

**Town of South Hadley
Changes to Bylaws Made During Codification Project**

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General Changes

Throughout the bylaws, the following general changes were made:

1. “Town” was uppercased when referring to the Town of South Hadley.
2. The term “by-law” or “By-law” or “By-Law” was changed to “bylaw.”
3. Statutory citations were standardized in the following format: MGL c. ____, § ____.
4. Numbers were cited in the following format: numbers one through nine appear in text format only; numbers 10 and above, fractions, decimals and percentages are cited in numeric format only.

Material Not Included in Code

1. Original Article XII of the 2005 Bylaws, which included a reference statement to Department of Public Works bylaws and regulations available from the office of the Town Clerk, has not been included in the 2017 Code. The DPW regulations are included in Chapter 315 of the new Code.
2. Original Article XIII of the 2005 Bylaws, including a reference statement to telecommunications bylaws and regulations available from the office of the Town Clerk, has not been included in the 2017 Code.
3. Original Article XIV of the 2005 Bylaws, which included a reference statement to Board of Health bylaws and regulations available from the office of the Town Clerk, has not been included in the 2017 Code. The Board of Health Regulations are included in Chapter 300 of the new Code.

Derivation Table

A Derivation Table included as a reference table at the end of the Code shows where Articles and Sections from the 2005 Bylaws have been included in the 2017 Code.

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*The following additional substantive changes have been made at the direction of the Town. Chapter and section references are to the bylaws as they appear in the Final Draft of the Code. Additions are shown with **boldfaced, underlined text**; deletions are shown with ~~strike-through text~~.*

Chapter 1, General Provisions

1. Section 1-1 was amended to delete the following provisions regarding “Citation form”: *These bylaws may be cited in the following form: (e.g., SH Bylaws, Article I, Section 100.2).*
2. In § 1-2, the definition of “department” was amended as follows:

DEPARTMENT – A board, committee and commission **of the Town** and any office thereof.
3. In § 1-2, the definition of “Town officer” was amended as follows:

TOWN OFFICER – Any individual, either elected or appointed, serving as a member of any committee, board, authority, or trusteeship **of the Town**.
4. Section 1-6, Violations and penalties, was amended to increase the maximum penalty amount from “not exceeding \$300” to “not exceeding **\$600**” in accordance with MGL c. 40, § 21.

Chapter 7, Boards, Commissions and Committees

1. Section 7-5, Conservation Commission, Subsection C, was amended as follows:
 - C. Associate members. The Selectboard shall also appoint **up to** two associate non-voting members to the Conservation Commission for a term not to exceed three years. Failure to have served as an associate member shall not constitute a disqualification for appointment to fill a vacancy in the Conservation Commission.
2. Section 7-14, South Hadley Cultural Council, Subsection B, was amended to add the following sentence:
 - B. Membership and term. The Council shall consist of not fewer than five members and not more than nine members, each of whom shall be appointed for a term of three years. A person is not eligible to be appointed to more than two consecutive terms, but may be reappointed after a one-year interval. **The Selectboard may also appoint up to two associate non-voting members for terms not to exceed three years.**
3. Section 7-15, Board of Appeals, Subsection A, was amended as follows:
 - A. Duties. The Board of Appeals shall perform duties as enumerated in the laws of the commonwealth ~~and the Town Charter~~.
4. Section 7-25, Appropriations Committee, Subsection B, was amended as follows:
 - B. Appointment; membership; term; organization. The Town Moderator shall appoint the Appropriations Committee. The Appropriations Committee shall consist of nine members, all of whom shall be voters in the Town, but none of whom shall hold an elective Town office other than Town Meeting member. Each member shall be appointed for a term of three years, with 1/3 of the Committee appointed annually. In the event of a vacancy by removal, resignation or otherwise, the **Moderator shall fill the vacancy in accordance with Chapter 72, Article III, of the Town Code.**

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~~remaining Committee members may fill the vacancy for the balance of that term.~~
The committee shall elect a Chair and Secretary at the first committee meeting after the Annual Town Meeting.

Chapter 39, Officers and Employees

Section 39-1 was amended as follows:

A Town Administrator may be appointed **by the Selectboard** pursuant to MGL c. 41, § 108N, for a term not to exceed five years. The Town Administrator shall serve as the chief administrative officer under the direction of the Selectboard, shall perform the duties that are assigned to the Town Administrator by the Selectboard, and shall not perform any function that has not been approved for the Town Administrator by the Selectboard.

Chapter 61, Records and Reports

Section 61-2 was amended to replace the reference to the Open Meeting Law formerly in MGL c. 39, § 23B – which was repealed in 2009 – with the current citation: MGL c. 30A, §§ 18 through 25.

Chapter 72, Town Meetings

1. Section 72-8, Voting members, was amended to delete references to a Town Charter as follows:

Those entitled to vote at an Annual or Special Town Meeting on any article in a warrant are only the elected Town Meeting members ~~and such ex officio members as are set forth in the Town's Charter~~ (hereinafter the "voting members").

2. Section 72-19, Dissolution and adjournment of meetings, was amended as follows in light of 2014 amendments to MGL c. 39, § 10A:

No Annual or Special Town Meeting shall be dissolved until all of the articles contained in the warrant for such meeting shall have been acted upon. No Town Meeting may be adjourned unless the date, time and location of the adjourned meeting are publicly stated at the time of postponement **or, in the event of inclement weather or other public safety emergency, in accordance with MGL c. 39, § 10A.**

Chapter 105, Alarm Systems

1. Regulations regarding audible alarms were moved from original Section 804.1, Definitions, into an independent § 105-2.
2. Section 105-3, Violations and penalties, was amended as follows:

After the Police Department has recorded three separate false alarms, be they audible or otherwise, within a calendar year, the alarm user shall be assessed the following fees:

- A. For the fourth false alarm **within that calendar year**: \$25.
- B. For the fifth and subsequent false alarm(s) **within that calendar year**: \$50.

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Chapter 110, Alcoholic Beverages

Sections 110-1 and 110-2 were amended to delete the separate penalty provisions in favor of a new § 110-4, Violations and penalties. The new section includes the text of the penalties formerly found in §§ 110-1 and 110-2 but increases the penalty from “not more than \$50” to “not more than **\$300**” in accordance with MGL c. 40, § 21.

Chapter 115, Amusement Devices

1. A new § 115-1, Definitions, was added to define “automatic amusement device” as follows:

AUTOMATIC AMUSEMENT DEVICE – Any mechanism whereby, upon the deposit therein of a coin or token, any apparatus is released or set in motion or put in a position where it may be set in motion for the purpose of playing any game involving, in whole or in part, the skill of the player, including, but not exclusively, such devices as are commonly known as "pinball machines," include free-play pinball machines, but not including slot machines as defined in MGL c. 23K.

2. Section 115-2 was amended as follows:

In accordance with MGL c. 140, § 177A, as amended from time to time, any individual or business desiring to keep and operate an automatic amusement device for hire, gain or reward shall secure an annual license from the Selectboard. ~~The term “automatic amusement device” as used in this bylaw shall refer to mechanical and electrical devices.~~ No license shall be granted for any automatic amusement device which presents a risk of misuse as a gaming device, and no person shall operate or allow the operation of an automatic amusement device which presents a risk of misuse as a gaming device. Automatic amusement devices which present a risk of misuse as gaming devices are those devices which simulate actual gaming or actual gaming devices and games which involve matching of random numbers, patterns or color combinations. Any change of automatic amusement devices shall be subject to inspection as well as relicensing if the new devices are materially different from the devices originally licensed. All premises designated on a license for automatic gaming devices granted by the Selectboard shall be subject to inspection by the South Hadley Police Department to ensure conformance with the submitted application information and the provisions of this section.

Chapter 123, Buildings, Numbering of

Section 123-1 was amended to change “Building Commissioner” to “Inspector of Buildings,” which is the term otherwise used in this chapter, as follows:

The ~~Building Commissioner~~ **Inspector of Buildings**, in cooperation with the Board of Assessors, shall determine and designate numbers for all buildings abutting upon or adjacent to a street as s/he may deem appropriate for the public convenience using the criteria set forth in this chapter.

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Chapter 141, Fees and Charges

1. Section 141-1, Landfill tipping fees, was amended to change “committee” to “committed” to correct an apparent misspelling as follows:

If a landfill (transfer station/recycling area only) tipping fee remains unpaid after six months from the due date, it shall become a municipal charge lien pursuant to the provisions of MGL c. 40, § 58. If the bill(s) remains unpaid when the Assessors are preparing a real estate tax list and warrant to be ~~committee~~ **committed** under MGL c. 59, § 53, the board or officer in charge of the collection of the municipal fee or charge shall certify such charge or fee to the Assessors, who shall add such to the tax bill on the property to which it relates and commit it with their warrant to the Tax Collector as part of such tax bill.

2. Section 141-2, Trash collection fees, was amended to change “Tax Collection” to “Tax Collector” to correct an apparent misspelling as follows:

If a trash collection fee remains unpaid after six months from the due date, it shall become a municipal charge lien pursuant to the provisions of MGL c. 40, § 58. If the bill(s) remains unpaid when the Assessors are preparing a real estate tax list and warrant to be committed under MGL c. 59, § 53, the board or officer in charge of the collection of the municipal fee or charge shall certify such charge or fee to the Assessors, who shall add such to the tax bill on the property to which it relates and commit it with their warrant to the Tax **Collector** ~~Collection~~ as part of such tax bill.

Chapter 145, Firearms and Weapons

Section 145-2 was amended to change “grandchildren” to “grandparents” as follows:

No person shall discharge an air, pellet, paint-ball or other weapon used to shoot projectiles on Town-owned land, public ways, or on private property other than said person’s own property or the property of the person’s parents, children, **grandparents** ~~grandchildren~~ or their respective spouses without permission of the owner of the land upon which discharge of such weapons will take place.

Chapter 158, Junk and Secondhand Dealers

Section 158-6, Hours of operation, was amended as follows:

The keeper of the shop licensed pursuant to § 158-1 shall not have the same open for the transaction of business except during the time between 7:00 a.m. and 9:00 p.m. of each ~~weekday~~ **day**, and no keeper of such junk or no junk collector shall purchase any of the articles aforesaid except during such hours.

Chapter 166, Licenses and Permits

Section 166-2, Denial, revocation or suspension for failure to pay municipal taxes or charges, Subsection D, was amended to delete the reference to MGL c. 40, § 57, regarding bicycle permits, which was repealed in 2008.

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Chapter 171, Lighting, Outdoor

1. This chapter was amended to change “luminaries” to “luminaires” throughout.
2. Section 171-2C was amended to change “Traffic and Sign Committee” to “Traffic Sign Committee.”
3. Section 171-4A was amended to correct an apparent spelling error by changing “accepted” to “excepted” as follows:
 - A. Prior to installation of any outdoor lighting subject to this chapter, the applicant must obtain a permit from the Selectboard, unless ~~accepted~~ **excepted** pursuant to § 171-2 or waived pursuant to § 171-3. To obtain such a permit, the applicant must submit an application on forms set forth by the Selectboard along with any required application fee and plan(s) containing at least the information required by § 171-5. The number of plans and the scale of plans to be submitted shall be as set forth by the Selectboard.

Chapter 179, Nuisances

Section 179-1, Dead animals and offensive substances, was amended to correct an apparent spelling error by changing “of” to “or” as follows:

Dead animals will be removed by the Board of Health and/or the Town Department of Public Works. No person shall place or cause to be placed or left in or upon any public or private street or way, enclosure or grounds, or in any body ~~of~~ **or** stream of water within the limits of this Town, the body of any dead animal, fowl, or any substance or material that is or may become offensive or cause a nuisance, or may tend to obstruct the flow of any stream.

Chapter 190, Peddling and Soliciting

1. Section 190-1A, listing requirements for a certificate of registration for commercial solicitation, was amended to delete the following: *Name and home and business address of applicant(s)*. See Subsection A(1), which includes a similar requirement.
2. Section 190-7, Violations and penalties, was amended to increase the maximum penalty from “not more than \$200” to “not more than **\$300**” in accordance with MGL c. 40, § 21.

Chapter 194, Pets and Domesticated Animals

Section 194-1, Removal of waste, was amended as follows:

- A. The owner of a pet/domesticated animal shall be responsible for the removal of any fecal matter deposited by his/her pet(s)/domesticated animal(s) on public walks, recreation areas, private property **of another** and trails on property under the jurisdiction of the Conservation Commission. The term "owner" as used in this section shall include the person(s) who control(s) the pet/domesticated animal.
- B. The owner accompanying a pet/domesticated animal in a public walk, street, recreation area or private property **of another** shall possess the means of removal of any fecal matter deposited by the pet/domesticated animal. For purposes of this

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section, the means of removal shall include any tool, implement or other device carried for the purpose of picking up and containing such fecal matter. Disposal shall be accomplished by transporting such fecal matter to a place suitable for the disposal of pet/domesticated animal fecal matter or otherwise as designated as appropriate by the Director of the Board of Health.

Chapter 200, Stormwater Management

1. Section 200-5, Exemptions, Subsection D, was amended as follows:
 - D. Developments that ~~do not~~ disturb less more than one acre of land, provided that they are not part of a larger common development plan;
2. Section 200-15, Fees, Subsection A, was amended to add apparently missing text as follows:
 - A. The application fee shall be paid in full along with the application required under this bylaw.
3. Section 200-15B was amended to complete the incomplete statutory citation as follows: MGL c. 44, § 53G.

Chapter 230, Vehicles

1. Section 230-3, Bicycles, was amended as follows:

~~Any person operating a bicycle shall obey the instructions of official traffic signals, signs, and other control devices applicable to motor vehicles, unless otherwise directed by a police officer. The bicycle operator shall, by hand, signal his or her intention to stop or turn. The operator shall not carry another person on said bicycle, except on a baby seat attached to the bicycle, provided that such seat is equipped with a harness to hold said person secured in the seat and protection is provided against the feet of said person hitting the spokes of the wheel of the bicycle.~~

~~During the period from one-half hour after sunset to one-half hour before sunrise, the operator shall display at the front of his or her bicycle a lamp emitting a white light visible from a distance of at least 500 feet, and at the rear of said bicycle either a lamp emitting a red light or a red reflector visible for not less than 600 feet when directly in front of lawful lower beams of headlamps on a motor vehicle. The operator shall display on each pedal of his or her bicycle a reflector, or around each ankle reflective materials, visible for a distance of 600 feet. This clause shall not prohibit a bicycle or its operator to be equipped with lights or reflectors in addition to those required herein. A generator-powered lamp which emits light only when the bicycle is moving shall meet the requirements of this clause.~~

All bicycle operations and operators will comply with and meet all standards and regulations set forth in MGL c. 85, § 11B. Furthermore, no operator will allow a passenger; however, an operator may transport a child in a Consumer Product Safety Commission approved helmet and properly installed carrier seat and act in a safe and prudent manner at all times. No infant under the age of one may be transported at any time.

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2. Article IV, Traffic, was amended to change “Massachusetts Highway Department” to “Department of Transportation” throughout.
3. Section 230-9, Operation of motor vehicles, Subsection C, was amended as follows in accordance with MGL c. 89, § 2:
 - C. Operator of passed vehicle to give way. The driver of a vehicle when about to be overtaken and passed by another vehicle approaching from the rear shall give way to the right in favor of the overtaking vehicle, on **visible** ~~suitable and audible~~ signal ~~being given by the driver of the overtaking vehicle~~, and shall not increase the speed of his or her vehicle until completely passed by the overtaking vehicle.
4. Section 230-9 was amended to delete provisions regarding funerals and other processions (original Section 901.12). See now MGL c. 84, § 14A.
5. Section 230-11, Parking, Subsection B(2), was amended to correct the statutory citation, changing it from “Section 120D of Chapter 266” to “MGL c. 40, § 22D.”
6. Section 230-12, Snow removal, Subsection A(2)(b), was amended to change “Massachusetts Department of Public Utilities” to “Massachusetts Department of Transportation.”

Chapter 255, Zoning

1. Section 255-10, Terms defined, was amended to delete the definition of “coverage, lot” in light of the definition of “coverage, building” added at the 11-12-2014 STM.
2. In § 255-10, the definition of “family” was amended as follows:

FAMILY – One or more persons occupying a dwelling unit and living as a single housekeeping unit.

 - A. A family shall not exceed four persons not related by blood or marriage.
 - B. **Notwithstanding the above, a family shall be deemed to include a group residence, limited, further defined as a premises licensed, regulated, or operated by the Commonwealth of Massachusetts or operated by a vendor under contract with the commonwealth for the residential living, care, or supervision in any single dwelling unit of five or more mentally ill or mentally retarded persons or persons with disabilities.**
3. In § 255-10, the definition of “lodging house” was amended to change “second of kindred” to “second degree of kinship” as follows:

LODGING HOUSE – A residence where lodgings are let to five or more persons not within the ~~second of kindred~~ **second degree of kinship** to the person conducting the house and which does not contain a public dining room or cooking facilities in any rented sleeping room.
4. In § 255-10, the definition of “principal building” was amended as follows:

PRINCIPAL BUILDING – **The building in which the principal use on the premises takes place.** ~~The primary use to which the premises are devoted, and the main purpose for which the premises exist.~~
5. Original Section 5(C), Symbols, was deleted. The symbols pertaining to the Use Regulations Schedule are now found in the Schedule included as an attachment to Chapter 255, Zoning.

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6. Section 255-22, Home occupations, was amended to delete the following provisions from Subsections D and E:

The home occupation is conducted only by residents of the dwelling unit.

7. In § 255-23, Subsection B, the definition of “principal building” was amended as follows:

PRINCIPAL BUILDING – **The building in which the principal use on the premises takes place.** ~~The primary use to which the premises are devoted, and the main purpose for which the premises exist.~~

8. Section 255-27, Conversion of single-family dwelling to two-family dwelling, was amended as follows:

- A. In conformance with the provisions of Article IX, and subject to the additional requirements described herein, the special permit granting authority may approve a special permit allowing for a single-family dwelling or other suitable structure to be altered and improved and facilities added for a second housekeeping unit on a lot, in such districts where permitted under the Use Regulations Schedule included as an attachment to this chapter.

~~In all such cases, the petitioner, as part of the application for such permit, shall present adequate plans setting forth the changes and improvements to be made, and shall have secured the written consent and approval of at least (3) of the following owners: The owner of the lot on either side of the petitioner’s property, the owner of the lot adjacent in the rear of the petitioner’s property; and the owner of the lot directly across the street therefrom. Where the petitioner is the owner of a lot on either side, in the rear or across from the property for which such a special permit is requested, and approval shall be secured from the owner of the property adjacent in the rear of the petitioner’s property, the owner of the lot which abuts the greater length on the petitioner’s property shall be deemed “owner of the lot adjacent in the rear of the petitioner’s property” as used in the second clause of the first sentence of this paragraph.~~

- B. ~~In the case of an application for a special permit involving a dwelling situated on a corner lot or so located that the above enumerated is unreasonable or impossible, the special permit granting authority may approve such permit, provided that the consents of the property owners are obtained substantially in accordance with the principles herein set forth. The power to approve such permit for conversion to a two-family dwelling shall be within the sole discretion of the special permit granting authority, and no such permit shall be approved unless it shall be clear that the use requested is for the best interests of the vicinity and in harmony with the general purposes and intent of the bylaw. Each case shall be considered on its own merits and no case shall raise a presumption in favor of any other case.~~

9. Section 255-29A(1) was amended as follows:

- (1) Entrances or exits to **the Town’s** public ways ~~of the Town~~ shall be approved by the **Planning Board based on recommendations from the Director of Public Works Board of Public Works** as to locations and construction, and shall be designed to minimize potential traffic hazards.

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10. The following definitions, originally found in § 255-31, Flexible development, Subsection C, duplicated those already found in § 255-10, Definitions, and were therefore removed from § 255-31:

BASE NUMBER OF DWELLING UNITS

FIFTY-FIVE AND OVER COMMUNITY

FLEXIBLE DEVELOPMENT

SCENIC VIEWS

SIGNIFICANT TREE

ZERO LOT LINE HOUSING

11. Section 255-35, Water Supply Protection District, Subsection E(1)(b), was amended to correct the Code of Massachusetts Regulations citation, changing it from 301 CMR 30.390 to **310** CMR 30.390.
12. Section 255-35E(5)(b) was amended to correct the CMR citation, changing it from “527 CMR 9.00” to “527 CMR **1.00**.”
13. Section 255-35F(4) was amended to correct the CMR citation, changing it from “(333 CMR 1-12)” to “(333 CMR 1 through **14**).”
14. Section 255-35F(5) was amended to correct the CMR citation, changing it from “333 CMR 10.03 (30.31)” to simply “333 CMR 10.03.”
15. Section 255-36, Flag lots, Subsection O, was amended to change “shown as Illustrations Type 1-4 in Appendix A” to “shown as Illustrations Type **1-2** in Appendix A.”
16. Section 255-40, Wireless communications regulations, Subsection D(1), was amended as follows:
- (1) Police, fire, ambulance, antennas and associated towers and equipment for the internal use of either the Town’s DPW or either **Fire** District and other similar emergency dispatch; and
17. Section 255-41, Outdoor recreation facilities, Subsection B(1), was amended as follows:
- (1) Outdoor recreation facilities may be permitted, subject to compliance with the mandatory standards, conditions and requirements for a special permit and site plan review as well as the conditions set forth in this section. **Only Such outdoor recreation facilities may only include** miniature golf facilities (up to 36 holes) and batting cages may be permitted as outdoor recreation facilities.
18. Section 255-42, Adult entertainment uses, Subsection I(7), was amended as follows:
- (7) Illumination of parking areas. All parking areas associated with the adult use shall be illuminated. Said illumination shall be designed, installed, and operated so as to **conform to the requirements of Chapter 171, Lighting, Outdoor, of the General Bylaws.** ~~be contained on the property.~~ The Planning Board may, as a condition of the special permit, restrict the hours of illumination **beyond the restrictions set forth in Chapter 171.**

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19. Section 255-42N was amended as follows:

- N. Duration of special permit. A special permit for an adult entertainment use shall expire 12 months ~~after~~ from its date of issuance and shall be renewable upon submittal of a written request for such renewal.

20. Section 255-44, Gas-to-energy facilities, Subsection B was amended as follows:

- B. Proximity to residences. The gas-to-energy facility must be located no less than 500 feet from residential dwellings in existence at the time the special permit was granted. This distance is measured ~~within~~ from the perimeter of the gas-to-energy facility to the perimeter of the structure in which the dwelling is located and not from the limits of either property boundary.

21. Section 255-46, Medical marijuana facilities and operations, Subsection A(2), was amended as follows:

- (2) Subject to the provisions of this Zoning Bylaw, Chapter 40A of the Massachusetts General Laws, and 105 CMR 725.000, MMTTC and **off-site medical marijuana dispensaries (OMMD)** will be permitted to provide medical support, security, and physician oversight that meet or exceed state regulations as established by the Massachusetts Department of Health (DPH).

22. Section 255-47, Multifamily and multiple dwellings, Subsection F(1), was amended as follows:

- (1) Such use is identified as being ~~as~~ allowed within the subject zoning district ~~in~~ by the Use Regulations Schedule included as an attachment to this chapter; and

23. Section 255-83, Visual clearance, was amended to change “jointing points” to “joining points” to correct an apparent misspelling as follows:

Between the lines of streets intersecting at an angle of less than 135 degrees and a line ~~jointing~~ **joining** points on such lines of 10 feet distant from that point of intersection, no building or structure may be erected and no vegetation maintained between a height of 2 1/2 feet and a height of eight feet above the plane through their curb grades.

24. Section 255-89, Private swimming pools, was amended to delete original Subsection 2, Fencing, the provisions of which are addressed by the State Building Code.

25. Section 255-91, Floodplain regulations, Subsection D(2), was amended to delete the reference to a specific section of the State Building Code that was no longer accurate:

- (2) Such building or structure shall be designed and constructed to meet the structural design requirements for floodproofing as specified in ~~Section 748.2 of the~~ Massachusetts State Building Code, as amended, up to an elevation not less than two feet above the elevation of the floodplain limits. Working plans and specifications bearing the seal of a registered architect or engineer shall be submitted to the Planning Board and the Building Commissioner to verify that the proposed construction will withstand flood conditions as set forth in said State Building Code.

26. Section 255-91G(1)(b) was amended to change “Department of Environmental (DEP)” to “Department of Environmental **Protection** (DEP).”

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27. Section 255-133, Repetitive petitions, was amended to change “Planning Board” to “Board of Appeals” as follows:

No petition or application for a special permit under this article which has been unfavorably acted upon by the SPGA shall be considered on its merits by said SPGA within two years after the date of such unfavorable action, except with the consent of all members of the **Board of Appeals.** ~~Planning Board.~~

28. Section 255-141B was amended to increase the penalty amount from \$200 to \$300 in accordance with MGL c. 40A, § 7.

29. Section 255-146, Application; fee, was amended to correct the statutory citation as follows:

Each application for site plan review shall be submitted to the Planning Board on the appropriate form. The Planning Board shall adopt rules and regulations setting forth the application requirements. As part of the Planning Board’s fee schedule, the Board shall require an application fee with each submission sufficient to cover any expenses connected with the public hearing and review of plans. A special municipal account under ~~MGL c. 53, § 44G~~ **MGL c. 44, § 53G** may be required as determined by the Planning Board.