

BROOKFIELD TOWN WARRANT
SPECIAL TOWN MEETING, AUGUST 11, 1975

A

THE COMMONWEALTH OF MASSACHUSETTS

WORCESTER ss.

To either of the constables of the TOWN OF BROOKFIELD in the county
of WORCESTER GREETING.

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and Town affairs, to meet at the TOWN HALL in said TOWN on ~~MONDAY~~ the 11th day of AUGUST next, at 8:00 o'clock in the EVENING, then and there to act on the following articles:-

Meeting opened at 8:10 P.M. 31 Voters present

ARTICLE 1. To see if the Town will vote to amend Article 3 of the Annual Town Meeting held on Friday, May 9, 1975 only by deleting the Section Numbers 1, 2, 3, 4, 5, 6, 7, 8, and 9 and inserting therefor Section Numbers 1.0, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, and 1.8 so that the By-Law will read:

BY-LAW - DOGS

SECTION 1.0 DEFINITION OF TERMS

As used in this By-Law, unless the context otherwise indicates

- (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) "Public nuisance" - ANY dog shall be deemed a public nuisance if such dog is found to be not on the premises of the owner of such dog or upon the premises of another person without the knowledge and expressed permission of such other person except
 - (1) if such dog is attached to a restraining device and under the care and control of a person competent to restrain said dog so that it shall not be a threat to public safety, and the mere muzzling of such a dog shall not satisfy the requirements of this By-Law;
 - (2) if such a dog is being used as a so called "hunting dog" and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.

SECTION 1.1 PERMITTING A DOG TO BECOME A PUBLIC NUISANCE PROHIBITED

No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to become a public nuisance within the Town of Brookfield, at any time.

SECTION 1.2 IMPOUNDING

It shall be the duty of the dog officer to investigate complaints concerning any dogs which are alleged to be in violation of the By-Law and to apprehend any dog found by him to be a public nuisance and to impound such dog in a suitable place or to order the owner thereof to restrain said dog.

SECTION 1.3 NOTICE TO OWNER AND REDEMPTION

If such dog, so impounded, has upon it the name and address of the owner thereof, or if the name of said owner is otherwise known, then the dog officer shall immediately notify the owner, and if the owner is not known, then no notice shall be necessary.

The owner of any dog so impounded may reclaim such dog upon the reimbursement to the Dog Officer of his expenses for maintaining said dog while impounded. In any event, the Dog Officer shall not charge more than Two Dollars (\$2.00) for a reimbursement of said expenses for each twenty four hour (24) period or any part thereof that the dog is held by him, plus Five Dollars (\$5.00) as a fee for the initial handling of such dog. Provided, however, if the dog is not licensed, a license as required by the Town of Brookfield must be obtained before the Dog Officer releases said dog to any person.

SECTION 1.4 DISPOSITION OF UNCLAIMED DOGS.

Any dog which has been impounded and has not been redeemed by the owner within ten (10) days shall be disposed of as provided by Section 151A, Chapter 140, of the Massachusetts General Laws and any amendment thereto.

SECTION 1.5 PENALTY

Any owner found in violation of any of the provisions of this By-Law shall be punished by a fine of not more than \$10.00 in accordance with the provisions of Chapter 140, Section 173A, of the Massachusetts General Laws.

SECTION 1.6 DISPOSITION OF FUNDS

Any funds collected pursuant to the provisions of this By-Law by the Dog Officer shall be accounted for and paid to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer.

SECTION 1.7 CONSTRUCTION

No section of this By-Law shall be construed to be contrary to the Massachusetts General Laws, and shall be interpreted in order to comply with such laws.

SECTION 1.8 EFFECTIVE DATE

This By-Law shall take effect upon its passage by the Town Meeting for the Town of Brookfield and upon approval by the Attorney General for the Commonwealth of Massachusetts

or take any action relative thereto.

It was voted to amend ARTICLE 3 of the Annual Town Meeting held on Friday, May 9, 1975 only by deleting the Section Numbers 1, 2, 3, 4, 5, 6, 7, 8, and 9 and inserting therefor Section Numbers 1.0, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, and 1.8 so that the By-Law will read:

BY-LAW -DOGS

SECTION 1.0 DEFINITION OF TERMS

- As used in this By-Law, unless the context otherwise indicates
- (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) "Public nuisance" - Any dog shall be deemed a public nuisance if such dog is found to be not on the premises of the owner of such dog or upon the premises of another person without the knowledge and expressed permission of such other person except
 - (1) if such dog is attached to a restraining device and under the care and control of a person competent to restrain said dog so that it shall not be a threat to public safety, and the mere muzzling of such a dog shall not satisfy the requirements of this By-Law;
 - (2) if such a dog is being used as a so called "hunting dog" and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.

SECTION 1.1 PERMITTING A DOG TO BECOME A PUBLIC NUISANCE PROHIBITED

No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to become a public nuisance within the Town of Brookfield at any time.

It shall be the duty of the dog officer to investigate complaints concerning any dogs which are alleged to be in violation of this By-Law and to apprehend any dog found by him to be a public nuisance and to impound such dog in a suitable place or to order the owner thereof to restrain said dog.

SECTION 1.3 NOTICE TO OWNER AND REDEMPTION

If such dog, so impounded, has upon it the name and address of the owner thereof, or if the name of said owner is otherwise known, then the dog officer shall immediately notify the owner, and if the owner is not known, then no notice shall be necessary.

The owner of any dog so impounded may reclaim such dog upon the reimbursement to the Dog Officer of his expenses for maintaining said dog while impounded. In any event, the Dog Officer shall not charge more than Two Dollars (\$2.00) for a reimbursement of said expenses for each twenty-four hour (24) period or any part thereof that the dog is held by him, plus Five Dollars (\$5.00) as a fee for the initial handling of such dog. Provided, however, if the dog is not licensed, a license as required by the Town of Brookfield must be obtained before the Dog Officer releases said dog to any person.

SECTION 1.4. DISPOSITION OF UNCLAIMED DOGS

Any dog which has been impounded and has not been redeemed by the owner within ten (10) days shall be disposed of as provided by Section 151A, Chapter 140, of the Massachusetts General Laws and any amendment thereto.

SECTION 1.5 PENALTY

Any owner found in violation of any of the provisions of this By-Law shall be punished by a fine of not more than \$10.00 in accordance with the provisions of Chapter 140, Section 173A, of the Massachusetts General Laws.

SECTION 1.6 DISPOSITION OF FUNDS

Any funds collected pursuant to the provisions of this By-Law by the Dog Officer shall be accounted for and paid to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer.

SECTION 1.7 CONSTRUCTION

No section of this By-Law shall be construed to be contrary to the Massachusetts General Laws, and shall be interpreted in order to comply with such laws.

SECTION 1.8 EFFECTIVE DATE

This By-Law shall take effect upon its passage by the Town Meeting for the Town of Brookfield, and upon approval by the Attorney General for the Commonwealth of Massachusetts.

Vote was 28 yes
1 no

ARTICLE 2. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$1,800.00 to purchase and equip a used tractor for the Highway Department and to authorize the Board of Selectmen to make such purchase, or take any action relative thereto.

It was voted to raise and appropriate \$1,800.00 to purchase and equip a used tractor for the Highway Department and to authorize the Board of Selectmen to make such purchase.

ARTICLE 3. To see if the Town will vote to accept a sum of money received from the Insurance Company in payment of damages to the Hough Payloader, or take any action relative thereto.

It was voted to accept \$1,521.86 received from the Insurance Company in payment of damages to the Hough Payloader.

ARTICLE 4. To see if the Town will vote transfer a sum of money received from the Insurance Company in payment of damages to the Hough Payloader, to the Highway Machinery Account, or take any action relative thereto.

It was voted to transfer \$1,521.86, received from the Insurance Company in payment of damages to the Hough Payloader, to the Highway Machinery Account.

ARTICLE 5. To see if the Town will vote to appropriate a sum of money not to exceed One Thousand Dollars (\$1,000.00) for the purchase of Equipment and Supplies required to meet minimum requirements for a Class 5 Ambulance, or take any action relative thereto.

It was voted to raise and appropriate \$1,000.00 for the purchase of Equipment and Supplies required to meet minimum requirements for a Class 5 Ambulance.

ARTICLE 6. To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$1,000.00 for the Bicentennial Committee for its use in fulfilling the commitments of the Town of Brookfield to our Nation's Bicentennial Celebration for the 1975-1976, or take any action relative thereto.

It was voted to raise and appropriate \$1,000.00 for the Bicentennial Committee for its use in fulfilling the commitments of the Town of Brookfield to our Nations Bicentennial Celebration for the year 1975-1976.

ARTICLE 7. To see if the Town will vote to amend our Building Permit By-Law, Chapter XII, Section 4, to conform to the State Law effective January 1, 1975 by

- (A) Deleting the words "Board of Selectmen and Selectmen" and inserting the words "Building Inspector";
- (B) Deleting the word "may" and Inserting the word "will";
- (C) Deleting "\$1.00" and inserting "2 cents per square foot", so that the By-Law will read:

No Building or other structure after these By-Laws go into effect shall be constructed, removed, or materially altered without first obtaining a permit therefor from the Building Inspector. Plans and specifications will be required by the Building Inspector before such permit is issued. The Fee for such permit shall be 2 cents per square foot for any construction or alterations. No charge will be made for said Permit to remove a building or other structure.

It was voted not to amend our Building Permit By-Law.

Vote was 28 no
2 yes

A motion was then made to authorize the Building Inspector to issue the building permits and Article 7 was amended to read:

To see if the Town will vote to amend our Building Permit By-Law Chapter XII, Section 4, to conform to the State Law effective January 1, 1975 by deleting the words "Board of Selectmen and Selectmen" and inserting the words "Building Inspector".

It was voted to amend our Building Permit By-Law, Chapter XII, Section 4, to conform to the State Law effective January 1, 1975 by deleting the words "Board of Selectmen and Selectmen" and inserting the words "Building Inspector".

Vote was 30 yes
0 No

MEETING ADJOURNED AT 9:00 P.M.

And you are directed to serve this Warrant, by posting up attested copies thereof, at Town Hall, Post Office, and Frazier's News in said Town, seven days at least before the time of holding said Meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 2nd day of August in the year of our Lord one thousand nine hundred and seventy Five.

S/Cedric G. Lindley, Jr.
Louis J. Boucher

Selectmen of Brookfield

A true copy. Attest:
S/Douglas D. Gadaire, Constable

WORCESTER ss

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Brookfield by posting up attested copies of the same at

TOWN HALL	8/4/75	9:35 A.M.
FRAZIERS NEWS	8/4/75	9:40 A.M.
POST OFFICE	8/4/75	9:45 A.M.

7 days before the date of the meeting, as within directed

S/Douglas D. Gadaire
Constable of Brookfield

A true copy Attest

Leamana Terry

Leamana Terry
Town Clerk
Town of Brookfield

THE COMMONWEALTH OF MASSACHUSETTS
TOWN OF BROOKFIELD
SPECIAL TOWN ELECTION, AUGUST 5, 1975

WORCESTER ss

To either of the constables of the TOWN OF BROOKFIELD in the county of WORCESTER GREETING.

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in Town affairs, to meet at the TOWN HALL in said TOWN on TUESDAY the 5th day of AUGUST next, at 12:00 o'clock noon, then and there to act for the following purpose: to bring in their votes for the office of SELECTMAN for the Term AUGUST 5, 1975 to MAY 1977. The Polls will be open from 12:00 Noon to 8:00 P.M.

Polls opened at 12:00 Noon, Ronald S. MacKenzie presiding.

Poll workers: Warden: (D) Ronald S. MacKenzie
Clerk (R) Leamana Terry

Police Officers: Kenneth R. Crevier
Larry Davis

Ballot Box (R) Doris Adams

Checkers (R) Kathleen R. Allen (I) Elizabeth Tourtellotte
(D) Kathleen A. Yaskoski (D) Bernice Delaney
(R) Alice Sheldon (D) Elizabeth Bansfield
(R) Diane G. Martell (D) Marie L. Minchoff

VOTES CAST 422

ELECTED AS FOLLOWS:

Peter M. Bard	12
George W. Beeman	113
Donald D. Faugno	212
Joseph R. Lavine	84
Blanks	1

Polls closed at 8:00 P.M.

And you are directed to serve this warrant, by posting up attested copies thereof at TOWN HALL, POST OFFICE and FRAZIER'S NEWS in said town, 7 days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this 24th day of JULY in the year of our Lord one thousand nine hundred and seventy five.

S/ Cedric G. Lindley, Jr.

Louis J. Boucher

Selectmen of Brookfield

A true copy. Attest:
S/Douglas D. Gadaire, Constable

WORCESTER, ss

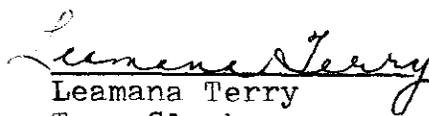
Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of BROOKFIELD by posting up attested copies of the same at

TOWN HALL	7/28/75	2:15 P.M.
FRAZIERS	7/28/75	2:20 P.M.
POST OFFICE	7/28/75	2:25 P.M.

7 days before the date of the meeting, as within directed.

S/ Douglas D. Gadaire
Constable of Brookfield

A true copy, Attest


Leamana Terry
Town Clerk
Town of Brookfield



OFFICE OF THE
TOWN CLERK

BROOKFIELD, MASSACHUSETTS 01506

August 20, 1975

OUTLINE OF THE NECESSARY PAPERS TO BE FURNISHED TO THE ATTORNEY GENERAL WHEN BY-LAWS ARE SUBMITTED UNDER THE PROVISIONS OF G.L. (TER. ED) CHAPTER 40, SECTION 32:

1. All Papers must be attested or certified by the Town Clerk under Seal of the Town. This has been done.
2. By-Laws submitted in duplicate. Attached.
3. Notice of Warrant mailed to citizens or given to voters at Town Meeting, copies enclosed.
Warrant posted at Town Hall 4/28/75 12:00 P.M.
FRAZIER News 4/28/75 12:05 P.M.
POST OFFICE 4/28/75 12:10 P.M.
BY Douglas D. Gadaire, Constable of Brookfield.
4. The vote was In Favor 84
 Opposed 35
5. 140 voters present at the meeting. A quorum is 30

Leamana Terry
Town Clerk
Town of Brookfield

August 20, 1975

The Commonwealth of Massachusetts
Department of the Attorney General
Francis X. Bellotti, Attorney General
State House, Boston, Ma. 02133

Dear Sir:

In order not to cancel existing Sections of the Town By-Laws, it was necessary to amend ARTICLE 3 (By-Law -Dogs) as it was voted at the Annual Town Meeting on May 9, 1975.

I am therefor submitting the Dog By-Law twice, once as it was voted at our Annual Town Meeting (ARTICLE 3) on May 9, 1975, and then as it was amended at the Special Town Meeting (ARTICLE 1) on August 11, 1975.

Very truly yours,

Leamana Terry
Town Clerk
Town of Brookfield



OFFICE OF THE
TOWN CLERK

BROOKFIELD, MASSACHUSETTS 01506

August 20, 1975

OUTLINE OF THE NECESSARY PAPERS TO BE FURNISHED TO THE ATTORNEY GENERAL WHEN BY LAWS ARE SUBMITTED UNDER THE PROVISIONS OF G.L. (TER. ED) CHAPTER 40, SECTION 32:

1. All papers must be attested or certified by the Town Clerk under Seal of the Town. This has been done.
2. By-Law submitted in duplicage. Attached.
3. Notice of the Warrant Mailed to Citizens or given to voters at Town Meeting, copies enclosed.

Warrant posted at 8/4/75 9:35 A.M. TOWN HALL
8/4/75 9:40 A.M. FRAZIER NEWS
8/4/75 9:45 A.M. POST OFFICE
by Douglas D. Gadaire, Constable of Brookfield

4. The vote was ARTICLE 1. In favor 28
Opposed 1

ARTICLE 7 In favor 30
Opposed 0

5. 31 voters present at the meeting. A quorum is 30.

Leamana Terry
Town Clerk
Town of Brookfield



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF THE ATTORNEY GENERAL
JOHN W. Mc CORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE, BOSTON 02108

FRANCIS X. BELLOTTI
ATTORNEY GENERAL

November 6, 1975

Ms. Leamana Terry
Town Clerk
Town Hall
Brookfield, Massachusetts 01506

Dear Ms. Terry:

I enclose the amendment to general by-laws adopted under Article 3 of the warrant for the Annual Town Meeting session held May 9, 1975, and the amendments to general by-laws adopted under Articles 1 and 7 of the warrant for the Special Town Meeting held August 11, 1975, with the approval of the Attorney General endorsed thereon.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Henry F. O'Connell".

Henry F. O'Connell
Assistant Attorney General

HFO'C/alg

Enclosures



OFFICE OF THE

TOWN CLERK

BROOKFIELD, MASSACHUSETTS 01506

August 20, 1975

The Commonwealth of Massachusetts
Department of the Attorney General
Francis X. Bellotti, Attorney General
State House, Boston, Ma. 02133

Dear Sir:

At the Annual Adjourned Town Meeting held on Friday, May 9, 1975,
the following By-Law was voted subject to your approval:

ARTICLE 3. To see if the Town will vote to replace Section 1,
Chapter 12, of the Town By-Laws with the following new By-Law:

BY-LAW - DOGS

SECTION 1. DEFINITION OF TERMS

- As used in this By-Law, unless the context otherwise indicates
- (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) "Public Nuisance" - Any dog shall be deemed a public nuisance if such dog is found to be not on the premises of the owner of such dog or upon the premises of another person without the knowledge and expressed permission of such other person except
 - (1) if such dog is attached to a restraining device and under the care and control of a person competent to restrain said dog so that it shall not be a threat to public safety, and the mere muzzling of such a dog shall not satisfy the requirements of this By-Law;
 - (2) if such a dog is being used as a so called "hunting dog" and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.

SECTION 2. PERMITTING A DOG TO BECOME A PUBLIC NUISANCE PROHIBITED

No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to become a public nuisance within the Town of Brookfield, at any time.

SECTION 3 IMPOUNDING

It shall be the duty of the dog officer to investigate complaints concerning any dogs which are alleged to be in violation of this By-Law and to apprehend any dog found by him to be a public nuisance and to impound such dog in a suitable place or to order the owner thereof to restrain said dog.

SECTION 4 NOTICE TO OWNER AND REDEMPTION

If such dog, so impounded, has upon it the name and address of the owner thereof, or if the name of said owner is otherwise known, then the dog officer shall immediately notify the owner, and if the owner is not known, then no notice shall be necessary.

The owner of any dog so impounded may reclaim such dog upon the reimbursement to the Dog Officer of his expenses for maintaining said dog while impounded. In any event, the Dog Officer shall not charge more than Two Dollars (\$2.00) for a reimbursement of said expenses for each twenty four hour (24) period or any part thereof that the dog is held by him, plus Five Dollars (\$5.00) as a fee for the initial handling of such dog. Provided, however, if the dog is not licensed, a license as required by the Town of Brookfield must be obtained before the Dog Officer releases said dog to any person.

SECTION 5 DISPOSITION OF UNCLAIMED DOGS

Any dog which has been impounded and has not been redeemed by the owner within ten (10) days, shall be disposed of as provided by Section 151A, Chapter 140, of the Massachusetts General Laws and any amendment thereto.

SECTION 6 PENALTY

Any owner found in violation of any of the provisions of this By-Law shall be punished by a fine of not more than \$10.00 in accordance with the provisions of Chapter 140, Section 173A, of the Massachusetts General Laws.

SECTION 7 DISPOSITION OF FUNDS

Any funds collected pursuant to the provisions of this By-Law by the Dog Officer shall be accounted for and paid to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer.

SECTION 8 CONSTRUCTION

No section of this By-Law shall be construed to be contrary to the Massachusetts General Laws, and shall be interpreted in order to comply with such laws.

SECTION 9 EFFECTIVE DATE

This By-Law shall take effect upon its passage by the Town Meeting for the Town of Brookfield, and upon approval by the Attorney General for the Commonwealth of Massachusetts.

It was voted to replace Section 1, Chapter 12, of the Town By-Laws with the following new By-Law.

BY-LAW - DOGS

SECTION 1. DEFINITION OF TERMS

- As used in this By-Law, unless the context otherwise indicates
- (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) "Public Nuisance" - Any dog shall be deemed a public nuisance if such dog is found to be not on the premises of the owner of such dog or upon the premises of another person without the knowledge and expressed permission of such other person except
 - (1) if such dog is attached to a restraining device and under the care and control of a person competent to restrain said dog so that it shall not be a threat to public safety, and the mere muzzling of such a dog shall not satisfy the requirements of this By-Law;
 - (2) if such a dog is being used as a so called "hunting dog" and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety..

SECTION 2. PERMITTING A DOG TO BECOME A PUBLIC NUISANCE PROHIBITED

No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to become a public nuisance within the Town of Brookfield, at any time.

SECTION 3 IMPOUNDING

It shall be the duty of the dog officer to investigate complaints concerning any dogs which are alleged to be in violation of this By-Law and to apprehend any dog found by him to be a public nuisance and to impound such dog in a suitable place or to order the owner thereof to restrain said dog.

SECTION 4 NOTICE TO OWNER AND REDEMPTION

If such dog, so impounded, has upon it the name and address of the owner thereof, or if the name of said owner is otherwise known, then the dog officer shall immediately notify the owner, and if the owner is not known, then no notice shall be necessary.

The owner of any dog so impounded may reclaim such dog upon the reimbursement to the Dog Officer of his expenses for maintaining said dog while impounded. In any event, the Dog Officer shall not charge more than Two Dollars (\$2.00) for a reimbursement of said expenses for each twenty four hour (24) period or any part thereof that the dog is held by him, plus Five Dollars (\$5.00) as a fee for the initial handling of such dog. Provided, however, if the dog is not licensed, a license as required by the Town of Brookfield must be obtained before the Dog Officer releases said dog to any person.

SECTION 5 DISPOSITION OF UNCLAIMED DOGS

Any dog which has been impounded and has not been redeemed by the owner within ten (10) days, shall be disposed of as provided by Section 151A, Chapter 140, of the Massachusetts General Laws and any amendment thereto.

SECTION 6 PENALTY

Any owner found in violation of any of the provisions of this By-Law shall be punished by a fine of not more than \$10.00 in accordance with the provisions of Chapter 140, Section 173A, of the Massachusetts General Laws.

SECTION 7 DISPOSITION OF FUNDS

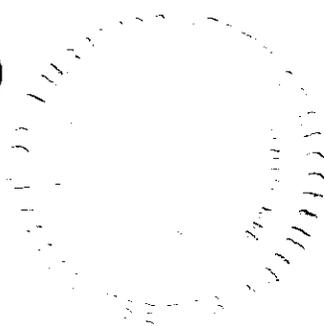
Any funds collected pursuant to the provisions of this By-Law by the Dog Officer shall be accounted for and paid to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer.

SECTION 8 CONSTRUCTION

No section of this By-Law shall be construed to be contrary to the Massachusetts General Laws, and shall be interpreted in order to comply with such laws.

SECTION 9 EFFECTIVE DATE

This By-Law shall take effect upon its passage by the Town Meeting for the Town of Brookfield, and upon approval by the Attorney General for the Commonwealth of Massachusetts.



A true copy Attest

Leamana Terry
Leamana Terry
Town Clerk
Town of Brookfield

Brookfield
TOWN BULLETIN

BY-LAW - DOGS

SECTION 1.0 DEFINITION OF TERMS

As used in this By-Law, unless the context otherwise indicates

- (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) "Public nuisance" - Any dog shall be deemed a public nuisance if such dog is found to be not on the premises of the owner of such dog or upon the premises of another person without the knowledge and expressed permission of such other person except
 - (1) if such dog is attached to a restraining device and under the care and control of a person competent to restrain said dog so that it shall not be a threat to public safety, and the mere muzzling of such a dog shall not satisfy the requirements of this By-Law;
 - (2) if such a dog is being used as a so called "hunting dog" and is being supervised as such by a person competent to restrain such dog so that it shall not be a threat to public safety.

SECTION 1.1 PERMITTING A DOG TO BECOME A PUBLIC NUISANCE PROHIBITED

No owner or keeper of any dog shall permit such dog, whether licensed or unlicensed, to become a public nuisance within the Town of Brookfield at any time.

SECTION 1.2 IMPOUNDING

It shall be the duty of the dog officer to investigate complaints concerning any dogs which are alleged to be in violation of this By-Law and to apprehend any dog found by him to be a public nuisance and to impound such dog in a suitable place or to order the owner thereof to restrain said dog.

SECTION 1.3 NOTICE TO OWNER AND REDEMPTION

If such dog, so impounded, has upon it the name and address of the owner thereof, or if the name of said owner is otherwise known, then the dog officer shall immediately notify the owner, and if the owner is not known, then no notice shall be necessary.

The owner of any dog so impounded may reclaim such dog upon the reimbursement to the Dog Officer of his expenses for maintaining said dog while impounded. In any event, the Dog Officer shall not charge more than Two Dollars (\$2.00) for a reimbursement of said expenses for each twenty-four (24) hour period or any part thereof that the dog is held by him, plus Five Dollars (\$5.00) as a fee for the initial handling of such dog. Provided, however, if the dog is not licensed, a license as required by the Town of Brookfield must be obtained before the Dog Officer releases said dog to any person.

SECTION 1.4 DISPOSITION OF UNCLAIMED DOGS

Any dog which has been impounded and has not been redeemed by the owner within ten (10) days shall be disposed of as provided by Section 151A, Chapter 140, of the Massachusetts General Laws and any amendment thereto.

SECTION 1.5 PENALTY

Any owner found in violation of any of the provisions of this By-Law shall be punished by a fine of not more than \$10.00 in accordance with the provisions of Chapter 140, Section 173A, of the Massachusetts General Laws.

SECTION 1.6 DISPOSITION OF FUNDS

Any funds collected pursuant to the provision of this By-Law by the Dog Officer shall be accounted for and paid to the Town Treasurer at such time and in such manner as may be designated by the Town Treasurer

TOWN OF BROOKFIELD

BY LAW - DOGS (Continued)

SECTION 1.7 CONSTRUCTION

No section of this By-Law shall be construed to be contrary to the Massachusetts General Laws, and shall be interpreted in order to comply with such laws.

SECTION 1.8 EFFECTIVE DATE

This By-Law shall take effect upon its passage by the Town Meeting for the Town of Brookfield, and upon approval by the Attorney General for the Commonwealth of Massachusetts.

BUILDING PERMIT BY-LAW

ARTICLE 7. It was voted to amend our Building Permit By-Law, Chapter XII, Section 4, to conform to the State Law effective January 1, 1975 by deleting the words "Board of Selectmen and Selectmen" and inserting the words, "Building Inspector".

November 6, 1975

Boston, Massachusetts

The foregoing amendment to general by-laws adopted under Article 3 of the warrant for the Annual Town Meeting and the amendment to general by-laws adopted under Articles 1 and 7 of the warrant for the Special Town Meeting are hereby approved.

S/ Francis X. Bellotti
Attorney General

Approval of these By-Laws were posted at the Town Hall, Post Office, Merrick Public Library, Frazier's News and Gavitts on Nov. 18, 1975.

A true copy Attest

Leamana Terry
Leamana Terry
Town Clerk
Town of Brookfield

