

## Substantive Changes Made to Town Bylaws During Recodification Project

The following substantive changes were made to Town bylaws during the course of the Town's recodification project. All changes are reflected in both the May 2014 Draft and the "Strike-through Draft of the Bylaws of the Town of Charlton (Version #3), Revised 4-23-2014."

Chapter, section and subsection references are to the bylaws as recodified.

### Fees

In the following sections, specific fee amounts are being removed and replaced with text indicating that fees are set by another body, such as the Board of Selectmen or Water and Sewer Commission:

§ 110-2C, E and I	§ 150-2
§ 110-10	§ 160-3B
§ 125-3C	§ 165-3C
§ 130-3C	§ 165-17

### Chapter 1, General Provisions

Section 1-2 is being revised to add text accounting for gender-specific pronouns when appropriate:

*All male or female pronouns and other references herein which are gender-specific are intended, and shall be deemed, to refer to both female and male genders-, except where the context clearly indicates that the term refers to a specific gender. By way of example, the term "his" and "hers" shall be deemed to mean "his-~~or~~-hers"; the term "he" or "she" shall be deemed to mean "~~s~~he/she," etc.*

### Chapter 50, Article III, Selectmen

Section 50-5 is being revised to delete the following sentence, which refers to Selectmen holding office at a past point in time:

*The selectmen who hold office at the time of adoption of this bylaw shall continue to serve until their terms of office expire.*

### Chapter 55, Article I, Finance Committee

Section 55-1 is being revised to delete the following sentence, which refers to Finance Committee members holding office at a past point in time:

*The terms of office of the members of the committee holding office on the effective date of this section shall not be affected by the provisions of this section.*

## Chapter 100, Alarm Systems

1. Section 100-2B is being revised to delete the following sentence, which refers to a past requirement that alarm systems existing when the bylaw was initially passed comply with the bylaw:

*However, any alarm user with an alarm system or device that is in use as of the effective date of this bylaw must register said alarm system with the Charlton Police Department no later than sixty (60) days from such date.*

2. Section 100-3C is similarly revised to delete the following sentence which refers to a past requirements for alarm systems existing when the bylaw was initially passed:

*All alarm users with alarm systems or devices that emit an audible signal must comply with this section within sixty (60) days of the effective date of this bylaw.*

## Chapter 155, Article I, Revocation or Denial of Licenses or Permits for Failure to Pay Taxes, Fees or Assessments

1. Section 155-1 is being revised to delete the reference to bicycle permits in MGL c. 85, § 11A, a section of state law which has been repealed.
2. Section 155-3 is revised to add the following highlighted phrase. This change is being made so that the Town's provisions match corresponding state law provisions.

*The licensing authority may deny, revoke or suspend any license or permit of any person whose name appears on such a list furnished to it by the 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 Collector; provided, however, that written notice is given to the person and the Collector as required by applicable provisions of law, and the person is given a hearing, to be held not earlier than fourteen (14) days after said notice.*

## Chapter 160, Peddling and Soliciting

Section 160-6A(3) is being revised to change the phrase “moral” to “moral turpitude” to add missing text.

## Chapter 170, Article II, Collection and Disposal of Solid Waste

The definition of “rubbish” in § 170-3 is being revised to change “combustible waste” to “combustible and noncombustible waste.”

## Chapter 185, Vehicles and Traffic

Section 185-6A is being amended to delete the following phrase:

*Exemptions. The provisions of this bylaw shall not apply to persons acting in conformity with the direction of an officer, to persons or drivers actually engaged in work upon a way closed to travel or under construction or repair when the nature of their work necessitates a departure from any part of the bylaw, to officers when engaged in the performance of public duties which necessitates a departure from any part of same, nor to drivers of emergency vehicles while operating in an emergency and in performance of public duties which necessitate a departure therefrom, ~~nor to drivers of emergency vehicles while operating in an emergency and in performance of public duties which necessitate a departure therefrom.~~ These exemptions shall not, however, protect the driver of any vehicle from the consequence of a reckless disregard of the safety of others, though the bylaw shall not be deemed to create any private cause of action by virtue of any such action or omission.*