NORTON TOWN BY-LAWS

May 2015

(General By-law Changes—AMENDED ATM 5.13.13 – APPROVED BY 9/10/13)

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GENERAL

1. No person shall behave in an indecent or disorderly manner or use profane, indecent or insulting language in any public place or on any sidewalk or street in the Town.

(APPROVED 3/24/30)

2. Rubbish of any description shall not be dumped within one hundred feet of a public highway, except upon such a lot or lots as may be designated by the Board of Health as a public dumping place. Any person violating the provisions of the by-law shall be punished by a fine for each offense.

(APPROVED 3/30/36)

3. No person shall use or consume, or attempt to use or consume, any alcoholic beverage, wine or malt liquor, as defined in Chapter 138, Section 1 of Massachusetts General Laws in or upon any public place or place to which the public has a right of access or licensees, including but not limited to all public ways, roads, sidewalks, parking lots, parks and commons, cemeteries, municipal buildings, schools and the grounds and athletic fields appurtenant thereto, and which shall include any motor vehicle or bicycle when parked or moving upon any of the aforementioned places or locations. Nothing herein shall be construed to prohibit the duly licensed use and consumption of said liquors as provided by law, or the use and consumption of said liquors in or upon private property or dwellings as may be permitted by law or the use and consumption of said liquors upon premises under the jurisdiction of the Park and Recreation Commission after obtaining express permission from the Commission for such purpose, and any applicable license therefor under said Chapter 138 of the General Laws.

(AMENDED 6/9/97 - APPROVED 8/12/97)

4. No person shall enter in or remain in any public park, common, cemetery, or any other town owned property between the hours of 10:00 p.m. and 7:00 a.m. on any day except for the express purpose of using said property for its intended design.

(APPROVED 9/19/77)
(AMENDED 9/25/00 - APPROVED 1/5/01)

TOWN MEETINGS

1. The annual town meeting shall convene in regular session two times in each calendar year. The first session, to be held in either April, May, or June, as determined by the Board of Selectmen, shall be primarily, though not exclusively, concerned with the determination of matters involving the expenditure of town funds, including, but not limited to, the adoption of an annual operating budget for all town agencies. The second session shall be held in September, October, or November as determined by the Board of Selectmen.

   (AMENDED 10/8/03 - APPROVED 1/13/04)
   (AMENDED 10/29/12 - APPROVED 12/31/12)

2. The Board of Selectmen shall close the Annual Town Meeting Warrant at least 90 days prior to the Annual Town Meeting. The Board of Selectmen shall close the Fall Annual Town Meeting Warrant at least 45 days prior to the Fall Annual Town Meeting and shall forward a copy of that Warrant to the Chairman of the Finance Committee, the Moderator, and the Town Clerk within 20 days of its closing.

   (AMENDED ATM 6/8/98 - APPROVED 9/28/98)

3. The Selectmen shall notify the voters of the Town of the date of the Spring and Fall Annual Town Meeting by causing attested copies of the Warrant of such meetings to be posted at Chartley Post Office, Norton Post Office, Norton Municipal Center, Norton Public Library, and three other public places seven days prior to each such meeting. Voters shall be warned of any Special Town Meetings by the posting of Warrants in the same manner, except 14 days prior to such Special Meeting. In addition, the Selectmen shall cause copies of warrants for Annual and Special Town Meetings to be posted on the official Town Website; provided, however, that failure to timely post the same, or a technological problem affecting said posting, shall not affect the validity of the Town Meeting to which the warrant relates, or any action taken with respect thereto.

   (AMENDED 10/1/90 - APPROVED 2/27/91)

4. There shall be no quorum requirements for either Annual or Special Town Meetings.

   (AMENDED 1/22/90 - APPROVED 3/21/90)

5. The procedure and conduct of the business portion of all Town Meetings shall be governed by Town Meeting Time by Johnson, Trustmen and Wadsworth.

   (APPROVED 10/4/74)

6. The Moderator may take all votes requiring a two-thirds majority in the same manner in which he or she conducts the taking of a vote when a majority vote is required. The Moderator shall declare that the vote has passed by a two-thirds majority or unanimous vote. If seven voters question the Moderator's declaration of the vote, a counted vote shall then be taken. If fifteen of the voters present so request, the vote must be by ballot.

   (AMENDED - APPROVED 8/12/97)

7. Any article on which the Town Meeting takes no action shall be considered lost by unanimous voice vote.

   (APPROVED 3/11/80)

ENFORCEMENT OF BYLAWS

1. These By-laws may be enforced by any means available in law or in equity, including but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c.40, §21 or by non-criminal disposition pursuant to G.L. c.40, §21D, as further detailed below. When enforced by indictment or on complaint in district court, violations of these by-laws may be punished by fines not in excess of $300.00, unless otherwise provided by law.

2. Violations of any By-law, the violation of which is subject to a specific penalty, may also be enforced through non-criminal disposition as provided in General Laws, Chapter 40, Section 21D. The non-criminal method of disposition may also be used for violations of any rule or regulation of any municipal officer, board or department which is subject to specific penalty. In addition to police officers who shall in all cases be considered enforcing persons the following municipal personnel, or their designees, shall be considered enforcing: Building Inspector; Board of Health; Conservation Commission; Zoning Board of Appeals; Fire Chief; Animal Control Officer, and such other officials as the Town Manager, with the approval of the Board of Selectmen, may from time to time designate, each with respect to violation of by-laws and rules and regulations within their respective jurisdiction. Each day on which a violation exists shall constitute a separate offense.

3. Without intending to limit the generality of the foregoing, it is the intention of this provision that the following by-laws and sections of by-laws are to be included within the scope of this subsection, that the specific penalties as listed here shall apply in such cases and that in addition to police officers who shall in all cases be considered enforcing persons for the purpose of this provision, the following municipal personnel shall be considered enforcing persons: The Building Inspector and his designees; the Board of Health and its designees; and such other officials as the Board of Selectmen or the Town Manager may from time to time designate, each with respect to violation of by-laws and rules and regulations within their respective jurisdiction. Each day on which any violation exists shall be deemed to be a separate offense.

(AMENDED 10/1/90 - APPROVED 2/27/91)

SECTION	FINE
Use of Land & Buildings	$ 50.00
General	$ 50.00
Zoning By-Law	$ 50.00

(AMENDED 11/23/87 - APPROVED 12/21/87)

TOWN OFFICERS

1. The annual election of officers in the Town of Norton shall take place on the last Tuesday of April.
(AMENDED 6/2/03- APPROVED 9/4/03)

2. Board of Selectmen

   i. Issuance of Licenses for Second Hand Articles

      a. The Selectmen may grant licenses to such persons as to them may appear proper and suitable to be junk collectors to collect by purchase or otherwise junk, old metals and second hand articles from place to place within the town of Norton and they may prescribe that such persons may conspicuously display badges on their person or signs upon their vehicles or both when engaged in collecting, transporting or dealing in junk, old metal or second hand articles and may prescribe the design thereon. The Selectmen may prescribe the terms upon which such licenses may be granted.

      b. Such licenses shall continue in force for one year from the date of their issue and may be revoked at any time by the Selectmen. The holders of such licenses shall be subject to all provisions of law relating thereto.

      c. Any place, vehicle, or receptacle used for the collecting, keeping of the aforesaid and all articles of merchandise therein may be examined at all times by the Selectmen, Police Officers, or by any persons authorized by them to do so. All scales, weights or measures used in their business by such collectors of junk shall be tested and sealed by the Sealer of Weights and Measures of said town.

      (APPROVED 3/24/30)

   ii. Authority with Respect to Legal Claims, Suits and Controversies

      The Selectmen shall have authority to prosecute, defend or to otherwise settle all claims, suits or controversies to which the Town is party and to employ legal counsel if they deem such action necessary. (APPROVED 3/24/30)

   iii. Tax Title Custodian

      The Selectmen shall have the power and may from time to time sell, after first giving notice of the time and place of sale, property taken by the town under tax title procedures provided that the Selectmen or whomsoever they may authorize to hold such public auction may reject any bid that they deem inadequate. (APPROVED 6/6/40)

3. Creation and Custody of Certain Records of Multiple-member Bodies

   i. All boards of officers of the Town shall cause records of their doings and accounts to be kept in suitable books which shall be kept in their respective offices when in use and in the town vault when not in use.

ii. The Town Clerk shall maintain a complete and up-to-date copy of the Town By-Laws, including Zoning By-Laws which shall be available to the public, and shall compile such by-laws and shall assign to them appropriate headings and number them sequentially under such headings, and further, shall be authorized to make non-substantive changes to the numbering of any Town By-law to provide for a consistent format.

(AMENDED 10/20/14 - APPROVED 2/10/15)

iii. A summary of any report or study produced by a consultant and paid for with town funds shall be filed with the Town Clerk immediately upon its completion and shall be kept as a permanent town record. A second copy shall be retained by the town library for public use.

(APPROVED 9/4/74)

4. Vehicles

All Town owned vehicles shall be marked with the appropriate Town Department. "Unmarked" police vehicles shall be exempt from the provisions of this by-law.

(VOTED 5/2/88 - APPROVED 8/30/88)

REPEAL AND AMENDMENT

Any proposed additions or amendments to these By-Laws must first be presented by or to the Selectmen in writing and be incorporated in the warrant for any annual or special town meeting for action by the legal voters of the Town. Such amendments or additions may be adopted by a majority vote, unless otherwise provided by law.

(APPROVED 3/24/30)

PROCUREMENT

Unless otherwise provided by a vote of Town Meeting, and to the extent consistent with the Town Charter, the Board of Selectmen, Town Manager as the Chief Procurement Officer, or any designee approved pursuant to G.L. c.30B, are authorized to enter into any contract for the exercise of the Town's corporate powers, on such terms and conditions as are deemed appropriate. Notwithstanding the foregoing, no person shall contract for any purposes, on any terms, or under any conditions inconsistent with any applicable provision of any general or special law.

(STM 5/7/90, ARTICLE 2 - APPROVED 2/27/91)

CAPITAL IMPROVEMENTS

(APPROVED 7/19/78)

1. The Capital Improvements Committee

   The Capital Improvements Committee shall be established annually as set forth in the Section 6-4 of the Town Charter, and shall undertake review and recommendation with respect to departmental requests for capital items and capital improvements to be undertaken during the next ensuing five years in accordance with the schedule established in said Section 6-4 and as further established hereunder.

2. Capital Items and Capital Improvements – Definitions

   For purposes of this by-law, a "capital item" or "capital improvement" shall include any item or project which exceeds $10,000.00 and constitutes a "non-recurring expense", which term is, in turn, defined as an expense other than personnel or salary costs or other expenses ordinarily funded as part of the annual operating budget process. In this regard, police, fire, and highway equipment which is replaced annually shall not be considered capital items. However, equipment replacements made less frequently, or for the first time, shall be considered capital items, provided that such items each cost in excess of $10,000.

3. Department and Committee Capital Requests

   Department and Committee heads shall be required to submit annually to the Capital Improvements Committee and Town Manager, on a schedule determined by said Committee and Town Manager, complete inventories of current capital items and capital item or capital improvement requests for the next ensuing five years.

CAPITAL IMPROVEMENTS FUND

There is hereby established as a separate account in the Treasury a Capital Improvements Fund. Monies may be appropriated into the Capital Improvements Fund by a majority vote of any Town Meeting and said monies shall be kept segregated from other funds. The Capital Improvements Fund may be appropriated at any Town Meeting by a two-thirds vote for any purpose for which the Town would be authorized to borrow money under Section 7 and 8 of M.G.L. Chapter 44.

(AMENDED 1/13/92)
(APPROVED 2/21/92)

FINANCE COMMITTEE

1. The Town shall have a committee called the Finance Committee, which shall consider any and all municipal questions for the purpose of making reports or recommendations thereon to the Town.

2. Such committee shall consist of 11 registered voters of the Town. No member of the Committee shall be a town officer nor shall he serve on any other board, committee or commission, of the Town or any subcommittee appointed by any other Town Official, board, committee or commission, except that he may serve on special committees which may be related from time to time by vote of the town meeting when such vote expressly authorizes him to serve.

3. Members of the committee shall be appointed by the Moderator to serve for rotating terms of three years, expiring on the thirtieth day of June. The Moderator shall appoint a successor for any member of the committee whose term expires that year and shall, after any vacancy occurs in the committee, appoint a successor to fill that vacancy for the unexpired term of his predecessor.

4. The Finance Committee shall, as soon as possible after the annual appointment of new members to the committee has been made, meet for the purpose of re-organization. They shall elect from their membership a Chairman, and Vice-Chairman, who shall hold office until their successors are elected.

5. The Committee may from time to time make such rules and regulations with reference to their meetings and the conduct of their work as they may deem best for the interests of the Town.

6. The Finance Committee shall report in writing its recommendations as to each article in the Warrant for each session of the Annual Town Meeting. The recommendations shall be those of the majority of the Committee.

   Copies of the warrant together with the Finance Committee's recommendations shall be made available to the public at the Norton Public Library, Norton Municipal Center, all the Fire Stations and any other public location deemed appropriate, at least seven (7) days prior to the commencement of both the spring and fall session of the Annual Town Meeting. At the discretion of the Finance Committee a copy of the Warrant along with the Finance Committee's recommendations may also be published in a local newspaper.

   Copies of the Warrant together with the Finance Committee's recommendations shall also be made available for distribution at each session of the Annual Town Meeting.

(AMENDED 10/1/90 - APPROVED 2/27/91)

FISCAL TOWN REPORT

1. The Selectmen shall print the Annual Town Report for the period beginning July 1 and ending the following June 30th of each fiscal year, said report to be completed not later than fourteen (14) days prior to the Spring Annual Town Meeting.

(VOTED ATM 10/15/07 - APPROVED 10/25/07)

2. The Annual Town Report shall contain a listing of salaries, wages and total compensation paid to all town employees and/or officers during the fiscal year covered by said report.

(APPROVED 3/11/80)

FINANCIAL AND FISCAL PROCEDURES

Development of the annual town budget, including preparation and submission of departmental budget requests, departmental capital requests, and action thereon by the Town Manager, Board of Selectmen, School Committee and Finance Committee shall be undertaken as required by Article 6 and other relevant provisions of the Town Charter as it may be amended from time to time.

(VOTED 10/1/90 - APPROVED 2/27/91)

TOWN CLERK/TAX COLLECTOR FEES

All fees paid to any Town employee or officer, for any purpose whatsoever, shall be promptly paid into the Town Treasury as Town revenue, and shall be duly accounted for.

(VOTED 5/13/91 - APPROVED 9/3/91)

DENIAL, REVOCATION OR SUSPENSION OF LOCAL LICENSES AND PERMITS 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 or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by 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 law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be 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 section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

DENIAL, REVOCATION OR SUSPENSION OF LOCAL LICENSES AND PERMITS FOR FAILURE TO PAY MUNICIPAL TAXES OR CHARGES (CONTINUED)

(e) This By-law shall not apply to the following licenses and permits: open burning under G.L. c.48, §13; bicycle permits under G.L. c.85, §11A; sales of articles for charitable purposes under G.L. c.101, §33; children work permits under G.L. c.149, §69; clubs, associations dispensing food or beverage licenses under G.L. c.140, §21E; dog licenses under G.L. c.140, §137; fishing, hunting, trapping license under G.L. c.131, §12; marriage licenses under G.L. c.207, §28; and theatrical events, public exhibition permits under G.L. c.140, §181.

(AMENDED 5/13/91 & APPROVED 9/3/91)
(AMENDED 5/13/13 – APPROVED 9/10/13)

COMMUNICATION

1. TITLE: This by-law shall be known as the Norton Communication Center By-Law.

The operation of the Emergency Communication Center shall be under the control of the Town Manager. The Communications Supervisor shall be responsible for overseeing the day-to-day operation of the Center. Both the Police Chief and the Fire Chief shall service in an advisory capacity as to the policies and procedures used in the operation of the Center.

(AMENDED 6/9/97 - APPROVED 8/12/97)

PUBLIC SAFETY

1. PUBLIC SAFETY REGULATION: It shall be unlawful to obstruct or block a private way with a vehicle or any other means so as to prevent access by fire apparatus, fire equipment, ambulance service or police cruisers to any multiple building, stores, shopping centers, schools, and places of public assembly.

2. PUBLIC SAFETY LANES: It shall be unlawful to obstruct or park a vehicle in any Public Safety Lane, such Public Safety Lanes to be designated by the Chief of the Fire Department and the Chief of the Police Department. Said Public Safety Lanes to be a distance of twelve (12) feet from the curbing of a side walk in a shopping center, apartment complexes and similar locations. Where no sidewalk with curbing exists, the distance and location shall be established by the Chief of the Fire Department and the Chief of the Police Department and posted as such.

3. Any object of vehicle obstructing or blocking any Public Safety Lane or private way may be removed or towed by the Town under the direction of a Police Official with the rank of Sergeant or higher at the expense of the owner and without liability to the Town of Norton.

4. The owner of record of any building affected by these sections shall provide and install signs and road markings as provided in Paragraph B of this section. Said signs shall be no less than 12" x 18" and shall read "Public Safety Lane - No Parking - Tow Zone."

5. Any person violating any of the foregoing sections may, for each offense, be punished by a fine of Twenty-five ($25.00) dollars. Each day that such violation continues shall constitute a separate offense.

(VOTED ATM 5/14/85, ARTICLE 9 - APPROVED 8/19/85)

MOTOR BOATS AND PERSONAL WATERCRAFT

1. No person, while on any inland waters within the Town of Norton, or on shores thereof, shall annoy or cause annoyance to another person, or utter any profane, threatening or abusive language or loud outcries, or do any obscene or indecent act.

2. No person shall throw, drop, or otherwise place in the water or on the shore of any of the inland waters within the Town of Norton any paper, rubbish, glass or refuse.

3. All power boats operated on any inland waters within the Town of Norton shall be registered with the Police Department and shall bear a number on both sides of not less than four inches in height and one half inch in width, assigned by such department, in a form clearly visible from a distance of not less than 100 yards.

4. Power Boats shall not be operated on any inland waters within the Town of Norton at a speed exceeding 10 MPH after 7:00 p.m. or one half hour after sunset, whichever is earlier, or before 9:00 a.m.

5. Power boats shall not be operated at a speed in excess of 5 MPH within 100 yards of a bathing beach.

6. Power boats shall not be operated on any inland waters within the Town of Norton within 75 yards of any shore line at speeds in excess of 10 MPH.

7. All boats operated after one half hour after sunset and before one half hour before sunrise must be equipped with a light for emergency use.

8. A power boat is defined, for the purposes of these regulations, as any boat powered by an internal combustion engine permanently or temporarily affixed to said boat.

9. Power boats must at all times be operated at a reasonable and proper speed and manner, having regard for the safety of the public. Any person violating any of the above rules shall, for each offense, be punished by a fine.

(APPROVED 8/23/56)

10. The operation of personal watercraft in or upon Lake Winnecunnet shall be permitted only between the hours of 9:00 A.M. and 4:00 P.M. Monday through Saturday, excluding Massachusetts state holidays. At all other days and times, such craft shall be prohibited. The term "personal watercraft" is defined as a small vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by persons sitting, standing or kneeling on the vessel; the term includes but is not limited to, a jet ski, wet bike, or surf jet, so-called. Violation of this by-law shall be punishable by a fine of one hundred dollars ($100) for each offense.

(STM 10/20/97 - APPROVED ENVIRONMENTAL POLICE 11/13/97 - APPROVED AG 1/27/98)

RACING

The racing of any kind, namely, by means of motor vehicles or go-carts, is prohibited within the boundaries or borders of the Town of Norton.

(APPROVED 7/17/61)

DOG CONTROL

Under the Dog Control By-Law all citizens have a responsibility to see that dog owners are accountable for the actions of their dogs. In establishing this by-law, the Town of Norton recognizes that the right of dog ownership carries with it the responsibility to provide adequate control to insure that no dog is a danger or a nuisance.

1. The annual fee for every dog license shall be established by Town Meeting. All fees shall be retained by the Town Treasurer in the Reserve Appropriation for Norton Dog System established under Article 16 of the Special Town Meeting of May 21, 1986. No fee shall be charged for a license for a service animal as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No license fee or part thereof shall be refunded because of the subsequent death, loss, altering, or removal from the Commonwealth or other disposal of the dog. (AMENDED 6/2/03 – APPROVED 9/4/03)

2. No person shall own or keep a dog in the Town which by biting, excessive barking, howling, or in any other manner disturb the quiet of the public.

3. <u>COMPLAINT OF NUISANCE OR DANGEROUS DOG:</u>

   A. For purposes of this Bylaw and G.L. c. 140, §157, the Board of Selectmen shall be the Hearing Authority.

   B. The definition of "Dangerous Dog" and "Nuisance Dog" shall be as set forth in G.L. c. 140, §136A and 157, as may be amended from time-to-time.

   C. If any person shall make a complaint in writing to the Animal Control Officer or Board of Selectmen that any dog owned or harbored within the Town is a Dangerous Dog or Nuisance Dog, the Animal Control Officer shall investigate such complaint and submit a written report to the Selectmen of his findings and recommendations, together with the written complaint. Upon receipt of such report the Selectmen shall convene a public hearing, which shall include an examination of the complaint under oath, to determine whether the dog is a Nuisance Dog or a Dangerous Dog. Based on credible evidence and testimony presented at the public hearing, the Selectmen shall make such order as provided in G.L. c. 140, §157, as may be amended from time-to-time.

   D. The Animal Control Officer may issue an interim order to restrain any dog which he has probable cause to believe is a Dangerous Dog or Nuisance Dog, for a period not to exceed fourteen days.

4. Upon issuing an interim order to restrain, the Animal Control Officer shall submit in writing to the Selectmen a report of his action and the reasons thereof. If the Selectmen fail to act in accordance with Section 3 of this Bylaw during the period the dog is restrained, upon expiration of the period, the interim order is automatically vacated pending such further order of the Selectmen as may be deemed necessary.

DOG CONTROL (CONTINUED)

5. APPEAL OF NUISANCE OR DANGEROUS DOG ORDER: The owner or keeper of any dog subject to an order issued pursuant to Section 3 of this Bylaw may appeal to the District Court in accordance with G.L. c. 140, §157, as may be amended from time-to-time.

6. Section 3 of this Bylaw may be enforced by the Animal Control Officer or any police officer of the Town through any means available in law or equity, including but not limited to criminal indictment in accordance with G.L. c.140, §157A as may be amended from time-to-time, and noncriminal disposition in accordance with G.L. c. 40, §21D, and the Town Bylaws, "Non-Criminal Disposition." When enforced in accordance with G.L. c.140, §157A, an owner or keeper of a dog who fails to comply with an order of the selectmen or district court shall be punished, for a first offense, by a fine of not more than $500 or imprisonment for not more than 60 days in a jail or house of correction, or both, and for a second or subsequent offense by a fine of not more than $1,000 or imprisonment for not more than 90 days in a jail or house of correction.

   When enforced through noncriminal disposition, the penalties shall be as follows:

First violation:	Verbal Warning
Second violation:	$ 100.00
Third and subsequent violations within 12-month period of first violation:	$ 300.00

   For purposes of enforcement through non-criminal disposition, any violation of the provisions of this by-law occurring more than 12 months after a first offense shall constitute a new and separate violation.

7. No owner or keeper of any dog shall cause or permit such dog, whether licensed or unlicensed, to run at large or to be a public nuisance within the Town of Norton or permitted to wander at will on public or private property other than the premises of the said owner or keeper or the premises of another person with knowledge and permission of such other person. A dog is under restraint within the meaning of the By-Law if he is controlled by a leash or at heel beside a competent person and obedient to the commands of that person or on or within a vehicle being driven or parked on the street. Dogs running at large will be caught and confined and the owner notified. A dog so restrained may be held for not more than seven days. If the owner of the dog claims it and pays the sum of $40 for each day that the dog has been held, the dog shall be returned to its owner. Any dog not claimed by the owner within said seven day period may be subject to euthanization or adoption as set forth in G.L. c. 140, §151A and 167 as may be amended from time-to-time.

DOG CONTROL (CONTINUED)

8. Section 7 of this Bylaw may be enforced by the Animal Control Officer or any police officer of the Town through any means available in law or equity, including but not limited to criminal indictment in accordance with G.L. c.40, §21, and noncriminal disposition in accordance with G.L. c. 40, §21D, and the Town Bylaws, "Non-Criminal Disposition." When enforced in accordance with G.L. c.40, §21, the maximum penalty shall be $300.00 and each day a violation exists shall constitute a separate violation.

   When enforced through noncriminal disposition, the penalties shall be as follows:

First violation:	Verbal Warning
Second violation:	$ 100.00
Third and subsequent violations within 12-month period of first violation:	$ 300.00

   For purposes of enforcement through non-criminal disposition, any violation of the provisions of this by-law occurring more than 12 months after a first offense shall constitute a new and separate violation.

9. Should any owner or keeper of a dog fail to license that dog before March 1st, that owner or keeper shall pay a late fee of five dollars plus an additional fee of one dollar per month beginning March 1, before obtaining said license, excepting a dog brought into the Town as provided in Section 138 of Chapter 140, Massachusetts General laws, this late fee shall be applicable from the 61st day after arrival of such dog. Any person maintaining a kennel in the Town of Norton, who fails to license as proscribed by this section and the Laws of the Commonwealth, shall pay a late fee of ten dollars plus an additional fee of two dollars per month beginning March 1. All late fees shall be retained by the Town Treasurer in the Reserve Appropriation for Norton Dog System established under Article 16 of the Special Town Meeting of May 21, 1986.

   (AMENDED 1/19/11 - APPROVED 2/10/11)

10. The annual dog license period shall run from January 1st to December 31st, inclusive, of each calendar year.

    (APPROVED 1/19/2011)

FALSE PRIVATE ALARMS

Section 1. Definitions

A. For the purpose of this By-law the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words used in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. The term "Private Alarm System" means an assembly of equipment and devices or a single device such as solid state unit which plugs directly into a 110 volt AC line, arranged to signal the presence of a hazard requiring urgent attention or an incident which Police customarily or reasonably are expected to respond. Fire Alarm Systems and alarm systems which monitor temperature, smoke, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this by-law. The provisions of Section 3 of this by-law shall not be applicable to municipal, county and state agencies.

2. False Alarm means:

   i. The activation of an alarm system through mechanical failure, malfunction, improper installation or negligence of the user of an alarm system or of his employees or agents.

   ii. Any signal or oral communication transmitted to the Police Department requesting or requiring, or resulting in a response on the part of the Police Department when in fact there has been no unauthorized intrusion, robbery, or burglary, or attempt thereat. For purposes of this definition activation of alarm systems by acts of God, including but not limited to power outages, hurricanes, tornadoes, earthquakes and similar weather or atmospheric disturbances shall not be deemed to be a false alarm.

Section 2. Control and Curtailment of Signals Emitted by Alarm Systems

A. Every alarm system user shall submit to the Chief of Police the names and telephone numbers of at least two persons who are authorized to respond to an emergency transmitted by the alarm system, and who can open the premises wherein the alarm system is installed.

B. All audible alarm systems installed after the effective date of this By-law which use an audible horn or bell shall be equipped with a device that will shut off such horn or bell within ten (10) minutes of the activation of the alarm system.

C. Any alarm system emitting a continuous and uninterrupted signal for more than fifteen (15) minutes which cannot be shut off or otherwise curtailed due to the absence or unavailability of the alarm user or those persons designated under paragraph (a) of this section and which disturbs the peace comfort, or repose of a community, a neighborhood, or a number of the inhabitants of the area where the alarm system is located shall constitute a public nuisance.

FALSE PRIVATE ALARMS (CONTINUED)

Upon receiving complaint of such a continuous and uninterrupted signal, the Chief of Police shall endeavor to contact the alarm user, or members of the alarm user's family, or those persons designated by the alarm user under paragraph (A), in an effort to abate the nuisance. If such efforts do not result in the silencing of the alarm within thirty (30) minutes of its activation, the Police Chief may, at the expense of the owner, order its deactivation using whatever means may be appropriate to the occasion. The Police Chief shall cause to be recorded the names and addresses of all complainants, and the time of each complaint.

Section 3. Enforcement; Penalties

Upon receipt of three or more false alarms within a calendar year:

1. The Police Chief may order the user to:
    a. discontinue use of the alarm;
    b. disconnect any direct connections to the Police Department; or
    c. ensure that further connections to the communications console in the Police Department will be contingent upon the user equipping any alarm system with a device that will shut off any audible horn or bell within ten (10) minutes after activation of the alarm system.

2. The user shall be assessed Fifty Dollars ($50.00) as a False Alarm service fee by the Town or its contracted billing agency for each False Alarm in excess of three (3) occurring within a calendar year. False alarms service fees shall be paid to the Town Treasurer for deposit to the General Fund.

(VOTED 6/3/03 – APPROVED 9/4/03)
(VOTED ATM 9/30/96 – APPROVED 3/24/97

ROADSIDE MEMORIALS

This Section shall apply to any memorial of a fatal accident or occurrence that is placed along a roadside and is visible to the naked eye. The presence of such memorials has been determined to be an unsafe distraction to motorists.

In cases where a death is caused by a fatal accident or occurrence in or along such public street, sidewalk, or walkway, a temporary memorial sign may be erected in accordance with this ordinance by a member of the deceased's immediate family. "Immediate family" is defined for purposes of this ordinance as the deceased's spouse, mother, father, sister, brother, or child.

No such "roadside memorial" shall be left on or within the boundaries of any public street, sidewalk, or walkway for more than thirty (30) days.

(VOTED 5/9/05 – APPROVED 8/30/05)
(AMENDED 10/06 ART 13 – APPROVED 1/3/07)

PUBLIC CONSUMPTION OF MARIJUANA OR TETRAHYDROCANNABINOL

No person shall smoke, ingest, or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c. 94C, §1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

Whoever is found in violation of this by-law shall, when requested by an official authorized to enforce this bylaw, state his true name and address to said official.

This by-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c.40, §21, or by noncriminal disposition pursuant to G.L. c.40, §21D, by any police officer of the Town. The fine for violation of this by-law shall be Three Hundred Dollars ($300.00) for each offense. Any penalty imposed under this by-law shall be in addition to any civil penalty imposed under G.L. c.94C, §32L.

(VOTED BY FATM 10/12/11 – APPROVED 11/17/11)

CRIMINAL HISTORY CHECK AUTHORIZATION

1. In accordance with the provisions of G.L. c.6, §172B½, the Police Department shall fingerprint the persons listed below and conduct state and national fingerprint-based criminal history checks for such individuals. To carry out these criminal history checks, the Police Department shall be authorized to utilize Federal Bureau of Investigation records; provided, however, that such records shall not be disseminated to unauthorized entities and shall be maintained and disclosed in accordance with law.

   The licensing authority is hereby authorized to deny an application for any license specified herein, including renewals and transfers thereof, from any person who is determined unfit for the license due to information obtained pursuant to this by-law. Factors that shall be considered in making a determination of fitness shall include but not be limited to whether the record subject has been convicted of, or is under pending indictment for, a crime that bears upon the subject's ability or fitness to serve in that capacity, including any felony or a misdemeanor that involved force or threat of force, possession of a controlled substance, or a sex-related offense.

2. All applicants for Hawkers and Peddlers, Door-to-Door Sales, Pawn Brokers, Solicitors, or Taxi and Livery licenses, and for any license to sell alcoholic beverages, including the "responsible manager" listed on the license application, shall be subject to the requirements of this by-law.

3. The Board of Selectmen, in consultation with the Chief of Police, shall promulgate regulations for the implementation of this by-law, which may include, but shall not be limited to; establishment of submission deadlines; procedures for making recommendations to the licensing authority or making a licensing decision as a result of such criminal history check; procedures for accessing, correcting or amending any such record; and criteria for fitness determinations in addition to those set forth in Section 1 of this by-law.

4. The Police Department shall charge a fee of one hundred dollars ($100.00) for each fingerprinting and criminal history check. A portion of the fee, as specified in G.L. c.6, §172B½, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee shall be retained by the Police Department for costs associated with the administration of the fingerprinting system.

1. This by-law shall take effect on May 4, 2012, and after compliance with all requirements of G.L. c.40, §32, have been met.

(VOTED FATM 10/12/11 – APPROVED 11/17/11)

SECOND HAND ARTICLES

1. Persons, businesses, corporations, pawnbrokers, dealers who store (hereinafter referred to as "dealer"), keep for sale, deal, accept, sell, barter, in gold, silver, precious metals, junk or other second hand articles shall obtain a license therefor from the Board of Selectmen and shall register with the Norton Police Department. Applicants shall provide: the name of the business, owner, and store manager, if different; business address and residential addresses of the owner and store manager; business and personal phone numbers, email addresses and other relevant contact information for the owner and manager; and specify the proposed type of business.

2. For the purpose of this bylaw the term "precious metals" shall be defined as including gold, silver, sterling silver, platinum, palladium and rhodium. The term "precious gem" shall be defined as a cut or uncut and polished or unpolished precious stone or pearl including but not limited to diamond, opal, ruby, sapphire, emerald, pearl, amethyst, aquamarine, peridot and cat's eye.

3. Any dealer of the matters listed in Section 1 shall keep a legibly written record in the English language of every purchase or pawn transaction involving used precious metals made by such dealer, which shall contain the following information:

    a. An account or description, including all distinguishing marks and or identifying numbers, of said jewelry, precious metals or precious metal items purchased;

    b. The amount of money paid for such items, the time and date of purchase; and,

    c. The name and address of the person selling such item(s).

    Every such dealer shall furnish a correct record of such transactions, containing all such information once a week (or more often if desired by the business owner) to the Chief of Police or his designee. The preferred method of submission shall be determined by the Chief of Police.

4. Any dealer shall require any person selling or otherwise providing to such dealer any of the items described in Section 1, except clothes and furniture (hereinafter referred to as "seller"), to provide:

    a. A photocopy of the seller's driver's license or photo identification card; and

    Any dealer accepting goods from a seller shall:

    a. Prepare a sales slip that contains legibly written or printed description of the material purchased, date of purchase, printed name and signature of seller acknowledging that he/she legally owns the material offered for sale; and

    b. Photograph the material offered for sale and maintain a copy thereof for the dealer's records.

5. Any police officer shall be afforded access to the business to view the record book, sales slips, and photocopies of driver's licenses at any time during regular business hours.

6. All precious metals or gems, junk or other second hand articles other than clothes and furniture regulated by this by-law that are purchased or pawned shall be held by the dealer for a minimum of fourteen (14) days unless said pawn transaction is earlier terminated with the repayment pursuant to a pawn agreement.

7. Trade-In Exception: The "purchase" and "sale" of covered goods does not include retail transactions in which a retailer accepts from a customer covered goods and, rather than providing funds in exchange, credits the value of those goods to another purchase by the customer.

8. Compliance with this By-law shall be monitored and enforced by the Norton Police Department. Violations of any part of this bylaw shall be punished by a fine of $50.00 for each offense pursuant to the Town of Norton's Non-Criminal Disposition By-law and M.G.L. Chapter 40, Section 21D. In addition to any other remedies available in law or in equity, the licensing authority may revoke, suspend or modify a license issued hereunder for any violation of the By-law.

9. The provisions of this By-law shall be severable, and if any of its provisions are held unconstitutional or invalid by any court of competent jurisdiction, the decision of said court shall not affect or impair any of the remaining provisions.

(VOTED 5/13/13 – APPROVED 9/10/13)

SOLICITORS

No solicitation or offer to buy or sell any foods, items or services shall be made at any household without a permit. Such a permit may be issued to any reputable person by the Police Department upon payment of ten dollars, said permit to be effective for the calendar year of its issue. Solicitors for non-profit charitable and religious organizations shall be exempt from paying any fee for such permit. This by-law shall not apply to persons who are otherwise licensed to perform their trade or business, or to students in connection with any enterprise related to their school system.

(AMENDED 5/88 - APPROVED 8/30/88)

PARKING AREAS FOR VEHICLES OF DISABLED VETERANS OR HANDICAPPED PERSONS

1. Owners or persons in control of private ways or improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, or other places where the public has a right of access shall reserve parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by Massachusetts General Law, C. 90, S.2, in accordance with the provisions of Massachusetts General Law, C.40, S.21(23).

2. No person other than a disabled veteran or handicapped person shall park or leave a vehicle unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or handicapped persons as authorized by MGL C.40, S.21 (23) or in such manner as to obstruct a curb ramp designed for use by handicapped persons as a means of egress to a street or public way.

3. The penalty for violation of this article shall be as follows: For the first offense, one-hundred dollars ($100.00); for the second offense, two hundred dollars ($200.00); for the third offense, three hundred dollars ($300.00); and further, for a third and each subsequent offense, the vehicle may be removed in accordance with Massachusetts General Laws, C.40, §22D.

(VOTED ATM 10/11/89, ART 3 - APPROVED 11/9/89)

STREETS

1. The superintendent of streets or other officer having charge of ways may, for the purpose of removing snow or ice, remove or cause to be removed to some convenient place including a public garage, any vehicle parked on town streets or ways which interfere with such work and may impose liability for such removal and storage upon the owner of such vehicle.

   (APPROVED 11/9/59)

2. Any person intending to erect, repair or take down any building on land abutting on any public way of the town and who desires to use any portion of said way for rubbish or building material must first obtain written permission from the Board of Selectmen. Such permit shall be on the condition that the licensee shall first: Keep a sufficient number of lighted lanterns between sunset and sunrise at or near part of such way obstructed or unsafe; second: shall keep a railing or guard around the same while such obstruction shall continue; third: restore the way to its former condition and, fourth: execute an agreement to indemnify the town against all damages arising from the existence of such obstruction.

   (APPROVED 3/24/30)

3. No person shall suffer any wood or coal or any cart or wagon or other impediment to remain within the limits of a street or upon any sidewalk so as to in any manner obstruct the travel thereon or for more than twenty four hours after he has been notified by the Selectmen or by any officer having charge of the highways or by any constable or police officer to remove the same.

   (APPROVED 3/24/30)

4. No person shall throw, pipe, or otherwise deposit in any manner, or allow to be dropped from any vehicle upon any public way, place, or square in the Town, any article, substance or material, including snow and water, which may cause or create a hazardous condition in such public way, place or square.

   (AMENDED 6/9/97 - APPROVED 8/12/97)

5. No person shall distribute papers, circulars, or advertising matter through the public streets or public places of the town in such a manner as to make a litter.

   (APPROVED 3/24/30)

6. No person shall stand, obstruct or loiter on any sidewalk or public way in such a manner as to interfere with a free passage for pedestrians or motor vehicles.

   (APPROVED 1/20/75)
   (VOTED 6/11/97 -APPROVED 8/12/97)

7. Snow Removal:

A. No owner, tenant, or occupant of real estate, nor any employee, contractor, or agent employed by or representing the aforementioned, shall place by plowing, shoveling, or other means, or cause to be so placed, snow upon any public sidewalk, street, or parking lot, or any other public place in the Town; provided, however, that the Highway Superintendent may establish specific public places in Town, by promulgating a list thereof and posting the same at the offices of the Highway Superintendent, Board of Selectmen and Town Clerk, where snow may be so placed.

B. This Bylaw, and any rules and regulations promulgated hereunder, may be enforced by the Highway Superintendent or any police officer of the Town through any means available in law or equity, including but not limited to criminal indictment in accordance with G.L. c.40, §21, and noncriminal disposition in accordance with G.L. c. 40, §21D, and the Town Bylaws, "Non-Criminal Disposition." When enforced in accordance with G.L. c.40, §21, the maximum penalty shall be $300.00 and each day a violation exists shall constitute a separate violation.

When enforced through noncriminal disposition, the penalties shall be as follows:

First violation:	Verbal Warning
Second violation:	$ 100.00
Third and subsequent violations within 12-month period of first violation:	$ 300.00

For purposes of enforcement through non-criminal disposition, any violation of the provisions of this by-law occurring more than 12 months after a first offense shall constitute a new and separate violation.

C. The enforcing person shall to the extent possible and as applicable record the following information in response to a complaint of a violation of Section 7(A): name and address of person violating the by-law; name and address of property owner; date, time, and location of the violation; and registration number of involved motor vehicle. If the violator refuses to provide identifying information, or if information provided proves false, incorrect, or otherwise invalid, such action shall be deemed a violation of this section, and shall be enforceable in any manner set forth in Section 7(B), provided, however, that the fine for such violation shall be $300.00.

(APPROVED 5/9/11)

TEMPORARY REPAIRS OF PRIVATE WAYS

1. Notwithstanding the provisions of any general or special law to the contrary, the Town of Norton is hereby authorized to make temporary repairs on private ways within its corporate and municipal limits which have been open to public use for six years or more and in such cases the provisions of section twenty-five or chapter eighty-four of the General Laws shall not apply.

2. After a vote by a town meeting of the Town of Norton, pursuant to petition by at least two-thirds of the abutters thereon, that conditions exist on a private way which require temporary repairs by public necessity, the superintendent of streets of said town shall cause the temporary repairs to be made. Said temporary repairs shall include only the filling in of holes or depressions with sand, gravel, cinders or other suitable materials in order to make said way passable, and shall not include construction, reconstruction, or resurfacing of said ways. Drainage shall not be included Betterment charges shall not be assessed. Said town shall have no liability in tort on account of the performance by such repairs.

   In no event shall temporary repairs be made to any private way where the cost of said repairs shall exceed the sum of three dollars per linear foot as delineated by the Highway Superintendent.

3. The Town of Norton is hereby authorized to appropriate money for the purposes of this act.

(AMENDED 5/19/86 - APPROVED 10/3/86)

USE OF LAND AND BUILDINGS

1. All buildings on or near the line of public or private ways within the Town shall be numbered by the Planning Board, said numbers to be not less than two inches in height to be placed upon the building or appurtenances thereto by the owner or occupant thereof and to be so placed as to be visible from the street or way.

2. All Warrant Articles involving Real property, whether zoning or otherwise, shall, where practical, include the street name and/or location, as well as the assessors map, parcel and lot number.

(AMENDED 5/88 - APPROVED 8/30/88)

TRAILER BY-LAW

1. OUTSIDE OF TRAILER PARK - In areas external to an approved trailer park, house trailers shall be used or parked only as provided below.

    A. The Board of Health may grant a permit for a house trailer to be used and parked on private property as a residence. Such property shall be considered to include occupied dwelling lots. The permit shall be granted for a period not to exceed 30 days in any one year. The Board of Health may extend the permit for an additional 30-day period if requested to do so. Water supply and sewage disposal facilities for such a trailer must be approved by the Board of Health.

    B. The Board of Health may grant a permit for a house trailer to be parked and used for a residence while a house is being constructed on the same premises. Such a permit shall be valid for one year, but it may be extended by the Board of Health for one year additional if the Board is satisfied that construction is being carried forth in good faith. If the construction ceases to be carried forth in good faith, the Board shall revoke the permit. The sewage facilities to be provided for such a trailer shall be the same as the facilities required by the Board of Health for a dwelling.

    C. An unoccupied and unused house trailer may be parked on private property.

    (APPROVED 4/7/58)

2. The maximum number of outstanding trailer park or mobile home park licenses issued under Chapter 140 of the General Laws shall not at any time exceed the number of said licenses issued by the Board of Health, and in conformity with the applicable Zoning By-Laws as of December 11, 1972.

    (APPROVED 3/5/73)

BOARD OF HEALTH

1. There shall be a Board of Health consisting of three members appointed by the Board of Selectmen for rotating three year terms to run from July 1st to June 30th of the appropriate years. All appointments shall be made in June of each year.

2. One member must have at least three years experience in a medical or health-related field. One member must have at least three years experience in an engineering, environmental, or solid waste/wastewater management. One member shall be appointed from the community at large, and shall be a person who has demonstrated interest, willingness to serve, and some knowledge of the duties and responsibilities.

3. No Town Official, appointed or elected, shall be eligible to serve on the Board of Health. No member of any standing Town Board or Committee, including the Norton Housing Authority or similar quasi-local Board, shall be eligible for appointment.

4. The Board of Health shall enjoy the full privileges provided for under State and local laws.

5. If any portion of this By-Law is declared invalid for any reason, all other portions shall continue in full force and effect.

(VOTED 5/19/84 -APPROVED 11/6/84)

MANDATORY CURBSIDE RECYCLING PROGRAM

Section 1

Definitions - As used in this by-law, the following terms will be defined as follows:

(a) Municipal Solid Waste: Solid waste generated by the residents of the Town of Norton in the course of their daily living. Municipal solid waste does not include solid waste generated by residents in the course of their employment or that generated by any construction, manufacturing or commercial enterprises.

(b) Recyclable Materials: Materials separated from Municipal Solid Waste as specified by the Massachusetts Department of Environmental Protection or by Town officials and listed in Section 3 of this by-law. The materials to be included may change from time to time depending on new technologies, economic conditions, waste stream characteristics or environmental effects.

(c) Resident: Anyone residing in the Town of Norton for any period of time who generates solid waste for which the Town accepts responsibility for disposal.

Section 2

Mandatory Curbside Recycling - When a program of curbside recycling in conjunction with municipal solid waste collection is implemented, residents of every household shall separate certain recyclable materials from municipal solid waste and place both at curbside for collection.

Recyclable Materials - For the purpose of this by-law, recyclable to be collected are:

A. Glass food and beverage containers.
B. Aluminum cans, foil and pie plates.
C. Steel cans and tin coated steel cans.
D. Newspaper.
E. Plastic containers labeled #1 or #2.
F. Other materials (as determined by state laws or Town officials).

(ATM 5/9/94 - APPROVED 8/23/94)

HISTORIC DISTRICT BY-LAW

1. This by-law shall be known as the Norton Historic District By-Law and is adopted pursuant to Chapter 40 C of the General Laws of the Commonwealth of Massachusetts as amended.

2. The purpose of this by-law is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Town of Norton or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith.

3. Historic District - There is hereby established under the provisions of Chapter 40C of the General Laws as amended an historic district to be known as the Norton Center Historic District which shall be bounded as verbally described in the Final Report of the Norton Historic District Study Committee dated April 1975, filed with the Board of Selectmen and the Town Clerk and as shown on a plan affixed to said Final Report and entitled Proposed Norton Historic District, compiled from assessors maps sheets 17 and 23. Said description and said plan shall be part of this by-law.

   A. Membership - There is hereby established under Chapter 40C of the General Laws an Historic District Commission consisting of seven members and two alternate members, appointed by the Board of Selectmen, including one member from two nominees submitted by the Norton Historical Society, one member from two nominees submitted by the chapter of the American Institute of Architects covering Norton, one member from two nominees submitted by the Board of Realtors cover Norton, and at least one resident of the district. The Commission shall also include one member nominated by any landowner owning more than one-third of the land area contained within the District. The members chosen from nominees made by the American Institute of Architects and Board of Realtors need not be residents of the Town.

   B. Terms of Office - When the Commission is first established, two members and one alternate shall be appointed for a term of one year, two members and one alternate for a term of two years, and three members for a term of three years.

   C. Vacancies - Shall be filled within 60 days by the Board of Selectmen by appointment for the unexpired term.

   D. All members and alternate members shall serve without compensation.

4. The Historic District Commission shall have all the powers and duties of Historic District Commissions as provided by the Historic District Act, General Laws, Chapter 40C, and of subsequent amendments thereto unless specifically limited by the by-law.

   A. Rules and Regulations - The Commission may adopt rules and regulations not inconsistent with the provisions of the Historic Districts Act.

   B. Expenditures - The Commission may, subject to appropriation, employ clerical and technical assistants or consultants and incur other expenses appropriate to the carrying on of its work provided that the Town appropriate funds for these purposes.

C. General Regulatory Powers - The Commission shall have control over new construction, reconstructions, alterations, movements and demolitions of all exterior architectural features of buildings and structures within the Historic District which are visible from any public street, public way or public park within the Historic District except as limited by this By-Law. The term structure includes stone wall, fences, driveways, walks, terraces, steps, paving, signs, lights and appurtenant fixtures on lots, buildings or structures. For purposes of this By-Law, any structure partially within the district shall be considered wholly within the district. The Commission may also administer for the Town any properties which the Town may vote to place in its care, and may be assigned other related powers by vote of the Town.

D. Considerations - In passing on matters before it, the Commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design arrangement of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures, the Commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the Commission may, in appropriate cases, impose dimensional and set back requirements in addition to those required by the applicable zoning By-Law.

E. Waiver of Review - The Commission may determine from time to time after public hearing that certain categories of exterior architectural feature, structures or signs may be constructed or altered without review by the Commission. The Commission may, after public hearing, set forth the various designs of certain appurtenances, such as light fixtures, which will meet the requirements of an historic district but no such determination shall limit the right of an applicant to present other designs to the Commission for its approval.

5. Limitations

A. The Historic District Commission shall not make any recommendation or requirement with regard to new construction, reconstructions or additions except for the purpose of preventing developments incongruous to the historic aspects or architectural characteristics of the surroundings and of the historic district.

B. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence, shall be exempt from the control of the Historic District Commission.

6. Procedures - The Commission shall conduct all of its business and execute all of its duties in accordance with the General Laws, Chapter, Chapter 40C, Sections 1-17, as amended.

HISTORIC DISTRICT BY-LAW (CONTINUED)

7. Copies of Permits - The Building Inspector and the Planning Board shall be responsible for passing on to the Historic District Commission copies of all requests for permits for exterior construction or reconstruction involving buildings or land located within the Historic District.

8. Severability - In the event that any section, paragraph or part of this by-law is for any reason declared invalid or unconstitutional, every other section, paragraph or part shall continue in full force and effect.

9. Effective Date - Following Town Meeting approval, this by-law takes effect immediately when the following conditions have been met:

   A. Approval by the Attorney General of the Commonwealth.

   B. Filing of map of the boundaries of the Historic District with the Norton Town Clerk, the Norton Building Inspector, and the Registry of Deeds, Taunton, Massachusetts.

(APPROVED 10/7/75)

DEMOLITION DELAY

(VOTED 5/13/13 – APPROVED 9/10/13)

Section 1. Intent and Purpose

The Demolition Delay by-law is enacted for the purpose of preserving and protecting significant buildings and structures within the Town of Norton. Such buildings reflect distinctive features of the architectural, cultural, economic, political or social history of the Town, and their preservation promotes the public welfare by helping the Town of Norton in maintaining its heritage.

The intent of the by-law is not to permanently prevent demolition, but rather, to provide an opportunity to develop preservation solutions for properties threatened with demolition. The by-law is intended to encourage owners and townspeople to seek out persons who might be willing to purchase, preserve, rehabilitate or restore such buildings rather than demolish them, and to limit the detrimental effect of demolition on the historical architectural resources of the Town. To achieve these purposes, the Norton Historical Commission is empowered to advise the Building Inspector with respect to the issuance of permits for demolition of significant buildings and to delay the demolition of such buildings and structures for six (6) months, and, where appropriate and consistent with the intent and purpose of this by-law, to allow demolition under conditions designed to minimize the loss of distinctive exterior features of significant buildings or structures.

Section 2. Definitions

For the purposes of this By-law, the following words and phrases have the following meanings:

Applicant: any person or entity who files an application for a demolition permit. If the applicant is not the owner of the premises upon which the building is situated, the owner must indicate on or with the application his/her assent to the filing of the application.

Application: a form provided by the Building Inspector pursuant to a demolition permit.

Application for Determination: a form provided by the Norton Historical Commission pursuant to a Determination of Applicability, Section 4 of the Demolition Delay By-law.

Building: an independent structure resting on its foundation and designed for the shelter or housing of persons, animals, chattels or property of any kind.

Building Inspector: the official or person authorized to by state law or the Zoning By-Law to issue demolition permits in the Town.

Commission: the Norton Historical Commission.

Commission Staff: the chairperson of the Commission, or any person to whom the Commission has delegated authority to act as Commission staff under this by-law.

Demolition: any act of pulling down, destroying, razing, removing, or relocating 25% or more of a building or structure as indicated on the Demolition Permit application.

Demolition Permit: the permit issued by the Building Inspector as required by the State Building Code for the full or partial demolition or removal of a building or structure from its lot, or the moving of the building or structure on its lot.

Historically or Architecturally Significant Building or Structure: any building or structure which is: (a) associated with one or more historic/prominent persons or events; (b) is associated with the architectural, cultural, economic, political or social history of the town of Norton, the Commonwealth of Massachusetts and/or the United States of America; (c) embodies the distinctive characteristics of a type, period, style or method of building, either by itself or in context of a group of buildings or structures; (d) any building or structure which is in whole or in part: (aa) listed on, or is within an area listed on, the National Register of Historic Places or the State Register of Historic Places, or the subject of a pending application for listing on either of said Registers; or (bb) located within 200 feet of a boundary line of any federal, state or local historic district; or (cc) included in the Inventory of the Historic Assets of the Commonwealth, or designated by the Commission for inclusion in said inventory including those buildings listed for which complete surveys may be pending; or (dd) determined by vote of the Commission to be historically or architecturally significant in terms of period, style, or method of building construction based on the following criteria:

- Buildings or structures listed on the National or State Register of Historic Places and the Inventory of Historic Assets of the Commonwealth for the Town of Norton.
- Buildings or structures that appear on official maps of the Town of Norton, Massachusetts; 1835 to 1875.

Historic District: a historic district established by the town of Norton pursuant to Chapter 40C of the Massachusetts General Laws or special law.

Inventory: a list of buildings or structures on file with the Massachusetts Historical Commission that have been designated by the Commission to be Historically Significant.

Preferably-preserved significant building or structure: any Historically or Architecturally Significant Building or Structure which the Commission determines is in the public interest to be preserved or rehabilitated rather than to be demolished.

Premises: the entire parcel of land upon which the Historically or Architecturally Significant Building or Structure is or was located.

Removal: to transfer a building or structure from its existing location.

Structure: any combination of materials assembled, constructed, erected or maintained at a fixed location and placed permanently or temporarily in or on the ground.

Section 3. Demolition Permit Procedure

The procedure in obtaining a demolition permit is comprised of four parts which include; Application, Historical Significance Determination, Plan Review and Decision.

DEMOLITION DELAY (CONTINUED)

A. Application

Upon receipt of an application for a demolition permit for any building or structure, or portion thereof, the Building Inspector shall forward a copy thereof to the Commission within seven (7) days. No demolition permit shall be issued at that time.

B. Historical Significance Determination

Within twenty-one (21) days after the receipt of such application, the Commission shall determine whether the building or structure is historically or architecturally significant.

a. If the Commission determines that the building or structure is not historically or architecturally significant, it shall notify the Building Inspector and the applicant in writing, and the Building Inspector may issue a demolition permit. If the Commission fails to notify the Building Inspector and the applicant of its determination within thirty (30) days after its receipt of the application, then the building or structure shall be deemed not historically or architecturally significant and the Building Inspector may issue a demolition permit.

b. If the Commission determines that the building or structure is historically or architecturally significant, it shall notify the Building Inspector and the applicant in writing that a demolition plan review must be made prior to the issuance of a demolition permit.

   Within forty-five (45) days after the applicant is notified that the Commission has determined that a building or structure is historically or architecturally significant, the applicant for the permit shall submit to the Commission seven (7) copies of a demolition plan which shall include the following information:

   1. A map showing the location of the building or structure to be demolished with reference to lot lines and to neighboring buildings and structures;

   2. Photographs of all street façade elevations of buildings or structures;

   3. A description of the building or structure to be demolished;

   4. The reason for the proposed demolition and data supporting the said reasons; and

   5. A brief description of the proposed reuse of the parcel on which the building or structure to be demolished is located.

DEMOLITION DELAY (CONTINUED)

C. Plan Review

The Commission shall hold a public hearing, within forty-five (45) days of receipt of the applicant's submitted demolition plan, with respect to the application for a demolition permit, and shall give public notice of the time, place, and purposes thereof by publication in a newspaper of general circulation in the Town two times, with the first notice to be published at least fourteen (14) days before said hearing and the second notice published no more than seven (7) days prior to the hearing, and by mailing, postage prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the Commission to be materially affected thereby as they appear on the most recent real estate tax list of the Board of Assessors, to the Planning Board, to any person filing written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the Commission shall deem entitled to notice.

D. Decision

Within forty-five (45) days after the close of the public hearing, the Commission shall file a written report with the Building Inspector on the demolition plan which shall include the following: (a) a description of age, architectural style, historic association and importance of the building or structure to be demolished (b) a determination as to whether or not the building or structure should preferably be preserved. The Commission shall determine that a building or structure should preferably be preserved only if it finds that the building or structure is an Historically or Architecturally Significant Building or Structure which, because of the important contribution made by such building or structure to the Town's historical and/or architectural resources, it is in the public interest to preserve, rehabilitate, relocate or restore.

a. If, following the demolition plan review, the Commission does not determine that the building or structure should preferably be preserved, or if the Commission fails to file a report with the Building Inspector within forty-five (45) days, then the Building Inspector may issue a demolition permit.

b. If, following the demolition plan review, the Commission determines that the building or structure should preferably be preserved, then the Building Inspector shall not issue a demolition permit for a period of six (6) months from the date of the filing of the initial request for a demolition permit unless the Commission informs the Building Inspector prior to the expiration of such six (6) month period that it is satisfied that the applicant for the demolition permit has made a bona fide, reasonable and unsuccessful effort to locate a purchaser for the building or structure who is willing to preserve, rehabilitate, relocate or restore the building or structure, or has agreed to accept a demolition permit on specific conditions approved by the Commission. During the six (6) month review period, the Commission shall invite the Applicant to participate in an investigation of alternatives to demolition.

DEMOLITION DELAY (CONTINUED)

Section 4. Determination of Applicability

An owner of a Historically or Architecturally Significant Building or Structure may petition the Commission for a determination of applicability of the by-law. Within sixty (60) days after the receipt of such application, the Commission shall determine whether the building or structure is historically or architecturally significant. The applicant for the permit shall be entitled to make a presentation to the Commission. The determination by the Commission of whether a building or structure is historically or architecturally significant shall be made in writing, signed by the Commission and shall be binding on the Commission for a period of five (5) years from the date thereof.

Section 5. Emergency Demolition

A. If a building or structure poses an immediate threat to public health or safety due to its deteriorated condition, the owner of such building or structure may request issuance of an emergency demolition permit from the Building Inspector.

B. Upon receipt of any application for an emergency demolition permit, the Building Inspector shall within five (5) days transmit a copy thereof to the Norton Historical Commission.

C. As soon as is practicable, but within fourteen (14) days after receipt of such an application, the Building Inspector shall inspect the building or structure with a team consisting of the Board of Survey, Historical Commission Chair and two (2) other members of the Commission selected by the Chair, or the designees of said officials.

D. Within five (5) days after inspection of the building or structure, and after consultation with other members of the inspection team, the Building Inspector shall determine: 1) whether the condition of the building or structure represents a serious and imminent threat to public health and safety, and; 2) whether there is any reasonable alternative to the immediate demolition of the building or structure which would protect public health and safety.

E. If the Building Inspector finds: 1) that the condition of the building or structure poses a serious and imminent threat to public health and safety, and; 2) that there is no reasonable alternative to the immediate demolition of the building or structure, then the Inspector may issue an emergency demolition permit to the owner of the building or structure.

F. If the Building Inspector finds: 1) that the condition of the building or structure does not pose a serious and imminent threat to public health and safety, and/or; 2) that there are reasonable alternatives to the immediate demolition of the building or structure which would protect public health and safety, then the Inspector may refuse to issue an emergency demolition permit to the owner of the building or structure.

G. Upon issuing an emergency demolition permit under the provisions of this section, the Building Inspector shall submit a brief written report to the Commission describing the condition of the building or structure and the basis for his/her decision to issue an emergency demolition permit.

DEMOLITION DELAY (CONTINUED)

Nothing in this section shall be inconsistent with the procedure for the demolition and/or securing of buildings and structures established by M.G.L. Chapter 143, Sections 6-10.

Section 6. Non-Compliance

A. The Commission and the Building Inspector are each authorized to institute any and all proceedings in law to obtain compliance with the requirements of this by-law.

B. (a) No building permit shall be issued with respect to any premises upon which a Historically or Architecturally Significant Building or Structure has been voluntarily demolished in violation of this by-law for a period of two (2) years after the date of the completion of such demolition.

(b) Notwithstanding the foregoing, whenever the Commission shall, on its own initiative, or on application of a landowner, determine that earlier reconstruction, restoration or other remediation of any demolition in violation of this by-law better serves the intent and purpose of this by-law, it may, prior to the expiration of said period of two (2) years, but no sooner than six (6) months from the date of completion of any demolition in violation of this by-law, authorize issuance of a building permit, upon such conditions as the Commission deems necessary or appropriate to effectuate the purposes of this by-law, and may so notify the Building Inspector.

C. Upon a determination of the Commission that a building is a preferably-preserved significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Inspector. Should the owner fail to secure the building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of Non-Compliance, paragraph B, above.

D. Anyone who demolished a building or structure identified as a Historically or Architecturally Significant Building or Structure without first obtaining, and complying fully with the provisions of, a demolition permit, shall be subject to a fine of three hundred ($300) dollars. Each day the violation exists shall constitute a separate offense; not to exceed sixty (60) days, until a faithful restoration of the demolished building is completed or unless otherwise agreed to by the Commission.

Section 7. Severability

If any section, paragraph or part of this by-law be for any reason declared invalid or unconstitutional by a court authority, every other section, paragraph and part shall continue in full force and effect.

CONSERVATION

CONSERVATION PLAN AND ADMINISTRATIVE REVIEW FEE SCHEDULE:

The Norton Conservation Commission as a duly established Commission in accordance to Massachusetts General Law Chapter 40, Section 8C, and holding the responsibility to interpret, review and enforce the Wetland's Protection Act, Massachusetts General Law Chapter 131, Section 40, as amended, and issue permits under said Act and identify the Town of Norton's wetlands in accordance to Norton's Zoning By-Laws, Article 6.4 shall establish a reasonable PLAN REVIEW AND ONSITE INSPECTION FEE schedule.

(ADOPTED 5/19/86 -APPROVED 10/3/86)

WATER SUPPLY BY-LAW

Section 1 AUTHORITY

This By-Law is adopted by the Town of Norton under its home rule powers, its police powers to protect public health and welfare and its specific authorization under MGL Ch. 40, Sec. 21 and 21D.

Section 2 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 of any duly imposed restrictions, requirements, provision of conditions imposed by the Town of Norton's Board of Water and Sewer Commissioners, or by the Department of Environmental Protections, to abate the emergency.

Section 3 DEFINITIONS

For the purposes of this By-Law:

Enforcement authority shall mean the Town of Norton's Water and Sewer Commissioners.

State of Water Supply Conservation shall mean, the Town through its Board of Water/Sewer Commissioners may declare a State of Water Supply Conservation upon a determination by a majority vote of the Board that a shortage exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. A declaration of a State of Water Supply Conservation may include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply.

a) Limited Scheduled Outdoor Watering (by day and hour)
b) Prohibiting Automatic Sprinkler Use
c) Prohibiting Filling of Swimming Pools
d) Prohibiting any Outdoor Water Use

State of Water Supply Emergency shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to MGL Ch. 111, Sec. 160, or by the Governor.

Section 4 The following shall apply to all users of water supplies supplied by the Town of Norton.

Following notification by the Board of Water/Sewer Commissioners of the existence of a state of water conservation or water supply emergency, no person shall violate any provision, condition, requirement or restriction 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 conservation or emergency shall be 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 water supply.

Section 5: PENALTY

Any person or entity who violates this By-law shall be liable to the Town. A written warning for the first violation, a $75.00 fine for the second violation, and a $150.00 fine, service termination and a $25.00 reconnect fee for the third and subsequent violations, which shall inure to the Town for such uses as the Board of Water/Sewer Commissioners may direct. Fines shall be recovered by indictment or on complaint before the District Court or by noncriminal disposition in accordance with MGL CH.40, Sec.21D. Each separate instance of noncompliance following the issuance of any warning or citation pursuant to this section shall constitute a separate violation.

Section 6: RIGHT OF ENTRY

Agents of the enforcement authority may enter the property for the purpose of inspecting or investigating any violation of the By-Law given a reasonable notice and at a reasonable hour.

Section 7: SEVERABILITY

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

Section 8: WATER METER TAMPERING

Anyone found tampering with or by-passing a water meter will be fined $300.00

(VOTED OCT 4, 1993 - APPROVED 1/7/94)
(AMENDED ATM 9/25/00 - APPROVED 1/5/01)

WATER WITHDRAWAL

2. Purpose

The purpose of this by-law is to recognize that contamination of any pond, stream, surface, or subsurface water in the Town of Norton would pose a significant hazard to the health of the inhabitants of the Town and, therefore, to protect such water sources from contamination.

3. Water Withdrawal Prohibited; Exceptions

A. The extraction or withdrawal of water for commercial purposes of water from any pond, stream, river, watercourse, surface, or subsurface water into a tank vehicle, or into any tank contained in or on a vehicle, shall be prohibited.

B. This by-law shall not apply to municipal fire apparatus.

C. The Board of Water and Sewer Commissioners may, but need not, designate one or more public water hydrant or other public water outlet in the Town of Norton to furnish water for commercial purposes to a tank vehicle or a tank contained in or on a vehicle. Said hydrant(s) or outlet(s) shall not allow any backflow into the public water system and shall be under the supervision and control of the Board of Water and Sewer Commissioners.

4. Additional Regulations

A. This by-law shall be in addition to any other rule, regulation or state or local law relating to the use or protection of water or wetlands.

B. The Board of Water and Sewer Commissioners shall have the power hereunder to promulgate rules and regulations relative to the use of public water hydrants or outlets in the Town, which my include licensing or users of such hydrants or outlets, as well as the imposition or reasonable fees for such licenses and/or of use of such public hydrants or outlets.

5. Violation and Penalties; Enforcement

A. Whoever violates any provision of this by-law, or of any rules or regulations adopted hereunder, shall be subject to a fine of $300.00 for each offence.

B. This by-law shall be enforced by members of the Norton Police Department, Board of Water and Sewer Commissioners, or the Department of Public Works, Water Division.

C. The provisions of the by-law, and any rule or regulation adopted hereunder, may be enforced by any available means in law or in equity, including but not limited to enforcement by noncriminal disposition pursuant to G.L. c.40, 21D, and the Town By-Laws, Non-Criminal Disposition. Each day on which a violation exists shall constitute a separate violation.

(VOTED 10/20/04 – APPROVED 12/9/04)

ILLICIT DISCHARGES TO THE MUNICIPAL STORM DRAIN SYSTEM

1. Purpose

The purpose of this by-law is to eliminate non-storm water discharges to the Town of Norton's Municipal Storm Drain System. Non-storm water discharges contain contaminants and supply additional flows to the Town of Norton's Storm Drain System. Non-storm water discharges are major causes of:

a. impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands, and groundwater;
b. contamination of drinking water supplies;
c. alteration or destruction of aquatic and wildlife habitat; and
d. Flooding.

The United States Environmental Protection Agency has identified land disturbance and polluted storm water as major sources of water pollution. Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of the Town of Norton's water bodies and groundwater, and to safeguard the public health, safety, welfare and the natural resources of the Town.

The objectives of the by-law are:

a. to prevent pollutants from entering the storm drain;
b. to prohibit illicit connections and unauthorized discharges to the storm drain;
c. to remove all such illicit connections;
d. to comply with state and federal statutes and regulations relating to storm water discharges; and
e. to establish the legal authority to ensure compliance with the provisions of this Chapter by-law through inspection, monitoring, and enforcement.

2. Definitions

The following definitions shall apply to this by-law:

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. section 1251 et seq.) as hereafter amended.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

ILLICIT CONNECTION: Any surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted or approved before the effective date of this by-law.

ILLICIT DISCHARGES TO THE MUNICIPAL STORM DRAIN SYSTEM (CONTINUED)

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of storm water, except as exempted in Section 78. The term does not include a discharge in compliance with an NPDES Storm water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 78, subsection 4(a), of this by-law.

IMPERVIOUS SURFACE: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARTE STORM SEWER SYSTEM: The system of conveyances designed or used for collecting or conveying storm water, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Norton.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISHCARGE PERMIT: A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

NON-STORM WATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of storm water.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POLLUTANT: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or non-point source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation:

(1) paints, varnishes, and solvents;
(2) oil and other automotive fluids;
(3) non-hazardous liquid and solid wastes and yard wastes;
(4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
(5) pesticides, herbicides, and fertilizers;
(6) hazardous materials and wastes; sewage, fecal coliform and pathogens;
(7) dissolved and particulate metals;
(8) animal wastes;
(9) rock, sand, salt, soils;
(10) construction wastes and residues; and
(11) noxious or offensive matter of any kind.

PROCESS WASTEWATER: Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any materials, intermediate product, finished product, or waste product.

RECHARGE: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

STORM WATER: Runoff from precipitation or snow melt.

SURFACE WATER DISCHARGE PERMIT: A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

TOXIC OR HAZARDOUS MATERIAL or WASTE: Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined a s Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

WASTEWATER: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw materials, intermediate product, finished product, byproduct or waste product.

3. APPLICABILITY

This by-law shall apply to flows entering the municipal storm drainage system.

4. AUTHORITY

This by-law is adopted under the authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Home Rule Procedures Act, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34, and the Phase II ruling from the Environmental Protection Agency found in the December 8, 1999, Federal Register.

5. RESPONSIBILITY FOR ADMINISTRATION

The Highway Department of Public works shall administer, implement and enforce this by-law.

6. REGULATIONS

The Highway Department of Public Works may promulgate rules and regulations to effectuate the purposes of this by-law. Failure by the Highway Department of Public Works to promulgate such rules and regulations shall not have the effect of suspending or invalidating this by-law.

7. PROHIBITED ACTIVITIES

Prohibited activities are as follows:

a. Illicit Discharges: No person shall dump, discharge, cause or allow to be discharged any pollutant or non-storm water discharge into the municipal storm drain system, into a watercourse, or into the waters of the Commonwealth.

b. Illicit Connections: No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

c. Obstruction of Municipal Storm Drain System: No person shall obstruct or interfere with the normal flow of storm water into or out of the municipal storm drain system without prior written approval from the Highway Department.

8. EXEMPTIONS

Exemptions from the by-law are as follows:

a. Discharge or flow resulting from fire fighting activities.

b. Discharge or flow that results from exigent conditions and occurs during a state of emergency declared by any agency of the Federal or State Government, or by the Norton Town Manager, Board of Selectmen or the Board of Health.

c. The following non-storm water discharges or flows are exempt from the prohibition of non-storm waters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:
   (1) Waterline flushing;
   (2) Flow from potable water sources;
   (3) Springs;
   (4) Natural flow from riparian habitats and wetlands;
   (5) Diverted stream flow;
   (6) Rising groundwater;
   (7)

(8) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;

(9) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;

(10) Discharge from landscape irrigation or lawn watering;

(11) Water from individual residential car washing;

(12) Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided test data is submitted to the Town substantiating that the pool is drained in such a way as not to cause a nuisance or public safety issue and complies with all applicable Town by-laws;

(13) Discharge from street sweeping;

(14) Dye testing;

(15) Non-storm water discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and

(16) Discharge for which advanced written approval is received from the Conservation Commission and the Highway Department as necessary to protect public health, safety, welfare or the environment.

9. EMERGENCY SUSPENSION OF STORM DRAINAGE SYSTEM ACCESS

The Highway Department may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Highway Department may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

10. NOTIFICATION OF SPILLS

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the municipal drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal Fire and Police Departments, the Conservation Commission, the Board of Health, and the Highway Department. In the event of a release of non-hazardous materials, the reporting person shall notify the Conservation Commission, the Board of Health, and the Highway Department no later than the next business day. The reporting person shall provide to the Conservation Commission, the Board of Health and the

Highway Department written confirmation of all telephone, facsimile or in- person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

11. ENFORCEMENT

A. Authorized Agents: The Highway Department, or an authorized agent of the Highway Department, shall enforce this by-law, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.

B. Civil Relief: If a person violates the provisions of this by-law, regulations, permit, notice, or order issued thereunder, the Highway Department may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

C. Orders: The Highway Department, or authorized agent of the Highway Department, may issue a written order to enforce the provisions of this by-law or the regulations thereunder, which may include: (a) elimination of illicit connections or discharges to the municipal sewer system; (b) performance of monitoring, analyses, and reporting; (c) that unlawful discharges, practices, or operations shall cease and desist; and (d) remediation of contamination in connection therewith.

If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Norton may, at its option, undertake such work, and expenses thereof shall be charged to the violator.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the cost incurred by the Town, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Highway Department within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Highway Department affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said cost. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, S. 57 after the thirty-first day at which the costs first become due.

D. Criminal Penalty: Any person who violates any provision of this by-law, regulation, order or permit issued there under, shall be punished by a fine of not day or part thereof that such violation occurs or continues shall constitute a separate offense.

E. Non-Criminal Disposition: As an alternative to criminal prosecution or civil action, the Town of Norton may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, section 21D and the enforcing person shall be the Highway Superintendent or his agent, or such other persons as defined in the General By-laws. The penalty for each violation shall be $250.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

F. Entry to Perform Duties Under this By-Law: To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Highway Department, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this by-law and regulations and may make or cause to be made such examinations, surveys or sampling as the Highway Department deems reasonably necessary.

G. Appeals: The decisions or orders of the Highway Department shall be final. Further relief shall be to a court of competent jurisdiction.

H. Remedies Not Exclusive: The remedies listed in this by-law are not exclusive of any other remedies available under an applicable federal, state, or local law.

12. SEVERABILITY

The provisions of this by-law are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this by-law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this by-law.

13. TRANSITIONAL PROVISIONS

Residential property owners shall have 180 days from the effective date of the by-law to comply with its provisions, or petition the Highway Department for an extension with the reasons for failure to comply and a schedule for compliance.

(VOTED ATM 10/15/07 – APPROVED 10/25/07)
(AMENDED ATM 5/12/08 – APPROVED 8/28/08)

BETTERMENTS

Betterment assessments made by the Board of Water and Sewer Commissioners for sewer and/or water improvements shall bear interest at a rate of two percent above the rate of interest chargeable to the Town for the betterment project to which the assessments relate pursuant to G.L. C 80, Sec.13.

(VOTED 9/30/1996 ATM - APPROVED 3/24/97)

MANDATORY CONNECTION TO COMMON SEWER

The owner or occupant of any building upon land abutting on a private or public way, in which there is a common sewer installed prior to or after the effective date of this by-law, shall, upon a violation of Title 5 of the State Sanitary Code, as it may be amended from time to time, or within five years of availability of such common sewer, whichever shall occur sooner, connect the same therewith by a sufficient drain; provided further that any owner or occupant subject to an order to connect dated on or before the effective date of this by-law shall not be relieved of the obligations thereunder as a result of the adoption of this by-law.

(VOTED ATM 6/16/99, ART 22 – APPROVED 10/29/99)
(AMENDED 5/13/13 – APPROVED 9/10/13)

COUNCIL ON AGING

1. The Board of Selectmen shall appoint a Council on Aging for the purpose of carrying out or coordinating programs designed to meet the problems of the aging in cooperation with the programs of the Commission on Aging established under Chapter 6, Section 73 of the General Laws.

2. The Board of Selectmen shall appoint the Council on Aging consisting of nine members for rotating three year terms. The members of the Council shall serve without compensation.

3. Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act or for any other reason, the vacancy shall be filled by appointment by the Selectmen for the remainder of the term.

4. The Council on Aging, in April of each year, shall elect from its membership a President, 2nd Vice President, Secretary and Treasurer. Each officer shall hold office until the next annual election. In the event a vacancy occurs in any of the offices above, the Council shall hold a special meeting for the purpose of electing one of its members to fill such vacancy.

5. The Council shall prepare and submit annual reports of its activities to the Town and shall send a copy thereof to the Commission on Aging.

(ATM 3/6/72, ARTICLE 23 - APPROVED 7/24/72)

By Law adopted in accordance with the provisions of Chapter 40, Section 8B of the General Laws.

SENIOR CITIZEN PROPERTY TAX WORK-OFF PROGRAM
PURPOSE

The Senior Tax Program is a program allowing the Town of Norton the opportunity to utilize the knowledge and skills of its senior residents in exchange for credit toward the residents' property tax bill. The purposes of this program are to enhance municipal services and alleviate senior residents' tax burden. In exchange for such volunteer services, the Town shall reduce the real property tax obligations of such person over the age of sixty (60) on his/her tax bills, and any reduction so provided shall be in addition to any exemption or abatement to which any such person is otherwise entitled, and no such person shall be credited with more than the minimum wage rate for the Commonwealth per hour for services provided pursuant to said reduction, nor shall the reduction of the real property bill exceed Five Hundred and No Hundredths ($500.00) Dollars within the Town's fiscal year.

ELIGIBILITY

1. Norton residents who have reached age sixty (60) and over; and,

2. Pay real estate taxes to the Town of Norton; and,

3. Commitment to work the hours necessary between January 1st – November 1st to earn the full Five Hundred and No Hundredths ($500.00) Dollars tax credit, and,

4. In the case of parcels with multiple owners, all of the assessed owners of a parcel may receive abatements under the program if they otherwise qualify; and,

5. The tax reduction is limited to the senior citizen volunteer's domicile.

JOB DEVELOPMENT

The Senior Tax Program is a jobs program. Qualified seniors will be hired to work for Town Departments, including the schools. The Human Services Director will work with the departments and applicants to develop specific jobs, conduct interviews, and place qualified people. Each department will be contacted and asked to review their service procedures and requirements to determine whether they may benefit from the assistance of a senior resident.

JOB PLACEMENT/SELECTION

Applicants will be referred to departments based on their skills and the needs of the departments. Jobs will be offered based on qualifications and availability.

EARNINGS

The Commonwealth's minimum wage per hour for all jobs. A maximum of Five Hundred and No Hundredths ($500.00) Dollars to be applied as a credit to each resident's property tax.

SENIOR CITIZEN PROPERTY TAX WORK-OFF PROGTRAM (CONTINUED)

APPLICATION PROCEDURE

Includes an intake interview to determine eligibility, an application form, a job interview with the Human Services Director, and a referral by the Human Services Director to the department, and a job interview with the department head.

PROGRAM BUDGET AND ACCOUNTING FOR ABATEMENTS

The reduction in real property tax obligations shall be applied to the actual tax bill for the fiscal year. All reductions are processed as abatements and charged against the overlay account.

Prior to May 1st of each year, the Board of Selectmen, after consultation with the Finance Committee, shall provide written notice to the Board of Assessors identifying the amount of funds to be included in the ensuing fiscal year's overlay account for said purpose.

In no event will the funding level be increased after the fiscal year tax rate is certified by the Department of Revenue.

(VOTED 5/13/02, ART 2 – APPROVED 2/4/03)
(AMENDED 5/9/11 ART 20 – APPROVED 5/19/11)

PERSONNEL BY-LAW

1. The Town Manager shall draft classification plans, salary plans, employee benefit plans and policies, provisions and conditions of employment, and present them to the next Town Meeting for approval. Only with approval of Town Meeting may these plans, policies, etc. be implemented or altered. Once such plans, policies, provisions and conditions of employment are approved, the Town Manager may establish procedures and regulations consistent with said plans, policies, etc., as he deems necessary for the administration thereof. The Town Manager may appoint a Personnel Advisory Board to assist in carrying out the provisions of this section.

   The Town Manager shall maintain personnel records of all employees, including therein such information as he deems desirable, said records to be kept by the Town Accountant on behalf of the Town Manager. Department heads shall furnish such information as shall be requested for this purpose.

   From time to time the Town Manager shall review the work of all positions subject to the Classification Plan. Such reviews shall be scheduled so as to cover all such positions at intervals of not more than three years. If necessary, the Town Manager may tentatively add a new position to a different group subject to the subsequent ratification of his action by a formal amendment of the Classification Plan at the next town meeting.

   The Town Manager shall from time to time review the Salary Plan. He shall keep informed as to pay rates and policies outside the service of the town, and shall recommend to the town any action he deems desirable to maintain a fair and equitable pay level.

   Upon recommendation of a department head, supported by evidence in writing of special reasons and exceptional circumstances satisfactory to the Town Manager, who may authorize an entrance rate higher than the minimum rate for a position, and such other variance in the Salary Plan as he may deem necessary for the proper functioning of the services of the town.

2. The Town Manager shall appoint a Personnel Appeals Board consisting of the Town Clerk, Tax Collector/Treasurer and an employee of the town elected by the employees as their representative. The employee representative shall serve for a period of one year.

   Any non-school employee of the town who feels that he or she has been discharged, removed, suspended, transferred, reduced in grade or in any way unjustifiably treated, may appeal to the Personnel Advisory Board in writing stating the grounds for his appeal to the Personnel Appeals Board. Such Board must then grant a hearing to the aggrieved appointee within ten days. After such a hearing the Personnel Appeals Board must transmit its findings and recommendations on the appeal to the Town Manager; or the appropriate body who may reconsider its prior action. The Town Manager; or the appropriate body must advise the aggrieved appointee of its decision within ten days.

3. CLASSIFICATION PLAN

The positions of all officers and employees in the service of the Town (whether full time, part time, special, Civil service or other) other than those positions filled by popular election and those under the direction and control of the School Committee shall be classified by titles in groups listed in a schedule entitled Job Classification By Groups.

(APPROVED 3/11/80)

4. NEW OR CHANGED POSITIONS

Whenever a new position is established or the duties of an existing position are so changed that in effect a new position is created, upon presentation of substantiating data satisfactory to the Town Manager. He shall allocate such new or changed position to its appropriate group.

4. TITLES OF POSITIONS

No person shall be appointed, employed or paid as a employee in any position subject to the provisions of the Classification Plan, under any title other than those of the Classification Plan, or under any title other than that of the job the duties of which are actually performed. The job title in the plan shall be the official title for all purposes having to do with the position and shall be used to designate the position in all payrolls, budget estimates and official reports, and in every other connection involving personnel and fiscal processes.

6. RECLASSIFICATION OF EMPLOYEES

No employee may be reclassified to a job in another group, either higher or lower, until the Town Manager shall have determined such a classification will be consistent with the Classification and Salary Plans. There shall be only one reclassification in any twelve month period for any employee except in unusual circumstances.

7. JOB DESCRIPTIONS

The Town Manager shall maintain written job descriptions of the jobs, or positions, in the Classification Plan, describing the essential characteristics, requirements and general duties of the job. The description shall not be interpreted as complete or limiting definitions of any job, and employees shall continue in the future as in the past to perform any duties assigned by department heads, supervisors, or other administrative authority.

8. SALARY PLAN CHANGES

Any proposals of change in the Salary Plan as defined in Section 8, Salary Plan of the Personnel By-Law brought before the voters at an Annual or Special Town Meeting shall be placed on the warrant for such meeting as to precede any and all articles dealing with or including monies for salaries, wages or other payments or benefits for services rendered by town employees.

A. A Salary Plan is to be established by vote of the Town in Town Meeting to provide minimum and maximum salaries, or single rate salaries for the groups and positions in the Classification Plan. The salary range or rate of a group shall be the salary range or rate for all positions classified in the group.

B. The office of the Town Accountant shall not prepare, process or provide forms or information which would in any way authorize or permit the payment of salary or wages to any new employee of the Town without the prior certification of the Town Manager that the proposed rate of pay complies with those pertinent requirements set forth elsewhere in this by-law and with such other requirements as may be established by vote of the Town Meeting.

C. The office of Town Accountant shall not process or permit payment of salary or wages for any employee of the Town whose rate of pay exceeds those established and approved by the Annual Town Meeting and set forth in the Salary Administration Plan. The Town Manager must be notified when such violations occur.

9. AMENDMENTS

The classification and salary plans or other plans, policies, provisions and conditions of employment drafted by the Town Manager and subsequently approved by Town Meeting, may be amended by vote of the Town at a regular or Special Town Meeting. No amendment of any such plans, policies, etc., shall be made until it has been presented by signed petition to the Town Manager and acted upon by the Town Manager. Upon receipt of such a petition, the Town Manager, after giving petitioners, heads of the departments, and employees affected, at least three days written notice, shall hold a hearing of the parties interested to consider the proposed amendment. If the Town Manager shall fail to act on an amendment as presented within fifteen days, the Town Manager shall be deemed to have disapproved the amendment. The petition may then be presented to the Town Meeting if so desired.

10. CIVIL SERVICE LAW

Nothing in this by-law, or in the Salary Plan, shall be construed to conflict with Chapter 31 of the General Laws.

(ADOPTED UNDER THE PROVISIONS OF G.L. CHAPTER 41, SECTION 108A, 6/17/75)
(APPROVED 2/27/91)

QUALIFICATIONS FOR TOWN MANAGER

1. The Town Manager shall, in addition to the qualifications as stated in Article 4, Section 4-1 of the Town Charter, have at least an earned bachelor's level degree from a recognized accredited college or university or shall have served a minimum of five years as chief administrative officer of city or town.
(VOTED 10/1/90- APPROVED 2/27/91)

JOB CLASSIFICATION

The following is a full and complete listing of all Non-Union jobs and positions currently existing or established in the Town falling within the scope of Section Three, Classification Plan, or the Personnel By-Law.

Office Administrator
Highway Superintendent
Water & Sewer Superintendent
Assistant Town Accountant
Assistant Water & Sewer Superintendent
Public Health Nurse
Assistant to the Town Manager
Information Technology Director
Tax Collector - Treasurer

(ATM 5/9/94)
(ATM 6/5/95)
(ATM 6/3/96)
(STM 10/20/97)
(ATM 6/8/98)
(ATM 6/7/99)
(ATM 10/5/09)
(ATM 10/13/10)

SALARY PLAN

The following is a listing of a Salary Plan pursuant to Section Eight of the Personnel By-Law for those Non-Union jobs and positions comprising the Job Classification by Groups established by the Town, said Plan to become effective July 1, 1990 and to continue in effect through succeeding years until modified by action of a Town Meeting:

Office Administrator	$ 41,000 – $ 57,000
Assistant to the Town Manager	$ 56,000 – $ 76,000
Highway Superintendent	$ 68,000 – $ 97,000
Assistant Town Accountant	$ 45,000 – $ 67,000
Water & Sewer Superintendent	$ 74,999 – $111,000
Assistant Water & Sewer Superintendent	$ 50,000 – $ 66,000
Information Technology Director	$ 53,570 – $ 85,000
Tax Collector – Treasurer	$ 65,000 – $ 97,000
Public Health Nurse	$ 21.43 – $ 34.00 Hourly

(ATM JUNE 5, 1995)
(ATM JUNE 3, 1996)
(STM OCTOBER, 1997)
(STM JUNE, 1998 FOR FY 1998 ONLY)
(ATM JUNE 1998)
(ATM JUNE 1999)
(ATM MAY 2000)
(ATM SEPTEMBER, 2000 - CORRECTED)
(ATM MAY, 2001)
(ATM OCTOBER 2001)
(ATM OCTOBER 2002)
(ATM MAY 2005)
(ATM MAY 2006)
(STM FEBRUARY 2007)
(ATM MAY 2007)
(ATM OCTOBER 2009)
(ATM OCTOBER 2010)
(ATM MAY 2012)
(STM FEB 2014)
(ATM OCTOBER 2014)

POLICIES, PROVISIONS, AND CONDITIONS OF EMPLOYMENT

Accepted the following policies, provisions, and conditions of employment to become effective July 1, 1985 and to continue in effect through succeeding years until modified by action of the Annual Town Meeting.

These provisions shall apply to all Non-Union employees of the Town except those under the jurisdiction of the School Committee and those having Civil Service Status.

A. DEFINITIONS

As used in this statement of Policies, Provisions, and Conditions of Employment, the following terms shall have the meaning indicated:

1. Employee - Any individual except an elected or appointed official who is paid by the Town for the services rendered to the Town and for whom Federal and State income tax withholdings are made.

2. Full-Time Employee - Any employee who normally works a minimum of 35 hours per week in one department throughout the year.

3. Part-Time Employee - Any employee who normally works a minimum of 17 1/2 hours up to 32 hours per week in one department throughout the year.

4. Seasonal or Temporary Employee - Any employee whose duration of employment with the Town is of a seasonal or temporary nature.

5. Continuous Service - Length of employment with the Town of Norton uninterrupted except for authorized military leave, vacation leave, sick leave, court leave, or authorized leave of absence.

6. Fiscal Year - The period from July 1 through the following June 30. Pay periods in any fiscal year shall be determined by the number of Saturdays in the year.

7. Normal Work Day and Work Week - For clerical workers the normal work week is 35 hours beginning midnight Saturday. For all other employees, 8 hours is the normal work day and 40 hours the normal work week beginning midnight Saturday.

8. Regular Hourly Pay - That compensation paid an employee for each hour worked during a normal work week.

9. Overtime - Any hours or portions thereof worked by an employee, in one department, over and above the normal work day or the normal work week as defined above.

10. Differential Pay - All employees permanently assigned to the 4:00 p.m. to 12:00 midnight and the 12:00 midnight to 8:00 a.m. shifts shall be paid a differential of 9% (nine percent) of their base pay rate.

B. COMPENSATION

1. Wage and Salary Increases - Increases in salary or wages may be granted only upon recommendation of the Town Manager and only if such increases are within the wage guidelines established in the Salary Plan as voted by the action of the Annual or Special Town Meeting.

   The Town Manager, prior to making annual wage and salary recommendations to the Finance Committee shall, in the case of each individual employee, examine the employee's record, discuss his work performance with his immediate supervisor, and shall inform the employee of the Town Manager's evaluation and recommendation. Any employee who informs the Town Manager, in writing within one week of receiving the Town Manager's recommendation of his desire to do so shall be entitled to a review before the Town Manager in person; no questioned recommendation shall be submitted to a Town Meeting prior to such a review.

2. Promotions - Upon promotion, an employee shall be paid at a rate no lower than the rate established for the new classification, or at a rate no lower than what he received prior to the promotions, whichever is higher.

3. Computation of Overtime - Overtime shall be paid to hourly employees only, at one and one-half times straight hourly earnings. When calculating overtime, holiday leave and vacation leave shall be considered as time worked.

4. Call Back Pay - When an employee, except a salaried employee, is requested to return to work after completing a normal day's work, he shall be compensated for no fewer than four hours, even though he may have worked a lesser number.

5. Application for Differential Pay - The employee assigned to the 4:00 p.m. to 12:00 midnight shift shall receive the differential at overtime rate if the employee is required to work beyond his or her normal tour of duty. The employee assigned to the 12:00 midnight to 8:00 a.m. shift shall not receive differential overtime.

   Employees authorized and required to return to duty after the terminal hour of their regular shift shall be paid regular overtime.

   Employees accepting extra tours of duty shall be paid regular overtime.

   An employee receiving differential pay who is transferred to the 8:00 a.m. to the 4:00 p.m. shift on a temporary basis to attend school or other courses of instruction, to replace the supervisor or for any other reason, shall be paid the differential rate.

C. IMPLEMENTATION OF SALARY SCHEDULE AND CLASSIFICATION PLAN

1. All employees under the jurisdiction of the Town Manager will be introduced to the Wage and Salary Schedule at a level at least equal to what they received prior to the adoption of the schedule. Further, no employee of the Town at the time of the adoption of this Schedule and Classification Plan shall be discharged, demoted or transferred because of the reclassification of his position or because of the adoption of new criteria for the holding of such position.

D. MEDICAL EXAMINATION

1. Every applicant for permanent appointive employment by the Town shall be certified by a practicing physician as to is or her physical fitness to perform the duties of the position to which the applicant seeks employment; no applicant who is not certified may be appointed to any permanent position whatsoever. The Town Manager may, at his discretion, require similar certification for appointment to temporary but physically demanding positions.

E. STANDARDIZATION

1. The Town Manager shall have the authority to standardize the administrative forms and records used in Town personnel administration, other than those whose format is regulated by statute or by state agencies supervision municipal administration.

(AMENDED ATM 10/1/90)

EMPLOYMENT BENEFITS

The Town of Norton provides its non-union employees with the following benefits:

1. PAID VACATIONS (AMENDED 5/00) (AMENDED 10/10)

Each full-time employee shall be entitled to a vacation with pay commensurate with the length of his continuous employment with the Town, beginning with the date of his original appointment, as set forth in the following table:

LENGTH OF CONTINUOUS EMPLOYMENT	LENGTH OF PAID VACATION
After one (1) year	Two (2) weeks
After three (3) years	Three (3) weeks
After six (6) years	Four (4) weeks
After ten (10) years	Five (5) weeks**

*The 5th week of vacation is hereby eliminated from the above table for employees hired on or after July 1, 2011.

Department heads will determine appropriate scheduling for vacations. Vacations must be taken in the Fiscal Year when they are due, and shall not be accumulated from year to year. An employee cannot receive vacation pay and work pay for the same period.

2. PAID HOLIDAYS (AMENDED 6/92)

Employees shall receive twelve (12) holidays during each calendar year:

New Year's Day	Labor Day
Martin Luther King Day	Columbus Day
Presidents' Day	Veterans' Day
Patriots' Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day

3. INSURANCE PROGRAM (AMENDED 5/94)

HEALTH - The Town shall offer the same plans to employees covered under this by-law under the same terms and conditions as such plans are offered to other Town employees.

LIFE - The Town pays 75 percent of this optional $4,000 policy.

WORKER'S COMPENSATION - The Town pays 100 percent.

4. LEAVE OF ABSENCE WITH PAY, SICK LEAVE (AMENDED 6/92)

In the event of a bona fide personal and non-service connected sickness or injury, for which no compensation is received under Workmen's Compensation, employees are eligible for sick leave for personal illness. The Department grants the amount as follows:

1 1/2 days per month - 18 days per year

Accumulation is limited to 150 days. After three (3) days absence, a doctor's certificate is required. The Supervisor may require a doctor's certificate at any time. Eligibility for sick days will begin on the 61st day of employment.

Employees shall be entitled to buy back 50% of unused sick leave upon death or retirement from the Bristol County Retirement System. Upon the death of an employee, the "buy back" shall be paid to his/her estate.

FUNERAL LEAVE (AMENDED ATM 5/00)

In the event of a death in the immediate family, up to three (3) days may be granted. Immediate family shall be defined as spouse, father, mother, brother, sister, child, aunt, uncle, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchildren, guardian, stepchildren, and significant other.

5. JURY DUTY

Employees required to perform jury duty will receive the difference between their regular pay and the pay received from jury duty, provide they report to work on each day when excused from jury duty.

6. PERSONAL DAYS (AMENDED 6/92)

Three (3) days per year shall be granted employees with the approval of the Department Head for personal business. Personal days will be awarded on a basis consistent with the efficient operation of any given department. The requirement for three (3) days notice shall be waived if the personal day is requested as a result of an emergency in the employee's family. Personal days shall not be accumulated from year to year.

7. LEAVE OF ABSENCE WITHOUT PAY

Leave of absence without pay may be granted at the discretion of the department head up to a maximum of 30 days.

8. RETIREMENT PLAN

Town employees automatically participate in the Bristol County Retirement Plan. Eight percent of an employee's weekly base pay, not including overtime, it deducted and credited to the retirement fund. The amount deducted is put on the employee's account and earns interest.

9. ALLOWANCE FOR UNIFORMS (AMENDED 5/87)

All full-time employees required to wear uniforms in the Water & Sewer and Cemetery departments shall receive an allowance for uniforms. The amount for the uniforms shall be determined by the Department Heads.

10. PAY PERIOD

The pay period begins on Sunday and ends on Saturday. Employees are paid on the Thursday following the end of a full pay period.

11. DEFINITIONS AND TERMS OF ELIGIBILITY

PART-TIME EMPLOYEE - A part-time employee must work a minimum of 17 1/2 hours per week but not exceed 32 hours per week in one department.

All part-time employees are eligible for fringe benefits on a prorated basis. Volunteers, special police, call firefighters and other employees who are not on a regular scheduled work week are not eligible for fringe benefits.

12. LONGEVITY PAY (AMENDED 5/8/00) (AMENDED 5/13/13)

The Town shall pay, in addition to all other compensation, the following longevity pay:

After five (5) years	$550.00
After ten (10) years	$650.00
After fifteen (15) years	$750.00
After twenty (20) years	$850.00

Said payments shall be made to eligible employee on an annual basis during the pay period in which the anniversary of the employee's date of hire with the Town falls, effective July 1, 2013.

13. PROBATIONARY PERIOD

A probationary period of 60 days must be served. An extension may be required by the department head but only after the Personnel Board and the employee have been notified in writing as outlined in Administrative Order #5. No person shall be eligible for fringe benefits until after the 61st day of employment.

(VOTED ATM 5/14/85, ART. 21)

PERMANENT BUILDING COMMITTEE

Section 1: Purpose

The purpose of this bylaw is to provide a Permanent Building Committee having continuing responsibility for the execution of major construction and maintenance projects for the Town and for the development of a capital spending plan. Working with the Board of Selectmen, School Committee, Historical Commission, Planning Board, and other Town committees and boards that propose building and renovation projects, the Permanent Building Committee shall establish general criteria for Town building projects and guidelines for communication regarding these projects between and among interested committees and the public.

Section 2: Establishment

There is hereby established a Permanent Building Committee which shall oversee and supervise the design, construction, reconstruction, major alteration, renovation, enlargement, major maintenance, demolition, and removal of Town buildings, including School Department buildings, and including any significant installation, renovation, or upgrade of service equipment and major systems as provided in this bylaw.

Section 3: Definitions

For purposes of this Bylaw, the following definitions shall apply:

1. "Major maintenance" shall not include routine maintenance and upkeep of a building or other structure, or its service equipment and major systems, which is performed on a regular basis and shall include projects that are capital in nature, that is, having a useful life of five or more years and an estimated cost of more than $25,000, or such higher amount as may be established from time to time by the Town Manager, subject to approval by the Board of Selectmen and School Committee.

2. "Construction" and "Demolition" shall include excavation, filling, and grading of the building or project site.

3. "Service equipment and major systems" shall include boilers, elevators, generators, HVAC systems, septic systems, fire alarms, overhead doors, automatic handicapped access doors, major electrical service including wiring and fixtures, major plumbing service including piping and sanitation fixtures, building skin (roofs, gutters, masonry, windows, exterior paint, etc.). It shall not include information system technology (computers and computer systems).

4. "Design" includes selection of architects and consultants as needed in compliance with applicable provisions of the General Laws.

5. "Proposing Body" means the Town of Norton appointed or elected board, committee or officer sponsoring or requesting a construction or major maintenance project, or in the case of major maintenance initiated by the Permanent Building Committee itself, the board, committee or officials whose facility would be the subject of the project. The Proposing Body shall be responsible for:

a. Determination of the program for the proposed project, including the function and needs which it is designed to fulfill, expanded services, auxiliary public use if any, additional personnel required to maintain the facility, annual maintenance costs, expected hours of the facility's availability, and overall effect on the Town.

b. Recommending performance or procurement of feasibility studies for determination of the estimated size and cost requirements of the project.

c. Determination of the estimated requirements for equipment and furnishings.

d. Approval of transitional building plans, including health and safety protocols for maintaining the underlying service associated with the facility while construction takes place.

e. Approval of any design change or budget reprioritization having a material impact, as determined by the Proposing Body, on the programmatic design, transitional building plans, or outcome of the project.

Section 4: Membership

1. Regular Members. The Permanent Building Committee shall consist of five regular voting members, all serving without compensation. The composition of the Committee shall include, to the extent possible, one registered architect, one licensed engineer, one licensed builder and one attorney. All regular members shall be residents of the Town of Norton. All regular members shall be appointed by the Board of Selectmen and School Committee acting jointly in accordance with a selection process that includes public solicitation of interested persons. Any interviews of applicants shall be conducted in open session during a joint meeting of the Board of Selectmen and School Committee.

   Provided that a quorum of each body is present, the appointment shall be made by majority vote of those present, provided the majority contains at least one member of each of the Board of Selectmen and School Committee.

2. Temporary Members. For each non-school project, a temporary member who is a member or representative of the Proposing Body shall be appointed by the Board of Selectmen. For each school project, a temporary member shall be appointed by the School Committee. A temporary member shall have the right to vote only with respect to the particular project for which such member was appointed.

3. Ex Officio Members. For each project, the Permanent Building Committee may request the appointment of staff or other Town residents with particular expertise to advise the Committee. Any such request shall be made to the Town Manager, provided, however, that with respect to School Department personnel, such request shall be made to the Superintendent of Schools. The Town Manager and Superintendent shall determine the appropriate staff member in each case. Ex Officio members shall have a voice but not a vote on matters before the Committee.

4. Term of Appointment:

   a. Regular members shall be appointed for alternating three-year terms, and shall serve until a successor has been appointed and qualified. In making the original appointments under this bylaw, the Board of Selectmen and School Committee shall designate two regular members to serve for three years, two regular members to serve for two years and one regular member to serve for one year; and thereafter shall make appointments for terms of three-years. A vacancy shall be filled for the remainder of the unexpired term.

   b. Temporary members shall be appointed to the Committee for the period of time during which the Committee is exercising its functions with respect to the project for which they were appointed.

Section 5: Powers and Duties of the Committee

1. The Committee shall have the following powers and duties:

   a. Oversee and supervise the design and construction of all projects within its jurisdiction, including the designer selection process for the solicitation, evaluation and recommendation of a project designer, schematic design, design development, production of construction documents, public construction bidding, contract award recommendation and construction administration in compliance with the General Laws. All projects shall be developed in a manner consistent with the project goals and physical requirements established by the Proposing Body and the applicable provisions of the General Laws.

   b. Review and report to the Proposing Body the financial requirements of all projects within its jurisdiction, or for which it may become responsible, and oversee the expenditure of funds in the course of execution of such projects.

   c. Conduct a periodic review and audit of the physical condition of all Town buildings, including service equipment and major systems.

   d. Develop a rolling 10-year property management plan for the major maintenance, construction, enlargement, or replacement of all Town buildings, including service equipment and major systems.

   e. On or about November 15 of each year, present to the Board of Selectmen, the School Committee, and the Capital Improvements Committee a recommendation of major construction and/or maintenance project(s) to be undertaken by the Town in the ensuing fiscal year.

2. The Committee shall act by majority vote. Temporary members shall be counted for purposes of determining the presence of a quorum.

3. Unless otherwise requested by a Proposing Body, the Committee shall have no duties and responsibilities in connection with projects for which design or construction funding has been appropriated prior to the adoption of this Bylaw.

4. The Committee may, subject to agreement with a Proposing Body, waive its duties and responsibilities under this Bylaw with respect to any project and in such case, the Proposing Body shall have the authority of the Permanent Building Committee with respect to the project.

Section 6: Policies and Procedures

1. The Committee shall adopt local designer selection procedures consistent with the requirements of G. L. c. 7C.

2. The Committee may, consistent with the requirements of the Town Charter and bylaws, adopt policies and procedures for implementing the provisions of this Bylaw.

3. The Town Manager shall, subject to appropriation, provide appropriate staff support for the Committee.

(VOTED 10/7/13 – APPROVED 11/12/13)

ZONING BY-LAWS

Note: See publication "Norton Massachusetts Zoning By-Laws, April 16, 1974."

ACTS AND RESOLVES

Acts and Resolves of the Province of Massachusetts Bay.

1711-12	Chapter 4	Established the Town of Norton as being separate from Taunton.
1725-26	Chapter 13	Established Town of Easton by dividing the Taunton North Purchase i.e., Norton.
1769-70	Chapter 21	Established the Town of Mansfield by further dividing Norton.

The following is a listing of special acts and resolves of Massachusetts which, for the most part, apply only to the Town of Norton.

ACTS OF(YR.)	CHAPTER	SECTION	SUBJECT
1788	161		Payment to the poor
1789	90		"
1790	176		"
1791	152		"
1792	197		'
1792	8		"
1793	135		"
1794	132		'
1795	129		'
1796	74		"
1797	135		"
1798	177		"
1799	155		"
1800	176		"
1802	158		"
1802	58		"
1804	58		"

ACTS AND RESOLVES (CONTINUED)

ACTS OF (YR.)	CHAPTER	SECTION	SUBJECT
1852	7		Town of Norton
1860	21		"
1883	246	1,2	Hicks Trust Fund
1884	139		"
1890	349	1,2	"
1895	82	1-10	Municipal Water Supply
1901	406	1-20	Norton Fire District
1906	122	1-12	Municipal Water Supply
1907	560		Ballots
1910	466	1-18	Municipal Water Supply
1911	426	1-6	Norton Fire District
1911	494		Eight Hour Day
1912	503		Pensioning of Laborers
1913	807		Workman's Compensation
1913	671		Pensioning of Laborers
1914	688		Saturday Half Holiday
1914	217		Laborers Vacations
1914	790		Party Enrollment
1914	352		Pensioning of Laborers
1915	230	1-3	Construction of Rte. 140
1916	204	1-2	"
1919	311		Continuation Schools
1922	47	1-4	Norton, Taunton, Attle. St. Railway Co.

ACTS AND RESOLVES (CONTINUED)

ACTS OF (YR.)	CHAPTER	SECTION	SUBJECT
1925	282	11	Water Supply from Wading River
1939	134	1,2	Location of power lines validated
1945	549	1,2	Payments for property taken by eminent domain.
1946	166		Contributory Retirement
1947	127	1,2	Appointment of Finance Committee
1948	178	1,2	School Construction Funding
1949	145	1,2	Borrowing, School Purposes
1950	639		Civil Defense
1951	64	1,4	Norton Fire District
1954	487		Water Liens (Accepted 3/55, Art. 36)
1955	482	1,2	Management of Lake Winnecunnet by State Div. of Fisheries & Game
1955	355	1,2	Retirement benefits for Lester Holmes
1956	346	1,2	Norton-Plainville School Union
1956	42 (Resolve)		Drainage study of Chartley area
1959	147	1,3	Exemption of intermittent patrolmen from Civil Service
1960	605	1,2	Life tenure for Donald Robinson Water Dept. Superintendent
1963	489	1,17	Regional School District
1972	802		Bldg. code Board of Appeals (Board established 5/14/74, Article 37)
1973	**		Land acquisition for Rte. 495
1974	*		Land acquisition for Rte. 495

ACTS AND RESOLVES (CONTINUED)

ACTS OF (YR.)	CHAPTER	SECTION	SUBJECT
1975	41	1,3	Civil Service, Police Dept. (Act not accepted by voters – ATE 5/12/75)
1975	Amends C40	S49	Town Reports, To Fiscal Year (Article 45) By Law Voted 5/20/75
1977	755	1,2	Tenure of Richard Charette, Vet's Agent
1983	413		Sale of alcoholic Beverages by Produce Barn (approved 10/6/83)
1983	690		Authorizing sale of land under control of Dept. of Mental Health in Town of Norton for industrial purposes (approved 12/12/83)
1984	28	1,2	Kenneth Frank Knowlton-Memorial Bridge over I-495 on Route 123 (approved 5/8/84)
1985	431	15,16	Change Bd. of Water Commissioners to Bd. of Water/Sewer Commissioners, Amend Chapter 466 of the Acts of 1910, S 15 & 16 (approved 10/15/85)
1989	30		Validating certain action taken by the Town of Norton relative to certain Zoning by-laws. (approved 4/24/89)
1989	325		Bridge on Plain St. over I-495 designated as Norton Veterans' Memorial Bridge (approved 8/2/89)
1990	291		Enhanced 911 (accepted 5/13/91 Article 19)
1993	71 (Section 83)		Education Reform/Early Retirement Incentive Program for Teachers STM 3/21/94 Art. 2
1993	481		Permit common victuallers licensed to sell wine & malt beverages; sell liqueurs & cordials (ATM 10/24/94) Art. 11

ACTS AND RESOLVES (CONTINUED)

ACTS OF (YR.)	CHAPTER	SECTION	SUBJECT
1995	182		Laying out & Acceptance for certain ways in the Town of Norton (ATM 6/5/95) Art. 20. Approved 10/26/95
1996	187		Provide that certain alcoholic beverage license issued shall not affect the number of licenses said Town my issue.
2003	137	1	Allow Town to pay an employee granted a military leave of absence regular pay, etc. (ATM 5/10//04, Art. 18)
2012	383	(H4487)	Regional Wastewater District Enabling Act For the Towns of Mansfield, Foxborough, and Norton.
2013	59	(H1848)	Act Relative to the Charter of the Town of Norton (section 6-4(d) & (e))

GENERAL LAWS ACCEPTED BY THE TOWN OF NORTON

CHAPTER	SECTION	ACCEPTED	ARTICLE	SUBJECT
31	48			Reg. or Perm. Members of Fire Dept. Under Civil Service
32	22 (7)(c)(ii)	3/1950	Art. 24	Town Appropriation to be paid to Board of Retirement
32B		3/9/64	ATE	Group Life Insurance, Group Accidental Death & Dismemberment, Group General or Blanket hospital, surgical & medical insurance for employees & their dependents.
32B	7A	5/2/88	Art. 35 & Art. 36	Town pay a subsidiary or additional rate in addition to the payment of 50% for contributory group life & health insurance for employees. Town shall equal 75% with employees paying 25%.
32B	9E	9/26/88	Art. 3	Town to pay 75% of the cost of premiums for Contributory Group Life & Health for employees retired from the service to the Town and their dependents.
32B	18	9/30/96	Art. 16	Employees Health Ins. Retirees Medicare
32B	20	5/9/11	Art. 3	Establishment of Post Employment Benefits Liability Trust Fund
39	23	3/3/36	Art. 28	Business Session of ATM held at time other than that of the Election of Officers
39	23D	2/7/07	Art. 8	Member of board or committee shall not be disqualified from voting solely due to absence from one session of an adjudicatory hearing.
40	5B	5/5/75	Art. 59	Stabilization Fund
40	6F	REPEALED BY C693 ACTS OF 1977		Repairs of Private Ways Repealed effective 7/1/78. Originally accepted 3/6/61, Art. 23

GENERAL LAWS ACCEPTED BY THE TOWN OF NORTON (CONTINUED)

CHAPTER	SECTION	ACCEPTED	ARTICLE	SUBJECT
40	6H	REPEALED BY C693 ACTS OF 1977		Private Ways - amended by C319 of the Acts of 1961 Repealed effective 7/1/78 Town may adopt By-Law pursuant to C40, S6N. Originally accepted 3/5/62, Art. 15.
40	6J			Highway Dept. Appropriate money for Work Clothes
40	7	3/7/66	Art. 22	Appropriate money for removal of snow and ice on sidewalks
40	8B			Council on Aging - established by-law 3/21/72, Art. 23
40	8C	3/5/62	Art. 23	Conservation Comm. - C223 Acts of 1957
40	8D	9/21/70	Art. 8	Historical Commission
40	8G	5/5/75	Art. 32	Mutual Police Aid Program
40	8J	6/25/87	Art. 12	Commission on Handicapped Affairs
40	13C	6/8/98	Art. 2	Workers' Compensation Reserve Fund
40	22D	3/2/64 3/30/72	Art. 50 Art. 56	Towing of Vehicles
40	22F	5/10/04	Art. 19	Allow Depts. To set certain fees
40	42A-F	5/10/04	Art. 4	Allow Board of Water/Sewer Commission to file liens.
40	57	5/27/86	Art. 8	Granting or renewing permits or licenses if taxes owed. By-law est. 5/13/91, Art. 31
		5/13/13	Art.16	deny, revoke, or suspend local licenses and permits for failure to pay municipal taxes
41	38A	3/1/43	Art. 24	Tax Collector as Town Collector
41	41B	6/11/83	Art. 16	Direct Deposit for Town Employee

GENERAL LAWS ACCEPTED BY THE TOWN OF NORTON (CONTINUED)

CHAPTER	SECTION	ACCEPTED	ARTICLE	SUBJECT
41	69B	6/5/83	Art. 16	Enterprise Account - Water Dept.
41	81U	10/16/95	Art. 6	Paragraph 12 - Expenditure of Default Funds - Sub Divisions
41	110A	10/12/11	Art. 16	Town Clerks Office—Saturday as holiday for calculating time frame for filings
44	53C	4/9/73	Art. 30	Police Off Duty Account
44	53D	1/8/79	Art. 27	C665 Acts of 1977 - Est. a Recreation/Park self-supporting Service Revolving Fund
44	53F ½	10/12/11	Art. 6 Art. 7	establish account for Water Enterprise Fund establish account for Sewer Enterprise Fund
48	42A	6/11/83	Art. 40	Abolished Board of Fire Engineers Original By-Law est. 4/7/58. Accepted this Chapter
53	9A	6/11/83	Art. 17	Procedure for Nomination Papers
53	121	RESCINDED 3/1/71, Art. 18		Rescinded - voted to eliminate procedures of Town Caucus effective 1/1/72. Originally accepted 3/4/63, Art. 31
59	2Aa	6/7/99	Art. 28	New Construction assessed value inclusion
Amended – Chapter 653, Acts 1989, Section 40				
59	2D	10/20/14	Art. 10	Rejected - to impose a supplemental property tax on certain improvements after 1/1 once occupancy permit is issued
59	5	12/5/83	Art. 3	Tax abatement for persons 70 yrs. of age. Clause 41B
59	5	6/7/82	Art. 13	Real Estate Tax Exemption - Accepted C743 of the Acts of 1981 which amends C59, S5
59	5	9/26/86	Art. 9	Providing relief from impact of revaluation. Accepted C73 of Acts of 1986, S1 & S3, amends C59,S5 by adding Clause 17D & Clause 41C
		6/7/10	Art. 14	Adjust limits for exemptions granted under Ch 59, S5, Clause 41C; Seniors gross receipt to $20,000 & exemption to $1,000 Eff7/1/10

GENERAL LAWS ACCEPTED BY THE TOWN OF NORTON (CONTINUED)

CHAPTER	SECTION	ACCEPTED	ARTICLE	SUBJECT
59	5	6/7/10	Art. 17	Accept Clause 17E - Annual increase in whole estate asset limitations for exempt. to senior citizens & surviving spouse/minors Under Ch59, S5, Clause 17D by the COLA. Effective 7/1/10.
59	5	6/7/10	Art. 16	Chapter 59, added by Chapter 1818 of the Acts of 1995. Annual increase in the amt of the exemption granted to senior citizens & surviving spouses/minors under Ch 59, S5, Clause 17D by 100% of the COLA for the previous year. Effective 7/1/10.
59	5	6/7/10	Art. 15	Accept Clause 41D, annual increase in gross receipts income and whole estate limits for exemptions granted to senior citizens under Ch59,S5, Clause 41C by the COLA of the previous year. Effective 7/1/10
59	5	6/7/10	Art. 13	Clause Fifth B; amount to be exempted from taxation of Real & Personal Property for Incorp Organizations of veterans of war not to exceed total assessed value of $700,000. Effective 7/1/10
59	5	9/26/86	Art. 10	Regulation of property tax exemptions for blind persons. Accepted C258 of Acts of 1982 which amends C59,S5 by adding Clause 37A
59	5	10/29/12	Art. 16	Clause 54 and established minimum value of personal property subject to taxation as $5,000 beginning FY14
59	5K	5/13/02	Art. 2	Senior Citizen Property Tax Work-Off Program
59	57C	5/10/04	Art. 17	Quarterly Tax Payments – Effective 7/1/05
60A	1, paragraph 8	5/11/15	Art. 17	active duty excise exempt – effective 1/1/15
64G	3A Amended	10/1/01 10/09, Art. 15	Art. 10	Local Excise Tax on motel, hotels, etc. Raised to 6% effective 1/1/2010.
64L	2A	10/5/09	Art. 14	Local Excise .75% on restaurant meals Effective 1/1/2010
71	16-16I	3/9/64		Election Regional School District
71	71E	6/29/81	Art. 9	Expenditure of Receipts from Adult Ed., etc

GENERAL LAWS ACCEPTED BY THE TOWN OF NORTON (CONTINUED)

CHAPTER	SECTION	ACCEPTED	ARTICLE	SUBJECT
71	71F	6/7/10	Art. 4	School Committee deposit tuition payments for non-resident & foster children
80	13B	10/17/85	Art.13	Deferral of Payment of Assessments
90	18A	3/4/63	Art. 35	Roads-Regulate the use of Ways by Pedest.
90	20A1/2	6/5/82	Art. 28	Parking Regulations/Clerk/Fines
90	20C	3/30/72	Art. 57	Parking Fines
121	26K	3/4/68	Art. 47	Housing Authority - Replaced by C751, Acts of 1969 Est. C121B Housing & Urban Renewal - Housing Authority created under provisions of 121 S26K existing as of effective date of Acts of 1969 establishing C121B shall deemed to be and shall have all the powers, rights, duties, and obligations of housing authority under provision of C121B, S3.
138	12B	6/5/82	Art. 35	Accepted C606 of the Acts of 1981 which amends C138 by adding S12B - Lewd and salacious entertainment in places serving alcoholic beverages.
138	33B	1/19/11	Art. 4	Selectman authority to permit licensees to sell alcohol 10-12 on Sundays holidays.
140	147A	5/27/86	Art. 13	Authorizing Towns to Assume Responsibility and liability for dog licenses, control and regulation.
143	3Z	5/14/12	Art. 4	Allow building & other inspectors to do private work in Town, provided they may not inspect such work.
148	26G	5/3/80	Art. 42	Smoke detectors in buildings of 6 or more apartments built prior to 1975.
148	26G	6/11/83	Art. 32	Automatic Sprinkler Systems
148	26H	5/20/87	Art. 28	Requires sprinklers in Boarding Houses and Rooming Houses
148	26I	5/7/90	Art. 6	Sprinklers in new buildings with 4 or more units

GENERAL LAWS ACCEPTED BY THE TOWN OF NORTON (CONTINUED)

CHAPTER	SECTION	ACCEPTED	ARTICLE	SUBJECT
166	32A	7/31/80	Selectmen	Permitting Local Inspector of Wires to work as an electrician
200A	9A	10/7/13	Art. 18	Alternative procedure for Town to dispose of Abandoned funds in custody of Town
258	9	6/6/81	Art. 14	Idemnification for Personal Loss
258	13	4/27/81	Election	Indemnification for Municipal Officers