

SUMMARY OF PROPOSED BY-LAW AMENDMENTS

ARTICLES 15 AND 16**

*****The references to Article 14 in Articles 15 and 16 of the printed Warrant and Recommendations is incorrect and reflects the numbering of an earlier version of the warrant.***

NOTE: Town Meeting is voting under Articles 15 and 16 on all of the recommended amendments contained in a document entitled, ARTICLE 14* – RECOMMENDATIONS OF DECENIAL BY-LAW REVIEW COMMITTEE – GENERAL BYLAW AMENDMENTS, posted on the Town website at www.dedham-ma.gov.

For convenience, the amendments are summarized below, and the minor substantive amendments to be voted under Article 16 are reproduced at the end of this document.

Article 15 (non-substantive ministerial revisions)

The following revisions were made throughout the Charter:

- Replace “Board of Selectmen” and “Selectmen” with “Select Board” and “Chairman” with “Chair”;
- Render pronouns gender neutral;
- Correct grammar and punctuation;
- Capitalize the words “By-laws”, “By-law” and “Special Town Meeting”;
- Delete obsolete and transitional language;
- Delete enforcement sections in various By-laws and instead refer to §1-6, which addresses enforcement for all Town By-laws;
- Add the word “meeting” following the words “by vote of the Town” to clarify that it is Town Meeting that must take the relevant action;
- Delete and standardize enforcement provisions in various By-laws to be consistent, referring to §1-6 or indicating how the penalties differ from those in §1-6;

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The following revisions to specific sections of the By-laws make them more readable, concise, or consistent with the Charter or General Laws:

- Insert in Chapter 1 a new §1-9, entitled Severability, applicable to the all By-laws, as follows:
 - These General By-laws are severable, and if any of chapter, section, subsection or provision thereof shall be declared unconstitutional or invalid by a final judgment or order of a court of competent jurisdiction, said judgment or order shall not affect or impair any of the remaining provisions.
- Update dated language in §12-8 (e.g., “the aging” to “older adults”);
- Clarify in §61-4 responsibilities of the Library Trustees by breaking the section into two parts: A. Trust Funds; and B. Budget;
- Render the By-laws consistent with the Town Charter
 - Remove references in §61-4 to Library Trustees appointing Library Director);
 - To delete §88-1 on leasing of Town buildings and facilities as it conflicted with authority of the Town Manager in the Charter;
 - To update §85 on Town Meeting to conform to Charter (e.g., spring and fall annual town meetings” and clarification of Annual Town Election, rather than “Annual Town Meeting for election of Town Officers”);
- Clarify in §129 that enforcement of building number requirements shall receive warnings before enforcement is undertaken pursuant to §1-6;
- Replace in §183-6 long-form references to the general laws with short-form references;
- Delete in §192-2(b)(1) reference to an incorrect statute; and
- Delete transitional language in §208-5 and §208-6 relative to implementation of plastic bag ban.

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Article 16

The following revisions were made to specific sections of the Charter:

- Revise language in §30-15 to clarify that paid details are first offered to full-time Dedham Police Officers;
- Delete language in §100-4 concerning public consumption constituting a misdemeanor requiring arrest and a fine, as that is already addressed by state law;
- Delete in §136, after consultation with Police Chief, provisions prohibiting actions already addressed under state law, likely better enforced under state law, including: indecent, disorderly conduct in public ways; defacing or destroying lawful notice; indecent exposure, evading taxi fares;
- Delete in §154, after consultation with Police Chief, provisions prohibiting actions already addressed under state law, likely better enforced under state law against: discharging of fire works, firearms, sale of imitation handguns; in same section, added, after consultation with Police Chief, the word, “projectiles” to the By-law concerning the possession or discharging of devices for throwing missiles or projectiles for purposes of harming a person or property or disturbing the peace or endangering the public health safety or welfare on a public way;
- Delete several provisions of Chapter 199, after consultation with Police Chief, relative to activities in public ways that are either outdated and obsolete or addressed by, and likely better enforced criminally under, state law, such as loitering, climbing trees, sledding on public streets or sidewalks, riding horses on sidewalks, performances in public ways, obstruction of public ways, bonfires in public ways, transport of flammable materials on public ways, willful destruction of public property, hanging of string lights;
- Insert in §204-14 a penalty of \$300/day for retailers that violate their approved hours of operation;

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- Clarify that each violation of §§250-3 (street opening permit required), 250-4 (permit required for construction of access ways onto public ways) and 250-9 (discharging, diverting or causing ground or surface water collected by a pump in a manner that would create a hazardous or icy condition or damage to a public way or sidewalk), is subject to a penalty of \$300;
- Clarify in §265-6 that vehicles cannot be abandoned on any Town property or public way;
- Delete §265-14, after consultation with Police Chief, where truck ban violations are enforced under state law;
- Revise §§265-20 and 265-21, after consultation with Police Chief, to track relevant state law relative to parking for persons with disabilities; and
- Delete §265-23, after consultation with Police Chief, concerning release of impounded car following a DUI, where the matter is addressed in state law.