

**Town of Bridgewater**  
**Town Council**  
**FY18 Ordinances Voted**

*(Effective 7/1/2017 legislation will be numbered and tracked according to fiscal year initiated.)*

**Directory of Documents**

**Town Council Ordinances**

*(Click on Ordinance Number/Name to View Document)*

<i>Ordinance Number</i>	<i>Ordinance Title</i>	<i>Date Adopted</i>
<i>D-FY18-001</i>	Establish a Stabilization Fund	September 19, 2017
<i>D-FY18-003</i>	Zoning Ordinance - Rezone Lots on Easy Street to Residential A/B.	December 19, 2017
<i>D-FY18-004</i>	Senior Work-Off Abatement Program	October 3, 2017
<i>D-FY18-005</i>	Zoning Ordinance - Prohibiting the Retail Sale of Recreational Marijuana	December 19, 2017
<i>D-FY18-007</i>	Parking Ordinance	February 27, 2018
<i>D-FY18-012</i>	Amend General Ordinances - Vacant and Abandoned Properties	December 19, 2017
<i>D-FY18-014</i>	Establish District Improvement Financing District – Elm Street	April 24, 2018



# Bridgewater Town Council

In Town Council, Tuesday September 19, 2017

Council Ordinance: D-FY18-001

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Introduced By:	Councilor Fitzgibbons
Date Introduced:	July 11, 2017
First Reading:	July 11, 2017
Second Reading:	September 5, 2017
Third Reading:	September 19, 2017
Amendments Adopted:	None
Date Adopted:	September 19, 2017
Date Effective:	October 20, 2017

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## **Ordinance D-FY18-001**

### **ESTABLISH A STABILIZATION FUND**

WHEREAS, structurally sound financial practices, includes the prudent use of onetime revenue(s), as a pillar of the town's long-term fiscal strategic plan; and

WHEREAS, onetime revenue is appropriately used as a funding source for onetime and/or unforeseen expenditures that are noncapital related;

WHEREAS: It is appropriate that the Town Council have a dedicated fund from which to appropriate resources for such purposes;

Now, therefore, in accordance with the authority so vested in it by the Bridgewater Home Rule Charter, the Town Council votes to take the following action:

**ORDERED that under Massachusetts General Laws, Chapter 40, §5B, the Town of Bridgewater establish a Stabilization Fund for "Onetime/Unforeseen Expenditures" with the purpose of accepting funds from revenue sources that are deemed one-time or mitigation revenue, to be appropriated from, as required, to fund one-time and/or unforeseen expenditures, or take any other action relative thereto.**

Explanation:

One Time/Unforeseen Expenditures – to strengthen the structurally sound financial practices that the town has been building upon/recently implementing it is prudent that we establish a process which uses one time revenue sources to fund items; such as snow & ice deficits, contract settlements, and the town's non-capital related project initiatives.

Said amounts should be appropriated from this fund, and carried over from year to year, in the general fund, for the special purpose for which they are intended. These appropriations will not be comingled with the appropriations made for the annual operating budget. All funds remaining, not required for the special purpose, would be transferred back into this stabilization fund, to be used for a future appropriation.

**ROLL CALL VOTE – REQUIRES MAJORITY OF FULL COUNCIL.**

*Committee Referrals and Dispositions:*

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"><li>• Budget &amp; Finance Committee</li><li>• Finance Committee</li><li>• This measure will be advertised in the Enterprise on 9/9/17 and on the Town's website.</li></ul>	<ul style="list-style-type: none"><li>• 8/7/17: Vote 3-0 recommend approval.</li><li>• 8/7/17: Vote unanimous to approve.</li></ul>

**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, September 19, 2017, to approve the aforementioned Ordinance by a Roll Call vote (8-0) (Councilor George absent).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk



## Bridgewater Town Council

In Town Council, Tuesday, December 19, 2017

Council Ordinance: D-FY18-003

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Introduced By:	Councilor Shawn George
Date Introduced:	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	November 21, 2017
Third Reading:	December 5, 2017
Fourth Reading:	December 19, 2017
Amendments Adopted:	December 5, 2017
Date Adopted:	December 19, 2017
Date Effective:	January 19, 2018

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### **Ordinance D-FY18-003**

#### **ZONING ORDINANCE – ZONING MAP AMENDMENT – EASY STREET**

ORDERED, pursuant to MGL, Chapter 40A that the Town Council assembled votes to change boundary of Industrial A Zone by rezoning of remaining portion of the lots listed below to Residential A/B

- Map 25, Lot 23
- Map 25, Lot 22
- Map 25, Lot 27
- Map 26, Lot 29
- Map 26, Lot 75
- Map 26, Lot 76
- Map 26, Lot 77
- Map 26, Lot 78
- Map 39, Lot 35
- Map 39, Lot 36
- Map 39, Lot 37
- Including Easy Street

The resultant Industrial A zone will be comprised of the following lots along Plymouth Street, as follows:

- Map 25, Lot 24
- Map 25, Lot 25
- Map 25, Lot 77
- Map 25, Lot 89
- Map 38, Lot 1
- Map 38, Lot 2
- Map 39, Lot 1
- Map 39, Lot 2

**ROLL CALL VOTE – REQUIRES 2/3 OF FULL COUNCIL (6)**

- Map 39, Lot 3
- Map 39, Lot 4
- Map 26, Lot 54

See attached Exhibit “Proposed Zoning Change – June 9, 2017”:

Explanation:

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> <li>• Community &amp; Economic Development Committee</li> <li>• Planning Board</li> <li>• This measure has been duly advertised in the Enterprise and on the Town’s website, therefore may be finally considered this evening.</li> </ul>	<ul style="list-style-type: none"> <li>• 11/1/17: A duly advertised and abutters notified joint hearing held. Hearing closed and discussion continued to 11/15/17.</li> <li>• 11/15/17: Vote recommend approval with amendment.</li> <li>• 11/1/17: A duly advertised and abutters notified joint hearing held. Hearing closed and discussion continued to 11/15/17.</li> <li>• 11/15/17: Vote recommend approval with amendment.</li> </ul>

**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, December 19, 2017, to approve the aforementioned Ordinance by a Roll Call vote (8-0) (1 Councilor Vacancy).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk



# Bridgewater Town Council

In Town Council, Tuesday, October 3, 2017

Council Ordinance: D-FY18-004

Introduced By: Town Manager  
 Date Introduced: September 5, 2017  
 First Reading: September 5, 2017  
 Second Reading: September 19, 2017  
 Amendments Adopted: None  
 Third Reading: October 3, 2017  
 Date Adopted: October 3, 2017  
 Date Effective: November 3, 2017

## Ordinance D-FY18-004

### SENIOR ASSOCIATES VOLUNTEER PROGRAM (SAVE)

**WHEREAS**, The Senior Associates Volunteer Program (SAVE) provides a mechanism to reduce the tax bills of seniors over the age of 60 in return for volunteer services to the Town of Bridgewater, and;

**WHEREAS**, The Town voted to accept MGL c. 59, section 5K to implement the program, and added additional language which has now become in conflict with amendments to MGL c. 59, section 5K, and;

**WHEREAS**, The program has provided a valuable source of volunteer labor to the Town, and a valuable reduction in tax obligation to the volunteers;

**ORDERED**, that the Town Council assembled votes to repeal acceptance of MGL c. 59, section 5K as adopted on November 8, 2010 and accept MGL c. 59, section 5K as effective November 7, 2016.

Explanation:

*The re-adoption of this Ordinance will include those changes that were incorporated as part of the Municipal Modernization Act. This allows the Town to increase the maximum amount that real property tax obligations can be reduced under MGL c. 59, section 5k by taxpayers over 60 years old who are participants in the senior work-off abatement program. The restriction previously adopted was based on a 125-volunteer service hour (currently equal to \$1,375 or \$11.00 per hour \* 125 hours) in each tax year. This will increase that amount to \$1,500. The minimum wage will continue to be used in the calculation of the total eligible benefit. In addition, the re-adoption will ensure that the Town is can administer the program to conform to state law.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> <li>Budget &amp; Finance Committee</li> <li>Finance Committee</li> <li>This measure has been duly advertised in the Enterprise and on the Town's website, therefore may be finally considered this evening.</li> </ul>	<ul style="list-style-type: none"> <li>9/19/17. Vote 2-0 recommend approval.</li> <li>9/11/17: Vote 6-0 to approve.</li> </ul>

**ROLL CALL VOTE – REQUIRES MAJORITY OF FULL COUNCIL (5).**

**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, October 3, 2017, to approve the aforementioned Ordinance by a Roll Call vote (9-0).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk

**ROLL CALL VOTE – REQUIRES MAJORITY OF FULL COUNCIL (5).**



# Bridgewater Town Council

In Town Council, Tuesday, December 19, 2017

Council Ordinance: D-FY18-005

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Introduced By:	Councilors Dennis Gallagher and Frank Sousa
Date Introduced:	September 5, 2017
First Reading:	September 5, 2017
Second Reading:	November 21, 2017
Third Reading:	December 5, 2017
Fourth Reading:	December 19, 2017
Amendments Adopted:	November 21, 2017, December 5, 2017, December 19, 2017
Date Adopted:	December 19, 2017
Date Effective:	January 19, 2018

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## Ordinance D-FY18-005

### **ZONING ORDINANCE – PROHIBITING THE RETAIL SALE OF RECREATIONAL MARIJUANA**

**WHEREAS**, In accordance with the provisions of MGL, Chapter 40A, and H.3818 it is therefore;

**ORDERED**, that the Town Council assembled votes to amend Section 6, Use Regulations, of the Bridgewater Zoning Bylaws to read as follows:

#### **“6.4 Marijuana Establishments Forbidden and Exceptions**

The Town of Bridgewater prohibits the operation of any marijuana establishments as defined in [G.L. c. 94G, § 1](#) in all zoning Districts of the Town of Bridgewater, with the exception of marijuana cultivators, marijuana product manufacturers and marijuana testing facilities, as also defined in G.L. c 94G §1. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.

Explanation:

*Adoption of the aforementioned ordinance would affect a ban on the sale of recreational marijuana in the Town of Bridgewater.*

#### *Committee Referrals and Dispositions:*

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"><li>• Community &amp; Economic Development Committee</li><li>• Planning Board</li><li>• This measure has been duly advertised and may be finally considered this evening.</li><li>• This measure was further amended on 12/5/17. The amended measure has been duly advertised in the Enterprise and on the Town’s website, therefore may be finally considered this evening.</li></ul>	<ul style="list-style-type: none"><li>• 11/01/17: A duly advertised joint public hearing was held with the Planning Board. The hearing was closed, and committee discussions continued to 11/15/17</li><li>• 11/15/17: Committee vote 2-0 to recommend adoption with proposed amendment.</li><li>• 11/01/17: A duly advertised joint public hearing was held with the CEDC. The hearing was closed, and board discussions continued to 11/15/17</li><li>• 11/15/17: Committee vote 4-0 to recommend adoption with proposed amendment.</li></ul>

**ROLL CALL VOTE – REQUIRES 2/3 VOTE OF FULL COUNCIL (6)**



**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, December 19, 2017, to approve the aforementioned Ordinance by a Roll Call vote (8-0) (1 Councilor Vacancy).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk



# Bridgewater Town Council

In Town Council, Tuesday, February 27, 2018

Council Ordinance: D-FY18-007

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Introduced By:	Councilor Peter Colombotos
Date Introduced:	October 3, 2017
First Reading:	October 3, 2017
Second Reading:	February 6, 2018
Amendments Adopted:	February 6, 2018
Third Reading:	February 27, 2018
Date Effective:	March 30, 2018

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## **Ordinance D-FY18-007**

### **PARKING ORDINANCE**

ORDERED that pursuant to Article II, Section 2-2 of the Bridgewater Town Charter; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater General Ordinances, Part III, Chapter 1, Article II. Non-Criminal Enforcement of Violations by adding the following:

Part III. General Ordinances  
Chapter 1. General Provisions  
Article II. Non-Criminal Enforcement of Violations  
Section 3. Schedule of Fines

Add:

Ch. 260/Art. XV Paid Parking                                              \$25 for first and each subsequent Offense

ORDERED that pursuant to Article II, Section 2-2 of the Bridgewater Town Charter; the Town Council of the Town of Bridgewater, Massachusetts in Town Council assembled vote to amend the Bridgewater General Ordinances, Part III, Chapter 260, Streets and Sidewalks, by adopting the following Article XV, Paid Parking:

Part III. General Ordinances  
Chapter 260. Streets and Sidewalks  
Article XV. Paid Parking

**Section 1. Definitions**

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them:

*Off-street parking* areas shall mean the off-street parking areas owned and located throughout the Town of Bridgewater.

*Parking meter or kiosk* shall mean any mechanical or electronic device, not inconsistent with the provisions of this article, and placed or erected on any public way within the city for the regulation of parking. Each parking meter installed shall indicate by proper legend the legal parking time established by this article and when operated shall indicate the beginning and expiration of such period.

*Parking meter space* shall mean any space within a parking meter zone, adjacent to a parking meter or within a paid parking zone, which is duly designated for the parking of a single vehicle by lines painted on the surface of the street or designated by official town signage.

*Parking space*, as used in connection with off-street parking areas, shall mean the space indicated on plans of the off-street parking areas on file in the Town Clerk's office in which a vehicle may be properly parked and which shall be indicated clearly by painted lines, official town signage or otherwise.

*Parking meter zones* shall mean the streets or parts of streets in which the use of parking meters is authorized by this article, and the numbered parking spaces on each of the off-street parking areas in which the use of parking meters is authorized by this article.

**Section 2. Meter zones and parking time limits established - On-street parking.**

The streets or parts of streets described below are hereby established as parking meter zones, with parking restrictions as specifically indicated for each such zone.

1. School Street from Central Square to Summer Street as allowed by markings and signage.

**Section 3. Meter zones and Parking Time Limits Established - Off-street parking areas.**

The numbered parking spaces as shown on plans for each individual off-street parking area and filed with the Town Clerk, are hereby established as parking meter zones, with parking meter restrictions as specifically indicated for each zone. The Off-street parking areas are:

1. Spring Street Parking Lot
2. Town Parking Lot – rear of the buildings on the east side of Central Square.
3. Broad Street Lot – adjacent to the old rail station

**Section 3. Installation and maintenance.**

**ROLL CALL VOTE – REQUIRES MAJORITY OF FULL COUNCIL (5)**

(a) The Town Manager shall provide for the installation and repair of parking meters or kiosks, curb or street marking lines, and lines on the off-street parking areas, in the areas designated in this article as parking meter zones. The Town Manager shall have charge of the regulation and operation thereof and shall ensure the maintenance of such meters in good workable condition.

#### **Section 4. Location and construction generally.**

In on-street parking meter zones, parking meters or kiosks shall be placed upon the curb, next to or reasonably close to the individual parking places. Parking meters or kiosks shall be placed on the various off-street parking areas, as shown on the plans on file with the Town Clerk. All such meters or kiosks shall be so constructed as to display a signal or issue a display or notification showing legal parking, upon the deposit of proper payment indicated by the instructions on the meters.

#### **Section 5. Location where parking prohibited.**

Notwithstanding the provisions of this Article XV, parking meters shall not be erected nor shall parking meter spaces and zones be established on any street or parts of streets where parking may by law be prohibited, except as specifically provided herein.

#### **Section 6. Hours of operation.**

Parking meters shall operate and control parking in the parking meter zones established in this article as determined by Town Manager regulation, however there shall be no metered parking on Saturdays and Sundays and legal holidays of the Commonwealth of Massachusetts.

#### **Section 7. Vehicle to be parked within lines of metered space.**

Whenever any vehicle shall be parked in a metered area, the operator of the vehicle shall park within the area designated by the curb or street marking lines as indicated for angle or parallel parking. In off-street parking areas, the vehicle shall be parked within the lines indicating the parking space.

#### **Section 8. Deposit of payment required; overtime parking; exemption.**

(a) When a vehicle is parked in a parking space for which a parking meter or kiosk has been installed under this article, the driver shall, upon entering the parking space, immediately deposit, in the meter or kiosk, appropriate payment as indicated by the instructions on the meter or kiosk. It shall be unlawful for any person to fail or neglect to deposit such payment. Upon such deposit, the parking space may then be used by such vehicle during the time prescribed in this article according to the sum thus deposited. The vehicle shall be unlawfully parked if it shall remain in such space beyond the period of time which the driver shall have deposited such payment in the meter or kiosk. It shall be unlawful for any person to cause any vehicle to be unlawfully parked as provided in this section.

(b) Notwithstanding any other provisions in this article, no parking meter fees shall be due under subsection (a) nor shall any penalty be imposed for failure to pay on days declared a parking meter holiday which dates shall be determined by the Town Manager to correspond with special events.

**Section 9. Parking meter fees prescribed.**

All meter fees shall be determined by Town Manager regulation.

**Section 10. Tampering with, breaking, etc., meters; depositing slugs.**

It shall be unlawful for any person, not authorized to do so, to tamper with, break, injure or destroy any parking meter, or to deposit or cause to be deposited therein any slugs or any other device or metallic or paper substance or any other substitute for the payments required to be deposited by this article.

**Section 11. Collection of deposits and inspection of meters or kiosks.**

The Town Manager shall have the authority and duty to collect or cause to be collected, weekly or more often at his discretion, all payments made pursuant to a paid parking program and to inspect or cause to be inspected such paid parking equipment weekly, or may be necessary, to see that they are in proper working order. The Chief of Police shall maintain a list of the equipment which is not in proper working order. Said list shall be posted in the police station and a copy provided to the parking clerk.

**Section 12. Records of receipts and disbursements.**

The Town Manager shall ensure the documentation of all paid parking receipts and disbursements.

**Section 13. Duty of police as to violations of article.**

It shall be the duty of the Police Chief to issue citations for all vehicles whose operators violate the provisions of this article and to cause to be imposed the penalties provided in Chapter 1, Section 3. Schedule of Fines.

*Explanation: The Town has never had a paid parking program. This simple first step is aimed at providing paid parking options to visitors to Bridgewater State University, and would not be used in Central Square or other side streets used by residents. Revenues earned by the program would be used to make infrastructure improvements to the downtown areas such as sidewalks, Complete Streets improvements, bicycle lanes, pedestrian improvements, etc. Revenues could also be used to finance engineering for road improvements, handicapped accessibility, etc. Rough estimates show the program could raise up to \$275,000 annually.*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
<ul style="list-style-type: none"> <li>• Community &amp; Economic Development Committee</li> <li>• This measure has been duly advertised, therefore may be finally voted this evening.</li> </ul>	<ul style="list-style-type: none"> <li>• 1/29/18: Vote 3-0 recommend approval as amended.</li> </ul>

**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, February 27, 2018, to approve the aforementioned Ordinance by a Roll Call vote (5-0) (Councilors Gallagher and Sousa in the dissent, 1 Councilor Vacancy, Councilor George absent).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk



# Bridgewater Town Council

In Town Council, Tuesday, December 19, 2017

Council Ordinance: D-FY18-012

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Introduced By:	Councilor Peter Colombotos
Date Introduced:	December 5, 2017
First Reading:	December 5, 2017
Second Reading:	December 19, 2017
Amendments Adopted:	December 5, 2017
Date Adopted:	December 19, 2017
Date Effective:	January 19, 2018

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## Ordinance D-FY18-012

### AMEND GENERAL ORDINANCES – VACANT AND ABANDONED PROPERTIES

**WHEREAS**, In accordance with the provisions of Section 5-1 of the Bridgewater Home Rule Charter relative to amendments to the Administrative Code, it is therefore;

**ORDERED**, that the Town Council assembled votes to amend the Bridgewater Administrative Code, Chapter 180 to read as follows:

### **Chapter 180. Problem Properties**

#### **Article I. Registration of Vacant and Abandoned Properties**

##### **Section 1. Purpose; Enforcement Authority**

1. It is the purpose and intent of this ordinance to protect and preserve public safety, health, welfare and security, and the quiet enjoyment of occupants, abutters and neighbors, by:
  - a. requiring all Property owners, including lenders, trustees and service companies, to register Abandoned and/or Foreclosed properties with the Town of Bridgewater; and by
  - b. regulating the maintenance and security of Abandoned and/or Foreclosed properties to help prevent blighted and unsecured residences and commercial buildings.
2. The Inspector of Buildings/Building Commissioner of the Town of Bridgewater has enforcement authority as to this ordinance.

**Section 2. Definitions** - When used in this ordinance, the following terms shall have the following meanings, unless a contrary intention clearly appears:

“Abandoned” means a residential, commercial or institutional Property which is not being used or occupied as a residence, business or institution despite containing residential, commercial or institutional unit(s). Abandoned does not include a building that is unoccupied while undergoing renovations, or while undergoing repairs due to fire or other casualty. “Abandoned” does not apply to accessory buildings or structures on the premises nor does it apply to Property that is temporarily Vacant due to seasonal absences. Abandoned also includes commercial and industrial units that do not have any active business activity.

“Town” means the Town of Bridgewater.

“Commissioner” means the Building Commissioner/Inspector of Buildings of the Town of Bridgewater or his/her designee.

“Days” means consecutive calendar days.

“Foreclosed” means a Property, placed as security for a loan, as to which all rights of the mortgagor

or his grantee in the Property have been terminated as a result of a default of the loan.

“Local” means within twenty miles of the Property in question.

“Local Property Management Company” means a company, the regular place of business of which is within twenty miles of the Property in question, that specialized in maintaining properties.

“Mortgagee” means the creditor, including but not limited to service companies, lenders, in a mortgage agreement, or any successor in interest of the Mortgagee’s rights, interests or obligations under the mortgage agreement.

“Property” means any real Property or portion thereof, located in the Town of Bridgewater, which contains a building, structure or other improvement; excepted from this definition is any and all town owned properties.

“Vacant” means any real Property which is not being actively used or occupied and which has not been actively used or occupied within the preceding ninety Days. This definition shall not apply to Property which is actively undergoing renovations, or repairs due to fire or other casualty. For the purpose of this ordinance, “Vacant” also includes Abandoned and/or Foreclosed Property(ies). Excepted from this definition is Property that is temporarily Vacant due to owner(s) seasonal absences.

### **Section 3. Registration**

1. All owners of Abandoned, Vacant, and/or Foreclosed properties shall register such properties with the Commissioner on forms provided by the Commissioner. If the owner is an out- of-state corporation, person, or other entity, the owner shall appoint an in-state agent authorized to accept service of process and other documents under this ordinance.
  - a. Each registration must state the owner’s or agent’s name, telephone number and mailing address located within the Commonwealth of Massachusetts including name of owner, street number, street name, city or town, and zip code. The mailing address shall not be a post office box.
  - b. Each registration must also certify that the Property has been inspected by the owner and must identify whether the Property is Abandoned. Each registration must designate a Local individual or Local Property Management Company responsible for the maintenance and security of this Property. This designation must state the individual or company’s name, direct telephone number, and Local mailing address. The mailing addresses shall not be a post office box.
    - i. If the owner’s inspection determines that the Property is Abandoned, the registration must be received by the Commissioner within seven Days of the owner’s inspection.
    - ii. If the owner’s inspection determines that the Property is not Abandoned, but has been Foreclosed, the registration must be received by the Commissioner within seven Days of the foreclosure.
    - iii. If the Commissioner’s inspection pursuant to section 5 determines that the Property is Abandoned, the registration must be received by the Commissioner within fourteen Days of the Commissioner’s citation for improper maintenance.
    - iv. If, regardless of any determination as to Abandonment or Vacancy, Property has been Foreclosed, the registration must be received by the Commissioner within seven Days of the foreclosure. It shall be the Mortgagee’s responsibility to register under this section.
2. All Property registrations pursuant to section 3 are valid for one calendar year from the date when the registration is received by the Commissioner. An annual registration fee of two hundred dollars (\$200) must accompany the registration form. Subsequent registrations and fees are due within thirty Days after the date of the expiration of the previous registration. Subsequent registrations must certify whether the Property remains Abandoned, Vacant and/or remains in Foreclosure, as the case may be.
3. Any owner that has registered a Property under section 3 must report any change in information contained in the registration within ten Days of the change.



4. Once the Property is no longer Abandoned or Vacant, or is sold, the owner shall provide the Commissioner with written notice of legal occupancy or proof of sale, as the case may be.

#### **Section 4. Maintenance and Security Requirements**

1. Properties subject to this ordinance must be maintained in accordance with the State Building Code. The owner or Local Property Management Company must inspect and maintain the Property on at least a monthly basis for as long as the Property is Abandoned.
2. In accordance with state law, including but not limited to Massachusetts General Laws chapter 143 Sections 6-10 and 780 CMR 121.0, Property that is Abandoned must be safe and must be secured so as not to be accessible to unauthorized persons and exposure to the elements.
3. Maintain Vacant properties subject to this section, including but not limited to maintaining and keeping in good repair any building(s), structures(s), and improvements, the removal of trash and debris, and the regular mowing of lawns, pruning and/or trimming of trees and shrubbery, and upkeep of other landscape features.
4. Repair or replace broken windows or doors within thirty Days of breakage. Boarding up any doors or windows is prohibited except as a temporary measure for no longer than thirty Days.
5. The Building Commissioner may order that a Property Vacant for six months or more shall have utilities shut off, removed, or cut and capped if any such utilities present a hazard or risk of accident.
6. Compliance with section 4 does not relieve the owner of any applicable obligations set forth in code regulations, covenant conditions and restrictions, and/or homeowner's association rules and regulations.

**Section 5. Inspections** - Pursuant to the State Building Code, the Commissioner or his/her designee shall have the authority and the duty to inspect properties subject to this ordinance for compliance with this ordinance and to issue citations for any violations. The Commissioner or his/her designee shall have the discretion to determine when and how such inspections are to be made, provided such determination is reasonably calculated to ensure that this ordinance is enforced.

**Section 6. Penalties** – In addition to any other means of enforcement available to the Commissioner, the Commissioner may enforce this ordinance by means of noncriminal enforcement pursuant to Massachusetts General Laws chapter 40 Section 21D. The following penalties are established for purposes of said noncriminal disposition:

1. A failure to initially register with the Commissioner pursuant to section 3: three hundred dollars (\$300.00), and a like penalty for each day's continuation of such violation.
2. A failure to properly designate the name of the Local individual or Local Property Management Company responsible for the maintenance and the security of the Property pursuant to section 4: three hundred dollars (\$300.00) for each violation, and a like penalty for each day's continuation of such violation.
3. A failure to maintain and/or to secure the Property pursuant to section 4: three hundred dollars (\$300.00) for each week during which the Property is not maintained and/or not secured in compliance with section 4.
4. The penalties provided in section 5 shall not be construed to restrict the Town from pursuing other legal remedies available to the Town.

**Section 7. Appeals** – Any persons aggrieved by the requirements of this ordinance or by a decision issued hereunder may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth.

**Section 8. Applicability** – If any provisions of this ordinance impose greater restrictions or obligations than those imposed by any general law, special law, regulation, rule, ordinance, order or policy, then the provisions of this ordinance shall control.

**Section 9. Severability** - If any provision of this ordinance is held to be invalid by a court of competent jurisdiction, then such provisions shall be considered separately and apart from this ordinance's remaining provisions, which shall remain in full force and effect.

*Explanation:*

The original language of this chapter exempted non-residential properties from the provisions of the chapter. Town Counsel has recommended that rather than create a entirely new language to address non-residential properties, that the Council simply amend Chapter 180 to cover non-residential properties.

*Committee Referrals and Dispositions:*

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"><li>• This measure was not referred to a committee</li><li>• This measure has been duly advertised in the Enterprise and on the Town's website</li><li>• 14 Days has elapsed per Section XVII of the Council's Rules and Procedures, therefore may be finally considered this evening.</li></ul>	

**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, December 19, 2017, to approve the aforementioned Ordinance by a Roll Call vote (8-0) (1 Councilor Vacancy).**

**A TRUE COPY ATTEST:**

\_\_\_\_\_  
Ann M. Holmberg  
Town Council Clerk



## Bridgewater Town Council

In Town Council, Tuesday, April 24, 2018

Council Ordinance: D-FY18-014

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Introduced By:	Councilors Timothy Fitzgibbons, Edward Haley and Frank Sousa
Date Introduced:	March 27, 2018
First Reading:	March 27, 2018
Second Reading:	April 24, 2018
Amendments Adopted:	None
Date Adopted:	April 24, 2018
Date Effective:	May 25, 2018

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### **Ordinance D-FY18-014**

#### **ESTABLISH DISTRICT IMPROVEMENT FINANCING (DIF) DISTRICT – ELM STREET**

**ORDERED;** that the Town Council creates a district improvement financing program according to the provisions of Chapter 40Q of the General Laws, and furthermore (i) designates a development district to be known as the Elm Street Development District to be composed of the Elm Street Industrial District, and the adjoining Industrial A District as shown on the Town's zoning map, dated October 1, 2013; (ii) adopts a development program for the Elm Street Development District on file in the office of Community and Economic Development for the improvement of the quality of physical facilities and structure of such district which, pursuant to a Development Program Agreement with the Town on file in the office of Community and Economic Development, provides for:

- a. the reconstruction of Elm Street, including its intersection with Pleasant Street (Route 104), to the Town's border with West Bridgewater.
  - b. a financial plan whereby the reconstruction will be funded with Town funds from the issuance of bonds or other borrowings pursuant to said Chapter 40Q or Chapter 44 of the General Laws;
  - c. the continuation of the program for up to 30 years from the date of the designation of the district as provided in said Chapter 40Q;
- (iii) creates a development program fund pursuant to said Chapter 40Q that consists of:
- a. a development sinking fund and
  - b. a project cost account and such other accounts as the Town Manager deems necessary or appropriate;
- (iv) authorizes the Town Manager to execute a Development Program and to take any and all other action necessary or convenient to the carrying out of the purposes of this vote.

#### *Explanation:*

A district improvement financing (DIF) program is a municipal financing tool that allows for infrastructure improvements (roads, sidewalks, etc.) to be paid for by the Town using the additional tax revenues generated by the new property development which occurs within a defined Town district.

In other words, the new property development which creates the new tax revenue will pay for the project costs incurred by the Town. These new revenues are accounted for in a separate fund and are used for this specific purpose.

A DIF program requires (1) a plan showing the boundaries of the district, and (2) a financial plan. Copies of the plan showing the proposed district boundaries, DIF program and the financial plan are on file with the Community and Economic Development Office and are available for review on the Town's website. Additional information regarding the DIF program and the development agreement is also available on the Town's website at [www.bridgewaterma.org](http://www.bridgewaterma.org)

*Committee Referrals and Dispositions:*

<b>Referral(s)</b>	<b>Disposition(s)</b>
<ul style="list-style-type: none"><li>• Budget &amp; Finance Committee</li><li>• Finance Committee</li><li>• This measure has been duly advertised in the Enterprise and on the Town's website for a hearing and final consideration, therefore may be finally considered at the conclusion of this evening's hearing.</li></ul>	<ul style="list-style-type: none"><li>• 4/9/18: Vote unanimous to recommend approval</li><li>• 4/9/18: Vote 5-0 approve</li></ul>

**In accordance with the applicable provisions of the Town of Bridgewater Home Rule Charter and Town Council Rules and Procedures, the Town Council assembled voted, at their meeting on Tuesday, April 24, 2018, to approve the aforementioned Ordinance by a Roll Call vote (8-0) (Councilor Haley absent).**

**A TRUE COPY ATTEST:**

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Ann M. Holmberg  
Town Council Clerk