

**SPECIAL TOWN MEETING,
Tuesday October 3, 2017
HAMPDEN, ss**

To any and all constables in the Town of Holland, County of Hampden

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Holland qualified to vote in elections and in Town affairs, to meet at the Holland Elementary School Auditorium in said Town on Tuesday, October 3, 2017 at 7:00 PM, then and there to act on all business on the Special Town Meeting Warrant.

ARTICLE #1: The see if the Town will vote to amend the General Bylaws by amending Chapter 10, Roads and Driveways, Subsection 10.3, Maintenance of Private Ways,

10.3.4 Betterment charges shall be assessed and no cash deposit shall be required for
such repairs

or take any action relative thereto. **VOTED TO TAKE NO ACTION**

ARTICLE #2: To see if the Town will vote to raise, appropriate, borrow or transfer the sum of \$ 3700.21 to pay fiscal year 2017 bills, or take any action relative thereto. **PASSED**

ARTICLE #3: To see if the Town will vote to amend the Zoning Bylaws Section V. Dimensional Requirements and any corresponding sections to make the information consistent throughout the Zoning Bylaws, as follows

Table 2

	Minimum Dimensions	Minimum Yard Dimensions				Maximum Height of Buildings		Maximum % coverage of lots including accessory buildings
District	Area in sq. ft.	Frontage in ft.	Front in ft.	Side in ft.	Rear in ft.	No. of stories	Ft.	
	(a)	(a) (b)	(b) c)					
Residential	2 acres	200 100	25	20	30	2.5	35	30
Residential Non-residential uses	2 acres	200 100	25	20	30	2.5	35	30
Agricultural-Residential	3 acres 1.5 acres	300 100	40	40	40	2.5	35	20

Agricultural-Residential	3 acres 1.5 acres	300 100	25	10(d)	30	2.5	35	30
Non-residential uses								
Business (Residential Uses)	1 acre	200 100	25	10	20	2.5	35	40

or take any action relative thereto. 2/3 vote required **FAILED**

ARTICLE #4: To see if the Town will vote to amend the Zoning Bylaws Section V. Dimensional Requirements and any corresponding sections to make the information consistent throughout the Zoning Bylaws, as follows

District	Minimum Dimensions	Minimum Yard Dimensions				Maximum Height of Buildings		Maximum % coverage of lots including accessory buildings
		Frontage in ft.	Front in ft.	Side in ft.	Rear in ft.	No. of Stories	Ft.	
Residential District Estate Lot – (h)	5 Acres	50	50	20	50	3	40	
Agriculture District Estate Lot (h)	5 Acres	50	50	20	50	3	40	

or take any other action relative thereto. 2/3 vote required. **FAILED**

ARTICLE #5: To see if the Town will vote to amend the Zoning Bylaws by inserting the following addition to the “Footnotes to the Preceding Table 2” as follows:

(h) Estate Lots must be approved by Planning Board Site

Review Or take any other action relative thereto. 2/3 vote

required **TABLED**

ARTICLE # 6 To see if the town will vote to amend the General Bylaws Chapter 3, Town Meetings – Elections, Section 3.1 Dates of Meetings, by removing the stricken word and replacing it with the word following in bold to become effective May, 2018, or take any action relative thereto.

3.1.1 All business of the Annual Town Meeting, except the election of such

officers and the determination of such matters as are required by law to be determined by ballot, shall be considered on the ~~last~~ **third** Tuesday in May. **PASSED** **ARTICLE #7** To see if the Town will vote to amend the General Bylaws Chapter 3, Town Meetings – Elections, Section 3.4 Nominations Subsection 3.4.1, by removing the stricken words and replacing it with the words in bold, or take any other action relative thereto.

- 3.4.1 Caucus, town caucus for the nomination of candidates for town officers shall be held on the sixth Tuesday preceding the annual town meeting at ~~8:00~~ **7:00** o'clock in the evening. Such caucus shall be called by the selectmen and conducted in accordance with ~~Chapter 53, Section 121 of the General Laws~~. **G.L. c. 53, § 121. PASSED**

ARTICLE #8: To see if the Town will vote to allow the Board of Health to appoint one of the elected members to be a paid clerk for the Board of Health subject to funding and appropriation at Annual Town Meeting, or take any action relative thereto. **FAILED**

ARTICLE #9: To see if the Town will vote to allow the Conservation Commission to appoint one of the Commission members to be a paid clerk for the Conservation Commission subject to funding and appropriation at Annual Town Meeting, or take any action relative thereto. **VOTED TO TAKE NO ACTION**

ARTICLE #10: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission, Section 15.1, Declaration of Purpose, by removing the stricken words and symbols and adding the words and symbols in bold, or take any other action relative thereto,

The Holland Conservation Commission (HCC) was formed in 1976 with the primary function of administering the rules and regulations of the Massachusetts Wetland Protection Act – G.L. c. 131, § 40, and Regulations under 310 CMR 10.00. The Town of Holland hereby declares that it has interests in conservation issues that either, ~~are~~ beyond the Act, are not specific enough in the Act or must be more clearly defined by its bylaws The purpose of this chapter is to protect the wetlands, related water resources, wildlife habitat and the entire watershed area in the Town of Holland by controlling activities deemed by the HCC likely to have a significant or cumulative adverse effect upon the resource areas and the watershed area and deemed important to the community (collectively, the resource area values protected by this chapter). This chapter uses the Town's home rule authority to protect resource areas and values and establish standards and procedures in addition to those of the Wetlands Protection Act. **PASSED**

ARTICLE # 11: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.2 Jurisdiction by deleting the stricken through words and adding the words in bold following the stricken words, or take any other action relative thereto

- 15.2.1 Except as permitted by the HCC or as provided by this chapter, no person or persons shall remove, fill, dredge, build upon, degrade, discharge into or otherwise alter resource areas within 100 feet (referred to as the Buffer Zone) of any lakes, ponds ~~of any size, fresh water wetlands,~~ marshes, creeks, streams, brooks, ~~wet meadows, bogs, swamps, seasonal wetlands;~~ vernal pools, banks (at the normal high water mark), ~~reservoirs, ponds of any size, rivers, streams,~~ creeks, lands under water, bodies; lands subject to flooding or inundation by around water or surface water, and lands within 100 feet horizontally of any of the aforesaid resource areas ~~(The Buffer Zone) and upland areas within the watershed area of the Town of Holland (collectively known as the Resource Areas). Said Resource Areas shall be protected whether or not they border surface waters~~ or other areas specified in 310CMR10.02 (1)(a),

**and within the 200 foot Riverfront Area corridor on each side of a perennial stream.
PASSED**

ARTICLE #12: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.3 Conditional Exceptions, by inserting the words in 15.3.2 the following, and renumbering the remaining sections in 15.3 in conformity with the remaining bylaws, or take any other action relative thereto

15.3.2 The permit and application required by this bylaw shall not apply to emergency projects necessary for the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or the Town of Holland, for the limited purposes necessary to abate the emergency. PASSED

ARTICLE #13: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.4 Application, by adding the following new Subsections, or take any other action relative thereto

15.4.2 The HCC may deny permission for proposed activities within its jurisdiction if, in its judgment, such denial is necessary to preserve the environmental quality and to protect the wetlands, related water resources, wildlife habitat and the entire watershed area in the Town.

15.4.3 The HCC may, as an alternate to denial, impose such conditions as it deems necessary in accordance with the purpose of this Bylaw and may issue an Order of Conditions for the proposed activity to proceed. PASSED

ARTICLE #14: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, section 15.5.1, by deleting the current language in its entirety and replacing it with the following, or take any other action relative thereto

~~15.5.1 A plot plan of the area in which the project is to be executed, showing the Map, Block and Lot number of the property, the street address, an accurate position of the project with dimensions, distances to property lines, septic systems and wells~~

15.5.1 The application process is to be initiated with the ‘Procedure Sheet’ form from the Building Inspector that indicates that HCC review and approval is necessary for activities within a wetlands Buffer Zone or a Riverfront Areas. VOTED TO TAKE NO ACTION

ARTICLE #15: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements section 15.5.2 by deleting the current language in its entirety and replacing it with the words in bold, or take any other action relative thereto

~~15.5.2 A certificate of the Tax Collector that there is no current tax delinquency with respect to the lot or lots comprising the area in which the project is to be executed.~~

15.5.2 Written application shall be filed with the Conservation Commission to perform activities affecting resource areas protected by this bylaw. PASSED

ARTICLE #16: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements section 15.5.3 by adding the following words in bold, or take any other action relative thereto

- 15.5.3** A signed, written, accurate description of the project including method of construction, materials to be used, machinery involved, time frame for construction, mitigating measures and site access **is to be submitted. PASSED**

ARTICLE #17: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements section 15.5.4 by deleting the current language in its entirety and replacing it with the words in bold, or take any other action relative thereto

- ~~**15.5.4** In applications involving walls or structures, plan and side elevations with dimensions must be included~~

- 15.5.4** A Request for Determination of Applicability (RDA) is to be filed for small projects within the Buffer Zone or resource area that have minor impact; applicants, prior to completing the form are to review the HCC or MassDEP information sheet specific to filing an RDA. **PASSED**

ARTICLE #18: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.5 by deleting the current language in its entirety and replacing it with the words in bold, or take any other action relative thereto

- ~~**15.5.5** Applications may also be made, in writing, in the form of a Request for Determination of Applicability~~

- 15.5.5** Larger projects involving significant work generally require filing a Notice of Intent (NOI). An NOI is a more detailed permit application requiring professionally engineered plans, an Order of Conditions, notification of abutters and a public hearing. Applicants, prior to completing the form, are to review the HCC or MassDEP information sheet specific sheet-specific to filing an NOI. **PASSED**

ARTICLE #19: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.6 by deleting the current language in its entirety and replacing it with the words in bold, or take any other action relative thereto

- ~~**15.5.6** The HCC in an appropriate case may accept as the permit application and plans under this chapter, the Notice of Intent (NOI) and plans filed under the Wetlands Protection Act MGL Ch 131, Section 40 and Regulations 310 CMR 10.00~~

- 15.5.6** In applications involving walls or structures, plan and side elevations with dimensions must be included. **PASSED**

ARTICLE #20: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.7 by deleting the current language in its entirety and replacing it with the words in bold, or take any other action relative thereto

- ~~**15.5.7** The applicant of any application requiring the filing of a NOI and a public hearing, or in cases where the HCC deems it necessary, must notify abutting property owners of the filing date and date of the hearing at least seven days prior to the hearing. Evidence of such notifications will be required at the public hearing~~

- 15.5.7** RDA or NOI applications should be received by the HCC at least **14 days** prior to the desired public meeting or hearing date. **PASSED**

ARTICLE #21: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.8 by deleting the current language in its entirety and replacing it with the words in bold, or take any other action relative thereto

~~15.5.8 The HCC may require additional plans, documentation, drawings, etc, and if it so determines may require the physical staking out of the proposed project site~~

15.5.8 For an NOI, filings to the HCC and the Department of Environmental Protection (DEP) must be made at the same time and be identical in content. PASSED

ARTICLE #22: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.9 by deleting the current language and replacing it with the words in bold, or take any other action relative thereto

~~15.5.9 No applications will be accepted as complete unless and until all information requested is clearly and properly submitted~~

15.5.9 The application must be a signed, written, accurate description of the project showing the Map, Block and Lot number of the property and the street address. As appropriate, include method of construction, materials to be used, machinery involved, time frame for construction, mitigating measures and site access, a plot plan of the area in which the proposed project is to be executed, an accurate position of the project with dimensions, distances to property lines, septic systems and wells. PASSED

ARTICLE #23: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.10 by deleting the current language and replacing it with the words in bold, or take any other action relative thereto

~~15.5.10 Filings to the HCC and the Department of Environmental Protection (DEP) must be made at the same time and be identical in content~~

15.5.10 No applications will be accepted as complete unless and until all information requested is clearly and properly submitted. PASSED

ARTICLE #24: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.5 Application Requirements, Subsection 15.5.15 by replacing the stricken section with the words in bold, or take any other action relative thereto

~~15.5.15 No work may at all proceed~~ **shall be initiated** until an application has ~~received~~ **been approved by the HCC and all permits have been issued by the appropriate board or entity, if required. PASSED**

ARTICLE #25: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission, Subsection 15.5.15 by deleting the following language shown with a strike through, renumbering the existing sections and inserting the new section and language in bold, or take any other action relative thereto.

~~15.5.15.1 Written approval by the HCC fully describing the nature and location of the proposed project and either~~

15.5.15.1 A Determination of Applicability issued by the HCC within 21 days of receipt of a written Request for Determination A determination may be negative or positive and appropriate further action may be taken, or

15.5.15.2 All requirements of an NOI application must be met, including but not limited the Order of Conditions issued by the HCC

15.5.15.3 ~~An approved NOI with a DEP file number If it has been determined that an NOI is required, all the requirements of an NOI application must have been met, including but not limited to the Order of Conditions issued by the HCC and after the waiting period required by the act~~
PASSED

ARTICLE #26: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.6 General Provisions, Subsection 15.6.1 by adding a comma after the word “drainage” and before the word “to” the amended text to read as follows, or take any other action relative thereto

15.6.1 No person shall cause any solid or liquid matter, other than storm water drainage, to be dumped, poured, thrown or otherwise introduced into a water body or wetland resource area **PASSED**

ARTICLE #27: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.6 General Provisions, Subsection 15.6.3 by adding a period after the word “body” and before the word “No” the amended text to read as follows, or take any other action relative thereto:

15.6.3 No person may extend their property by means of filling or other method beyond the existing high water mark of a water body. No retaining, wall shall be placed below the high water mark of any water body **PASSED**

ARTICLE #28: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.6 General Provisions, Subsection 15.6.7 by replacing the stricken word with the word in bold, or take any other action relative thereto:

15.6.7 Only phosphate free ~~detergents~~ products may be used within the buffer zone **PASSED**

ARTICLE #29: To see if the Town will vote to amend the General Bylaws by deleting the following Subsection 15.6.8 in its entirety, or take any other action relative thereto:.

15.6.8 ~~No work as described in Section 2-a is to be executed within areas subject to the jurisdiction of the HCC, without the required permits~~ **PASSED**

ARTICLE #30: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.6 General Provisions, Subsection 15.6.9 by adding the words in bold, or act anything thereto

15.6.9 The applicant shall inform the HCC in writing of the termination of work at the project **and request a Certificate of Compliance (COC)**. Following a site visit, if required, and provided all requirements under the application have been met, the HCC shall Issue **the COC**. **PASSED**

ARTICLE #31: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.7 Violations & Enforcement, Subsection 15.7.1 by inserting the words in bold, or take any other action relative thereto

15.7.1 The HCC, its agents, officers and employees, shall have authority to enter upon privately owned land for the purpose of performing their duties under this chapter **and may make such examinations, surveys or sampling as the Commission deems necessary. PASSED**

ARTICLE #32: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.7 Violations & Enforcement, Subsection 15.7.2 by replacing the stricken words and inserting the words in bold, or take any other action relative thereto

15.7.2 The HCC may proceed against any person violating any provision of this chapter, **or any decision or regulation of the HCC pursuant to this chapter, by recommending civil and criminal court actions to the Selectmen. The authority to involve Town Counsel in civil or criminal court actions shall remain exclusively with the Select Board.** ~~Each day such violation continues after notice to the party concerned shall constitute a separate violation subject to a fine not to exceed \$50.00~~ ~~The HCC may also proceed pursuant to the provisions of MGL Ch 40, section 21D and impose a civil assessment of \$50.00 for each such violation~~ **PASSED**

ARTICLE #33: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.7 Violations & Enforcement, section 15.7 by adding a new Subsection 15.7.3 as follows, or take any other action relative thereto:

15.7.3 Any person who, after being issued an enforcement order, continues to violate this chapter, regulations thereunder or permit issued thereunder, shall be subject to a fine of \$100.00. Each day such violation continues after notice to the party concerned shall constitute a separate violation subject to a fine of \$100.00 per day. PASSED

ARTICLE #34: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.7 Violations & Enforcement, section 15.7 by adding a new Subsection 15.7.4 as follows, or take any other action relative thereto:

15.7.4 In the alternative to criminal prosecution, the HCC may elect to utilize the noncriminal disposition procedure set forth in G.L. c 40, § 21D.

or take any other action relative thereto. **PASSED**

ARTICLE #35: To see if the Town will vote to amend the General Bylaws, Chapter 15, Holland Conservation Commission Section 15.7 Violations & Enforcement, by adding Subsection 15.7.5 as follows, or take any other action relative thereto

15.7.5 The penalty associated with applications filed after work has been started or completed, or as the result of a violation and/or enforcement action, shall be \$200.00 in addition to all the normally incurred fees. PASSED

ARTICLE #36: To see if the Town will vote to delete the current Chapter 12 of the General Bylaws, entitled “Hamilton Reservoir / Lake Siog Regulations”, and replace it with the following “Chapter 12 Recreational Use of Inland Waters”, and further to authorize non-substantive changes to the numbering and lettering of the bylaw to conform with the current General Bylaw numbering scheme or take any other action relative there to.

Chapter 12

Recreational Use of Inland Waters

12.1. Purpose:

The rules contained herein are enacted for the purpose of guiding those who utilize for recreation the inland waters of the Town of Holland, by establishing regulations in order to ensure safety and to maintain the integrity of the water and its surroundings.

12.2. Authority:

In addition to the ordinances contained within this document, regulations are established and enforced pursuant the General Laws [G.L.], Code of Massachusetts Regulations [CMR], Federal Navigation Rules for Inland Waters [CFR], and Title 36 of U.S. Army Corps of Engineers Rules and Regulations.

12.3. Definitions:

12.3.1 Narrow - A narrow channel connecting two larger areas of water.

12.3.2 Cove - A small sheltered inlet.

12.3.3 Vessel - Watercraft of every description that is used or capable of being used as a means of transportation on water, whether in motion or at rest.

12.3.4 Power-driven Vessel - Any vessel propelled by machinery.

12.3.5 Personal Watercraft [PWC] - A vessel propelled by a water jet pump or other machinery as its primary source of motor propulsion which is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than being operated in the conventional manner by a person sitting or standing inside the vessel.

12.3.6 Headway Speed - The minimum speed at which a vessel may be operated and maintain steerage way, but not to exceed six [6] MPH, except in the case of a personal watercraft [PWC], which shall mean the slowest speed at which the watercraft may be operated and maintain steerage way and the operator shall be either kneeling or sitting.

12.4. General Guidelines:

12.4.1 All vessels shall be operated in a safe and courteous manner while maintaining safe speeds and distances which depend on the conditions at the time of operation. Conditions include but are not limited to, wind, water, visibility, traffic density, maneuverability and the proximity of navigational hazards, shorelines, swimming areas, docks, ramps, and other vessels.

12.4.2 No person shall operate any vessel or PWC in a manner which fails to exercise the degree of care necessary to prevent the endangering of life, limb, or property of any person. Any individual who is in violation may be considered to be operating in a negligent manner, regardless of it being a result of operator ignorance, inattention, indifference, or carelessness. Negligent operation includes but is not

limited to, those who operate at a speed of greater than 45 mph, those who operate erratically or at a high speed in a congested area, in fog or stormy conditions, while under the influence of alcohol or drugs, and near or through areas that are being utilized by swimmers or divers.

12.5 Regulations:

12.5.1 All power-driven vessels shall travel in a counter clockwise direction while operating on the waters of the Hamilton Reservoir.

12.5.2 All power-driven vessels shall yield right of way and allow proceeding with precedence, all swimmers and non power-driven vessels.

12.5.3 No power-driven vessel shall exceed headway speed while operating in narrows and coves, except in the case of a PWC, which shall be operated at the slowest speed possible to maintain steerage way while the operator is either kneeling or sitting. **AMENDED AS FOLLOWS: “...NARROWS, COVES AND IN THE AREA OF THE OUTLET OF THE QUINEBAUG RIVER, EXCEPT IN THE CASE...”**

AMENDMENT PASSED

12.5.4 On the waters of the Hamilton Reservoir, all power-driven vessel speed shall be limited to no greater than headway speed from sunset until sunrise, and shall be limited to no greater than 10 MPH until 11:00 am on Saturdays, Sundays, and on those days which are defined as a legal holiday by G.L. **AMENDED AS FOLLOWS: STRIKE “10 MPH” AND REPLACE WITH “6 MPH” AMENDMENT PASSED**

12.5.5 On the waters of Holland Pond, also referred to as Lake Siog, all power-driven vessel speed shall be limited to no greater than headway speed at all times.

12.5.6 No vessel shall tow more than two [2] persons simultaneously who are engaged in water skiing or who are in tow in any other manner.

12.5.7 All vessels engaged in towing persons who are water skiing or who are in tow in any other manner shall be occupied by an observer, other than the operator, at least 12 years of age, who shall be constantly observing the persons being towed.

12.5.8 All persons, to include Marina operators, who permit the launching of vessels from their property, shall provide refuse barrels or containers and sanitary toilet facilities for those who utilize their property for such purpose.

12.6. Restrictions:

12.6.1 No power-driven vessel shall engage in any type of racing activity.

12.6.2 No person operating a Personal Watercraft [PWC] shall tow any person in any manner.

12.6.3 No person shall discharge or dispose of raw sewage, garbage or any other debris into or upon inland waters.

12.6.4 No Personal Watercraft [PWC] shall be operated on the waters of Holland Pond, also referred to as Lake Siog.

- 12.6.5 No vessel equipped with toilets, cooking facilities or laundry facilities shall be authorized to be on inland waters. No Chlorinators of any kind shall be used.
- 12.6.6 No person shall carry or transport on any vessel, any open container as defined in G.L. c. 90 § 24, which contains an alcoholic beverage.
- 12.6.7 No person shall utilize the beach located on Pond Bridge Rd, [Parcel #15-G-1], for the purpose of launching a vessel, fishing in a designated swimming area, camping, to place camping equipment or to create any type of fire, to include fire for cooking, heating, or to dispose of material.
- 12.6.8 No person shall willfully deface, injure, move, alter, obstruct or interfere with any officially posted sign, signal, device or marking.
- 12.6.9 No person shall place, maintain or display upon or in view of inland waters any sign, signal, device or marking, which attempts to direct, alter or monitor the movement or speed of vessels, or which attempts to alter the regulations contained herein, to include the regulations referenced in Section 12, subsection 12.2 of this document.
- 12.7. Exemptions:
- 12.7.1 The provisions outlined in Section 12.5, subsection [12.5.1, 12.5.4 and 12.5.5] and section 12.6, subsection [12.6.4] of this document shall not apply to public safety personnel, to include authorized Army Corps of Engineers employees, who are engaged in the performance of their duties during situations which require a deviation from those regulations in order to safely and successfully complete their mission.
- 12.7.2 The Board of Selectmen shall be empowered to amend the provisions outlined in this document for the purpose of allowing authorized clubs to participate in and to practice for water ski shows.
- 12.7.3 The Board of Selectmen shall be authorized to place or cause to be placed signs, signals, devices and markings in the waters of and upon the lands surrounding the Hamilton Reservoir for the purpose of displaying ordinances pertaining to the utilization of such waterway.
- 12.7.4 Public safety personnel shall be authorized to place or cause to be placed signs, signals, devices and markings in the waters of and upon the lands surrounding the Hamilton Reservoir during situations deemed as an emergency, and in order to alert individuals to a potential hazard.
- 12.7.5 Pursuant to Title 36, Chapter 111, Part 327, the U.S. Army Corps of Engineers shall be authorized to place or cause to be placed, signs, signals, devices and markings in the waters of and upon the lands surrounding Holland Pond, also referred to as Lake Siog.
- 12.7.6 The placement of signs, signals, devices and markings upon the lands surrounding the Hamilton Reservoir for the purpose of deterring access and use prior to and during times of chemical treatment in order to ensure that the application of such chemical is successful, shall be authorized.
- 12.7.7 The placement of signs, signals, devices and markings upon the lands surrounding The Hamilton Reservoir and Holland Pond for the purpose of restricting access and use during times that the condition of the water may endanger public health, shall be authorized.

12.7.8 The provisions outlined in this section shall not apply to those waters which are less than 10 acres and privately owned.

12.8. Enforcement:

12.8.1 It shall be the responsibility of the Police Department and authorized police employees to conduct enforcement with impartiality and reasonableness, while taking into account safety, precedence of their assignment and the scope of resources at the time of enforcement.

12.8.2 Police employees shall be authorized to issue a non-criminal citation pursuant to G.L. c. 40 § 21D in the amount of twenty five dollars [\$25.00], to those who violate the regulations outlined in section 12.5, subsection [12.5.1 thru 12.5.6, and 12.5.8], and the restrictions outlined in section 12.6, subsection [12.6.3 thru 12.6.9].

12.8.3 Police employees shall be authorized to inspect any vessel at any stage of or during the initiation of a voyage for the purposes of ensuring said vessel contains the proper equipment and is properly registered.

12.8.4 In addition to a non-criminal citation, The Chief of Police or his/her designee shall be authorized to remove or cause to be removed every sign, signal, device or marking which is in violation of section 12.6, subsection 12.6.9, without notice and at the expense of the violator for any cost incurred for the process of removing such sign.

Or take any other action relative thereto. **PASSED AS AMENDED**

ARTICLE #37: To see if the Town will vote to amend Chapter 9 section 9.2, Parking Regulations and Regulations of Traffic Signs, Signals and Devices, section 9.2.4. Restrictions, subsection 9.2.4.5 of the General Bylaws of The Town of Holland, by deleting the following:

~~9.2.4.5 With the exception of vehicles, trailers and vessels utilized by public safety personnel in the course of their duties, no vehicle trailer or vessel shall be parked and left unattended on any portion of parcel identification number R02-A-30/31, (boat ramp and contiguous land located off Shore Drive, which is under the control of the town)~~ **PASSED**

ARTICLE #38: To see if the Town will vote to amend the General Bylaws, Chapter 9 section 9.2, Parking Regulations and Regulations of Traffic Signs, Signals and Devices, section 9.2.3 “Vehicles Parked in Violation; Removal Authority”, subsection 9.2.3.2 by replacing the stricken word with the word in bold, or act anything thereto

9.2.3.2 The Chief of Police or other officers within the Police Department as he/she may from time to time designate, shall be authorized to close temporarily, without notice, any portion of any way, or any portion of any property under the control of the town, and/or prohibit temporarily, without notice, the parking of any vehicle or trailer on any portion of any way, or on any portion of any property under the control of the town, in preparation of an ~~impeding~~ **[impending]** emergency, during an existing emergency, for lawful assemblage, demonstration or procession, or in the event of extraordinary circumstances, such as but not limited to, severe weather events, provided there is reasonable justification for such restriction. (MUTCD 2003 ARTICLE II Section 2-2; 2- 3). **PASSED**

ARTICLE #39: To see if the Town will vote to amend the General Bylaws, Chapter 9 section 9.2, Parking Regulations and Regulations of Traffic Signs, Signals and Devices, section 9.2.9 Penalties, subsection 9.2.9.2, by replacing the stricken section with the words in bold, or act anything thereto

9.2.9.2 Provisions for the disposition of violations of the parking regulations outlined in this document

<u>Section</u>	<u>Sub-Section</u>	<u>Description of Violation</u>	<u>Fine Amount</u>
IV	a, b	Obstruction of a Way	\$25.00
IV	c, d	Abandoned Vehicle or Trailer	\$25.00
IV	e, f, g	Parking Zone Restriction	\$25.00
IV	h	Handicapped Zone Restriction	\$300.00
IV	i -	Bus Stop Zone Restriction	\$100.00
IV	j -	Fisherman's Landing Restriction	\$100.00

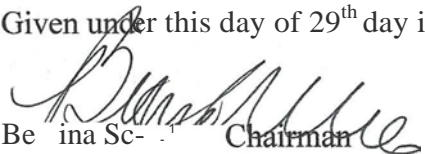
Replace with:

<u>Section</u>	<u>Sub-Section</u>	<u>Description of Violation</u>	<u>Fine Amount</u>
9.2.4	.1, .2	Obstruction of a Way	\$25.00
9.2.4	.3	Abandoned Vehicle or Trailer	\$25.00
9.2.4	.4, .5	Parking Zone Restriction	\$25.00
9.2.4	.6	Handicapped Zone Restriction	\$300.00
9.2.4	.7	Bus Stop Zone Restriction	\$100.00
9.2.4	.8	Fisherman's Landing Restriction	\$100.00
9.2.5	.1, .2	Temporary Restriction	\$25.00

Or take any action relative thereto. **PASSED**

Hereof fail not, and make due return of this warrant, with your doings thereon, to the Town Clerk, at a said time and place meeting, as fore said.

Given under this day of 29th day in August in the year of our Lord Two Thousand and Seventeen.


Beina Scott Chairman Constable

Elias Gillen A True Copy, Attest:


Lawrence Mandell Sharon Ashleigh
Town Clerk