Street Opening Maintenance Fund: \$225,000.00
- b. DPW Field Use Fund: \$200,000.00
- c. Turf Field Fund: \$150,000.00
- d. Tree Bank Fund: \$75,000.00
- e. Baler, Compactors and other RDF Equipment Repair Fund: \$50,000.00
- f. Council on Aging Social and Cultural Programs Fund: \$140,000.00
- g. Teen Center Program Revenues Fund: \$50,000.00
- h. Library Room Rental Fund: \$35,000.00
- i. Lost/Damaged Library Materials Replacement Fund: \$20,000.00

- j. Brookside Community Gardens Fund: \$4,000.00
- k. Weston Road Gardens Fund: \$10,000.00
- l. Library Copier Fees Fund: \$20,000.00
- m. Cultural Council Revenues Fund: \$6,500.00

## **Article 37**

### **REVISED LANGUAGE** **Town Bylaw Articles 21 and 22 – Select Board**

That the Town amend the General Bylaws to authorize the Police Chief and the Board of Fire Engineers to enter into three year employment contracts with the Deputy Police Chief and Assistant Fire Chief, respectively, as follows:

- (1) Insert a new Article 21.5, which shall read as follows:

**21.5 Deputy Police Chief.** The Police Chief may appoint a Deputy Police Chief and, pursuant to G.L. c.40, §4, enter into an employment contract with the Deputy Police Chief provided such contract is (a) for a term not to exceed three years, and (b) subject to annual appropriation by Town Meeting.

- (2) Insert a new Article 22.6, which shall read as follows:

**22.6 Assistant Fire Chief.** The Board of Fire Engineers may appoint an Assistant Fire Chief and, pursuant to G.L. c.40, §4, enter into an employment contract with the Assistant Fire Chief provided such contract is (a) for a term not to exceed three years, and (b) subject to annual appropriation by Town Meeting.

## **Article 38**

### **REVISED LANGUAGE** **Town Bylaw Article 19.47 – Select Board**

That the Town amend Article 19.47 Disposal of Town Property of the General Bylaws to increase the valuation of tangible Town property requiring Town Meeting action by striking from Article 19.47.c the amount “\$10,000” and inserting, in place thereof, the amount “\$50,000”, so that said Article reads as follows:

- c. Provide that no property belonging to the Municipal Light Plant having a value in excess of \$30,000, no other tangible Town property having a value in excess of \$50,000, and no real property shall be disposed of without Town Meeting approval.

## Article 39

### REVISED LANGUAGE Town Bylaw Article 44.10 – Wetlands Protection Committee

That the Town amend the General Bylaw as follows:

1. Amend the fifth and sixth paragraphs of Article 44.10 “Enforcement” by deleting the language in strikethrough and adding the language in bold:

Whoever violates any provision of this bylaw, regulations hereunder, or permits issued hereunder, shall be punished by a fine of ~~not more than~~ \$300. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw, regulations, or permit violated shall constitute a separate offense.

As an alternative to criminal prosecution in a specific case, the Committee may issue citations **in the amount of \$300 per offense** under the non-criminal disposition procedure set forth in G.L. c. 40§ 21D, as amended, which has been adopted by the Town in Article 52.

2. Insert a new Section 52.B.1.h. into Article 52 “Bylaw, Rule or Regulation Violations” as follows:

h. Wetlands Protection (Article 44)

- [1] Enforcement agents: Wetlands Protection Committee and Wetlands Protection Agent.
- [2] Fine schedule: first and subsequent offenses, three hundred dollars (\$300).

## Article 40

### REVISED FEES Town Bylaw Article 47.4b – Select Board

That the Town amend the Town's General Bylaw Article 47.4.b to increase the fees for licensing dogs by amending the first and second items in the fee schedule by deleting the language in strikethrough and adding the language in bold as follows:

1) Males and Females:	<del>\$20</del> <b>\$25</b>
2) Neutered Males and Spayed Females:	<del>\$12</del> <b>\$15</b>

Town Bylaws so amended shall become effective June 8, 2023 the date of this publication.

Claims of invalidity of the amendments to the Town Bylaws by reason of any defect in the procedure of adoption or amendment may only be made within ninety (90) days of the date of posting, said posting date being June 8, 2023 and said deadline September 6, 2023.