

# BY-LAWS

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October 2022



TOWN OF PRINCETON, MASSACHUSETTS

# BY LAWS OF PRINCETON, MASSACHUSETTS

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# BY-LAWS OF THE TOWN OF PRINCETON, MASSACHUSETTS

UPDATED OCTOBER 2022

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## CHAPTER I - GENERAL PROVISIONS

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SECTION 1. The following provisions shall constitute the General by-laws of the Town of Princeton, which shall be in lieu of all by-laws heretofore in force, and may be referred to as the by-laws of the Town of Princeton, Massachusetts, 1955.

SECTION 2. The adoption of these by-laws shall not affect any act done or begun, any right accrued or established, any penalty or liability incurred, or any suit, prosecution, or proceedings heretofore taken or instituted or that shall be pending at the time these by-laws take effect.

SECTION 3. Any or all of these by-laws may be repealed or amended or other by-laws may be adopted at any Town Meeting, an article or articles for that purpose having been inserted in the warrant for such meeting by the Selectboard.

SECTION 4. Whoever violates any of the provisions of these by-laws whereby any act or thing is enjoined or prohibited, shall, unless provision is expressly made, forfeit and pay a fine not exceeding twenty dollars (\$20.00) for each offense.

SECTION 5. No person shall post, paint, or paste any advertisement upon any tree, bridge, rock, fence, guidpost, or poles used for the transmission of electricity, that lie within the limits of the public roads or highways, or within any public place in said Town.

SECTION 6. No person shall distribute or cause to be distributed any hand bill circular, program, or advertising slip upon any of the streets or sidewalks of the Town, except that such hand bills, circulars, programs, or advertising slips may be placed within the doors of stores, offices, and business houses, and may be placed at the door of residences.

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## CHAPTER II - TOWN MEETINGS

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SECTION 1. The part of the Annual Town Meeting for the conduct of Town Elections shall be held on the second Monday of May in each year, and that part of the Annual Town Meeting for the conduct of business matters shall be held on the following day until otherwise voted by the Town.  
*(As amended at a Special Town Meeting, November 19, 1973).*

The warrant for any Annual or Special Town Meeting may specify that the meeting is to be held in a suitable auditorium or other facility in any town contiguous to Princeton. A town meeting, by majority vote, may also adjourn to such a facility if it deems appropriate.  
*(As amended at the Annual Town Meeting, May 19, 1997).*

SECTION 2. The polls shall be opened at 12:00 o'clock noon and shall remain open until 8:00 o'clock in the evening, unless otherwise voted by the Town.

SECTION 3. Notice of every Town Meeting shall be given by posting attested copies of the warrant therefore in a least three (3) public places in Town, not less than seven (7) days before the day fixed for the Annual Meeting and not less than fourteen (14) days before the day fixed for a Special Town Meeting.

*(Amended at the Annual Town Meeting, May 9, 1889)*

SECTION 4. At least ten (10) days before the day fixed on the warrant for the Annual Town Meeting, the Selectboard shall cause a sufficient number of copies, as determined by the Town Administrator, of the Annual Town Report to be printed and make such copies available at the town hall (Bagg Hall).

*(As amended at Special Town Meeting, February 10, 2004)*

SECTION 5. At least seven (7) days for the Annual Town Meeting and fourteen (14) days for any Special Town Meeting before the day fixed in the warrant, the Selectboard shall cause a copy of the warrant to be posted to the town website, and shall cause a sufficient number of copies of the warrant, as determined by the Town Administrator, to be available at the town hall (Bagg Hall), and at the Princeton Public Library in the Goodnow Memorial Building, and to deliver, upon request by a registered voter, a copy of the warrant by mail to the legal address of the voter.

*(As amended at the Annual Town Meeting, May 11, 2010, amended at Special Town Meeting October 11, 2011)*

SECTION 6. As soon as practicable after the adjournment of any Town Meeting, on a vote to adjourn to another day, the Town Clerk shall cause a brief statement of the day and hour to which the adjournment was voted and of the business remaining to come before the meeting, to be posted in at least four (4) public places.

SECTION 7. The number of voters necessary to constitute a quorum at any Town Meeting shall be three (3) percent of the voters as of the previous January 1st, and at any Special Town Meeting shall be two (2) percent of the voters as of the previous January 1<sup>st</sup>, but any number may adjourn any meeting to a stated time and place. The section shall not apply to such parts as are devoted exclusively to the election of Town Officers.

*(As amended at the Annual Town Meeting, May 10, 1983, Amended at Annual Town Meeting May 15, 2012)*

SECTION 8. Articles of the warrant shall be acted upon in the order in which they appear unless otherwise determined by vote of the meeting.

SECTION 9. All motions having to do with the expenditure of money shall be presented in writing; other motions shall be in writing if so directed by the Moderator.

SECTION 10. If a motion is susceptible of division, it shall be divided and the question shall be put separately upon each part thereof, at the discretion of the Moderator or if seven (7) voters so request.

SECTION 11. When a question is put, the sense of the meeting may be determined by a show of hands, and the Moderator shall declare the vote as it appears to him. If the decision of the chair is doubted, or a division of the house is called for, the Moderator shall request all persons in the house to be seated. The question shall then be distinctly stated, and those voting in the affirmative and negative respectively shall rise and stand in their places until they are counted by the Moderator and tellers. Nothing in this section shall be construed to prevent the taking of a vote by ballot in the first instance if

a motion to that effect shall be duly made and carried by a majority of the voters present and voting thereon. *(Amended at Annual Town Meeting May 13, 2014)*

If a two-thirds vote of a town meeting is required by statute, the count need not be taken unless the vote declared by the Moderator is immediately questioned by one (1) or more voters. *(As amended at the Annual Town Meeting, May 19, 1997)*

SECTION 12. No vote of the meeting shall be reconsidered unless notice of intention to ask for reconsideration shall have been give on the same day within one-half (1/2) hour after the vote to which such notice relates has been passed. When a motion for reconsideration is decided, that decision shall not be reconsidered, and no question shall be reconsidered more than once; nor shall any vote be reconsidered on a motion to adjourn, to lay on the table, or for the previous question. *(Amended at the Annual Town Meeting, May 12, 1992)*

SECTION 13. All committees shall report as directed by the Town. If no report is made within a year after its appointment, a committee shall be discharged unless, in the meantime, a vote of the Town Meeting shall have granted an extension of time.

SECTION 14. No motion, the effect of which would be to dissolve the meeting, shall be in order until every article in the warrant therefore has been duly considered and acted upon, but this shall not preclude the postponement of consideration of any article to an adjournment of the meeting at a stated time and place.

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### CHAPTER III - ADVISORY COMMITTEE

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SECTION 1. There shall be an Advisory Committee consisting of seven legal voters of the Town, who shall be appointed in the manner hereinafter provided. No elective or appointive officer or full time town employee shall be eligible to serve on said committee. The current members of the committee shall continue in office until expiration of their respective terms. The Advisory Committee is established pursuant to Massachusetts General Law Chapter 39, Section 16, which state that the Committee “shall consider any or all municipal questions for the purpose of making reports or recommendations to the town;” *(Amended at the Special Town Meeting, March 18, 1985, June 12, 2021)*

SECTION 2. The Selectboard shall appoint members at the beginning of each fiscal year as necessary to maintain a seven member committee each of whose term shall be for three fiscal years. The members shall be appointed for staggered terms so that the term of approximately one-third of the members shall expire each year. *(Amended at the Special Town Meeting, October 11, 2011)*

SECTION 3. Whenever any vacancy shall occur for any cause, said vacancy shall be filled immediately by the Selectboard. The term of office for any person so chosen to fill a vacancy shall expire at the end of the fiscal year (June 30<sup>th</sup>), and the Selectboard shall appoint his successor to complete the unexpired term of the member in whose office such vacancy originally occurred. *(Amended at the Special Town Meeting, October 11, 2011)*

SECTION 4. All articles in any warrant for a Town Meeting shall be referred to the Advisory Committee for its consideration. The Selectboard after drawing any such warrant shall transmit immediately a copy thereof to each member of said committee. A public hearing shall be held upon all such articles, unless a public hearing is otherwise required by law, and a notice of such hearing shall be given by posting a copy thereof in a least four (4) public places in the Town. Said committee shall after due consideration of the subject matter of such articles, report thereon to the Town Meeting, in writing,

such recommendations as it deems best for the interests of the Town and its citizens. Any recommendation that exists from the Advisory Committee on an article will be read to the town meeting prior to any motions or discussion relative to the article. The Advisory Committee may, during discussion of the article, change its recommendation and offer the altered recommendation to the town meeting provided it gives its reasons for changing its recommendation.

*(Amended at the Annual Town Meeting, May 12, 1992)*

SECTION 5. It shall be the duty of the Advisory Committee annually to consider the expenditures in previous years and the estimated requirements for the ensuing year of the several boards, officers, and committees of the Town, as prepared by them or by the Town Auditor in such form and detail as may be prescribed by said Committee. The said Committee shall add to such statement of expenditures and estimates another column, giving the amounts which in its opinion should be appropriated for the ensuing year, and shall further add thereto such explanations and suggestions relating to the proposed appropriations as it may deem expedite, and report thereon as provided in Section 4.

SECTION 6. In the discharge of its duty, said Committee shall have free access to all books of record and accounts, bills and vouchers on which money has been or may be paid from the town treasury. Officers, boards and committees of the Town shall, upon request, furnish said Committee with facts, figures and any other information pertaining to their several activities as otherwise provided by Law.

SECTION 7. It shall be the duty of the Advisory Committee to make an annual written report of its doings, with recommendations relative to financial matters and the conduct of Town business.

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#### CHAPTER IV - FINANCIAL AFFAIRS

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SECTION 1. The Selectboard shall have the general direction and management of the property and affairs of the Town in All matters not otherwise provided for by law or by these by-laws.

SECTION 2. Except as otherwise provided by law, the Selectboard shall have custody of bonds, deeds, contracts, insurance policies and other similar documents owned by the Town.

SECTION 3. The Tax Collector shall have stated hours for the transaction of business.

SECTION 4. Every officer shall pay into the treasury of the Town all amounts received by him on behalf of the Town, except as otherwise provided by law, and shall make a true return thereof to the Town Auditor, stating the accounts upon which such amounts were received, provided that fees received may be retained by the Tax Collector for such Collector's personal services.

*(Amended at the Special Town Meeting, June 30, 1980)*

SECTION 5. The Selectboard shall submit the budget at the annual town meeting with a provision for a recommendation by the Advisory Board.

*(Amended at the Annual Town Meeting, May 9, 2006)*

SECTION 6. The Selectboard may provide an employment contract for appointed department heads for a period of up to five (5) years, to provide for the salary, fringe benefits and other conditions of employment, including but not limited to severance pay, relocation expenses, reimbursement of expenses incurred in the performance of duties or office, liability and disability insurance and leaves of absence.”

- (a) Such an employment contract shall prevail over and preempt any provision of any local personnel by-law, rule or regulation covering the subject matter of the employment contract.
- (b) Funding of the employment contract shall be subject to annual appropriation by the Town Meeting.
- (c) Nothing contained in this by-law shall affect the appointment or removal powers of the Selectboard over the Department Heads. This by-law does not grant tenure.
- (d) From time to time the Selectboard may adopt rules and regulations relative to the administration of this section. *(Adopted at the Annual Town Meeting, May 12, 2015)*

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**CHAPTER V - CONTRACTS BY TOWN OFFICERS**

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SECTION 1. No officer of the Town shall in his official capacity make or pass upon or participate in making or passing upon, any sale, contract or agreement, or the terms or amount of any payment in which the Town is interested and in which such officer has any personal financial interest, direct or indirect.

SECTION 2. No Town officer and no salaried employee of the Town, or any agent of any such officer or employee, shall receive any compensation or commission for work done by him for the Town, except his official salary and fees allowed by law, without the permission of the Selectboard expressed in a vote which shall appear on their records with the reasons therefore.

SECTION 3. No contract involving the creation of an obligation of the Town in excess of two hundred dollars (\$200.00) shall be made unless it is in writing and is signed by the Town Administrator or Selectboard, any contract involving the creation of an obligation in excess of ten thousand dollars (\$10,000) shall be signed by the Town Administrator, after authorization being granted by the board or committee having control of the appropriation against which such obligation is incurred; and such board or committee shall make a record of every such contract which shall be the property of the Town. *(Amended at the Annual Town Meeting, May 10, 2016)*

SECTION 4. Every contract involving an expenditure by the Town of more than one thousand dollars (\$1000.00) shall, when requested by the board or committee authorized to make such contract, be accompanied by a suitable bond for the faithful performance of the same, or by the deposit of money or other security.

SECTION 5. No contract shall be awarded for the purchase of equipment, materials, supplies or services, the actual or estimated cost of which amounts to three thousand dollars (\$3,000.00) or more except in accordance with the requirements and subject to the terms and conditions of Massachusetts General Laws Chapter 30B. *(Amended at the Annual Town Meeting, May 25, 1993)*

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**CHAPTER VI - LEGAL AFFAIRS**

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SECTION 1. The Selectboard shall be agents of the Town to institute, prosecute and defend any and all claims, actions and proceedings to which the Town is a party or in which the interests of the Town are or may be involved.

SECTION 2. The Selectboard may at their discretion compromise or settle any claim or suit to which the Town is a party. The Selectboard shall consult with the Advisory Committee any settlement of \$25,000 or greater. *(Amended at Annual Town Meeting May 14, 2014)*

SECTION 3. The Selectboard in their Annual Report shall state what actions have been brought against and on behalf of the Town, what cases have been compromised or settled, and the current standing of all suits at law involving the Town or any of its interests.

SECTION 4. The Selectboard shall annually after final adjournment of the Annual Town Meeting, appoint a member of the bar in good standing to serve as Town Counsel for the term of one (1) year from the first day of April following and until his successor is appointed and enters upon the performance of his duties. They shall likewise fill any vacancy in said office for the unexpired term, and may employ special counsel to assist the said Town Counsel whenever, in their judgment, necessity therefore arises.

SECTION 5. It shall be the duty of the Town Counsel to represent the Town in all legal matters and generally to advise and act for the Town Officers, boards and committees upon and in legal matters touching the duties of their respective offices.

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**CHAPTER VII – MEETINGS, RECORDS AND REPORTS**

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SECTION 1. All officers, boards and committees of the Town, shall cause records of their doings and accounts to be kept in suitable books. Said books shall be kept in their respective places in the Town as provided by the General Laws. Said books shall, unless otherwise provided by law, be open to public inspection at any reasonable time, but shall remain during such inspection under the supervision of the officer, board or committee having custody thereof.

SECTION 2. All officers, boards, standing committees and special committees of the Town having charge of the expenditure of Town money shall annually report thereon in writing in such manner as to give the citizens a fair and full understanding of the objects and methods of such expenditures, referring however, to the report of the Town Auditor for statements in detail or receipts and payments and may make therein such recommendations as they deem proper. Such reports shall be submitted to the Selectboard for inclusion in the Annual Town Report on or before the fifteenth (15th) day of January in each year, except in cases of emergency when to do so would involve extreme hardship.

SECTION 3. The Annual Town Report shall contain, in addition to the reports of officers, boards and committees as hereinbefore provided, a detailed report of all monies received into and paid out of the Town treasury in the financial year next preceding, showing separately payments made from the proceeds of loans as capital outlays for permanent improvements; the report of the Collector of Taxes,

of receipts, payments and abatements; statements of all funds belonging to the Town or held for the benefit of its payments and abatements; statements of all funds belonging to the Town or held for the benefit of its inhabitants; a statement of the liabilities of the Town on bonds, notes, certificates of indebtedness, or otherwise, and of indebtedness authorized but not incurred, and the purposes thereof; a statement of transfers made to or from any appropriation; abstracts of the records of meetings of the Town held since publication of the last Annual Report; and such other matters as the said report is required by law to contain, or as may be inserted by the Selectboard under the discretion granted them by law.

SECTION 4. The Selectboard, or the Town, may direct that the Assessor's valuation list, the By-Laws and standing votes of the Town, and the rules or regulations adopted by any officer, board or committee, be printed either separately or as part of the Annual Town Report.

SECTION 5. No public meeting of any board, committee or commission of the Town of Princeton shall be scheduled, posted or conducted on a legal holiday in the Commonwealth of Massachusetts.  
*(Adopted at the Annual Town Meeting May 13, 2008)*

SECTION 6. No public meeting of any board, committee or commission of the Town of Princeton shall be conducted in a non-public space unless said meeting is first convened on town property and then moved to a non-public space for a purpose directly related to the matter at hand. All such meetings shall be conducted in accordance with the Open Meeting Law.  
*(Adopted at the Annual Town Meeting May 13, 2008)*

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#### CHAPTER VIII - PLANNING AND APPEALS BOARD

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SECTION 1. (A) A Planning Board is hereby established under the provisions of General Laws, Chapter 41, Section 81A, with all the powers and duties therein and in any existing by-law of the Town.

(B) The Planning Board shall consist of five (5) members elected by official ballot at the Annual Town Election. At the 1984 Annual Town Election, one (1) member shall be elected to fill the unexpired term of two (2) years of a member who has resigned, one (1) member shall be elected for a term of three (3) years, and thereafter as the term of office of each member expires, a new member shall be elected for a term of three (3) years.  
*(Amended at the Special Town Meeting, January 31, 1984).*

(C) The Board of Appeals is hereby established as provided for under Section 81Z of Chapter 41 of the General Laws to consist of three (3) members to be appointed by the Selectboard; One (1) for a term of one (1) year; One (1) for a term of two (2) years; One (1) for a term of three (3) years and thereafter in accordance with the provisions of the statute. The continuous term of office of any member of the Board is limited to three (3) years. An Alternate Member to the Board shall be appointed by the Selectboard for a term of three (3) years. The Selectboard shall also appoint one or more Associate Members of the Board of Appeals pursuant to the provisions of Massachusetts General Law, Chapter 40A, Section 14 and Chapter 41, Section 1Z.  
*(Adopted at the Special Town Meeting, December 7, 1955).*  
*(Amended at the Special Town Meeting, December 7, 1959 and June 5, 1968).*

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**CHAPTER IX - TOWN PROPERTY**

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SECTION 1. Sale of Tax Title Property: The Treasurer, with the approval of the Selectboard, is authorized to sell at public auction or private sale all or any property acquired by the Town by virtue of any sales for non-payment of taxes, provided such tax sale has been confirmed by the Land Court or Tax Commissioner, and to give deeds therefore.

*(Adopted at the Annual Town Meeting, March 7, 1972, and amended at the Annual Town Meeting, May 10, 2011)*

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**CHAPTER X - TOWN ROADS AND WAYS**

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SECTION 1. (A) Driveway Entrance for Public Way: No driveway providing access to a way maintained by the Town of Princeton shall be constructed, altered or reconstructed except in accordance with the terms and conditions of a driveway opening permit.

(B) Application for such permit shall be filed with the Selectboard and shall include a plotting of the location and width of the proposed driveway opening at such way, the distance along the way from such opening to the nearest permanent monument, a profile of the driveway (if required by the Selectboard), and the location of the sidelines of such driveway along its full length, and the proposed drainage system for such driveway.

(C) The Selectboard may impose such terms and conditions in such permit, including change of location of the opening, as considerations of traffic safety and requirements for maintenance of the way may reasonably require.

(D) This By-Law shall not apply to driveways within a subdivision subject to form approval by the Planning Board under the provisions of Massachusetts General Laws, Chapter 41, Section 81.

*(Adopted at the Annual Town Meeting, May 9, 1978).*

SECTION 2. (A) Signs on Roads and Ways: No person shall post, paint or paste any advertisement upon any tree, bridge, rock, fence, guidepost or poles used for the transmission of electricity, that lie within the limits of the public roads or highways, or within any public place in said Town.

The Selectboard may authorize the erection, within the limits of public roads, and subject to compliance with the rules and regulations of the Outdoor Advertising Board, signs announcing the time and place of meetings of service clubs and organizations.

*(Amended at the Annual Town Meeting, June 3, 1986).*

*(Amended at the Annual Town Meeting, May 9, 2017, Amended at the Annual Town Meeting, May 15, 2018-  
delected Section 2. (b))*

This By-Law shall be enforced by the Building Inspector who may authorize non-criminal disposition of this By-Law pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 21D.

*(Adopted at the reconvened Annual Town Meeting, May 21, 1991).*

SECTION 3. Distributions of Advertisements: No person shall distribute or cause to be distributed any hand bill, circular, program or advertising slip upon any of the streets or sidewalks of the Town,

except that such hand bills, circulars, programs or advertising slips may be placed within the doors of stores, offices and business houses, and may be placed at the door of residences.

SECTION 4. Snow Removal: No person other than an employee in the service of the Town or any employee in the service of an independent contractor acting for the Town shall pile, push or plow snow or ice onto a public way of the Town so as to impede the flow of traffic on such way. Whoever violates this section shall be punished by a fine of not more than one hundred and fifty dollars (\$150.00).

*(Adopted at the Special Town Meeting, June 22, 1987).*

SECTION 5. Posting of Street Numbers: For the purpose of allowing police, fire and ambulance personnel to identify proper locations when responding to calls for assistance, all residential properties in the town shall be identified by street numbers. Such numbers shall be affixed to the property in a manner so as to be visible from the street. This section may be enforced pursuant to Chapter XVI governing non-criminal disposition of violations of Town by-laws.

*(Adopted at the Annual Town Meeting, May 11, 1999)*

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## CHAPTER XI - COUNCIL ON AGING

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SECTION 1. There is hereby established a Princeton Council on Aging as provided in Massachusetts General Laws, Chapter 40, Section 88.

SECTION 2. Such Council shall consist of not less than three (3) nor more than nine (9) members to be appointed by the Selectboard for such terms of office as such Board shall determine.

SECTION 3. Such Council subject to the appropriation of any necessary funds, shall carry out programs designed to meet the problems of the aging in co-ordination with the state department of elder affairs and perform such other duties and exercise such powers as may be authorized by said Chapter 40, Section 88.

*(Adopted at the Annual Town Meeting, May 13, 1975).*

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## CHAPTER XII - DOG RESTRAINT AND REGULATIONS

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### SECTION 1. DEFINITIONS

The following words and phrases as used in this By-Law, unless the context otherwise requires, shall have the following meanings:

(a) "Dog": Shall mean all animals of canine species, both male and female.

(b) "Owner": Shall mean any person or persons, firm, association or corporation owning, keeping or harboring a dog, as herein defined.

(c) "Nuisance dog": A dog that:

- 1) By excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity: OR

- 2) By excessive barking, causing damage or other interference, a reasonable person would find such behavior disruption to one's quiet and peaceful enjoyment: OR
- 3) Has threatened or attacked livestock, a domestic animal, or a person, but such a threat or attack was not a grossly disproportionate reaction under all circumstances: OR
- 4) Is elsewhere than on the premises of its keeper unless such dog (a) is then under control of a person competent to control and restrain such dog or (b) is not a threat to public safety, OR
- 5) Any unsprayed female dog in season and not confined.

*(Amended at Annual Town Meeting May 14, 2014)*

- (d) "Animal Control Officer (ACO): Shall mean a person appointed by the Selectboard to Enforce M.G.L. Chapter 140 sections 136A-174E, inclusive and this bylaw.  
*(Amended at the Annual Town Meeting - May 12, 2009, Amended May 13, 2014)*

(e) "License Period": Shall mean the time between January first and the following December thirty-first, both dates inclusive.

(f) "Dog License": Shall mean an annual license issued for all dogs over six month of age. The owner shall securely attach the town's license tag to their dog.

(g) "Kennel" – a pack or collection of dogs on a single premise, including a commercial boarding or training kennel, Commercial breeder kennel, domestic charitable corporation, personal kennel, or veterinary kennel per M.G. L. Chapter 140, Section 136A. *(Adopted at Annual Town Meeting May 13, 2014)*

## SECTION 2. PROHIBITION

No keeper of a dog shall permit such dog(s) to be a nuisance dog in the Town of Princeton.  
*(Amended at Annual Town Meeting May 13, 2014)*

## SECTION 3. ENFORCEMENT

The Animal Control Officer shall enforce the provisions of this By-Law and to that end he shall have the authority to seek complaints in the District Court for violations thereof. He shall investigate complaints of alleged violations of this By-Law. He shall also apprehend any dog found by him to be a nuisance dog and impound such dog in a suitable place or order the keeper thereof to restrain it.  
*(Amended at Annual Town Meeting May 13, 2014)*

## SECTION 4. PROCEDURE FOLLOWING IMPOUNDMENT

(a) Notice to Owner: The Animal Control Officer shall immediately notify the owner of any dog impounded by him under the provisions of this By-Law if such owner is known to him. If such owner is not known by him no notice shall be necessary.

(b) Redemption of Impounded Dogs: The owner of any dog(s) impounded under the provisions of this By-Law may redeem such dog provided he first

- 1) reimburse the Town for its expenses for initial handling of such dog plus an amount for each day of impoundment thereof according to fees set annually by the Town of Rutland, and (*Amended at Annual Town Meeting May 13, 2014*)
- 2) procures from the Town Clerk's office a license and tag for any such dog not licensed.

#### SECTION 5. DISPOSITION OF UNCLAIMED DOGS

Any dog which has been impounded under the provision of this by-law and has not been redeemed by the owner within seven (7) days and/or the owner is unknown, the dog may be disposed of as provided by Section 151A, Chapter 140 of the General Laws as amended. If the dog owner is known, the identified owner shall be liable for all costs for impounding incurred by the town or the owner of the impounding facility.

*(Amended at the Annual Town Meeting – May 12, 2009, Amended May 13, 2014)*

#### SECTION 6. ANIMAL CONTROL OFFICER

The Animal Control Officer shall keep an account of all monies received by him under the provisions of this by-law.

#### SECTION 7. PENALTY

Violations of Section 2: Any person violating the provisions of Section 2 of this by-law shall be liable to fine in accordance with the procedure prescribed in Section 172A of Chapter 140 of the General Laws, as amended, at a schedule of fines set by the Selectboard.

Owners of Dogs who receive three (3) or more notices of violation of this by-law shall be subject to a hearing before the Selectboard under the provisions of Chapter 140, Section 157 of the General Laws.

*(Amended at the Annual Town Meeting – May 12, 2009)*

#### SECTION 8. UNLICENSED DOG FINES

Under the provisions of Massachusetts General Law Chapter 140, Section 141 a fine of not less than \$50.00 shall be imposed on the owner of a dog who has not licensed such dog on or before the close of the last business day in the month of April of each year, postmark is not acceptable. Such fine may be enforced by non-criminal disposition pursuant to the provisions of Massachusetts General Laws, Chapter 40, Section 21D.

*(Amended at the Annual Town Meeting - May 15, 200, Amended May 13, 2014)*

#### SECTION 9. DISPOSITION OF FUNDS

Any funds collected pursuant to the provisions of this by-law by the Animal Control Officer or persons authorized to license dogs in the Town, shall be accounted for and paid over to the Town Treasurer in a timely manner.

#### SECTION 10. FEES

The Selectboard will set the fee rate for dog licenses, impounding fees and offense or violation fees. The current fee schedule (Appendix A) is as follows:

DOG FEES:

1. Annual License:	Male	\$15.00
	Female	\$15.00
	Spayed/Neutered	\$10.00
	Transfer Fee	\$ 2.00
	Replacement Tag	\$ 1.00
	Service Animal *	\$ 0

\*As defined by the Americans with Disabilities Act or regulations promulgated thereunder.  
(Amended at Special Town Meeting – March 10, 2009, Amended May 13, 2014)

2. Late Fee: A late fee of \$25.00 per dog shall be imposed on the owner of a dog who has not licensed such dog on or before the last business day of April of each year; postmark is not acceptable. (Amended May 9, 2017)

3. Impound Fees:

Initial handling (pick-up)	\$ 25.00
Each day of confinement	\$ 25.00 (per day)

(Amended at Annual Town Meeting May 13, 2014)

4. Penalty for violation of by-laws:

First Offense	\$10.00
Second Offense	\$25.00
Third and subsequent offenses	\$50.00

(Amended at the Annual Town Meeting - June 3, 1996, and at the Annual Town Meeting – May 12, 2009)

SECTION 11. KENNEL LICENSES

Under the provisions of Massachusetts General Law Chapter 140, Section 137A no kennel license will be issued until the kennel has passed inspection by the Animal Control Officer.

Kennel Types are defined by M.G.L. Chapter 140, Section 136A

- Personal Kennel – a pack or collection of more than 4 dogs, 3 months or older, owned or kept under single ownership, for private personal use.
- Commercial Boarding or Training Kennel
- Commercial Breeder Kennel
- Domestic Charitable Corporation Kennel
- Veterinary Kennel

To determine the amount of the license fee for a kennel, a dog under the age of 6 months shall not be counted in the number of dogs kept in a kennel.

Fees for all kennel types are as follows:

Four (4) dogs:	\$ 40.00
Five (5) to ten (10) dogs:	\$ 60.00
Eleven (11) or more dogs:	\$100.00

*(Adopted at the Annual Town Meeting, May 16, 2000, Amended May 13, 2014)*

### CHAPTER XIII - ILLEGAL DUMPING

No person shall throw, dump or deposit refuse in the Town of Princeton except at a site assigned as a sanitary landfill facility by the Board of Health in accordance with the provisions of Massachusetts General Laws Chapter III, Section 150A. The term "refuse" as used in this By-Law shall mean all solid and liquid waste materials including garbage and rubbish, but not including sewage.

The throwing, dumping or depositing of natural substances by the owner or person in control on such owner's land for mulch, compost, and for other garden, agricultural, horticultural and silvicultural purposes, shall not be a violation of this By-Law.

Any person violating this By-Law shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not less than \$100.00 nor more than \$500.00. Each day such violations is permitted to continue shall constitute a separate offense and be punished as such hereinafter.

*(Adopted at the Special Town Meeting -June 22, 1987).*

### CHAPTER XIV - ALCOHOLIC BEVERAGES

#### SECTION 1. COMMON VICTUALER'S AND INNKEEPER'S LICENSE

No holder of a Common Victualer's and Innkeeper's License shall permit the consumption of alcoholic beverages as defined in Massachusetts General Laws, Chapter 138, within the public rooms of the premises in which such license is exercised unless such holder shall have given prior written notice of its intent to do so to the Selectboard.

*(Adopted at the Special Town Meeting, August 22, 1988).*

#### SECTION 2. POSSESSION OF ALCOHOLIC BEVERAGES ON TOWN PROPERTY

(A) No person shall have in his possession within any structure or on any land owned by the Town any alcoholic beverages as defined in Massachusetts General Laws, Chapter 138B, unless such person shall be attending an event conducted in such structure or on such land for which event a permit or license has been issued pursuant to said Chapter 138.

(B) This By-Law shall not apply to the possession of alcoholic beverages contained in their original sealed packages or containers.

(C) Any person violating this By-Law shall be punished by a fine not exceeding fifty dollars (\$50.00).

*(Adopted at the Annual Town Meeting, May 9, 1978).*

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**CHAPTER XV - DENIAL, REVOCATION OR SUSPENSION OF LOCAL LICENSES AND PERMITS**

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SECTION 1. Any Board, Committee, Commission, Department or Officer of the Town of Princeton authorized by law to act upon the issuance, renewal or transfer of a permit or license (the "local licensing authority"), acting in accordance with and following the procedures set forth in MA General Laws, Chapter 40, Section 57, may deny, revoke or suspend such permit or license sought or held by any person, corporation or business entity (the "party") if such party has refused or neglected to pay any local real estate or personal property taxes, fees, assessments, betterment's or other municipal charges (collectively "taxes") for not less than a twelve (12) month period and such party does not have pending a good faith application for abatement of such taxes or appeal to the Appellate Tax Board relating to such taxes.

SECTION 2. The Tax Collector shall annually furnish each local licensing authority with a list of each party who has refused or neglected to pay such taxes for more than twelve (12) months and does not have pending abatement or Appellate Tax Board proceedings with respect to such taxes.

SECTION 3. The Selectboard may waive the denial, suspension or revocation of such permit or license if it finds that the owner of the property on which the license or permit is to be exercised has no direct or indirect business interest in the business or activity sought to be licensed or permitted.  
*(As adopted at the reconvened Annual Town Meeting, May 15, 1991).*

*NOTE - Chapter XV - DENIAL, REVOCATION OR SUSPENSION OF LOCAL LICENSES was approved by the Attorney General subject to the understanding that all rights, duties, obligations and exemptions set forth in MA General Laws, Chapter 40, Section 57, shall be applicable thereto.*

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**CHAPTER XVI - NON-CRIMINAL DISPOSITION OF VIOLATIONS OF TOWN BY-LAWS AND RULES AND REGULATIONS OF TOWN OFFICES, BOARDS, COMMITTEES, COMMISSIONS AND DEPARTMENTS**

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SECTION 1. Whoever violates any Town By-Laws or any Rule or Regulation of a Town Office, Board, Committee, Commission or Department, the violation of which is subject to a specific monetary penalty may be penalized with non-criminal disposition being made or such penalty as provided and following the procedures set forth in MA General Laws, Chapter 40, Section 21D.

SECTION 2. Without limitation by enumeration such non-criminal disposition may be made of violations of the By-Laws and Rules and Regulations listed at the end of this chapter.

SECTION 3. In addition to police officers, who shall in all instances be considered to be the enforcing persons for the purposes of this By-Law, the Building Inspector shall be an enforcing person with respect to violations of the By-Laws and Rules and Regulations so listed.

SECTION 4. The following specific penalties may be imposed for violation of any such By-Law, Rule or Regulation as to which no specific penalty has previously been imposed:

First offense - \$25.00  
 Second offense - \$50.00  
 Third offense - \$100.00  
 Fourth and subsequent offenses - \$200.00, and each day on which a violation exists shall be deemed to be a separate offense.

SECTION 5. Notwithstanding the foregoing, if the enforcing person deems it appropriate, he or she, before proceeding with non-criminal disposition of a violation under MA General Laws, Chapter 40, Section 21D, may give a written warning to an offender who has violated a By-Law, Rule or Regulation allowing the offender up to fifteen (15) days to terminate the violation and repair any damage caused thereby.

SECTION 6. The following By-Laws, Rules and Regulations are included herein:

Description	Additional Enforcing Persons
Zoning By-Laws	Building Inspector
Planning Board Regulations	Building Inspector
Board of Appeals Regulations	Building Inspector
Board of Health Regulations	Building Inspector
Conservation Commission Regulations	Building Inspector
Chapter X, Sections 2 and 3 of the Town By-Laws <i>(Amended at the Annual Town Meeting, May 25, 1993)</i>	Building Inspector
Chapter XII – Dog Restraint and Regulations <i>(Amended at the Annual Town Meeting, May 9, 2006)</i>	Dog Officer

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**CHAPTER XVII – FEE SCHEDULE – TOWN CLERK**

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Authorized by MGL, Chapter 262, section 34, clauses 1-79.

Clause	Description	Fee
(1)	Filing and indexing assignment for benefit of creditors	\$10.00
(11)	Entering amendment of a record of the birth of a child born out of wedlock subsequently legitimized.	15.00
(12)	Correcting errors in a record of birth.	20.00
(13)	Furnishing certificate of birth	10.00
(13A)	Furnishing an abstract copy of birth record.	10.00
(14)	Entering delayed record of birth.	15.00
(20)	Filing certificate of a person conducting business under any title other than his real name.	40.00
(21)	Filing by a person conducting business under any title other than his real name of a statement of change of his residence, his discontinuance, retirement or withdrawal from or change of location of such business	20.00
(22)	Furnishing certified copy of certificate of person conducting business under any title other than his real name or a statement by such person of his discontinuance, retirement or withdrawal from such business.	10.00

(23)	Recording the name and address, date and number of the certificate issued to a person registered for the practice of podiatry in the Commonwealth.	40.00
(29)	Correcting errors in a record of death.	20.00
(30)	Furnish a certificate of death.	10.00
(30A)	Furnishing an abstract copy of a death record.	10.00
(42)	Entering notice of intention of marriage and issuing certificates thereof.	20.00
(43)	Entering certificate of marriage filed by persons married out of the Commonwealth.	15.00
(44)	Issuing certificate of marriage.	10.00
(44A)	Furnishing an abstract copy of a record of marriage.	10.00
(45)	Correcting errors in a record of marriage.	20.00
(54)	Recording power of attorney.	20.00
(57)	Recording certificate of registration granted to a person to engage in the practice of optometry, or issuing a certified copy thereof	40.00
(58)	Recording the name of the owner of a certificate or registration as a physician or osteopath in the Commonwealth.	40.00
(62)	Recording order granting locations of pole, piers, abutments or conduits, alterations or transfers thereof, increase of number of wires and cables or attachments under the provisions of Chapter 22, Section 166.	
	(flat rate)	40.00
	(additional streets)	10.00
(66)	Examining records or paper pertaining to a birth, marriage or death upon the application of any person, the actual expense thereof, but not less than	10.00
(67)	Copying any manuscript or record relating to a birth, marriage or death. (per page)	10.00
(69)	Receiving and filing a complete inventory or all items to be included in a "closing out sale" etc.	
	(per page)	10.00
	(1st page)	20.00
	(additional page)	5.00
(75)	Filing a copy of written instrument or declaration of trust by trustees of an association or trust, or any amendment thereof as provided in Chapter 182, Section 2.	40.00
(78)	Recording deed of lot or plot in a public place or cemetery.	20.00
(79)	Recording other documents.	
	(1st page)	20.00
	(additional pages)	5.00
	Voter's certificate	10.00

*(Adopted at the Annual Town Meeting, May 16, 2000)*

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**CHAPTER XVIII – FARM PRESERVATION BY-LAW**

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SECTION 1 Legislative purpose and Intent

The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97 of the Constitution and all state statutes and

regulations there under, including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A.

We the Citizens of Princeton restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution ("Home Rule Amendment").

The General By-law encourages the pursuit of agriculture, promotes agricultural-based economic opportunities and protects farmlands within the Town of Princeton by allowing agricultural uses and related activities to function with the minimal conflict with abutters and local agencies. This By-law shall apply to all jurisdictional areas within the Town.

## SECTION 2 Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of agriculture, or accessory thereto,

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- A) farming in all its branches and the cultivation and tillage of the soil;
- B) dairying;
- C) production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural, viticultural or horticultural commodities;
- D) growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations; raising of livestock including horses commercial and non-commercial;
- E) keeping of horses; and keeping and raising of poultry, swine, cattle, sheep, goats, rabbits, bees, ducks, guinea hens, ratities ( such as emus, ostriches, and rheas) and camelids, (such as llamas, alpacas and camels),and other domesticated animals for food and other agricultural purposes, including fur-bearing animals.

"Farming" shall encompass activities including, but not limited to, the following:

- A) operation and transportation of slow-moving farm equipment over roads within the Town;
- B) control of pests, including but not limited to insects, weeds, predators and disease organisms of plants and animals;
- C) application of manure, fertilizers and pesticides;
- D) conduction of agricultural-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to the agricultural output or services of the farm;
- E) processing, slaughtering and packaging of the agricultural output of the farm and the operation of a farmers' market or farm stand including signage thereto;
- F) maintenance, repair or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of agricultural products; and
- G) on-farm relocation of earth and the clearing of ground for farming operations.

## SECTION 3 Right of Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Princeton. The above described agricultural activities may occur on holidays, weekdays and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact maybe caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Farm Preservation By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statue, regulation, or local zoning law.

#### SECTION 4 Resolution of Disputes

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Selectboard, the Zoning Enforcement Officer or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Selectboard may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger to public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health with in the agreed upon time frame.

#### SECTION 5 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Princeton hereby declares the provisions of this By-law to be severable, or take any action relative thereto.

*(Adopted at the Special Town Meeting, October 30, 2007.)*

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### CHAPTER XIX – DEPARTMENT REVOLVING FUND

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#### SECTION 1. Purpose.

This by-law establishes and authorizes revolving funds for use by town, departments, boards, committees, agencies and officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44, § 53E½.

#### SECTION 2. Expenditure Limitations.

A department, board, committee, commission or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:

- A.) Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund.
- B.) No liability shall be incurred in excess of the available balance of the fund.
- C.) The total amount spent during a fiscal year shall not exceed the amount authorized by Annual Town Meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Selectboard and Advisory/Finance Committee.

**SECTION 3. Interest.**

Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund.

**SECTION 4. Procedures and Reports.**

Except as provided in General Laws Chapter 44, § 53E½ and this by-law, the laws, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The Town Accountant shall include a statement on the collections credited to the fund, the encumbrances and expenditures charged to each fund and the balance available for expenditure in the regular report the Town Accountant provides the department, board, committee, commission or officer on appropriations made for its use.

**SECTION 5. Authorized Revolving Funds.**

The Table establishes:

- A.) Each revolving fund authorized for use by a town department, board, committee, commission or officer,
- B.) The department head, board, committee, commission or officer authorized to spend from each fund,
- C.) The fees, charges and other monies charged and received by the department, board, committee, commission or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant,
- D.) The expenses of the program or activity for which each fund may be used,
- E.) Any restrictions or conditions on expenditures from each fund;
- F.) Any reporting or other requirements that apply to each fund, and
- G.) The fiscal years each fund shall operate under this by-law.

<b>A</b> Revolving Fund	<b>B</b> Authorized to Spend Fund	<b>C</b> Fees, Charges, or Other Receipts Credited to Fund	<b>D</b> Program or Activity Expenses Payable from Fund	<b>E</b> Restrictions or Conditions on Expenses Payable from Fund	<b>F</b> Other Requirements/ Reports	<b>G</b> Fiscal Years
Building Department	Bldg. Inspector Town Admin.	Fees from Bldg, Wiring, and Plumbing Permits	To pay Administrative & Inspector Salary & Expenses	None	None	Fiscal Year 2019 and subsequent years

Library	Library Director Town Admin.	Copy Machine, Fax, Fines and Fees	Defray Operational Expenses	None	None	Fiscal Year 2019 and subsequent years
Parks and Recreation (P&R)	P&R Commission Chair, P&R Director, and Town Admin.	Fees Collected from Recreational Programs	Provide Recreational Programs & Pay Salaries	None	None	Fiscal Year 2019 and subsequent years
Parks and Recreation (P&R)	P&R Commission Chair, P&R Director, and Town Admin.	Fees Collected from Recreational Programs	Maintenance of Parks Pay Salaries	None	None	Fiscal Year 2019 and subsequent years
Princeton Center	Princeton Center Director, Town Admin.	Rental Fees	Defray Operational & Maintenance Expenses	None	None	Fiscal Year 2019 and subsequent years
Board of Health	Board of Health, Town Admin.	Permits and Inspections	Salary & Expense	None	None	Fiscal Year 2019 and subsequent years
Cemetery	Comm. Chair, Town Admin.	Burial Fees	Salary & Expense	None	None	Fiscal Year 2019 and subsequent years
Fire Department	Fire Chief, Deputy Chiefs, Town Admin.	Fees from Fire Permits	To Pay Administrative & Inspector Salary & Expenses	None	None	Fiscal Year 2019 and subsequent years
Conservation Commission	Chair of Commission Town Admin	Lease Payments from Four Corners Hayfields	To Pay for the Upkeep of & Improvements to Conservation Property	None	None	Fiscal Year 2020 and subsequent years

*(Adopted at May 9, 2017 Annual Town Meeting, Amended at May 14, 2019 Annual Town Meeting)*

These By-Laws were adopted by the voters of the Town of Princeton, March 14, 1955.

Amendments and adoptions approved as indicated.

A true copy, ATTEST:

Nathan R. Boudreau, Town Clerk