



**WARRANT ARTICLES
Town of Pelham
Fall Special Town Meeting
Monday October 21, 2019, 7:00pm
Historic Old Town Hall**

Hampshire, ss.

To one of the Constables of the Town of Pelham, in said County.

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Pelham, Massachusetts, qualified to vote in the Town affairs to meet in the Pelham Historic Old Town Hall, located at the intersection of Route 202 and Amherst Road in said Pelham on Monday, the 21st day of October, in the year A.D. 2019 at 7:00 pm for the reading of the Town Warrant and to proceed with the meeting.

Article 1.

To see if the Town will vote to adopt the following Enforcement By-Law, to be added as a new Article in Chapter 1 of the Pelham Code, or take any other action relative thereto:

Any by-law of the Town of Pelham, or rule or regulation of its officers, boards or departments, the violation of which is subject to a specific penalty, may, in the discretion of the Town official who is the appropriate enforcing person, be enforced in the non-criminal disposition method provided in Section 21D of Chapter 40 of the Massachusetts General Laws. The non-criminal penalty for each violation, if not otherwise specified in such by-law, rule or regulation, shall be \$75 for the first violation, \$125 for the second violation, and \$175 for the third and subsequent violations. Each day that a violation exists shall constitute a separate offense.

“Enforcing person” as used in this by-law shall mean: Town of Pelham police and fire chiefs or their designees; the Building Inspector and his/her designee; the members of the Board of Health, its Health Agent or other designee; the Conservation Commission; the Planning Board; the Zoning Board of Appeals; the Select Board or its designee; and such other officials as the Select Board from time to time designate, each with respect to violation of by-laws, rules, and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be an enforcing person with respect thereto.

Article 2.

To see if the Town will vote to amend the Code of Pelham Chapter 170 section 170-1, by adding the following sentence, or take any other action relative thereto: “Whenever a two-thirds vote is

required on any matter and whether such quantum of vote is required by state statute, Town bylaw, by rules of parliamentary procedure, or otherwise, the Moderator may, without an actual count, declare that such matter has been adopted by a vote of 2/3 of the number of persons present and voting.

This method can only be used for a 2/3rds vote. If the vote is unanimous, a count need not be taken.

Karen Willard-Ribeiro, Chair Karen Willard Ribeiro

Robert Agoglia, Vice-Chair MMR

Signed by the Board of Selectmen October 2, 2019

Posted: 10/7, 2019
Fire Station/Police Station and Rhodes Building

Constable Alex Thomson