

Bylaw Review Meeting Minutes
September 5, 2019

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

Members Absent: Bernie Kubiak

Staff Present: Geoff Kravitz

Members of the public present: none

Meeting convened at 2:08 PM with Brewer, Ritchie, and Ross present.

3.41 Regulation of Signs: Committee discussed deletion of the sign bylaw from draft 7, given that it is mostly dealt with in the zoning bylaw and the committee did not wish to address the constitutional concerns of the bylaw. Ritchie argued this action insulates the Town from litigation, as it shows the Town is aware of the bylaws problems. Committee came to consensus to put a placeholder in Draft 7 for the sign bylaw with a note to Town Council explaining reasoning. Ritchie explained that the bylaw would continue to exist categorically, but without content, and that the elimination of content shows intention to address constitutional concerns of bylaw. Keeping placeholder shows it needs to be filled with content.

3.24/25 Animal Welfare/Dog Welfare: Kravitz discussed his revisions to the animal and dog welfare bylaws, which he put into a combined bylaw. Committee then discussed and came to consensus around the follow edits to Kravitz's revised combined bylaw:

- B(1)c.: Changed "animal(s)" to "dog(s)" since Amherst only requires licensure for dogs. Committee discussed whether the bylaw was duplicative of state law, which prohibits a fee being charged for licensing service animals, and therefore could be removed. Committee decided that the bylaw's addition of required documentation for service animals to waive fee merited keeping the bylaw section since the documentation is not in the MGL. Committee also discussed and confirmed that it is legal to require documentation for service animals to waive a fee.
- B(4): Committee discussed wording of Section B(4) to clarify. Removed reference to B(3), altering the text to replace "The Animal Welfare Officer may impound any dog determined to be involved in a violation of either B(2)(a) or B(3)." with "The Animal Welfare Officer may impound any dog determined to be involved in a violation of B(2)(a)." since B(3) references B(2)(a) so the additional reference was unnecessary.
- C: Committee discussed Section C: Cats. Ross recommended deleting section on cats since it merely references MGL and adds no additional local regulation . Committee came to consensus on deleting Section C.
- E & D: Committee came to consensus to incorporate Section E into section D since it has to do with urban livestock and poultry and not other animals.

DeAngelis arrived at meeting at 2:45pm.

Kravitz left meeting at 3:02pm.

Meeting adjourned at 3:20pm.

Respectfully submitted,

Evan Ross

Documents referenced:

Regulation of Animals Draft Bylaw