

Bylaw Review Meeting Minutes  
June 11, 2019

Members Present: Alisa Brewer, Bernie Kubiak, Bob Ritchie (Chair), Evan Ross. Absent: Patricia De Angelis

Staff Present: Geoff Kravitz

No members of the public present

Meeting convened at 8:40 AM

Zoning bylaw update: Brewer notes the first reading is Monday night but at what point does it get published on the town bulletin board? Planning board has posted, published in accordance with zoning. Notice should be posted on town bulletin board anyway. Ritchie asks if Planning Board posting can be adopted by reference, agrees that a conservative approach to posting is preferable although the Planning Board notice is functionally adequate. Brewer will work with the manager and clerk to ensure that there's a posting. Kravitz will assist in getting a corrected version of the bylaw.

Ritchie did go to the Planning Board hearing; Planning Board unanimously adopted the recommendation made previously. The Planning Board should provide a written report, Kravitz will follow up.

Bylaw discussion

Pawnbrokers section 3:44: Ritchie submitted a review of the statute. Decision: retain bylaw as there is no conflict with the General Laws.

Soliciting: Kravitz asked for information on how many people register. No data as of now.

Disposal of Rubbish, section 3.4: in and of itself, the bylaw is unenforceable by non-criminal disposition. Ritchie took parts of the statute to be replicated in a bylaw, suggests we create a data block and specific penalty. The bylaw may be broadened beyond the state statute by including areas used for conservation purposes and agricultural use. Kravitz raises the point of using of this bylaw to remove materials left by homeless persons. Removal of abandoned property by conservation agents is not based on this bylaw. The point being that if a bylaw is needed for the purpose of removing personal property on public property it should be developed separately. Discussion as to why we need a bylaw that supplements the state statute. A rewrite will clarify the statutory violations (MGL 270/16).rec Decision: add bylaw language and recommend for further study adding language that says conservation lands and land in agricultural use instead of a narrow reference to Ch. 184. Data block will include a \$250 penalty and enforcement by police officers, superintendent of public works and health agents.

Snow and Ice (new bylaw): combines previous bylaws (3.47,3.48), reworked language regarding penalties and enforcement periods, increased fine as allowed as Amherst is now a city. Decision is to recommend this revision as drafted. Note that some sidewalks in town do get plowed or safety reasons but there is no effective way to incorporate this into the bylaw.

Next meeting is June 25<sup>th</sup>, 8:30 AM ending at 10:30. Start with 3.51 junked vehicles. Meeting adjourned at 10:00 AM.

Respectfully submitted,  
Bernie Kubiak, Clerk

Documents referred to:  
Draft Snow and Ice Removal bylaw  
Draft 6 of Town Bylaw Revision