

TO THE RESIDENTS OF THE TOWN OF SHUTESBURY:

The following bylaws adopted at the May 2025 Annual Town Meeting have been approved by the Attorney General's Office

Article 35: Lake Wyola Amended Bylaw

The bylaw as amended reads:

- “1. Reckless or unsafe boating is prohibited, including speeding near shorelines, swimmers, or docks, boating under the influence, and failing to maintain a proper lookout.
 2. All motorboats and paddle vessels must comply with Massachusetts Boating Laws and Coast Guard regulations for safety equipment.
 3. Speed limit: 30mph daytime, 6mph sunset to 8:00AM.
 4. Distance: Speed limit is 6mph within 150ft of swimmers, non-motorized watercraft, and the shore.
 5. Direction: Motorboats must travel in a counterclockwise direction around the lake.
 6. Waterskiing and other towable activities: Allowed between 8:00AM to sunset.
 7. Swimming: Swimmers must be accompanied by a boat when swimming beyond 150ft from shore.
 8. Beaches: No watercraft are allowed other than non-motorized watercraft that are docking or launching in swimming areas designated and marked by the town or the East, North, or West Lake Wyola Association beaches. Such areas shall extend no further than 75ft from shore.
- Enforcing persons and fines: Fines for items 1, 2, 3, and 4 are \$50.00 per offense and are enforced by all police officers. Fines for items 5, 6, 7, 8 are \$25.00 per offense and are enforced by the Selectboard, all police officers, and constables with jurisdiction”

Article 36: Specialized Energy Code

“SHUTESBURY GENERAL BYLAW: SPECIALIZED ENERGY CODE

A. Purpose 1. The purpose of the Specialized Energy Code shall be to provide a more energy efficient and

low greenhouse gas emissions alternative to the Stretch Energy Code and the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings to further reduce the climate impacts of buildings, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

B. Definitions

1. International Energy Conservation Code (IECC): The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.

2. Specialized Energy Code: Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC. The Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC).

3. Stretch Energy Code: Codified by the combination of 225 CMR 22 and 23, not including

Appendices RC and CC. The Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost- effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code. The Stretch energy code was previously codified in 780 CMR appendix 115.aa, prior to the passage of the 2021 Act Creating a Next-generation Roadmap for Massachusetts Climate Policy (2021 Climate Act).

C. Applicability

1. The Town adopts the Specialized Energy Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, in place of the applicable provisions of the Massachusetts State Building Code and the Stretch Energy Code, for all commercial and residential buildings.

2. The Specialized Code is enforceable by the Building Inspector.

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Article 42. Dog Licensing and Control Bylaw

“TOWN OF SHUTESBURY, MASSACHUSETTS

DOG LICENSING AND CONTROL

Bylaw passed by Shutesbury Town Meeting on May 4, 2002

Pickup and Storage Fees amended at Special Town Meeting on October 17, 2006

Amended May 31 2025

GENERAL OFFENSES

All owners or keepers of dogs, or their agents, shall at all times:

- Maintain control of the dog beyond the confines of their property by leash or voice command.
- Maintain a collar or harness on the dog, suitable for restraining the animal.
- Maintain current Massachusetts dog license, if over six months of age.
- License any dog requiring same within 30 days of its arrival in Shutesbury.
- Maintain current rabies vaccination, if required.
- Maintain the issued current license tag securely attached to the collar or harness.

NON-CRIMINAL DISPOSITION

In addition to criminal enforcement through the Massachusetts General Laws, all sections of this bylaw may be enforced by the below-designated enforcing persons through the non-criminal disposition process as defined in Chapter 40 section 21D of the Massachusetts General Laws.

The Enforcing persons for this bylaw shall be: all Dog Officers, all Police Officers and Constables with jurisdiction, and all members of the Select Board.

FINES

Unless otherwise specified, the fines for any listed offense shall be \$25.00 for each first offense, and \$50.00 for each subsequent violation. Each offense shall be considered as a separate offense in determining the applicable fine, and each day on which any violation exists shall be deemed to be a separate offense. The offenses shall be accrued against the owners or keepers, and not tallied against individual dogs.

PICKUP AND STORAGE FEES

In the event that the enforcing person is required to collect and/or keep a dog in the performance of his or her official duties, said enforcing person shall charge a fee to the owner, keeper or

adopter for every dog collected plus the cost of necessary inoculations; and a fee per day for storage and board, beginning on the pickup date. All fees are subject to the approval of the Select Board and reflect the current market costs.

LOCAL AMENDMENTS OF EXISTING MASSACHUSETTS GENERAL LAWS

1. Notwithstanding the provisions of Section 136A of Chapter 140 of the General Laws or any other provision of law to the contrary, the License period for Shutesbury will be the time between January first and the following December thirty-first, both dates inclusive. Remainder unchanged.

2. Notwithstanding the provisions of Section 137 of Chapter 140 of the General Laws or any other provision of law to the contrary, the cost of a replacement for a lost license tag shall be one dollar. Remainder unchanged.

3. Notwithstanding the provisions of Section 137A of Chapter 140 of the General Laws or any other provision of law to the contrary, ...The fee for each license for a kennel shall be twenty-five dollars if not more than four dogs over the age of 3 months are kept in said kennel, fifty dollars if more four or more dogs over the age of 3 month but not more than ten dogs are kept therein, and seventy-five if more than ten dogs are kept therein;...Remainder unchanged.

Nokennel license shall be issued until the kennel has passed inspection by the Animal Control Officer.

4. Notwithstanding the provisions of Section 137C of Chapter 140 of the General Laws or any other provision of law to the contrary, the fine for maintaining a kennel after the license therefore has been so revoked, or while such license is so suspended, shall be \$500 for a first offense, and a fine of not more than \$1,000 for a second or subsequent offense.

5. Notwithstanding the provisions of Section 139 of Chapter 140 of the General Laws or any other provision of law to the contrary, the fee for every license shall, except as otherwise provided, be ten dollars for a male or female dog, unless a certificate of a registered veterinarian who performed the operation attests that said male dog has been neutered, or female dog spayed, and has thereby been deprived of the power of propagation, has been shown to the town clerk, in which case the fee shall be five dollars. Further, that the town clerk may accept a statement under penalties of perjury from a registered veterinarian regarding an examination of any neutered male, as for a spayed female, as defined in Section 139 of Chapter 140 of the General Laws. Further, that a late charge of five dollars shall be charged beyond the start of the annual license period, or 30 days after arrival of the dog in town, as defined in the section entitled FINES of this bylaw and MGL Chapter 140 Section 138 that the dog is not licensed with the town clerk.

Remainder unchanged.

6. Notwithstanding the provisions of Section 141 of Chapter 140 of the General Laws or any other provision of law to the contrary, the violation of statute fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw. Remainder unchanged.

7. Notwithstanding the provisions of Section 145B of Chapter 140 of the General Laws or any other provision of law to the contrary, the noncriminal fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw. Remainder unchanged.

8. Notwithstanding the provisions of Section 146 of Chapter 140 of the General Laws or any other provision of law to the contrary, the fee for a transfer license shall be one dollar.

Remainder unchanged.

9. Notwithstanding the provisions of Section 150 of Chapter 140 of the General Laws or any other provision of law to the contrary, for an owner or keeper of a dog who refuses to answer or

answers falsely the fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw. Remainder unchanged.

10. Notwithstanding the provisions of Section 151 of Chapter 140 of the General Laws or any other provision of law to the contrary, the annual appointment date of dog officers shall be July first, beginning in 1993, and all dog officers holding office as of April thirtieth of any given year shall retain full powers and responsibilities until June thirtieth of said year, unless otherwise removed by the appointing authorities. Remainder unchanged. 11. Notwithstanding the provisions of Section 151A of Chapter 140 of the General Laws or any other provision of law to the contrary, the issue date of the warrant shall be amended from “June”

to “July”; and the minimum adoption fee and ‘per day’ care fee shall both be amended from “three dollars” to “four dollars”

. Remainder unchanged.

12. Notwithstanding the provisions of Section 157 of Chapter 140 of the General Laws or any other provision of law to the contrary, for any person owning or harboring a dog who shall fail to comply with an order of an enforcing authority the noncriminal fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw.

13. Notwithstanding the provisions of Section 164 of Chapter 140 of the General Laws or any other provision of law to the contrary, for a person who owns or keeps a dog and who has received notice and does not within 24 hours kill such dog or thereafter keep it on his premises or under immediate restraint and control of some person the fine for a violation of this section shall be as defined in the section entitled FINES of this bylaw.

14. Notwithstanding the provisions of Section 172 of Chapter 140 of the General Laws or any other provision of law to the contrary, and in recognition of the acceptance of Section 147A of Chapter 140 by Town Meeting vote prior to this Article, any fees or charges or damages received by the town treasurer under Sections 136A to 174D inclusive of Chapter 140, and this by law, and receipts of noncriminal fines resulting from tickets issued under this bylaw, in excess of the limit set on the revolving fund as defined in MGL Ch. 44, S. 53E-1/2 for Dog Licensing and Control, shall be expended for the support of public libraries or schools. Further, should any future Annual Town Meeting fail to reauthorize the Dog Licensing and Control revolving fund, the provisions of this section shall revert to the current General Laws at that time, relating to disposition of the balance of the dog fund.

SEVERABILITY

It is the desire of Town Meeting to ratify this Article in its entirety. If any section, subsection, paragraph, sentence or word thereof is found to be invalid it is the intent and desire of Town Meeting to sever this entire Bylaw and revert back to the existing approved Bylaw. In any section which refers to existing statutes of Massachusetts General Laws which may be amended subsequent to this date, the statute in effect at the time of the offense shall be applied. Once approved in its entirety, this Bylaw replaces the existing Bylaw entitled “Dog Licensing and Control Bylaw” and the Bylaw entitled “Bylaws Governing Persons in Control of Dogs”

Article 43. Shutesbury Safe Community Bylaw

“Safe Community Bylaw

Section 1. Shutesbury Town Officers and Employees will support the protections guaranteed to individuals under the 10th Amendment to the U.S. Constitution and under the MA Supreme

Court case decision in *Lunn v Commonwealth* in 2017. Guaranteed rights and protections under the U.S. Constitution will be upheld and an individual's citizenship, immigration status, national origin, race, ethnicity, gender, sexual orientation, political affiliation or religion shall have no bearing on the treatment of said individuals.

Section 2. Specifically, to the extent permissible by law, no Town Officer or Employee shall act as an immigration officer in non-criminal situations or in those not supported by a judicial warrant signed by an agent of the court. No law enforcement officer may detain individuals solely on the basis of a federal immigration agency order.

The Town of Shutesbury affirms its commitment to applicable federal and state laws relating to citizenship and immigration status and to the rights of all individuals for fair and humane treatment.”