

635

In City Council Dated October 24, 2022

## ORDINANCE

An Ordinance Amending Article III, Section 2-146 - Compensation - School Committee members elected by Ward

Be it ordained by the City Council of the City of Brockton, Article III, Section 2-146, is hereby amended by striking the words "five thousand dollars (\$5,000.00)" and inserting in its place, "fifteen thousand dollars (\$15,000.00)." The language "The amendment shall be effective January 1, 2018" shall be amended to reflect a new effective date of January 1, 2024.

*Moises Rodriguez*  
Councilor

Moises Rodriguez, Councilor-at-Large

## IN CITY COUNCIL

October 24, 2022  
READ AND REFERRED TO STANDING  
COMMITTEE ON Ordinance

*Timothy J. Quinn*  
CLERK

IN CITY COUNCIL, February 27, 2023

PASSED TO A THIRD READING. By a hand vote.

*Timothy J. Quinn*  
CLERK

IN CITY COUNCIL, MAR 13 2023

ORDAINED BY A VOTE TAKEN BY "YEAS" AND "NAYS";  
10 MEMBERS BEING PRESENT AND ALL VOTING  
IN THE AFFIRMATIVE. Councilor Asack absent.

*Timothy J. Quinn*  
CLERK

SENT TO MAYOR FOR APPROVAL

MAR 16 2023

APPROVED

*[Signature]*  
MAYOR

734

AS AMENDED

In City Council, January 9, 2023


AN ORDINANCE AMENDING ARTICLE II, DIVISION 3, SECTION 2-91

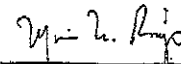
Be it Ordained by the City Council of the City of Brockton as follows:

Article II, Section 2-91, entitled "Committees generally" is hereby amended by inserting the following:

Section (g): Committee on economic development to consist of five (5) councilors to consider matters pertaining to economic development. The committee shall meet monthly and the committee may meet at additional times at the call of the chair.

Be it further amended that Article V Department of Planning and Economic Development, Sec. 17-152 Director, shall be amended under (c) Powers and Duties to include subsection (18) which shall state "(18) to act as clerk of the standing committee on economic development.

  
Winthrop H. Farwell, Jr.  
Councilor at Large

  
Moises M. Rodrigues  
Councilor at Large

737

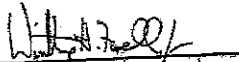
In City Council, January 11, 2023

**AN ORDINANCE AMENDING ARTICLE II, DIVISION 3, SECTION 2-91**

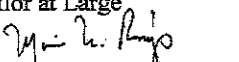
**Be it Ordained by the City Council of the City of Brockton as follows:**

Article II, Section 2-91, entitled "Committees generally" is hereby amended by inserting the following:

Section (g): Committee on Economic Development to consist of five (5) members to consider matters pertaining to economic development. The committee shall review economic development initiatives, grant applications pending or filed, potential development projects, and report to the council on such matters. The committee shall receive a written, quarterly report from the director of planning and economic development on department activities. Notwithstanding the provisions of any other ordinance, the committee may meet at the call of the chair with the planning and economic development department and such other departments as needed to carry out its responsibilities.

  
Councillor

Winthrop H. Farwell, Jr.  
Councillor at Large

  
Councillor

Moises M. Rodrigues  
Councillor at Large

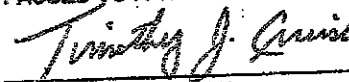
IN CITY COUNCIL

January 11, 2023  
READ AND REFERRED TO STANDING  
COMMITTEE ON Ordinance

  
CLERK

IN CITY COUNCIL February 27, 2023

PASSED TO A THIRD READING. By a hand vote.

  
CLERK

In City Council March 13, 2023  
Councillor Rodrigues motioned an amendment and was properly seconded. The motion carried by a hand vote. Ordained As Amended by a roll call vote taken by "yeas" and "nays"; ten members present and all voting in the affirmative. Councillor Asack absent. Councillor Farwell motioned to file for reconsideration with that it not prevail and was properly seconded. Reconsideration failed by a hand vote.

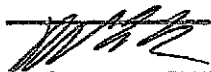


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SENT TO MAYOR FOR APPROVAL

March 14, 2023

APPROVED



MAYOR

685

In City Council December 12, 2022

**ORDINANCE:**

Be it ordained by the City Council of the City of Brockton as follows:

That the City Council adopt the following Amendment to Chapter 2 of the Revised Ordinances, Article IV, Section 2-261 "Veterans property tax work-off program" as follows:

Subsection 2-261(i)(1) shall be deleted in its entirety to eliminate income limitations for applicants.



Councilor Jeffrey Thompson, Ward 5

**IN CITY COUNCIL**

December 12, 2022

**READ AND REFERRED TO STANDING**

**COMMITTEE ON Ordinance**

Timothy J. Quinn  
CLERK

**IN CITY COUNCIL, February 27, 2023**

**PASSED TO A THIRD READING. By a hand vote**

Timothy J. Quinn  
CLERK

**CITY COUNCIL, MAR 13 2023**

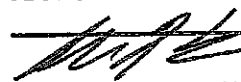
**ORDAINED BY A VOTE TAKEN BY "YEAS" AND "NAYS":  
10 MEMBERS BEING PRESENT AND ALL VOTING  
IN THE AFFIRMATIVE. Councilor Asack absent.**

Timothy J. Quinn  
CLERK

**SENT TO MAYOR FOR APPROVAL**

**MAR 16 2023**

**APPROVED**



**MAYOR**

IN CITY COUNCIL

6094

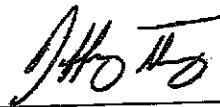
In City Council December 12, 2022

ORDINANCE:

Be it ordained by the City Council of the City of Brockton as follows:

That the City Council adopt the following Amendment to Chapter 2 of the Revised Ordinances, Article IV, Section 2-260 "Senior citizen property tax work-off program" as follows:

Subsection 2-260(h)(1) shall be deleted in its entirety to eliminate income limitations for applicants.



Councilor Jeffrey Thompson, Ward 5

IN CITY COUNCIL

December 12, 2022

READ AND REFERRED TO STANDING  
COMMITTEE ON Ordinance

  
CLERK

IN CITY COUNCIL, February 27, 2023

PASSED TO A THIRD READING. By a hand vote.

  
CLERK

CITY COUNCIL, MAR 13 2023

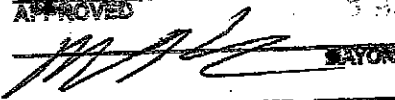
ORDAINED BY A VOTE TAKEN BY "YEAS" AND "NAYS";  
10 MEMBERS BEING PRESENT AND ALL VOTING  
IN THE AFFIRMATIVE. Councilor Asack absent.

  
CLERK

SENT TO MAYOR FOR APPROVAL

MAR 16 2023

APPROVED

  
MAYOR

ORDINANCE

Be it ordained by the City Council of the City of Brockton as follows:

That the City Council adopt the following Amendment to Chapter 3 "Animals and Fowl" of the Revised Ordinances of the City of Brockton, replacing the entirety of Chapter 3 with language as follows:

**ARTICLE I - DEPARTMENT OF ANIMAL CONTROL**

**Sec. 3-0. - Established.**

There is hereby established a department of animal control.

**Sec. 3-1. - Management**

The department of animal control shall be under the charge of an animal control officer designated by the Mayor, under the supervision of the Brockton Police Department.

**Sec. 3-2. - Powers and duties.**

The department of animal control shall have the power and duty to investigate apparent or reported violations within the provisions of sections 136A through 174F, inclusive and city code, chapter 3 - Animals and Fowl. The department of animal control may request the police or other appropriate enforcement agency to take other lawful action appropriate for enforcement of the provisions of this chapter or applicable laws or ordinances.

**ARTICLE II. - IN GENERAL**

**Sec. 3-3. - Regulation and Licensing to be Governed by State Law.**

- A. The City shall implement to the fullest extent possible the provisions of sections 136A through 174F of chapter 140 of the Massachusetts General Laws, as may be amended from time-to-time, as concerns the licensing and regulation of dogs and dog kennels, and, where applicable, cats and ferrets. The provisions of this ordinance shall be interpreted in accordance with: 1) said sections of chapter 140 of the General Laws, including the defined terms contained therein; and, 2) the City Charter. In the event of any conflict between any part of this ordinance and any provision in sections 136A through 174F of chapter 140 of the General Laws, the provisions of the General Laws shall prevail.
- B. purposes of implementing sections 136A through 174F of chapter 140 of the General Laws, the "hearing authority" as stated in the General Laws shall be a "hearing officer" designated by the Mayor, such hearing officer may be any officer or employee of the City in any department under the jurisdiction of the Mayor.
- C. All fees, funds, fines and penalties collected pursuant to both this ordinance and sections 136A through 174F of chapter 140 of the General Laws shall be deposited with the City Treasurer who shall credit them to the general fund of the City. The City Treasurer shall keep an accurate and separate account of all money received and expended by the City Treasurer under this chapter and under chapter 140 of the General Laws relating to animals.

**Sec. 3-4. - Definitions.**

Unless otherwise set out in this chapter, any term defined in M.G.L. c. 140 § 136A shall have the same meaning in this ordinance, and shall be expressly incorporated herein. Additional definitions include:

*At large* shall be intended to mean off the premises of the owner, and not under the control of the owner or a member of his/her immediate family by restraint, as defined herein.

*Dog* shall be intended to mean both male and female.

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*License Period.* The license period shall be from May 1 of each year to April 30 of the following year.

*Licensing authority.* The City Clerk, as provided by the General Laws of the Commonwealth.

*Nuisance animal.* Any animal which:

- 1) Molests passersby or passing vehicles, including bicycles.
- 2) Attacks other animals.
- 3) Trespasses on school grounds.
- 4) Is at large in violation of this chapter.
- 5) Damages private or public property.
- 6) Barks, whines or howls and disturbs the peace and tranquility of an area.
- 7) Bites or attacks any persons.
- 8) Any dog which, on three separate occasions within a twelve-month period, has been observed being unrestrained or uncontrolled off its owner's premises as documented by the records of the animal control officer for being unrestrained or uncontrolled off its owner's premises.

*Owner.* Any person, partnership, or corporation owning, keeping or harboring one (1) or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for forty-eight (48) hours.

*Restraint.* A leash not more than six (6) feet long, or a fenced-in area or pen as provided in this chapter.

*Security and guard dogs.* See section 3-23 and 3-24.

*Untagged animals.* An animal is considered to be untagged if a valid license and rabies tag is not attached to a collar which is kept on the animal.

**Sec. 3-5. - Licenses and tags.**

- A. Any person owning, keeping, harboring or having custody of any dog six (6) months of age within this City must obtain a license as provided in this chapter within thirty (30) days after obtaining it. This requirement will not apply to a nonresident keeping a dog within the City for less than sixty (60) days.
- B. If not revoked, licenses for the keeping of dogs shall be for a period of one (1) year. The licensing period shall begin May 1 and shall run for one (1) year. A late fee of twenty-five dollars (\$25.00) for each dog will be assessed after July 1<sup>st</sup>, in addition to the license fee.
- C. Dogs must wear license and rabies tags at all times.
- D. The licensing authority shall maintain records of the identifying numbers of all tags issued, and shall make this record available to the public.
- E. Persons who fail to obtain a license as required within the time period specified in this chapter will be fined seventy-eight dollars (\$78.00).
- F. A license shall be issued after payment of the applicable fee:
  - 1) For each unneutered male dog, twenty-four dollars (\$24.00).
  - 2) For each neutered male dog, ten dollars (\$10.00).
  - 3) For each unspayed female dog, twenty-four dollars (\$24.00).
  - 4) For each spayed female dog, ten dollars (\$10.00).
  - 5) For each security and guard dog, fifty dollars (\$50.00)
- G. A duplicate license may be obtained upon a two-dollar (\$2.00) replacement fee.
- H. No person may use any license for any dog other than the dog for which it was issued; withhold or falsify any information on an application for a dog or kennel license.
- I. No person shall keep or control more than four (4) dogs on a single premise.



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- J. The license tag shall be in a form prescribed by the City Clerk, upon a blank to be furnished by the Elections Commission office.
- K. The City Clerk shall not issue any dog or kennel license to any person under the age of eighteen, nor issue more than four dog licenses for any single dwelling unit, nor issue any kennel license for any multi-family dwelling or on the premises thereof, or any location which does not comply with the zoning ordinances of the City with respect to kennels. Each license shall be issued upon the condition that the owner or keeper shall comply with the provisions of this ordinance and any law, rule or regulation relating to the ownership and control of dogs.

**Sec. 3-6. - Inspection; denial of license or permit; re-application.**

- A. It shall be a condition of the issuance of any permit of license that the City or designated agents, or any special police officer, or the inspector of animals appointed under Massachusetts General Laws Chapter 129, Sections 15 and 16, be permitted to inspect all animals and the premises where animals are kept at any reasonable time, and shall, if permission for such inspections are refused, the agent shall seek a search warrant to enter and inspect the property.
- B. If the applicant has withheld or falsified any information of the application the licensing authority shall revoke or refuse to issue a permit or license.
- C. Any person having been denied a license or permit may reapply after conditions have been corrected upon which denial was based. Such reapplication shall be accompanied by a fifty-dollar (\$50.00) fee.

**Sec. 3-7. - Restraint, confinement and control of animals.**

- A. All dogs shall be kept under restraint, as defined in this chapter in section 3-4, including but not limited to any dog on any public property including all parks, cemeteries, and public ways.
- B. Every owner shall exercise proper care and control of his/her animals to prevent them from becoming a nuisance. Allowing or permitting any animal to: habitually bark, howl, whine, or other loud noise and continue noise (in excess of 15 minutes) resulting in a serious annoyance or interference which disturbs the peace and quiet of any neighborhood.
- C. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot come into contact with another animal except for planned breeding.
- D. Every vicious and dangerous animal shall be confined by the owner within a building or secure enclosure, and shall be securely muzzled or caged whenever off the premises of its owner.
- E. No dog owner, keeper or custodian shall cause or permit any dog, whether leashed or unleashed, to hang from or otherwise damage any tree, whether public or private.
- F. If a reproductively whole dog is found to be at large on three occasions, and documented by an animal control officer or other duly authorized city agent, the animal may be surgically sterilized and micro chipped before returning to the owner. The Owner shall bear all costs associated with this service and a transportation fee of one hundred dollars (\$100.00) shall be imposed.

**Sec. 3-8. - Impoundment and violation notice.**

- A. Unrestrained dogs shall be taken by the animal control officer and impounded.
- B. Impounded dogs shall be kept for not less than seven (7) days or any lesser minimum period permitted by the Massachusetts General Laws of the Commonwealth unless claimed by the owner within that period.
- C. If, by a license tag or other means, the owner of an impounded animal can be identified, the animal control officer shall return the animal to the owner and issue a citation, or impound the dog and immediately notify the owner by telephone or mail.

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- D. An owner or keeper of an impounded or quarantined dog or quarantined cat, shall pay an administrative fee of thirty-eight dollars (\$38.00), plus sixteen dollars (\$16.00) for each day the animal was impounded or quarantined.
- E. Any animal not reclaimed by its owner within seven (7) days shall become the property of the local government authority and shall be placed for adoption in a suitable home or humanely euthanized.
- F. Animal control officers, animal inspectors, humane officers, police officers and Board of Health officers of the City shall be empowered to issue citations to the owners of animals for violations of this chapter and to otherwise enforce this chapter.
- G. If a citation is issued, a penalty of fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for the second and subsequent offenses within the licensing period and must be paid within twenty-one (21) days in full satisfaction of the assessed penalty. In the event that such penalty is not paid within the time period prescribed, a criminal warrant shall be initiated before a magistrate and upon conviction of a violation of this chapter, the owner shall be punished as provided in this chapter.
- H. The city may revoke all licenses issued to animal owners against whom three (3) or more violations of this chapter have been assessed in the current licensing period. Upon revocation of the license the animal shall be impounded and disposed of at the discretion of the animal control officer.
- I. The owner, keeper, or person otherwise in control of a dog shall not suffer or allow it to run at large in any of the streets or public places in the City, or upon the premises of any person other than the owner or keeper, unless the owner or occupant of such premises grants permission. Under no circumstances shall a dog, even on a leash, be on private property of another, unless specific permission has been granted. No dog shall be permitted in any public street or place within the City unless it is effectively restrained by a chain or leash not exceeding six (6) feet in length.
- J. Every person taking up any animal liable to be impounded under the provisions of this title shall within twelve (12) hours after taking up such animal give notice thereof to the City. The Animal Control Department may thereupon take such animal into custody, and every person to whom such animal may be delivered, or who shall receive the same, shall forthwith, upon demand, deliver such animal to the Animal Control Department. Every person taking up such animal and failing or neglecting to give such notice, or refusing or neglecting to deliver such animal to the Animal Control Department shall be deemed guilty of an infraction.
- K. Emergency medical care and treatment. The following shall apply when an Animal Control Officer seeks medical attention for any sick or injured stray animal:
  - 1. The minimum standards of treatment will apply for relieving pain, suffering and maintaining life of the animal.
  - 2. If the owner of such animal cannot be identified within twenty-four (24) hours, the animal shall become the property of the impounding authority. If, during the initial twenty-four (24) hour period, it is recommended by a veterinarian that the animal is in such pain and has no reasonable hope of recovery or the financial expense is significant, the animal may be humanely euthanized. The City shall not be liable for any expense with respect to such animal at any time unless, expressly authorized by the City or its agents.
  - 3. If the owner of such animal can be identified, the animal control officer shall attempt to notify the owner immediately or as soon as practical thereafter. In any case, such owner shall be liable for any expenses incurred with respect to such animal.
  - 4. If after minimal emergency care such animal can be safely impounded, the animal control officer may impound such animal subject to disposition in accordance with this ordinance.

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5. If an animal control officer is requested or compelled by an animal owner to transport their sick or injured animal for medical treatment the owner shall incur all costs and liabilities associated with such treatment.

**Sec. 3-9. - Animal waste.**

- A. The owner of every dog shall be responsible for the removal of any fecal matter deposited by the owner's dog when their dog is on private property of others, public walks, or recreation areas. "Owner" includes person(s) who possess or control the dog.
- B. The owner or person(s) who possess or control the dog when appearing with the dog on any public walk, street, recreation area or private property of others shall possess the means of removal of any fecal matter left by such dog.
- C. For purposes of this regulation, the means of removal shall include any tool, implement or other device carried for the purpose of picking up and containing such fecal matter for proper disposal.
- D. When any domestic or wild animal dies, the person(s) in control of the animal and/or property, shall cause the animal to be removed to an animal-rendering company disposed or in any other lawful manner buried within seventy-two (72) hours of the death of the animal. When taken by the animal control department there shall be an administrative fee of fifty dollars (\$50.00).
- E. The owner shall not permit dog excreta to accumulate on his/her property.

**Sec. 3-10. - Sterilization.**

No unclaimed dog shall be released for adoption without being sterilized or without written agreement from the adopter guaranteeing that such animal will be sterilized and a deposit of at least one hundred dollars (\$100.00) must be paid at the time of adoption, one hundred dollars (\$100.00) to be returned after proof of sterilization.

**Sec. 3-11. - Dangerous & Nuisance Dogs, Hearings, Appeals.**

- A. In addition to any member of the public, the chief of police, or assigned hearing officer, any animal control officer, or any other city officer or employee as may be designated by the Mayor may initiate the complaint and hearing procedures of section 157(d) of chapter 140 of the General Laws relative to declaring dogs nuisance or dangerous dogs.
- B. Pending any appeal filed in the district court by an owner or keeper, the hearing officer may, with the representation of the law department, file a petition in the court to request an order of impoundment at a facility the City uses to shelter animals for a dog complained of as being a dangerous dog and may likewise take any and all appropriate actions to defend the order and advance the interests of this ordinance in court.
- C. In addition to the compliance conditions set forth associated with a dangerous dog order. The hearing authority may also order signage alerting individuals that a dangerous dog resides at the premises.
- D. No dog, which has previously been determined to be potentially dangerous or vicious after an administrative hearing by another jurisdiction, will be allowed to be kept, owned or harbored in the City.
- E. No dog designated as a dangerous dog shall be permitted at public festivals, carnivals, parades or similar events, without an event specific waiver from the Animal Control or Police department.
- F. The Animal Control department may conduct random inspections of all properties housing (excluding dwelling) dogs deemed dangerous.
- G. Any dog deemed dangerous or nuisance and subsequently removed / re-homed by the owner or keeper outside the City must notify the Animal Control department within twenty-four hours the new location and the new owner or keeper of the dog.

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- H. Compliance with the requirements of this section shall not be a defense to an order of disposal of a vicious dog pursuant to Massachusetts General Laws Chapter 140, Section 157.
- I. All notice and hearing procedures will be carried out in conformance with Massachusetts General Laws, Chapter 140, Section 157.

**Sec. 3-12. - Dogs on school premises.**

- A. The owner or keeper of any dog shall not allow his or her dog to be upon any school grounds at any time.
- B. Any owner or keeper of a dog who fails to comply with the provisions of this section shall be given a written warning for the first offense and fined seventy-eight dollars (\$78.00) for the second and any subsequent offense; the appropriate licensing authority shall include a copy of the fine(s) with any notices relating to the renewal of dog licenses.

**Sec. 3-13. - Apprehension and impoundment.**

- A. It shall be the duty of the animal control officer to apprehend and impound any unlicensed dogs. When the dog is impounded by the City, the owner reclaiming the dog shall be required to pay all fines and charges owed to the City before the dog is released.
- B. It shall be the duty of the animal control officer to apprehend any dangerous dogs running at large. Any dangerous dog found running at large shall be impounded and may be returned to its owner only upon proof of registration as a dangerous dog. The animal control officer may shoot a dog if the dog attacks the officer or approaches the officer in a menacing fashion so that the officer believes that the dog is about to attack.
- C. In any event, when a dog is impounded, the impounding authority shall give notice to the owners of the impoundment and advise the owners whether and under what circumstances the dog may be redeemed. The owner of any dog impounded, confined or destroyed pursuant to the terms of this chapter shall be responsible for all costs of such confinement, impoundment or destruction.

**Sec. 3-14. - Enforcement.**

- A. The civil and criminal provisions of this chapter shall be enforced by those persons or agencies designated by the City authority, or law enforcement officers appointed under Chapter 147, Section 10 of the Massachusetts General Laws. It shall be a violation of this chapter to interfere with a humane officer, animal control officer or other person(s) designated by the City to enforce this chapter in the performance of their duties.
- B. The animal control officer and police officers, under the authority of Massachusetts General Laws Chapter 40, Section 21D and Massachusetts General Laws Chapter 40U, are authorized to issue tickets for violations of this chapter pursuant to the procedures set forth therein.

**Sec. 3-15. - Severability.**

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction or by any agency or of any kind or by anyone else, the remainder of this ordinance shall not be affected.

**ARTICLE III. - DOGS**

**Sec. 3-16. - Kennels—License.**

- A. Unless otherwise set out in this chapter, any term defined in M.G.L. c. 140 § 136A shall have the same meaning in this chapter, and shall be expressly incorporated herein.
- B. The kennel license shall be on a form prescribed by the City Clerk and furnished by him, and shall specify the name of the owner, the name of the kennel, the name of the keeper and the location of such kennel. Such license shall specify the maximum number of dogs to be kept on the premises at any one (1) time. Such licenses shall be renewed annually.
- C. The City Clerk shall not issue a kennel license until a kennel has passed inspection by an animal control officer.

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- D. The animal control officer shall examine any premises to be used as a proposed kennel and must submit a written report to the board of appeals stating his/her opinion as to whether or not such a site would be suitable for the type of kennel license requested.
- E. Failure of the board of appeals to give written approval to a kennel at the proposed location of such kennel will cause a kennel license not to be issued at such location by the City Clerk.
- F. The fees for each classification of kennel license shall be as follows:
  - 1. Domestic Charitable Corporation Kennel - No charge
  - 2. Personal Kennel license - One hundred dollars (\$100.00) per year.
  - 3. Commercial boarding or training kennel, Commercial breeder kennel or Veterinary kennel license - Two hundred twenty-five dollars (\$225.00) per year.
- G. A kennel license shall be in lieu of any other license required for any dog which may be kept in such kennel for any portion of the period for which the license is issued. The owner or keeper of such kennel shall renew the license prior to the commencement of each succeeding license period.
- H. While at large, each dog in a kennel shall wear a collar or harness to which shall be securely attached a tag upon which shall appear the number of the kennel license, the words "City of Brockton," and the year of issuance. Such tag shall be in a form prescribed and furnished by the City Clerk.
- I. If a kennel owner desires to increase the capacity of his/her kennel during a license period, he/she shall apply for a license modification to the City Clerk along with written approval of the board of appeals. The City Clerk shall issue such modification upon payment by the owner of the difference between his/her existing kennel license and the fee for the kennel license most recently approved.
- J. A veterinary hospital shall not be considered a kennel unless it contains an area for the grooming or selling of dogs, or for the boarding of dogs for other than medical or surgical purposes, in which case it shall apply in writing to the City Clerk, submitting approval from the board of appeals for the required kennel license.
- K. All holders of kennel licenses shall notify the Animal Control Department, in writing, of the sale of any dog or pup, including a description of the animal, the age, color, identifying marks, sex and whether the dog has been spayed or neutered. The same such notice shall be forwarded by the kennel owner to the city or town in which the new owner of the dog resides, if other than Brockton.

**Sec. 3-17. - Kennels -- Inspection and regulation.**

The provision of MGL c. 140, § 137C, as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter.

**Sec. 3-18. - Rabies control.**

- A. The provision of MGL c. 140, § 145 et seq, as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter.
- B. The Board of Health will provide free of charge to the animal control officer, a rabies vaccination upon request of such officer.
- C. Whoever violates the provisions of this section shall be punished by a fine of not less than one hundred dollars (\$100.00) which shall be paid to the City.

**Sec. 3-19. - Killing of dogs attacking, etc., persons, animals or fowl: dogs living in a wild state, etc.**

The provision of MGL c. 140, §§ 156 and 158, as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter.

**Sec. 3-20. - Killing of a dog known to have done damage: bond.**

The Mayor, animal control officer, or agent duly authorized in writing, may, after written notice to the owner or keeper, enter upon the premises of the owner or keeper of any dog

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known to have done damage to livestock or fowl, and then and there kill such dog, unless such owner or keeper whose premises are thus entered shall give a bond in the sum of one thousand dollars (\$1,000.00), with sufficient sureties, approved by the Mayor, conditioned that the dog be under permanent restraint. If the owner or keeper declares his/her intention to provide such bond, he/she shall be allowed seven (7) days in which to provide the bond to the City Clerk, exclusive of Sundays and holidays.

**Sec. 3-21. - Animal officers; duties, responsibilities, etc.**

- A. The department of animal control shall have the power and duty to investigate apparent or reported violations within the provisions of sections 136A through 174F, inclusive and City ordinance, chapter 3 - Animals and Fowl.
- B. The animal control officer shall, at least twice in each year, inspect every premises holding a kennel license and shall issue a written report of the conditions of said kennel to the Mayor, the City Council and the Board of Health, stating his/her opinion as to the maintenance, humane and sanitary conditions and if records are properly kept by the owner or keeper of said kennel.
- C. No animal control officer shall be a licensed animal dealer registered with the United States Department of Agriculture and no animal control officer or any representative shall sell any animal to any licensed animal dealer registered with the department. Whoever violates this subsection shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), which fine shall be paid to the City.
- D. The animal control officer shall be responsible for the supervision of and the maintenance and care of the animal control shelter in the City and shall maintain such shelter in a humane and sanitary condition.
- E. The animal control officer shall be responsible for maintaining records of all animals that become the subject of any action. He/She shall record each complaint and the nature thereof and what action, if any, was taken by him or any other authority of the City.
- F. The animal control officer shall maintain records of each dog confined under his/her care and custody for any reason whatsoever, stating the reasons for such confinement, the breed and color of the dog, the date the dog came under the control of the animal control officer, the final disposition of the dog and the date of that disposition. Records of the animal control officer are public records and must be made available during normal working hours to any persons requesting same.
- G. The animal control officer shall examine any premises to be used as a proposed kennel and must submit a written report to the board of appeals stating his/her opinion as to whether or not such a site would be suitable for the type of kennel license requested.
- H. The animal control officer shall, from time-to-time, seek out, catch and confine all dogs within the City which then have not been licensed, collared and tagged as required by the city ordinances. He/She shall enter and prosecute a complaint for failure to comply with the provisions of the city ordinances against the owners or keeper thereof, if known. He/She shall kill or cause to be killed each such dog which, after a period of seven (7) days, remains unclaimed or, at the end of the seven-day period, each animal control officer may sell any healthy dog to any person presenting a valid positive identification for a sum not less than ten dollars (\$10.00), which shall be paid to the City.
- I. Before delivery of any dog so sold, the animal control officer shall require the purchaser to obtain a license from the City Clerk, or shall require the purchaser to pay the appropriate license fee with an application for a dog license to the animal control officer.
- J. All dogs confined under this section shall be confined in a suitable and humane detention area, or they may be placed in the care of a holder of a kennel license or with a domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, abuse or neglect.

**Sec. 3-22. - Violation—Penalty.**

Except as otherwise provided for in this chapter:

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- A. Any person violating any provision of this chapter shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than five hundred dollars (\$500.00).
  - B. If any violation is continuing, each day's violation shall be deemed a separate violation.
  - C. Any person found in violation by the chief of police or their designee or a court of competent jurisdiction, of any part of this chapter, may have his/her permit to own, keep, harbor, or have custody of animals revoked and no new permit will be issued.
- State Law reference - Penalty for violation of dog control laws, G.L. c. 140, §173A

**Sec. 3-23. - Guard Dogs in General**

- A. Any dog used primarily for the purpose of securing and protecting real or personal property, which is open to public access at any time, shall comply with all the following:
  - 1. Such dog shall be registered with the City Clerk in accordance with M.G.L.A. c. 140, §§ 137, 137A.
  - 2. Such dog shall be kept within a closed-in area at all times when such property is open to public access or during business hours. Such closed-in area will consist of a fence at least six feet high with a fence covering and a locked gate and/or within a locked room if in a business establishment.
  - 3. All areas secured or protected by a security or guard dog shall be posted in such a thorough manner as to give adequate notice to the public (beware of guard dog, etc.).
- B. No person or business shall harbor a security dog or guard dog unless he/she has obtained a security dog kennel permit as follows:
  - 1. Such permit will be issued by the City Clerk at no fee upon written certification by the animal control officer that such business or person has complied with all the guidelines of this section. The permit may be revoked by the police upon evidence of violation of this section.
  - 2. The City Clerk shall provide the fire chief and police chief with a copy of the security dog kennel permit.
  - 3. The security dog kennel permit shall specify the location at which the dog is licensed to be located, and no transfer or relocation of the duly licensed guard/security dog shall be permitted without the approval of the animal control officer.
  - 4. Such permit shall be valid for an indefinite period of time.
  - 5. Any business or private resident harboring a security dog shall, upon the request of the animal control officer or any police officer, allow him/her to enter and inspect the kennel area where such dog is licensed to be harbored.
  - 6. Failure to comply with this section will result in a fine of fifty dollars (\$50.00) for each day of such violation.
- C. Registration: All service companies that train, sell, rent, leases or loans guard dogs for the purpose of defending, patrolling or protecting property or persons.
- D. Work Site: The area or building in which a guard dog is maintained on patrol, with or without a handler.
- E. No guard dog service or individual shall own or keep a guard dog without registering the guard dog with the City of Brockton and obtaining a guard dog license.
- F. Guard dogs shall wear nylon or leather collars with their license and rabies vaccination tags at all times.
- G. The owner of the guard dog service or the owner of the guard dog shall at his or her own expense have the guard dog implanted with an electronic animal identification device (microchip) and provide the Animal Control department with the microchip manufacturer and number.
- H. The Animal Control department shall be notified immediately upon transfer of ownership, death or disappearance of a guard dog.
- I. An officer shall, upon presentation of proper credentials, shall have the right to enter and inspect all kennels housing guard dogs and other premises where such dogs are in use for determination of compliance with this section.

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- J. It shall be unlawful for any person, firm or corporation to own or harbor any guard dog in the City that has not been vaccinated for rabies, registered, licensed and implanted with an electronic animal identification (microchip) device as provided by this section.

**Sec. 3-24. -- Use of Guard Dogs**

- A. Each business which hires or uses a guard dog shall provide adequate fencing or some other confining structure to keep the guard dog within the guarded area. The businessowner or person responsible for managing each business that hires or uses a guard dog is responsible for each guard dog under his or her control.
- B. Each business which hires or uses a guard dog that is on the premises during that business's operating hours shall have the dog confined or restrained in such a manner so as not to have access to those open to the public or to otherwise pose a danger to the public.
- C. The business owner or person responsible for managing a business which hires or uses a guard dog shall be responsible for having signs stating "CAUTION GUARD DOGS", or other suitable wording in letters at least six inches high, shall be placed at eye height on each side of the outside site or building and at no more that 50-foot intervals.
- D. Entry points shall have a sign posted with the telephone number (not an answering or call service) of the business owner, property manager or guard dog service in case of an emergency.



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- E. Notification, in writing, must be given to local Animal Control, Police and Fire departments before guard dogs are installed at a site. This letter of notification shall include the name and telephone number (not an answering or call service) of a person who shall remove the free patrolling animal in case of emergency.
- F. Guard dogs shall be given a humane existence, Guard dogs that are confined in a cage shall have at least one half hour of exercise within each twelve (12) hours of confinement. It shall be unlawful for any person, owner, or manager keeping a guard dog to fail to provide, clean, sanitary, safe and humane conditions; sufficient quantities of wholesome food daily; adequate quantities of visible; clean and fresh water available at all times; proper air ventilation and circulation; proper shelter (a motor vehicle is not considered proper shelter); medical attention and necessary veterinary care when, sick, diseased, or injured.
- G. Periodic inspections of properties maintaining guard dogs may be conducted by the Animal Control department or any other law enforcement official as stated in section 3-14 Enforcement of this chapter. Any violation(s) found may result in the issuance of fines or other lawful actions. If the conditions of said properties do not meet the requirements of this section, the authority shall direct removal of the dog(s) until the defect is corrected.

#### **ARTICLE IV. - MISCELLANEOUS ANIMAL REGULATIONS**

##### **Sec. 3-25. - Making a false Complaint/Statement/Interference**

- A. Whoever with willful intent, misrepresents, misleads or deceives any Animal Control Officer, Animal Inspector, Board of Health Agent, Humane Officer, Constable or Police Officer; falsely alleging or reporting any animal matter may be fined in accordance with this chapter.
- B. All owners/keepers of animals shall not refuse to identify or provide false information regarding their name, date of birth, address and animal information to the Animal Control Officer, Animal Inspector, Board of Health Agent, Humane Officer, Constable or Police Officer.
- C. Any person who hinders, obstructs or otherwise interferes with an officer while discharging his or her duties under this chapter, or who attempts to take any animal from any officer or from any vehicle used by the officer to transport any animal, or who takes or attempts to take any animal from the department without proper authority, or who knowingly interferes with any animal trap set by an officer or persons obtaining said traps from the department shall be deemed in violation of this section.

##### **Sec. 3-26. - Safe transportation of Animals**

No person shall transport an animal in the back of a motor vehicle in a space intended for a load on the vehicle on a public way unless such space is enclosed or has side and tail racks to a height of at least 46 inches extending vertically from the floor, the animal is cross tethered to the vehicle, the animal is protected by a secured container or cage or the animal is otherwise protected in a manner which will prevent the animal from being thrown or from falling or jumping from the vehicle.

A noncriminal disposition penalty will be assessed in the amount of fifty dollars (\$50.00) to the owner for the first offense; seventy-five dollars (\$75.00) to the owner for the second offense; and one hundred dollars (\$100.00) for the third and subsequent offenses.

##### **Sec. 3-27. - Chaining or tethering dog to stationary object; confinement; restrictions; penalty**

The provision of MGL c. 140, §174E, as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter.

##### **Sec. 3-28. - Animals left unattended in motor vehicles.**

The provision of MGL c. 140, §174F, as amended, shall be expressly incorporated herewith and shall henceforth apply under this chapter.

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Jeffrey Thompson, Ward 5 Councilor

Winthrop Farwell, Councilor-at-Large

IN CITY COUNCIL

December 27, 2022  
READ AND REFERRED TO STANDING  
COMMITTEE ON ordinance  
Timothy J. Cruise  
CLERK

IN CITY COUNCIL, February 27, 2023  
PASSED TO A THIRD READING. By a hand vote.  
Timothy J. Cruise  
CLERK

CITY COUNCIL, MAR 13 2023  
ORDAINED BY A VOTE TAKEN BY "YEAS" AND "NAYS";  
10 MEMBERS BEING PRESENT AND ALL VOTING  
IN THE AFFIRMATIVE. Councilor Asack absent.  
Timothy J. Cruise  
CLERK

SENT TO MAYOR FOR APPROVAL

MAR 16 2023

APPROVED  
[Signature]  
MAYOR

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AS AMENDED

In City Council Dated January 9, 2023

ORDINANCE

Be it ordained by the City Council of the City of Brockton as follows:

That the City Council adopt the following Ordinance relative to Recreational Vehicles in the City of Brockton:

**Recreational Vehicles**

(a) Definitions.

*Recreational Vehicle* is any motor vehicle designed or modified for use over unimproved terrain for recreation or pleasure including, but not limited to, all-terrain vehicles, off-highway motorcycles, dirt bikes, and recreation utility vehicles as defined in M.G.L.A. c. 90B §20.

*Hazardous Operation* is the operation a recreational vehicle upon any way or place in which the public has a right of access, any place to which members of the public have access as invitees or licensees or any privately owned property upon which an operator has the permission of the landowner to enter upon in the city, in a manner so that the lives or safety of the operator, any passenger or general public might be endangered.

(b) Registration.

Pursuant to M.G.L. c. 90B, § 22, no recreational vehicle, as defined by M.G.L. c. 90B, § 20, may be operated unless it is registered with the Massachusetts Environmental State Police and a valid registration number is displayed on the vehicle.

(c) Prohibited Acts

Unregistered vehicles. No person shall place, store, or keep more than four (4) unregistered recreational vehicles that, in order to be operated, are required to be registered under the laws or regulations of the Commonwealth, including, but not limited to M.G.L.A. c. 90B, upon public or private land, including any buildings thereon, zoned or used for residential purposes. This subsection shall not apply to vehicles stored in compliance with the City zoning ordinance or to vehicles stored, parked, or displayed on property duly licensed in accordance with M.G.L.A. c. 140 §§ 57 through 69.

(d) Hazardous Operation Prohibited.

No person shall engage in hazardous operation of a recreation vehicle. Hazardous operation shall include but is not limited to the following:

1. An operator a recreational vehicle shall not cause such vehicle to ride with its front wheel or wheels raise from the surface of the road or ground while operated in any public space.
2. An operator of a recreational vehicle shall not cause such vehicle to ride with its rear wheels raised from the surface of the road or ground while operated in any public space.
3. An operator a recreational vehicle shall not cause any side wheels of such vehicle to raise from the surface of the road or ground while operated in any public space.

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4. An operator of a recreational vehicle shall not ride such vehicles with his or her feet or knees planted on the seat while operating in any public space.
5. An operator of a recreational vehicle shall not operate such vehicle in a manner commonly associated with trick or stunt riding.
6. An operator of a recreational vehicle shall not operate such vehicle with a passenger if designed for a single rider.
7. No passenger shall ride upon a recreational vehicle that is designed for a single rider.
8. An operator of a recreational vehicle shall not operate such vehicle with a passenger sitting or riding upon the handlebars or forward of the operator.
9. No person shall operate a recreational vehicle in any manner which violates the provisions of the city Code of Ordinances.
10. *Flammable fluids.* No person under the age of eighteen (18) years shall cause gasoline or other flammable or volatile fluid to be loaded into any recreational vehicle, on any public or private street of the city or at any location which is open to the public. Any person in charge of any gasoline or filling station shall not allow any person under the age of eighteen (18) years to cause gasoline or other flammable or volatile fluid to be loaded into any recreational vehicle.
11. *Gas station.* No person shall cause gasoline or other flammable or volatile fluid to be loaded into any recreational vehicle at any filling station unless said recreational vehicle is loaded on a trailer or truck. It shall be a violation for any filling station to allow a recreational vehicle to be filled at any station that is in conflict with this provision.

(e) Penalties.

A violation of any of this Ordinance shall be subject to a fine of two hundred fifty (\$250.00) dollars for the first violation, and for a second or subsequent offense, by a fine of three hundred (\$300.00) dollars.

(f) Enforcement.

The Brockton Police Department shall have the authority to enforce these sections and to promulgate rules and regulations necessary to implement and enforce these sections. Brockton Fire Department shall have the authority to enforce the provisions of this ordinance, or any statute, regulation, or code as it relates to this ordinance, involving the storage or use of flammable fluids. Nothing herein shall prevent any city official, agency, department, board or commission with care, custody and control of any public property from enforcing any provisions of this ordinance or from promulgating rules and regulations necessary to implement and enforce any provisions of this ordinance as it may related to any such property. The provisions of M.G.L. c. 40, s. 21D may be used to enforce this section.

(g) Impoundment

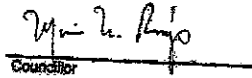
The Brockton Police Department shall have the authority to impound any vehicle in violation of these sections if said recreational vehicle is required to be registered pursuant to M.G.L.A. c.90B Section 22 and is not so registered, incident to an arrest of the operator or owner, if the recreational vehicle impedes traffic, threatens public safety or there is a danger of vandalism and/or property damage to the recreational vehicle. No such impounded vehicle shall be released until final disposition of all criminal and/or civil charges, and payment of related assessed penalties, relating to the operation or storage of any recreational vehicle, nor until proof of ownership and proper registration under M.G.L.A. c. 90B, §22 (if applicable) is verified and applicable towing and storage charges are paid. The Brockton Police Department shall have the authority to obtain warrants authorizing entry upon private lands and into private buildings whether or not

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covered by water, to enforce this ordinance. Further, if any such impounded recreational vehicle is not subject to registration in accord with the provisions of M.G.L.A. c. 90B, §22, said recreational vehicle shall not be released unless the owner demonstrates an ability to safely transport the recreational vehicle from its place of impoundment without operating the recreational vehicle upon any public way in the City.

(b) Applicability

If any provision of this ordinance imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, order, or policy, then the provisions of this ordinance shall control.

  
Councillor

Moises Rodriguez, Councilor-at-Large

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In City Council Dated January 11, 2023

## ORDINANCE

Be it ordained by the City Council of the City of Brockton as follows:

That the City Council adopt the following Ordinance relative to Recreational Vehicles in the City of Brockton:

### Recreational Vehicles

#### (a) Definitions.

*Recreational Vehicle* is any motor vehicle designed or modified for use over unimproved terrain for recreation or pleasure including, but not limited to, all-terrain vehicles, off-highway motorcycles, dirt bikes, and recreation utility vehicles as defined in M.G.L.A. c. 90B §20.

*Hazardous Operation* is the operation a recreational vehicle upon any way or place in which the public has a right of access, any place to which members of the public have access as invitees or licensees or any privately owned property upon which an operator has the permission of the landowner to enter upon in the city, in a manner so that the lives or safety of the operator, any passenger or general public might be endangered.

#### (b) Registration.

Pursuant to M.G.L. c. 90B, § 22, no recreational vehicle, as defined by M.G.L. c. 90B, § 20, may be operated unless it is registered with the Massachusetts Environmental State Police and a valid registration number is displayed on the vehicle.

#### (c) Hazardous Operation Prohibited.

No person shall engage in hazardous operation of a recreation vehicle. Hazardous operation shall include but is not limited to the following:

1. An operator a recreational vehicle shall not cause such vehicle to ride with its front wheel or wheels raise from the surface of the road or ground while operated in any public space.
2. An operator of a recreational vehicle shall not cause such vehicle to ride with its rear wheels raised from the surface of the road or ground while operated in any public space.
3. An operator a recreational vehicle shall not cause any side wheels of such vehicle to raise from the surface of the road or ground while operated in any public space.
4. An operator of a recreational vehicle shall not ride such vehicles with his or her feet or knees planted on the seat while operating in any public space.
5. An operator of a recreational vehicle shall not operate such vehicle in a manner commonly associated with trick or stunt riding.
6. An operator of a recreational vehicle shall not operate such vehicle with a passenger if designed for a single rider.
7. No passenger shall ride upon a recreational vehicle that is designed for a single rider.

8. An operator of a recreational vehicle shall not operate such vehicle with a passenger sitting or riding upon the handlebars or forward of the operator.
9. No person shall operate a recreational vehicle in any manner which violates the provisions of the city Code of Ordinances.
10. *Flammable fluids.* No person under the age of eighteen (18) years shall cause gasoline or other flammable or volatile fluid to be loaded into any recreational vehicle, on any public or private street of the city or at any location which is open to the public. Any person in charge of any gasoline or filling station shall not allow any person under the age of eighteen (18) years to cause gasoline or other flammable or volatile fluid to be loaded into any recreational vehicle.
11. *Gas station.* No person shall cause gasoline or other flammable or volatile fluid to be loaded into any recreational vehicle at any filling station unless said recreational vehicle is loaded on a trailer or truck. It shall be a violation for any filling station to allow a recreational vehicle to be filled at any station that is in conflict with this provision.

(d) Penalties.

A violation of any of this Ordinance shall be subject to a fine of two hundred fifty (\$250.00) dollars for the first violation, and for a second or subsequent offense, by a fine of three hundred (\$300.00) dollars.

(e) Enforcement.

The Brockton Police Department shall have the authority to enforce these sections and to promulgate rules and regulations necessary to implement and enforce these sections. Nothing herein shall prevent any city official, agency, department, board or commission with care, custody and control of any public property from enforcing any provisions of this ordinance or from promulgating rules and regulations necessary to implement and enforce any provisions of this ordinance as it may related to any such property. The provisions of M.G.L. c. 40, s. 21D may be used to enforce this section. The Brockton Police Department shall have the authority to impound any vehicle in violation of these sections.

*Moises Rodriguez*  
\_\_\_\_\_  
Councillor

Moises Rodriguez, Councilor-at-Large

IN CITY COUNCIL

January 11, 2023  
READ AND REFERRED TO STANDING  
COMMITTEE ON Ordinance

*Timothy J. Gagne*  
\_\_\_\_\_  
CLERK

In Ordinance Committee February 9, 2023

Councilor Rodrigues motioned to amend to include the changes for Prohibited Acts, Impoundment and Applicability. Motion was seconded. Motion carried by a hand vote. Councilor Rodrigues motioned to amend to increase second offense in Penalties from \$300.00 to \$500.00. Motion was seconded. Motion carried by a hand vote. Councilor Minichiello motioned to amend to include language of "payment of all related assess penalties" under the Impoundment section. Motion was seconded. Motion carried by a hand vote.

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IN CITY COUNCIL February 27, 2023

PASSED TO A THIRD READING AND Amended By  
a hand vote.

Timothy J. Cruise  
CLERK

In City Council March 13, 2023

Ordained as amended by a roll call vote taken by  
"yeas" and "nays"; ten members present and all  
voting in the affirmative. Councilor Asack  
absent.

Timothy J. Cruise  
City Clerk

SENT TO MAYOR FOR APPROVAL

MAR 16 2023

APPROVED

[Signature]  
MAYOR



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AS AMENDED

In City Council Dated January 23, 2023

ORDINANCE

An Ordinance Amending Article III, Division 2, Section 2-127 – Pay Plan

Be it ordained by the City Council of the City of Brockton, Article III, Section 2-127 is hereby amended by inserting "Conservation Commission Chair, Conservation Commission Member" to the categories of pay plan positions with the initial use of "ConC" to designate the Conservation Commission and by inserting "Parking Authority Chair, Parking Authority Member" with the initial use of "PA" to designate the Parking Authority. Be it further amended that the pay plan reflect the following for compensation:

ConC-1	Conservation Commission Chair	\$300 per meeting	
ConC-2	Conservation Commission Member	\$200 per meeting	If an alternate sits at a meeting, they shall be compensated as a regular member at the flat rate for ConC-2.

PA-1	Parking Authority Chair	\$300 per meeting	
PA-2	Parking Authority Member	\$200 per meeting	If an alternate sits at a meeting, they shall be compensated as a regular member at the flat rate for PA-2.

The change in the Pay Plan for the positions shall be effective to July 1, 2023 as shown above.

*Susan Nicastro*

Susan Nicastro, Ward 4 Councilor

*Shirley Asack*  
Councilor

Shirley Asack, Ward 7 Councilor

*Winthrop Farwell, Jr.*  
Councilor

Winthrop Farwell, Jr., Councilor-at-Large

In City Council Dated January 23, 2023

## ORDINANCE

## An Ordinance Amending Article III, Division 2, Section 2-127 - Pay Plan

Be it ordained by the City Council of the City of Brockton, Article III, Section 2-127 is hereby amended by inserting "Conservation Commission Chair, Conservation Commission Member" to the categories of pay plan positions with the initial use of "ConCom" to designate the Conservation Commission. Be it further amended that the pay plan reflect the following for compensation:

ConCom-1	Conservation Commission Chair	\$300 per official posted meeting	
ConCom-2	Conservation Chair Member	\$200 per official posted meeting	If an alternate sits at a meeting, they shall be compensated as a regular member at the flat rate for ConC-2.

The change in the Pay Plan for the positions shall be effective to July 1, 2023 as shown above.

*Susan Nicastro*

Susan Nicastro, Ward 4 Councilor

*Shirley Asack*

Shirley Asack Ward 7 Councilor

*Winthrop Farwell, Jr.*

Winthrop Farwell, Jr., Councilor-at-Large

## IN CITY COUNCIL

January 23, 2023

READ AND REFERRED TO STANDING COMMITTEE ON

*Timothy J. Cruise*

CLERK

In Ordinance Committee February 9, 2023

Councilor Minichiello motioned to amend to include the Parking Authority and its Chair at the same rates. Motion was seconded. Motion carried by a hand vote.

IN CITY COUNCIL February 27, 2023

PASSED TO A THIRD READING. AS Amended.

By a hand vote

*Timothy J. Cruise*

CLERK

In City Council March 13, 2023

Ordained as amended by a roll call vote taken by "yeas" and "nays"; 10 members present and all voting in the affirmative. Councilor Asack absent.

*Timothy J. Cruise*

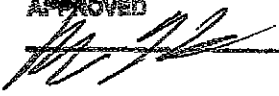
City Clerk

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SENT TO MAYOR FOR APPROVAL

MAR 16 2023

APPROVED

A handwritten signature in dark ink, appearing to be 'M. J. [unclear]', is written over a horizontal line.

MAYOR