Town of Bourne
Board of Selectmen
Board of Sewer Commissioners’
Policies Adopted

Board of Selectmen
Peter J. Meier, Chair
Judith MacLeod Froman, Vice Chair
George G. Slade, Jr., Clerk
Jared P. MacDonald
Mary Jane Mastrangelo

Board of Sewer Commissioners
Mary Jane Mastrangelo, Chair
Jared P. MacDonald, Vice Chair
George G. Slade, Jr., Clerk
Peter J. Meier
Judith MacLeod Froman

August 2021
Board of Selectmen
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CERTIFICATE OF VOTE

At a meeting of the Board of Selectmen of the Town of Bourne, held on September 25, 2018 at the Bourne Veterans' Memorial Community Center, a quorum being present and voting throughout, upon a motion duly made and seconded, it was

VOTED: To adopt the Board of Selectmen's Rules of Procedure as amended on this date, September 25, 2018.

RECEIVED 2018 OCT-2 AM 9:10
TOWN CLERK BOURNE

BOARD OF SELECTMEN

Peter J. Meier, Chairman

Judith MacLeod Froman, Vice Chairman

James Potter, Clerk

George G. Slade, Jr.

Jared P. MacDonald

A True Record

Barry J. Johnson
Town Clerk

A True Copy
Attest:
Barry J. Johnson
Town Clerk
Board of Selectmen/Sewer Commissioners
Rules of Procedure

I. Procedural Matters

In procedural matters not covered by the Rules or any provisions of the Charter or Town Bylaws, or statute, the Board of Selectmen ("the Board") shall be guided by Roberts Rules of Order, as most recently revised.

II. Procedure for Establishing Policies and Procedures

Adoption of new policies or changing existing policies regarding general town government is a responsibility of the Board of Selectmen ("the Board"). Policies will be adopted/amended only by the affirmative vote of a majority of members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and thus to provide an opportunity for interested parties to react to proposed policies and to provide amendments will be presented as an agenda item to the Board in the following sequence:

1. Information item -- distributed with agenda and to Town Counsel
2. Discussion item -- first reading of proposed policy or policies
3. Response from the Town Administrator; report from any committee with responsibility in the area addressed by the proposed policy; public discussion; Board discussion and directions for any redrafting
4. Action, which may include further discussion, adoption, rejection, may be taken at the discussion at the second reading, or at a subsequent meeting.
5. Town Counsel review prior to final reading.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs.

The Board of Selectmen may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the Board. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation. The Board may divert from policy by super majority* vote of the members present.

*A "super majority" of a five member board is 4 of 5 people; 4 of 4 people; 3 of 3 people.
III. Responsibilities of the Officers of the Board

The Chair shall:
- Preside at all meetings of the Board at which s/he is present. In doing so,
- S/he shall maintain order in the meeting room, recognize speakers, call for
  votes, and preside over the discussion of agenda items;
- Sign official documents that require the signature of the Chair, following a
  vote of the Board;
- Call special meetings of the Board in accordance with the Open Meeting
  Law;
- Prepare meetings agendas with the Town Administrator;
- Represent the Board at meetings, conferences, and other gatherings unless
  otherwise determined by the Board or delegated by the Chair;
- Serve as spokesperson of the Board at Town Meetings and present the
  Board’s position unless otherwise determined by the Board or delegated
  by the Chair;
- Arrange for the orientation of new members, unless otherwise noted;

The Chair shall have the same rights as other members to offer and second
motions and resolutions, to discuss questions, and to vote thereon.

The Vice Chair shall act in the place of the Chair during his/her absence at
Board meetings. Should the Chair leave office, the Vice Chair shall assume
the duties of Chair until the Board elects a new Chair.

Clerk of the Board shall sign all official documents requiring the signature of
the Clerk, with the authorization of the Board, and shall be responsible for the
minutes. S/he is responsible for recording minutes of any portion of meetings
held in executive session for which the Town Administrator or Assistant
Town Administrator is not present.

IV. Meetings of the Board

A meeting called for any time other than the regular meetings* shall be known
as “special meetings”. The same rules as those established for regular
meetings shall apply, unless an unforeseen emergency requires a special
meeting to be scheduled on a legal holiday. Special meetings shall be called
by the Chair, in consultation with the Town Administrator, and with the
informal consent of a majority of Board members, or whenever at least three
(3) members of the Board make such a request in writing to the Chair or the
Town Administrator, either whom shall give notice of such meeting.
Board of Selectmen/Sewer Commissioners
Rules of Procedure

The Board shall conduct working sessions as it deems necessary. Such meetings will be posted in accordance with Open Meeting Law. A synopsis of transactions of informal meetings shall be made a part of the record of meeting minutes.

The Board shall meet to review and vote on the Warrant per the requirements of the Charter.

The Clerk of the Board is responsible for the minutes. The Town Administrator is responsible for the process for arranging for minutes to be drafted, circulated, reviewed, and voted upon by the Board according to the Public Records Law. A copy of the minutes shall be filed with the Office of the Town Clerk (Section 8-6 (c) of the Charter.

*Tuesdays

V. Meeting Procedures

Board meetings shall be conducted in accordance with generally accepted rules noted in Section I, Procedural Matters. It is the practice that application of said procedure may be on a relatively informal basis.

A quorum shall consist of three members of the Board. As a practical courtesy, the meeting will identify any action involving the Town regarding critical or environmental matters, the adoption of policy, or appointments to be taken, whenever practicable, with the full Board in attendance. Actions by motions offered shall be seconded, discussed, and voted. Split votes will be identified by name in the meeting minutes. Equal yes/no votes result in a lost motion.

When there is more than one candidate for an opening on a board/committee the Board will vote for each opening with the candidate having the most votes being placed in an open position. This process will be repeated until all openings are filled. If the result of the Board vote yields a 2,2,1 vote, the two candidates that received two votes will be placed in two of the openings.

The Town Administrator or his/her designate, starting with the Assistant Town Administrator, shall attend, unless excused by the Chair of the Board at all meetings of the Board. The Town Administrator shall attend in order to keep the Board informed and advised, and to recommend in all matters that fall within the jurisdiction of his/her office. S/he shall carry out the actions of the Board as they relate to the conduct and administration of Town affairs under his/her jurisdiction as indicated in the Charter.
Board of Selectmen/Sewer Commissioners
Rules of Procedure

VI. Executive Sessions

Where practicable, executive sessions shall be scheduled prior to the regularly scheduled meeting time of 7:00 P.M. Only items clearly allowed under the Open Meeting Law shall be included in executive session. Prior to calling for a motion to adjourn into executive session, the Chair shall state the reasons for which an executive session is sought.

The Chair shall also state whether or not the Board will reconvene in open session. A majority of the members present and voting must vote to enter executive session by roll call vote.

Draft minutes of executive sessions shall be available to the Clerk (of the Board) and Town Counsel in written form within 7 days of the session for edit and vote at the next executive session. Unlike the case with open session, there is no right to tape record or videotape executive sessions. The Board will then vote to disclose or withhold from disclosure the minutes depending on whether or not the reason for their being kept from disclosure still exists.

- If the vote is to disclose, the minutes will be filed by the Clerk (of the Board) in the Town Clerk's office.

- If the minutes are voted to be withheld from disclosure they will be delivered by the Clerk (of the Board) as hard copies and kept in a confidential file in the Record Access Officer's (RAO)* files entitled "Withheld from Disclosure Board of Selectmen Executive Minutes."

The Clerk (of the Board) is responsible for this file and to bring all withheld from disclosure minutes before the Board for review once in every six months to determine if any should be disclosed. This policy will help insure that closed session minutes are kept secret only as long as needed.

Any member of the Board and Town Administrator/Assistant Town Administrator may request to view the minutes “withheld from disclosure” in the Town Clerk’s Office through the process of signing and recording the date and time period of review. Once viewed, all documents are required to be placed in a new envelope, sealing it, and returning it to the file.

*In Bourne, the Town Clerk is the RAO.
VII. Agenda Procedures

The Board’s business meetings generally shall be the first and third Tuesdays of the month.* The Board may call special meetings as required and as provided for by the Massachusetts Open Meeting Law.

The Town Administrator, in conjunction with the Chair, bears primary responsibility for coordinating and planning the agenda. Together they shall approve the agenda and schedule a realistic time period for each appointment, interview, conference, or other scheduled item of business. Agenda requests shall be submitted to the Town Administrator and Chair for consideration by 12:00 noon on the Wednesday prior to the Tuesday business meeting. When practical, best attempts to submit requests with a longer lead time is recommended. Items added to the agenda after Wednesday at noon will be considered only out of necessity, emergency, or other cause satisfactory to the Town Administrator and the Chair.

Agenda items may include:
A. Call to Order
B. Vision/Mission of the Board
C. Moment of Silence for Our Troops and First Responders, Pledge of Allegiance
D. Public Comment**
E. Acceptance of Meeting Minutes (as required)
F. Scheduled Appointments (as required)
G. Hearings (as required)
H. Report of the Town Administrator
I. Committee Reports
J. Correspondence
K. Other Selectmen Business – Not open to deliberation
L. Adjournment
M. Agenda order as noted above unless altered publicly at the meeting.

As a practical matter, Members of the Board, staff, the Town Administrator, or others who prepare reference materials for consideration by the Board, the meeting should have such material available for Board members before the Thursday prior to the meeting. If background information is insufficient or complicated, or if complex memos or motions are presented at the meeting which were not included in the Board’s meeting packet, any Board member may request that the relevant item be tabled to allow Board members time for careful study of the material.
The agenda shall be available to the public per the Open Meeting Law in Town Hall and on the Town of Bourne website.

*Due to holidays, election days, town meetings, the Board may alter the first and third Tuesday schedule.

**Public comment shall be limited to non-agenda items and be no longer than 3 minutes.

VIII. Correspondence

Correspondences may include, but are not limited to, the following:

A. Communications from town, state, or federal agencies.
B. Communications from town committees or boards.
C. Announcements of non-profit events.
D. Letters or emails from the public.*

Correspondences may be submitted to the Selectmen/Town Administrator’s Office, to the Town Administrator, and/or to the Chair. Correspondences received before the Thursday prior to the Tuesday business meeting will be considered for inclusion. Once received, it is the responsibility of the Town Administrator and the Chair to review the correspondences to be included in public record. Items of correspondence that are exempt from public disclosure pursuant to the Public Records Law (Chapter 4, Section 7 of the Massachusetts General Laws), or relate to subject matters that qualify for an executive session under the Open Meeting Law (Chapter 30A, Sections 18-25 of the Massachusetts General Laws), will be marked as “Confidential Correspondence” and will not be subject to review in public session, unless it coincides with an agenda item. As appropriate, the Town Administrator, Chair, or Clerk will respond to each correspondence from D, noted above.

The correspondences will be available in hard copy form and on the town website along with the agenda packets. Any required action of the Board received within the correspondence shall be taken up no earlier than the next scheduled meeting.

Non-agenda items that require subsidiary discussion should be placed as a regular item at the request of the proponent.
Board of Selectmen/Sewer Commissioners
Rules of Procedure

*Correspondences may be submitted via hard copy letter to the Selectmen/Town Administrator’s Office by mail or in person and date stamped. Emails may also be considered public record. Regardless of format, the correspondence must include name and address.

IX. Appointments

As part of the annual appointment process, the Town Administrator will ask incumbents whose terms will expire on June 30 about their availability for reappointment. The Town Administrator will ensure that the Board receive by June 1st a list of appointment vacancies to be filled by the Board.

The Board shall request each appointed committee chair to submit a report and written record of attendance for each member of his/her committee for the fiscal year. Any absences excused by the committee for good cause shall be noted in said record and report, along with any other information that might be helpful to the Board in making decisions concerning the appointment or reappointment of members to said committee. The Board shall enforce Section 2.4.4 of the Town Bylaws concerning termination of membership due to absence at meetings.

When the bylaw states, or when the Board or Town Administrator requests, a designee of another board or committee, the board or committee making the designation will vote the appointment of their representative. The board or committee shall notify the Town Administrator of the action taken. The Board (of Selectmen) shall take action of the recommendation(s) at the next business meeting.

Upon an appointment to a board or committee, as authorized by the Town of Bourne Charter, the appointee shall receive a Certificate of Appointment signed by a majority of the members of the Board or Town Administrator. Each appointee must present the signed appointment slip to the Town Clerk or his/her authorized designee to be sworn in. The appointee shall have the Town Clerk/designee sign and date the appointment slip and will bring the slip back to the Selectmen/Town Administrator’s Office for their records. Once appointee is sworn in by the Town Clerk the appointee is authorized to cast a vote at a meeting of the board or committee to which s/he is appointed.

Committees in which members of the Board (of Selectmen) are seated either as ex-officio, committee as required by statute or as requested by outside governmental and non-governmental agencies shall not be greater than one (1) year and shall not extend beyond an individual’s term of office unless otherwise specified.
X. New Committee Procedures

The Board will choose one of its members to attend the first meeting of a newly established committee. Any board, committee or commission ("committee") appointed by the Board shall be responsible to the Board.

At the first meeting, the designated Board member will read the charge by the Board and answer any questions by committee members so that each member understands the scope of the committee. Committee Meeting Procedures will also be given to each member and discussed. The members of the committee will establish a regular meeting schedule and determine the date of the next meeting.

The designated Board member shall conduct the initial election of officers of the committee. The committee may decide to hold the election of officers at the beginning of their second meeting; however, at no time shall a committee created by the Board be without officers after the conclusion of its third session. No substantive business will be conducted before the election of officers. By majority vote of the members who constitute the make-up of the committee, they shall elect a chair, vice chair and clerk.

In all procedural matters, the committee shall conduct its meeting in accordance with Robert's Rules of Order. In the absence of the chair, the vice chair shall conduct the meeting.

In accordance with the Open Meeting Law, the clerk of the committee or the recording secretary shall keep accurate minutes of the proceedings of the committee including executive session minutes, per the Open Meeting Law.

Upon request, the committee shall send a written update of its actions/recommendations that were taken by a majority vote of the committee members to the Board. The Board also reserves the right to request that the committee present this report in person at a Board's meeting. NOTE: per the Open Meeting, individual members of the committee may also ask that a member of the Board be present at a particular meeting as a member of the audience. A formal request for a Board member to attend a meeting must be made by a vote of the majority of the committee.

The chair shall prepare the agenda on behalf of the committee. Any committee member may insert an agenda item for any meeting. The chair or designee will post the agenda at Town Hall according to the Open Meeting law.
XI. Zoning By-Law, Special Permit Rules and Procedures

The rules and procedures concerning Zoning By-laws, Special Permits Rules and Procedures have been prepared and adopted by the Board in compliance with General Laws Chapter 40A, Section 9 as amended by Chapter 808 of the Acts of 1975. They may be amended or rescinded by majority vote of the Board. Said rules and procedures to become effective at such times as may be specified therein and upon filing a copy thereof with the Town Clerk.

All applications for special permits authorized by the Zoning Bylaw to be issued by the Board shall be made in writing on such form or forms adopted by the Board and available at the offices of the Building Inspector, Board (of Selectmen), Town Clerk or Engineering, as applicable.

Said form shall be filed in quadruplicate with the Board and a copy shall be filed with the Town Clerk. All of said copies shall bear the signature of the applicant or his duly authorized agent or attorney.

The applicant shall attach to his/her application a list of all parties in interest and their addresses as appear on the most recent tax list. "Parties in interest" as defined in General Laws Chapter 40A, Section 11, as amended, shall mean the applicant, owner of land for which the permit is sought (if different than the applicant), abutters, owners of land directly opposite on any public or private street or way and abutters to abutters within 300 feet of the property line, the Bourne Planning Board, and the Planning Boards of Falmouth, Wareham, Sandwich and Plymouth.

Applications shall state the section of the Zoning Bylaw for which the Special Permit is sought.

All applications at the time of filing shall be accompanied by:

1. FOUR (4) prints of the latest recorded plan of the land which will be affected, or in cases where no such plan exists, FIVE (5) prints of a plan of the land endorsed by a registered engineer or land surveyor.

2. FOUR (4) prints of the plot showing the exact location of existing and proposed buildings, signs, and other structures.

Such additional information and plans, as may be required, under the Site Plan Review provisions of the Zoning Bylaw, or any other applicable provisions of the Zoning Bylaw.
Appendix

NOTICE OF HEARING
Notice of hearing will be given by the Board in accordance with General Laws Chapter 40A, Section 11, as amended, by mailing and publication.

A. Hearings
An open public hearing will be held at the time and place specified in the notice of the hearing.

1. The hearing will proceed as follows:
   a. The Chair will call the meeting to order and read the notice of hearing as published.
   b. The Chair shall inform those present at the hearing of the time requirements under Chapter 40A, Section 17, as amended, for appealing of the decision of the Board.
   c. The applicant or his representative shall present the case to the Board.
   d. Parties of Interest at the hearing shall be heard.
   e. Town representatives may be heard.
   f. The hearing shall be closed and no further evidence shall be heard.

B. Decisions

1. All decisions of the Board shall be made in writing and shall contain, but not limited to, the following:

   o Date decision rendered.
   o Number of Special Permit
   o Name and address of applicant.
   o The place, time and date of the public hearing.
   o Findings of facts.
   o Statement of applicable law.
   o Decision of the Board
   o Roll-call vote setting forth the vote of each member of the Board
   o A statement of right of appeal pursuant to General Laws, Chapter 40A, Section 17, as amended.
Board of Selectmen/Sewer Commissioners
Rules of Procedure

2. A copy of the decision shall be filed with the Town Clerk.
3. A decision granting a special permit shall be effective after the appeal period has expired and an appropriate notice has been filed by the Town Clerk with the Registry of Deeds. A fee for the Registry of Deeds filing shall be paid to the Town Clerk by the applicant.
4. Duplicate copies of the decision shall be mailed or delivered to the applicant or his agent or attorney, the owner of the property, the Building Inspector, Planning Board, Board of Health, and all parties in interest who at the time of the hearing request a copy.

C. Records or Proceedings

1. The Board shall cause to be made a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact.
2. Original summary account shall be kept with the case record in the office of the Board, a copy to be filed with the Town Clerk.
3. All summary accounts shall be signed by the Clerk of the Board who shall be the keeper of the records of said Board.

BOARD OF SELECTMEN
Peter J. Meier, Chair
Judith MacLeod-Froman, Vice Chair
James Potter, Clerk
George Slade
Jared MacDonald

Adopted on August 28, 2001
Amended November 12, 2002 by adding section 2.4.2
Amended July 13, 2004 -Special Permit Rules & Procedure added
Revised: May 16, 2006
Revised: November 21, 2006
Revised: May 1, 2007
Revised: April 29, 2008
Revised: December 17, 2013
Revised: February 24, 2015
Revised: September 25, 2018, Comprehensive Revision
Board of Selectmen
Dinghy Storage Policy
AMENDED
TOWN OF BOURNE
DINGHY STORAGE POLICY

At a public meeting of the Board of Selectmen held on July 17, 2001 at the Bourne Town Hall, the Board of Selectmen voted unanimously to adopt the following policy on the use and storage of dinghies on Town of Bourne property.

DINGHY SEASON STORAGE REGULATIONS

Fee:
$25. Dinghy Dockage
$25. Dinghy Storage Racks

OUTHALL USE:
No Outhauls are to be permitted on Public Lands

PERMIT STICKER:
A Permit Decal/Sticker shall be issued allowing the dinghy owner the use of town property including dinghy docks for seasonal storage.

RESTRICTIONS:
Dinghies kept at Town-owned docks shall be limited to a (ten) 10-foot maximum length, unless written permission is obtained from the Harbormaster.

Until further notice, no limit will be set on the number of dinghies at Town dock.

Dinghy racks shall have spaces assigned to permit holders.

The Permit Sticker shall be applied to the dinghy on the inside of the transom Port side, facing towards the bow. The Permit Sticker shall be visible while standing at the bow looking aft. It will be the responsibility of the dinghy owner to insure the sticker is attached and protected.

No dinghies shall be stored on Town Property between October 1 and April 15 without written permission from the Harbormaster.

ENFORCEMENT:
1st Notice, Written Warning
2nd Notice, $25 Fine
3rd Notice, loss of use at storage privileges on Town Property
Previous applicants shall receive a refund of the difference in any fees previously paid. Applicants will be required to present a receipt or cancelled check as proof that the fee was previously paid at the high amount to receive a refund.

DISPUTES: Shall be resolved by the Harbormaster

NOTIFICATION: A letter shall be sent to all Town Mooring Permit Holders with a copy of the Regulations as adopted by the Board of Selectmen. Refund instructions for previously paid fees shall be included.

Signs shall be posted at all Town-owned dinghy docks informing the public that a Permit is required for the use of the dinghy docks and storage racks.

Copies of the Regulations shall be posted at the Town Beaches on the bulletin boards and made available to the public at the DNR office, Town Hall and the post offices.

BOARD OF SELECTMEN

Haydon S. Coggeshall
Leo F. Locke
Mark A. Tirrell
James T. Grady
Wayne E. Covell

A true copy, attest:

Linda Marzelli
Town Clerk
Board of Selectmen
Financial Management Policies & Guidelines
TOWN OF BOURNE
FINANCIAL MANAGEMENT
POLICIES & GUIDELINES

INTRODUCTION

The following financial management policies and guidelines set forth the board framework for overall planning and management of the Town of Bourne’s financial resources. The policies are intended to be advisory in nature and serve as a point of reference for all policy-makers, administrators and advisors. It is fully understood that Town Meeting retains the full right to appropriate funds and incur debt at levels it deems appropriate, subject to statutory limits such as Proposition 2 1/2.

The policies are designed to ensure the Town’s sound financial condition now and in the future. Sound financial condition may be defined as:

- Cash Solvency: The ability to pay bills in a timely fashion
- Budgetary Solvency: The ability to annually balance the budget
- Long-Term Solvency: The ability to pay future costs
- Service Level Solvency: The ability provide needed services
- Infrastructure Solvency The ability to maintain infrastructure

It is equally important that the Town maintain flexibility in its finances to ensure that the Town is positioned to react and respond to changes in the economy and new service challenges without measurable financial stress.

BUDGET GUIDELINES

The Town defines a balanced budget as a budget in which revenues are greater than or equal to expenditures. The Commonwealth of Massachusetts requires all municipalities to present a balanced budget each year as a basic budgetary constraint intended to ensure that a government does not spend beyond its means and its use of resources for operating purposes does not exceed available resources over a defined period of time.

General Fund Operating Budget (GFOB) is defined as the operating budget (Town, Schools, Shared Costs and Debt Service). It does not include general articles, off-budget expenses, Enterprise Funds or Capital.
FISCAL RESERVES GUIDELINES

The Town's accumulation of prudent reserves is critically important to the fiscal health of the community for many reasons. Reserves are a resource to sustain a community during an economic downturn and may provide for cash flow needs until major revenues are received, reducing or eliminating the need for short-term borrowing. Rating agencies and investors also view reserves favorably as evidence of the community's financial flexibility. The Town will endeavor to establish and maintain the following reserve levels:

A. Free Cash: To have a certified Free Cash balance of at least 5% the current Fiscal Year General Fund Operating Budget at the beginning of each Fiscal Year. The Free Cash Balance will be maintained at 5% of the General Fund Operating Budget during the Fiscal Year.

B. Stabilization Fund: To maintain a long term Stabilization Fund for unforeseen emergency expenses and capital projects in accordance with Mass. General Laws Chapter 40 Section 5B. To maintain a Stabilization Fund balance of at least 6% of the General Fund Operating Budget. The Town may appropriate funds from the Stabilization Fund for any lawful purpose with a two-thirds vote of Town Meeting.

C. Capital Stabilization Fund: To maintain a Capital Stabilization Fund for large capital items and to support the annual capital plan. Once the Stabilization Fund reaches 6% of the General Fund Operating Budget funds may be accumulated in the Capital Stabilization Fund.

D. ISWM Stabilization Fund: Funds set aside to cushion the impact on the Operating Budget after the landfill closes.

E. Employer Health Insurance Trust Fund: It shall be the policy of the Town of Bourne to hold a reserve in the Health and Dental dedicated fund an amount to be less than four (4) months of average costs of Health and Dental assessments including all administrative fees. Additionally, at no time shall the fund hold less than one million six hundred thousand dollars ($1,600,000) in reserves at the close of any fiscal year. The Town Administrator shall report the status of the Trust Fund to the Board of Selectman in February of each year and make the necessary adjustments in conjunction with the Town Finance
Director. Should an appropriation be necessary, the Town Administrator shall bring forth an article for a Special or Annual Town Meeting for approval by the Board of Selectmen.

F. **Overlay Reserve:** To establish an annual Overlay Reserve for abatements and exemptions at an appropriate level based on an analysis of historical data and specific circumstances such as a property revaluation project. The Board of Assessors will recommend annually in December the amount required to be kept in the Overlay Reserve for next Fiscal Year.

G. **Reserve Fund:** To budget an annual Reserve Fund under the authority of the Finance Committee for unexpected and unforeseen budget needs of at least 0.5% of the General Fund Operating Budget.

H. **OPEB Trust Fund:** To maintain an OPEB Trust Fund to accumulate funds for Other than Pension Post-employment benefits. The long term goal for the Trust Fund is to fully fund the OPEB Liability.

**USE OF RESERVES GUIDELINES**

To the maximum extent possible, the Town shall only appropriate reserves as follows:

Free Cash, Stabilization Fund and Overlay Surplus: funds in excess of reserve policies established for each may be used for one-time, non-recurring expenses such as capital projects and equipment, emergency expenses and to fund the OPEB Trust Fund.

Capital Stabilization Fund will be used to support the annual capital budget and to fund large capital expenditures.

The Town should strive to appropriate no more than 50% of the Free Cash Balance that is in excess of the 5% policy as an operating revenue with a majority vote of Town Meeting.

It is understood that at times, reserves may have to be used to support the operating budget due to state aid reductions or other revenue and/or expenditure challenges. Any time that the use of reserves is necessary in a fiscal year to maintain an adequate level of essential services and the reserve fund balances fall below established guidelines the Town should
strategically plan on reducing and then eliminating the use of reserves in the coming fiscal years and should develop a plan to bring reserves to recommended guideline levels within two fiscal years.

**FINANCIAL PLANNING & MONITORING GUIDELINES**

Long-term financial forecasting and constant monitoring of current revenue and expenditure trends are vitally important to maintain quality service levels and fiscal discipline. As a result, it is the policy of the Town to undertake the following:

A. **Multi-Year Financial Forecasting:** Establish and maintain an on-going financial planning model that projects revenues and expenses over the next five (5) years by using five (5) years of historical data and other fiscal trend analysis.

B. **Monitor and Track Current Year Financial Activities:** Constantly monitor revenue and expenditure activities and publish periodic reports for policy-makers, administrators, and department heads. To meet this objective, the Town should implement improved financial management systems to create the required revenue and expenditure reports, reduce duplication of effort, and maximize productivity of finance department staff.

C. Revolving Funds

D. Waterways Fund

**CAPITAL PLANNING & DEBT SERVICE MANAGEMENT GUIDELINES**

The Town's willingness and ability to address its capital needs (infrastructure, facilities, equipment, etc.) is very important to the community's quality of life and fiscal stability. At the same time, the Town must maintain a sound debt structure and debt ratio to ensure that all debt obligations will be satisfied without sacrificing the quality of on-going operations and/or burdening future generations with large debt obligations. To that end, it is the policy of the Town to undertake the following:

A. **Capital Improvement Plan:** The Town shall establish and maintain a five (5) year capital improvements plan, to update the plan annually, to
develop capital financing strategies consistent with these policies, and to integrate any new operating costs associated with capital projects into the annual operating budget. The Town should capitalize expenditures of at least $20,000 and having a useful life of more than five years.

B. Debt Service Guidelines: The Town will budget 3 - 5% of the general fund annual operating budget (excluding debt service) on debt service for capital maintenance and equipment costs. This amount does not include the debt for Community Preservation, Enterprise funds, debt exclusions and self-supported debt.

C. Debt Maturity Guidelines: The Town will strive to limit the average maturity of its debt to five (5) to ten (10) years. By adopting a conservative maturity schedule, the Town will not only reduce interest costs on its bonds but also recognize that capital needs will continue to be identified and recommended.

D. Alternative Financing Strategies: The Town will continually pursue opportunities to acquire capital by means other than conventional borrowing such as grants and low-and no-interest loans programs such as MWPA T and Farmers Home.

E. Cash Flow: The Town will prepare and update cash flow statements for each bonded project to borrow only those funds necessary, and to schedule debt payments over the course of the fiscal year.

F. Reconciliation & Record keeping: The Town will periodically reconcile debt-related records of the Finance Director with the Town Treasurer, and will annually determine if any unissued bond authorizations needed to be rescinded at Annual Town Meeting.

G. Internal Borrowing: The Town will utilize the option of internal borrowing when fiscally prudent to do so.

H. Debt Issuance: The Town will work closely with its Financial Advisor and Bond Counsel to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained. To that end, the Town Administrator, Finance Director and Town Treasurer will prepare and present a financial presentation to rating agencies in advance of a
permanent bond issue, and every effort will be made to secure as high a bond rating as possible.

I. Capital Budget: The annual Capital Budget for Town and Schools includes direct cash expenditures, interest and principal of new bonds and debt service on prior bonded expenditures and will be maintained at 3% - 5% of the general fund operating budget. This amount does not include the debt for Community Preservation, Enterprise funds, debt exclusions and self-supported debt.

POST EMPLOYMENT BENEFIT LIABILITIES GUIDELINES

A. Pension Liabilities: The Town will fund pension liabilities on a pay as you go basis and will annually fund the recommended payments to the County Pension Fund and Mass. Teachers Retirement Fund.

B. OPEB (OTHER THAN PENSION POST EMPLOYMENT BENEFITS LIABILITIES)

Town Funding: In addition to the current year pay-as-you-go contributions the Town will fund OPEB as follows:

Within the Budget: The Town will fund the budget line for OPEB beginning with $50,000 as the base amount in FY2019. The following year will be budgeted at the previous year's budget plus 10% of the actual new growth for the current year. Each year thereafter the OPEB budgeted amount will be the previous year's budgeted amount plus 10% of the current year's actual new growth.

By Article: The Town will fund an article at the fall special town meeting (or spring STM if no fall STM) in the amount of 10% of the excess free cash over policy. Minimum Funding: During any fiscal year the Town shall fund no less than $250,000 in addition to the annual budget obligations until the normal annual required contribution is met.

Enterprise Funding: In addition to the current year pay-as-you-go contributions the enterprise funds will fund OPEB as follows:

By Article: The enterprise funds minimum funding will be the annual required contributions (ARC). Additional contributions to fully fund the required liability should be reviewed annually to align with the lifetime of the
enterprise funds.

REVENUE ENHANCEMENT GUIDELINES
To continue to maintain a reasonable level of services to its citizens and meet all future financial obligations, the Town will proactively seek new revenue sources in the following manners:

A. **Property Valuations:** In addition to the mandated three (3) year property revaluation, the Town will perform interim valuation updates to keep pace with the real estate market and void wide swings in assessed values. In addition, the Town will regularly inspect properties to ensure up-to-date property data and identify additional sources of "new growth" revenue.

B. **Receivables:** The Town will rapidly move all unpaid taxes into Tax Title when authorized by law, and will increase collection rates by increasing the use of a deputy collector and by attaching Town payments to vendors who also owe taxes to the Town.

C. **Foreclosure Properties:** The Town will aggressively auction off foreclosed properties that are not reserved for town use, conservation or affordable housing purposes.

D. **Non-Tax Revenue:** The Town will annually review and analyze fees and charges such as Licenses, Permits, Fees, etc. to determine if they are appropriate and comparable.

INVESTMENTS GUIDELINES: (Refer to Town of Bourne Investment Policy for full guidelines)
Massachusetts law requires that public funds be invested at the highest possible rate of interest reasonably available, taking into account safety, liquidity and yield. Therefore, these guidelines are intended to further the objective of securing the highest return that is consistent with safety of principal while meeting the daily cash requirements for the operation of Town business.
POLICY ENDORSEMENTS
Approved:

[Signature]
Town Administrator
Dated:

[Signature]
Chairman, Board of Selectmen
Dated:

[Signature]
Vice Chairman, Board of Selectmen
Dated: 6/19/18

[Signature]
Clerk, Board of Selectmen
Dated:

[Signature]
Board of Selectmen
Dated: 6/19/2018

[Signature]
Board of Selectmen
Dated: 6/19/2018

[Signature]
Chairman, Finance Committee
Dated: 6/19/2018

[Signature]
Finance Director
Dated: 6/19/2018

[Signature]
Town Treasurer
Dated: 6/19/2018
Board of Selectmen
ISWM Enterprise Fund Financial Policies and Guidelines
TOWN OF BOURNE

ISWM ENTERPRISE FUND FINANCIAL POLICIES AND GUIDELINES

I. INTRODUCTION
The following financial management policies and guidelines set forth the framework for overall planning and management of the Town of Bourne, Integrated Solid Waste Management Enterprise Fund, overseen by the General Manager of the Town of Bourne, Department of Integrated Solid Waste Management. The policies are intended to be advisory in nature and serve as a point of reference for all policy-makers, administrators and advisors.

Responsibility for maintaining safe and environmentally sound operation of the Department of Integrated Solid Waste Management, that is in compliance with all Federal, State and local laws and regulations, is by the Charter, the responsibility of the ISWM General Manager. For each Fiscal Year, the General Manager shall prepare an overall financial management plan that includes an annual budget, administrative fee structure, capital outlay and debt management plan, and contributions to all funds within Retained Earnings. The ISWM General Manager will work closely with the Town Administrator and the Finance Director in the annual budget planning process and the implementation of the Financial Policies.

The policies are designed to ensure the sound financial condition of the ISWM now and in the future. Sound financial condition may be defined as:

- Cash Solvency: The ability to pay bills in a timely fashion and have a reserve to address unexpected increases in operational expenses

- Long-Term Solvency: The ability to pay future costs including all debt service and benefit costs beyond the life of the landfill
• Service Level Solvency: The ability to provide needed services for the residents and customers of the ISWM facilities in a safe and environmentally sound manner

• Infrastructure Solvency: The ability to maintain infrastructure, plan for future development and meet long term obligations

II. ANNUAL BUDGET
A. Components: The annual Operating Budget of ISWM shall include the Salaries and Wages, Expenses, Host Fee; and the Administrative Fee.

B. Administrative Fee: Administrative Fee represents contributions from the ISWM Enterprise Fund, in a manner compliant with the MA Department of Revenue guidelines for Enterprise Funds, for Administrative expenses of the Town. The Administrative fee shall include ISWM fringe benefits, DPW expenses associated with the curbside collection program and other miscellaneous expenses such as accounting, management, postage and legal counsel.

C. OPEB: ISWM will make contributes to the OPEB Trust Fund in accordance with the Town’s Financial Policy on OPEB contributions.

III. FISCAL RESERVES GUIDELINES
ISWM’s accumulation of prudent reserves is critically important to the fiscal health of the community for many reasons. The Town will endeavor to establish and maintain the following accounts as part of Retained Earnings. The undesignated balance of Retained Earnings will be reviewed as needed and applied in a manner to enhance the financial stability of the Enterprise Fund, including reducing debt.

A. Working Capital: Retained Earnings should be maintained at a minimum balance of 3 months operating expenses in cash. A month’s operating expenses shall be calculated as the 12-month average from the previous fiscal year. The Finance Director shall be consulted and will make the annual determination of the amount required.
B. **Reserve Fund:** The ISWM Reserve Fund will be budgeted at 5% of the ISWM Annual Operating Budget (Components defined in Section II. A.). Access to the Reserve Fund shall be for emergencies or other unanticipated budgetary needs that may arise as a result of unexpected circumstances and must be approved by a vote of the Finance Committee upon request of the ISWM General Manager. Any funds expended during the fiscal year may be replenished at a Special Town Meeting if recommended by the General Manager and the Town Administrator. The minimum annual allocation shall be $600,000.

C. **Closure and Post-Closure Funds:** To maintain closure accounts in compliance with state regulations that set aside adequate funds to close the landfill and/or transfer stations and further to maintain an account for the long-term post-closure care and monitoring required by regulations. Any annual calculation shall be done, in accordance with regulations, to determine the contributions from Retained Earnings into these accounts. Costs for closure and post-closure will be reviewed and updated at least every two years. Withdrawals from closure accounts shall be made on the recommendation the General Manager and in consultation with the MA DEP. These funds are not to be used for any other purpose and are required to receive operating permits.

D. **Future Solid Waste Stabilization:** Funds set aside to cushion the impact on the Town’s Operating Budget after the landfill closes and Host Fee revenue will be less. This fund will pay for transportation and disposal of MSW and recycling after the closure of the landfill. There are currently no required contributions to the fund. A policy for the specific goals of the fund and funding mechanism or requirements should be established.

E. **Host Fee:** ISWM shall contribute to the General Fund, in accordance with law, the minimum required annual host fee based on a per ton fee per qualifying ton. Said fee shall be calculated in accordance with the law utilizing the cited inflation factor published by the Federal government. The fee shall be part of the annual operating budget and will be based on projected qualifying tons and revenue for the coming Fiscal Year. The total qualifying tons multiplied by the established rate per ton is the determining factor for the host fee. If the General Manager determines that the qualifying tons in any Fiscal Year will not be sufficient to cover the
budgeted Host Fee, the General Manager will notify the Town Administrator and the Finance Director as soon as the determination is made but no later than April 1 before the Fiscal Year end.

IV. **FINANCIAL PLANNING & MONITORING GUIDELINES**
Long-term financial forecasting and constant monitoring of current revenue and expenditure trends are vitally important to maintain quality service levels and fiscal discipline. As a result, it is the policy of the Town that ISWM undertake the following:

A. **Multi-Year Financial Forecasting**: Establish and maintain an on-going financial planning model that projects revenues and expenses over the next five (5) years by using five (5) years of historical data and other fiscal trend analysis. ISWM shall endeavor to secure long-term contracts and other business arrangements to ensure that it has a steady source of revenue to meet its obligations.

B. **Monitor and Track Current Year Financial Activities**: Constantly monitor revenue and expenditure activities and publish periodic reports for policymakers, the Town Administrator and Finance Director. To meet this objective, ISWM should implement improved financial management systems to create the required revenue and expenditure reports, reduce duplication of effort, and maximize productivity of finance department staff.

V. **CAPITAL PLANNING & DEBT SERVICE MANAGEMENT GUIDELINE**
ISWM's ability to address its capital needs (infrastructure, facilities, equipment, etc.) is critical to meet contractual and regulatory obligations to provide safe and environmentally compliant facilities. ISWM is a unique operation in the state of MA for a municipal government and consideration must be given to the General Manager that ISWM has substantial expenditures for the purposes of keeping its facilities in good working order and to plan for the future. Therefore, ISWM shall undertake the following:
A. **Capital Improvement Plan:** In accordance with the Town of Bourne Charter, as amended, ISWM shall establish and maintain a five (5) year capital improvements plan, update the plan annually, develop capital financing strategies consistent with these policies, and integrate any new operating costs associated with capital projects into the annual operating budget. ISWM should capitalize expenditures of at least $20,000 and having a useful life of more than five years.

B. **Debt Maturity Guidelines:** The Treasurer will strive to limit the maturity of ISWM’s debt according to Mass General Laws and within the overall active life of the specific project or the landfill. A debt management plan will be developed for each fiscal year as part of the Operating Budget. This plan shall take into account the Fiscal Reserves that have been identified and that must also be fully funded.

C. **Alternative Financing Strategies:** ISWM will continually pursue opportunities to acquire capital by means other than conventional borrowing such as grants, and other programs as may be available.

D. **Reconciliation & Record keeping:** ISWM will annually reconcile debt-related records with the Finance Director/Treasurer and the Town Accountant before April 1 of each fiscal year to determine if any unissued bond authorizations need to be rescinded at the Annual Town Meeting.

E. **Debt Issuance:** ISWM will work closely with the Finance Director and the Town’s Financial Advisor and Bond Counsel to ensure that all legal requirements are met and that the lowest possible interest rate can be obtained.

F. **Capital Budget:** The Capital Budget for ISWM shall be determined on an annual basis and shall include replacement of ISWM funded equipment utilized by the Department of Public Works to fulfill the duties of curbside MSW and recyclables collection. ISWM will include a 5-year capital plan as part of the annual capital outlay review.
VI. REVENUE ENHANCEMENT GUIDELINES
A. ISWM will rapidly move to collect all receivables and close accounts of customers who do not pay. Further ISWM will notify the Town Administrator of accounts that require the Town to pursue full payment by all legal means.

POLICY ENDORSEMENTS
Approved:

__________________________  ____________________________
Town Administrator          Finance Committee Chair
Dated:                      Dated:

__________________________  ____________________________
Chairman, Board of Selectmen Finance Director/Treasurer
Dated:                      Dated:

__________________________  ____________________________
Vice Chairman, Board of Selectmen Town Accountant
Dated:                      Dated:

__________________________  ____________________________
Clerk, Board of Selectmen   ISWM General Manager
Dated:                      Dated:

__________________________
Board of Selectmen
Dated:

__________________________
Board of Selectmen
Dated:
Board of Selectmen
Naming Town Owned Property/Placement of Memorial Objects
Naming Town Owned Property
and Placement of Memorial Objects

**Purpose**
The Bourne Board of Selectmen shall be responsible for the naming of town owned property – identified as being under the care, custody and control of the Town of Bourne – and shall handle all requests with serious and consistent consideration. Property includes, but is not limited to, public buildings, areas within public buildings, recreational areas, memorial objects, and town-owned land, all of which does not fall under another governing body or entity. In addition, there is a provision for placing memorial objects on town-owned property.

**Policy**
The Board of Selectmen is responsible for the naming (or renaming) of any town owned properties as noted in the Policy Purpose and fall under the jurisdiction of the Board of Selectmen. The Board of Selectmen shall implement and maintain a consistent process for evaluating naming proposals.

When naming requests are considered, the priority shall be with naming property after person(s) or organizations which:

- Have geographical, historical or cultural significance to the town or region.
- Have held leadership role (s) in the Town, such as through distinguished service in the military, law enforcement, safety, public office, or as a public servant.
- Have made significant financial and civic contributions to the Town, or that have made a direct financial grant to the Town for purposes of developing a particular public property.
- Have been deceased no less than five years

The request for placing memorial objects (artwork, signs or other fixtures, etc.) shall also be in writing and it must be supported by 10 or more registered voters of the Town as evidenced by validated signatures. Such memorial objects examples include, but are not limited to plaques, ornamental signs, sculptures, banners, benches, plantings, and detached structures.

For property under the care, custody and control of the Conservation Commission, the Trustees of the Veterans Memorials, or the Trustees of the Library, or any other such designation, such approval of a naming request shall be determined in a joint meeting of the Board of Selectmen and the respective Commission or Board.

School properties, by State Law, fall under the jurisdiction of the School Committee.

In the case of a written proposal by an applicant for memorialization of a Veteran, the Board of Selectmen shall forward a copy of the request to the Trustees of Veteran’s Memorials for consideration and verification of necessary documentation. The Trustees shall make a recommendation to the Board of Selectmen as to the naming of Town property or memorial objects in honor of the Veteran.

This Policy may be amended or rescinded by the Board of Selectmen by majority vote.
Process for Naming Town Property

A written request to name public property which includes, but is not limited to, public buildings, areas within public buildings, recreational area, memorial objects, town-owned land, must be submitted to the Board of Selectmen signed by 50, or 10 (for memorial objects), registered voters validated by the Town Clerk.

The written request must explain the following, as applicable:

- How has this person(s) or organization had geographical, historical or cultural significance to the Town or region?
- What leadership role(s) in the Town, such as through distinguished service in the military, law enforcement, safety, or public office or as a public servant?
- What significant financial and civic contributions to the Town for the purposes of developing a particular public property?
- What is the proposed memorial (plaque, statue, sign, etc.)? What is the property location (building, part of building, recreational area, etc.)?
- Verification that person is deceased no less than 5 years prior to the request.

Following certification by the Town Clerk, the Board of Selectmen shall schedule a public hearing either as part of a Board meeting or as a separate public hearing to discuss the public property naming request. Decisions for placement of memorial objects shall be made during a regularly scheduled meeting of the Board of Selectmen.

The Town Clerk will verify that the property has not already been named and indicate any other properties named after this person(s) or organization.

Upon Board of Selectmen's initial approval of the naming, the next level of review and approval encompasses the design of artwork, signs or other fixtures on property under the jurisdiction of the Board must be reviewed and approved along with the cost of any signage and its ongoing maintenance, as well as who will be bearing the costs (petitioner, the Town, or another entity). In advance of final approval, the Board will seek advice of appropriate boards, committees, and/or departments.

Adopted: 12/19/2017
Board of Selectmen
Policy for Consultation with Town Counsel
POLICY FOR CONSULTATION WITH

TOWN COUNSEL

This Policy is issued in accordance with the provisions of the Town of Bourne Home Rule Charter.

Pursuant to Sections 3-3 and 4-2, the Town Administrator is responsible for the day to day administration of the affairs of the Town. Accordingly, the following Rules and Regulations shall be observed with respect to the utilization of legal services from Town Counsel or Special Counsel.

1) Request for Legal Opinions or Legal Services

Any and all inquiries to any elected or appointed Town Official that pertain to legal issues relating to the Town shall be referred to the Town Administrator, immediately upon receipt.

Any such request shall be in writing, unless the requirement of a written submission of the request is waived by the Town Administrator.

The Town Administrator shall maintain a record of any requests in the Town Administrator’s Office.

After reviewing a request for Legal Opinion or a request for Legal Services, the Town Administrator shall approve or deny the request. The Town Administrator’s decision shall be in writing. For purposes of this requirement, an email transmission shall satisfy the requirement of writing.

The Town Administrator shall communicate his decision, in writing, to Town Counsel.
Town Counsel may request a review of the Town Administrator's decision and any communications relating to this review shall be in writing and maintained as a record in the Office of Town Counsel.

The Town Administrator shall issue a form for Request for Legal Opinions or Legal Services.

Utilization of the form for Request for Legal Opinions or Legal Services is mandatory, unless waived by the Town Administrator.

Any request for Legal Opinions or Legal Services shall include all relevant documents and they shall be attached to the Request forwarded to Town Counsel.

2) **Eligibility to Request Legal Opinions or Legal Services**

It is critical to the administration of the day to day affairs of the Town that all individuals who provide services to the Town be eligible to request Legal Opinions or Legal Services in the course of providing services to the Town.

The Town Administrator shall be responsible for reviewing any such requests and determining whether to provide access to Town Counsel for an individual who seeks legal guidance about the appropriate course of action to take.

Additionally, any Town Official who is elected to a position in the Town may seek a Legal Opinion or Legal Services from Town Counsel after notifying the Town Administrator that he or she needs consultation with Town Counsel.

The Town Administrator, may, by a written directive, authorize any appointed Town Officer, regardless of method of appointment, to seek a Legal Opinion or Legal Services from Town Counsel, without prior authorization of the Town Administrator, subject to that Town Officer notifying the Town Administrator that he or she has sought the
services of Town Counsel. Said notification shall be in writing. For purposes of this requirement, an email transmission shall satisfy the requirement of writing.

3) Response of Town Counsel

Town Counsel shall respond to any request for Legal Opinions, in writing, to the individual making the request, to the Town Administrator, the Town Clerk and the Board of Selectmen. The Town Administrator and the Town Clerk shall maintain records of Opinions of Town Counsel. Beginning on January 1, 2018, the Town Administrator and Town Clerk shall maintain an Index of all Opinions received from Town Counsel and create a database for such Opinions. The database shall be protected by the Doctrine of Attorney-Client Privilege and the Doctrine of Attorney Work Product. Any request for information in the database shall be processed in accordance with the Massachusetts Public Records Law. Town Counsel may advise that a document is confidential until the document is reviewed by the Record Access Officer of the Town.

Town Counsel shall provide an itemized list of any requests for Legal Opinions on a monthly basis.

4) Statutory Right to Notify Town Counsel

The Town recognizes that certain provisions of state and federal law authorize a municipal employee to seek legal advice from government counsel with certain issues, including Requests for Opinions as to Conflict of Interest; Whistleblower claims; discrimination claims; and Public Records Request to the Records Access Officer. These requests shall be documented in accordance with this Policy but do not require approval from the Town Administrator.
5) **Limitation of Policy**

This policy shall apply to all requests for legal opinions and legal services, and all responses from Town Counsel, unless Town Counsel determines that a deviation from the policy is required by the Town Charter, the General or Special Laws of the Commonwealth, or the Rules of Professional Conduct.

DATED: December 12, 2017

By: [Signature]

Thomas M. Guerino,
Town Administrator
Board of Selectmen
Policy for the Sale of Parking Permits
POLICY FOR THE SALE OF PARKING PERMITS

- Permits are required all year long for use at all Town facilities and are valid January 1st through December 31st.

- All customers must present a valid vehicle registration for each Permit requested, with the name and address for each matching the taxpayer info used to request the Permit. In the case of leased or rental vehicles or property, the contract bearing the customer's name, address & other pertinent info must also be presented to verify that the customer/vehicle is entitled to a Permit.

- The burden of proof rests solely with the customer.

- Stickers must be permanently affixed to the lower left (driver side) windshield or left front bumper.

RESIDENT:

- Fee: $25.00 each.

- Permits are intended only for residents whose primary domicile is within the Town and/or who pay Town real estate taxes (property owners shown on tax bills), not visitors. IMMEDIATE family members (children, parents & grandparents), as well as those listed on Trust documents, fall into the Non-Resident category below.

- Must show acceptable proof that they own real property in Bourne or are otherwise legally a Bourne resident. Acceptable proof may be the vehicle registration, driver's license, property tax bill, full time domicile lease, rental agreement, etc., as determined by the Department.

RESIDENT SENIOR (65+):

- Fee: $15.00 each.

- Criteria as above, vehicle must be in Senior's name to receive Senior price.
NON-RESIDENT:

- Fee: $50.00 each.
- Must show proof that they are temporarily domiciled in Bourne for at least 30 days and provide verifiable documentation (contract, lease, rental agreement, etc.) stating same. This includes those staying at Bayview Campground, Bourne Scenic Park & Worcester Surfcasting Club, as well as immediate family members and those listed on Trust documents who can be verified.
  ~ OR ~
- Must possess a current Town of Bourne Mooring or Shellfish Permit.

MASSACHUSETTS RESIDENT or SANDWICH RESIDENT, WITH SHELLFISH PERMIT

- Fee: $25.00, one permit.
- Same as Non-Resident above, price only valid when MA or Sandwich Resident Shellfish and Non-Resident Parking Permits are purchased together, at the same time.
- Sandwich Resident status is determined by Motor Vehicle Registration; must show Sandwich address.
- Sandwich reduced rate limited to the first 200 permits sold.

1 WEEK OR 2 WEEK TEMPORARY:

- Fee: 1 Week $40.00, 2 Weeks $60.00.
- Must show proof that they are temporarily domiciled in Bourne for at least 1 or 2 weeks and provide a legal contract, lease, or rental agreement stating same. Other verifiable documentation may be required, as determined by the Department.
- Only one vehicle connected with said documentation is allowed to be permitted.
- Permit must be placed on the driver side dashboard & clearly visible through the windshield.
- Only valid at the Monument Beach facility.
Board of Selectmen
Policy on the Use of Information Technology Resources
TOWN OF BOURNE
Policy on the Use of Information Technology Resources

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Final
TOWN OF BOURNE
Policy on the Use of Information Technology Resources

1.0 Purpose

This document describes the formal policy for employees and users of all Town of Bourne ("the Town") Information Technology Resources (ITRs) including telephones, computer hardware, software and peripherals, networks, e-mail and the Internet, town-issued telephone devices, Personal Digital Devices, "smartphones", either town-issued or personal devices used while an employee is on schedule and working. Use of Town ITRs by any employee or user shall constitute acceptance of the terms of this policy and any such additional policies.

The purpose of this policy is to clearly define the policies of the Town and to direct the responsible and appropriate use of ITRs. This policy will be strongly enforced and employees and users of the Town's ITRs shall follow this policy at all times. Failure to comply with the provisions of this policy shall be grounds for disciplinary action and/or termination or suspension of use privileges. This document will be routinely updated and employees will be notified of any changes made.

2.0 User Responsibility

It is the responsibility of all persons using Town ITRs to read, understand and follow this policy. Questions or requests for clarification shall be submitted in writing to the Town Administrator. All employees will be required to sign a statement acknowledging that they have read and understand this policy. The original will be kept on file at the Human Resources Department. A copy will also be filed in the employee's personnel file. In addition, employees are expected to exercise reasonable judgment in interpreting this policy and in making decisions about the use of ITRs.

3.0 Acceptable and Unacceptable Uses

The Town believes that ITRs used appropriately to support the employee's job duties and responsibilities empower users to deliver better services at lower costs. As such, employees are encouraged to use ITRs to the fullest extent in pursuit of their departmental goals and objectives. All ITRs are to be used in an appropriate, responsible, efficient, ethical, and legal manner. Access to ITRs is to be considered a privilege which can be suspended and/or terminated by the Town.

4.0 Data Confidentiality

In the course of performing the duties and responsibilities of their jobs, Town employees and users have access to confidential and/or proprietary information, such as personal data about identifiable individuals or commercial information about business organizations. Under no circumstances is it permissible for employees or users to acquire access to confidential data unless such access is required as a function of their jobs. Under no circumstances may
employees or users disseminate any confidential information to which they have rightful access unless such dissemination is required as a function of their job.

5.0 Copyright Protection

Employees and users of Town ITRs must respect the rights of intellectual property owners.

6.0 Network Security

Users should avoid compromising the security of the network by protecting passwords and by "logging off" the network when leaving a personal computer unattended for extended periods of time. Department Heads in each department should have the ability to access all computers and work files within department in order that the town can function in an employee's absence.

7.0 Internet & E-mail Use

Internet service is available to Town staff as an information resource upon approval of the employee's supervisor. The Internet is to be used to support the employee's job duties and responsibilities. It is a shared resource to be used where a clear benefit to the Town exists. Internet use is a revocable privilege and should be used in compliance with this policy. In addition, electronic mail ("e-mail") can provide excellent means of communicating with other employees, outside vendors and colleagues, and other businesses. Use of the Internet and e-mail, however, must be tempered with common sense and good judgment.

Use of the Internet and e-mail is a privilege, not a right. If employees abuse these privileges, they will lose them. In addition, they may be subject to disciplinary action, including possible termination from employment, and civil and criminal liability.

7.1 Disclaimer of liability for use of Internet.

The Town is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Users accessing the Internet do so at their own risk.

7.2 Duty of care.

Employees should endeavor to make each electronic communication truthful and accurate. They should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Please keep in mind that anything created or stored on the computer system may, and likely will, be reviewed by others.

Employees and users of e-mail must follow certain protocols. Because e-mail addresses identify the organization that sends the message, users should consider e-mail messages to be the equivalent of letters sent on official letterhead, and should ensure that all e-mails are written in a professional and courteous tone. Although many users regard e-mail as being like a telephone in

TOWN OF BOURNE
Information Technology Resources Use Policy

September 14, 2010
offering a quick, informal way to communicate, users should remember that e-mails can be stored, copied, printed, or forwarded by recipients. Therefore, users shall not write anything in an e-mail message that they would not feel just as comfortable putting into a memorandum.

7.3 Duty not to waste computer resources.
Employees must not perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to: sending mass mailings or chain letters; spending excessive amounts of time on the Internet; playing games; engaging in online chat groups; printing multiple copies of documents; or otherwise creating unnecessary network traffic. Because audio, video, and picture files require significant storage space, files of this sort may not be downloaded unless they are business or job-related.

E-mail attachments represent an impact on network capacity and shall only be used to communicate official business documents to recipients. The forwarding of any non-business related information is in violation of this policy. Employees who are the recipients of non-business related e-mail with or without attachments shall delete them immediately and shall under no circumstances forward them to anyone. E-mail attachments that are received from an unknown party should be considered “suspicious” and shall not be opened until the sender’s identity can be confirmed. Many viruses are spread using e-mail systems in this manner.

7.4 No expectation of privacy.
The computers and computer accounts given to employees are intended to assist them in performance of their jobs. They do not and should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to the Town and may only be used for business purposes.

7.5 No privacy in communications.
Employees should never consider electronic communications to be either private or secure. E-mail may be stored indefinitely on any number of computers, including that of the recipient. Copies of your messages may be forwarded to others either electronically or on paper. In addition, e-mail sent to nonexistent or incorrect usernames may be delivered to persons that you never intended.

7.6 Public documents.
The Town is a public governmental agency. As such, any and all electronic communications sent or received on Town computers are considered public documents and are subject to disclosure under the Massachusetts Public Records law, M.G.L. c. 66, §10. It should be noted that even deleted messages might be subject to disclosure because they still exist on backup tapes.

7.7 Monitoring of computer usage.
The Town has the right, but not the duty, to monitor any and all aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and newsgroups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.
7.8 Blocking of inappropriate content.
The Town will employ means to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by the Town’s network. In the event you nonetheless encounter inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to blocking measures.

7.9 Prohibited activities.
Material that is fraudulent, harassing, embarrassing, discriminatory, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by e-mail or other form of electronic communication (bulletin board systems, newsgroups, chat groups), downloaded from the Internet, or displayed on or stored in Town servers.

7.10 Employer’s computers.
Employees encountering or receiving the type of prohibited materials referenced above should immediately report the incident to the Town Administrator and/or the Director of Internet Technologies.

7.11 Games and entertainment software, social network site, personal business utilization.
Employees may not use the Town’s Internet connection to download games or other entertainment software, including screen savers, or to play games over the Internet. Additionally, employees are not to engage in any interaction with so-called social networking sites on any town computer, PDA or “smartphone” while scheduled and working for the Town. This includes lunch and mid-shift breaks. Personal use and accessing sites such as Facebook, MySpace, Classmates.com, and other social networking sites, etc., is strictly prohibited. Should use of such sites continue on town owned equipment, these sites may be blocked across the board and disciplinary actions taken. Use of these sites or other types of personal use (shopping, bill paying, personal banking on-line) is prohibited. Additionally, there is to be no outside business work done on town time.) The above applies to all computers, all departments, even at lunch/break time. Texting is considered an equal violation. Additionally, texting while driving on schedule and working or in a town vehicle shall also be considered a serious breach of this policy and is against the laws of the Commonwealth. The use of personally owned computers during work time is strictly is prohibited. Further, the use of personal cell phones during working hours is restricted to occasional use with the concurrence of the department head or immediate supervisor, where applicable. Data sharing i.e., text messaging and internet access via town-owned or personal cell/smartphones on town time is prohibited unless specifically approved by the Town Administrator.

7.12 Accessing the Internet.
To ensure security and avoid the spread of viruses, employees accessing the Internet through a computer attached to the Town’s network must do so through an approved Internet firewall. Accessing the Internet directly, by modem, is strictly prohibited unless the computer you are using is not connected to the Town’s network.
7.13 **Virus detection.**

All Town computers will be equipped with anti-virus software. Files obtained from sources outside the Town, including disks brought from home, files downloaded from the Internet, newsgroups, bulletin boards or other online services, files attached to e-mail, and files provided by vendors or other third parties, may contain dangerous computer viruses that may damage the Town’s computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-system sources, without first scanning the material with approved virus checking software. If you suspect that a virus has been introduced into the network, immediately notify the Town Administrator.

7.14 **Altering attribution information.**

Employees must not alter the “From” line or other attribution-of-origin information in e-mail, messages, or postings. Anonymous or pseudonymous electronic communications are forbidden. Employees must identify themselves honestly and accurately when making postings to newsgroups, sending e-mail, or otherwise communicating online.

7.15 **Use of encryption software.**

Employees may not install or use encryption software on any of the Town’s computers without first obtaining written permission from the Information Technology Director through the Town Administrator. You must not use passwords or encryption keys that are unknown to the Town.

7.16 **Export restrictions.**

The federal government has imposed restrictions on export of programs or files containing encryption technology (such as e-mail programs that permit encryption of messages and electronic commerce software that encodes transactions). Software containing encryption technology is not to be placed on the Internet or transmitted in any way outside the United States without prior written authorization from the Information Technology Director and/or the Town Administrator.

8.0 **Enforcement**

All ITRs are the property of the Town of Bourne and are to be used in conformance with this policy. The Town of Bourne retains the right to — when reasonable and in pursuit of legitimate needs for supervision, control, and the efficient and proper operation of the workplace — exercise the authority to inspect any user’s computer, and data contained in it, and data sent or received by that computer.

Users should be aware that the Town’s network administrators, in order to ensure proper network operations, routinely monitor network traffic. Use of Town ITRs constitutes express consent for the Town to monitor and/or inspect any data that users create or receive and any messages they send or receive, and any web sites they access browsing the Internet. Reasons for monitoring may include, but are not limited to, review of employee productivity, investigations into claims of possible criminal activity and investigations into violations of this policy.

N OF BOURNE

Information Technology Resources Use Policy

September 14, 2010
Failure to comply with this policy or other rules, regulations, state or federal laws may result in disciplinary action up to and including termination. If violations of this policy are discovered or suspected, the Department Head shall act in accordance with this and other applicable policies and negotiated contracts.

9.0 ITR Requests

Requests for new ITRs must be forwarded in writing to the Information Technology Director through the Town Administrator. Requests will be handled on a priority basis, dependent on funding. Requests for hardware, software or peripherals different from the Town’s standard configuration will only be authorized if the request can be justified as serving a business and public service need.

10.0 Software and Hardware Installation

Employees are not allowed to install personally owned hardware and/or software on a Town ITR unless otherwise approved by the Information Technology Department and with the approval of the Town Administrator.

Adopted by:

John A. Ford, Jr.
Donald J. Pickard
Mary Meli

Jamie J. Stolteicki
Stephen F. Melly

BOURNE BOARD OF SELECTMEN

Adopted: September 14, 2010
TOWN OF BOURNE
Policy on the Use of Information Technology Resources

I have received, read and understand the Town of Bourne's Information Technology Resources use policies regarding:

1. Purpose
2. User Responsibility
3. Acceptable and Unacceptable Uses
4. Data Confidentiality
5. Copyright Protection
6. Network Security
7. Internet & E-mail Use
8. Enforcement
9. ITR Requests
10. Software and Hardware Installation

DEPARTMENT: _______________________________________

PRINTED NAME: _____________________________________

SIGNATURE: _________________________________________

DATE: _____________________________________________

Please keep the ITR USE POLICY for your own use and reference and return only this signed form to the Department Head. The signed form will be forwarded to the Office of the Town Administrator or his/her designee. By signing this form you acknowledge that you have read and understand the policies set forth in this document. Failure to sign and return this document could restrict your access to ITRs. This form will be kept in your personnel file.

cc: Personnel File
Board of Selectmen
Public Records Compliance Policy
Public Records Compliance Policy

Adopted: June 6, 2017

George G. Slade, Jr., Chair

Peter J. Meier, Vice Chair

Judith M. Froman, Clerk

Donald J. Pickard

Michael A. Blanton
Public Records Compliance Policy

Policy Statement

It is the policy of the Town of Bourne, Massachusetts, to conform and comply with all laws and regulations regarding public records. Applicable laws and regulations include, but are not limited to, MGL Chapters 7 and 66 as amended by Chapter 121 of the Acts of 2016 and 950 CMR 32 as enacted by the Office of the Secretary of the Commonwealth.

Introduction

On June 3, 2016, Governor Baker signed into law a major revision of the Public Records Law, which takes effect on January 1, 2017. The Secretary of the Commonwealth issued final revisions of 950 CMR Section 32.00 et seq. on December 16, 2016.

The new law and proposed regulations make several important changes to how municipalities respond to public records requests. In brief, cities and town now must (1) create and appoint a new municipal position or positions: Records Access Officer; (2) respond to public records requests within 10 (ten) business days; and (3) post on their websites public records guidelines and identify all Records Access Officers with their contact information.

By adopting this document, the Town of Bourne sets out its policy and procedures for receiving, processing, and responding to public records requests and complies with the new law and regulations.

Records Access Officers

Each city, town, and district must create and maintain a new position or positions: Records Access Officer (RAO).

The new law states: "...Each agency and municipality shall designate 1 or more employees as records access officers. In a municipality, the municipal clerk, or the clerk's designee, or any designee of a municipality that the chief executive officer of the municipality may appoint, shall serve as records access officers...."

The new law states that the RAO "...shall at reasonable times and without unreasonable delay permit inspection or furnish a copy of any public record ... or any segregable portion of a public record, not later than 10 business days following the receipt of the request, provided that:

(i) the request reasonably describes the public record sought;
(ii) the public record is within the possession, custody or control of the agency or municipality that the records access officer serves; and
(iii) the records access officer receives payment of a reasonable fee..."
The Town of Bourne, Town Administrator, acting collectively as the chief administrative officer, adopts the following Records Access Officer (RAO) organizational chart:

Chief Records Access Officer
Town Clerk
Barry Johnson

Records Access
Officer
Education
Wendy Chapman

RAO Library
RAO ISWM
RAO DPW
RAO Recreation / Council on Aging
RAO Bourne Public Schools
RAO Finance
RAO Engineering / Planning / Zoning / Conservation
Records Access Officer DNR
RAO Inspectional Services
RAO Police Dept.
RAO Fire Dept.
RAO Town Admin
Although the Town Clerk is designated as the default RAO, the Town Administrator has appointed other Records Access Officers, each responsible for handling public records requests relating to a specific functional area of town government. The Town Administrator has deferred to the School Committee the appointment of a Records Access Officer to handle public records requests relating to education. In addition, the Select Board has designated the Town Clerk as the Chief RAO, responsible for setting policy concerning public records matters generally and for developing appropriate guidelines and procedures for responding to public records requests. The Chief RAO will coordinate with the appointed RAOs and with custodians of public records to respond to requests for records.

Written/e-mail/facsimile requests or questions concerning public records issues should be directed to the RAO responsible for that functional area of government. The Town Clerk, as Chief RAO, can assist with determining which RAO is best to handle a specific request. In-person requests may also be made at the business addresses listed below.

**List of Records Access Officers**

<table>
<thead>
<tr>
<th>RAO</th>
<th>Functional Area of Government</th>
<th>Business Address</th>
<th>Business Email / Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barry Johnson, Town Clerk</td>
<td>General Government</td>
<td>24 Perry Avenue</td>
<td><a href="mailto:RECORDS@TOWNOFBOURNE.COM">RECORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 1505</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Chief Dennis Woodside</td>
<td>Police</td>
<td>175 Main Street</td>
<td><a href="mailto:POLICERECORDS@TOWNOFBOURNE.COM">POLICERECORDS@TOWNOFBOURNE.COM</a> 508-759-4420 EXT 205</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Chief Norman Sylvester</td>
<td>Fire</td>
<td>51 Meetinghouse Lane</td>
<td><a href="mailto:FIFEREORDS@TOWNOFBOURNE.COM">FIFEREORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sagamore Beach, MA 02562</td>
<td></td>
</tr>
<tr>
<td>Wendy - Chapman -</td>
<td>Records Training &amp; Ed</td>
<td>24 Perry Avenue</td>
<td><a href="mailto:RECORDS@TOWNOFBOURNE.COM">RECORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 1505</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Patrick Marshall</td>
<td>Library</td>
<td>19 Sandwich Rd</td>
<td><a href="mailto:LIBRARYRECORDS@TOWNOFBOURNE.COM">LIBRARYRECORDS@TOWNOFBOURNE.COM</a> 508-759-0644 EXT 107</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bourne, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Paula Coulombe</td>
<td>ISWM</td>
<td>24 Perry Avenue</td>
<td><a href="mailto:ISWMRECORDS@TOWNOFBOURNE.COM">ISWMRECORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Michelle Freeman</td>
<td>DPW</td>
<td>24 Perry Avenue</td>
<td><a href="mailto:DPWRECORDS@TOWNOFBOURNE.COM">DPWRECORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Krissanne Caron</td>
<td>Recreation / Council on Aging</td>
<td>239 Main Street</td>
<td><a href="mailto:RECOARECORDS@TOWNOFBOURNE.COM">RECOARECORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 5302</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Superintendent Steven Lamarche</td>
<td>Education</td>
<td>36 Sandwich Road</td>
<td><a href="mailto:SCHOOLRECORDS@TOWNOFBOURNE.COM">SCHOOLRECORDS@TOWNOFBOURNE.COM</a> 508-759-0650</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bourne, MA 02532</td>
<td></td>
</tr>
<tr>
<td>Linda Marzelli</td>
<td>Finance</td>
<td>24 Perry Avenue</td>
<td><a href="mailto:FINANCEREORDS@TOWNOFBOURNE.COM">FINANCEREORDS@TOWNOFBOURNE.COM</a> 508-759-0600 EXT 1508</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Buzzards Bay, MA 02532</td>
<td></td>
</tr>
<tr>
<td>RAO</td>
<td>Functional Area of Government</td>
<td>Business Address</td>
<td>Business Email / Phone</td>
</tr>
<tr>
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</tr>
<tr>
<td>Tim Lydon</td>
<td>Engineering / Planning / Zoning / Conservation</td>
<td>24 Perry Avenue, Buzzards Bay, MA 02532</td>
<td><a href="mailto:EPZCRECORDS@TOWNOFBOURNE.COM">EPZCRECORDS@TOWNOFBOURNE.COM</a>, 508-759-0600 EXT 1509</td>
</tr>
<tr>
<td>Tim Mullen</td>
<td>Natural Resources</td>
<td>24 Perry Avenue, Buzzards Bay, MA 02532</td>
<td><a href="mailto:DNRRECORDS@TOWNOFBOURNE.COM">DNRRECORDS@TOWNOFBOURNE.COM</a>, 508-759-0600 EXT 1504</td>
</tr>
<tr>
<td>Roger Laporte</td>
<td>Inspectional Services</td>
<td>24 Perry Avenue, Buzzards Bay, MA 02532</td>
<td><a href="mailto:INSPECTRECORDS@TOWNOFBOURNE.COM">INSPECTRECORDS@TOWNOFBOURNE.COM</a>, 508-759-0600 EXT 1512</td>
</tr>
<tr>
<td>Nancy Sundman</td>
<td>Town Administration</td>
<td>24 Perry Avenue, Buzzards Bay, MA 02532</td>
<td><a href="mailto:ADMINRECORDS@TOWNOFBOURNE.COM">ADMINRECORDS@TOWNOFBOURNE.COM</a>, 508-759-0600 EXT 1503</td>
</tr>
</tbody>
</table>

Requests for records may also be made “over the counter” at Town offices. Such requests may be made to and handled by the custodian of the requested records; provided, however, that if such a request will necessitate allocation of significant time or resources, or if there will be any records withheld or redactions made to the requested records, the custodian of the requested records will inform the appropriate RAO who will provide such response as may be necessary or appropriate. Any person requesting public records may seek out and contact any Town of Bourne RAO for assistance in determining the appropriate RAO or custodian of records.

For purposes of this policy, the definitions found in the Public Records Law, MGL Chapter 4, Section 7, Clause 26 and MGL Chapter 66, Section 10 and the Public Records Access Regulations, 950 CMR 32.00 et seq., shall be applicable.

If a records request includes the contents of an email account or computer network storage, the head of the department affected by the request shall be notified prior to the requests being processed and shall be involved in the process of determining any exemptions that may be applicable to the contents of the request.

What happens when public documents are requested under the new law?

1. Any person can make a request for public records by e-mail, by facsimile, or in writing to a Bourne Records Access Officer using the contact information listed above. Requests for copies of records or access thereto may still be made in person at the appropriate Town office.

2. A request may be made in person or by e-mail, first class mail, facsimile, or hand delivery.
• Verbal requests for public records will be acknowledged and replied to, even though a requester may not appeal a verbal request to the Supervisor of Public Records.

• A public records request form shall be available to anyone making a public records request, but neither that form, nor any other type of written request, shall be required to be completed by the requestor. Any employee accepting a verbal request shall record that request on a public request form for standardization and ease of processing purposes. See Appendix A.

3. Upon receipt of a public record request, any RAO not responsible for processing their own requests and responses (i.e. Police) shall immediately notify the Chief RAO in such time and manner as shall be established from time to time by the Chief RAO.

4. Except for the Police RAO, any RAO receiving a request for public records shall track the processing of that request using the request tracking system specified by the Chief RAO. The Police RAO shall maintain his own log of requests and make this log accessible to the Chief RAO annually, or as needed in the event of a specific record request appeal. In such event, the Chief RAO shall make timely notification to the Police RAO of the appeal.

5. The RAO may contact the requester in order to clarify a request; provided, however, that a RAO may not ask the requester the intent or purpose of the request. The RAO shall utilize their superior knowledge of the requested records to ensure that the requester and the RAO understand what is being requested, what records are available, and/or to assist the requester in narrowing or refining the request.

6. The records access officer shall provide the public records to a requester by electronic means unless the record is not available in electronic form or the requester does not have the ability to receive or access the records in a usable electronic form. The records access officer shall, to the extent feasible, provide the public record in the requester's preferred format or, in the absence of a preferred format, in a searchable, machine readable format. The records access officer shall not be required to create a new public record in order to comply with a request, provided that furnishing a segregable portion of a public record shall not be deemed to be creation of a new record. If the public record requested is available on a public website pursuant to subsection (b) of section 19 of this chapter, section 14C of chapter 7 or any other appropriately indexed and searchable public website, the records access officer may furnish the public record by providing reasonable assistance in locating the requested record on the public website. An electronically produced document submitted to an agency or municipality for use in
deliberations by a public body shall be provided in an electronic format at the time of submission.

7. The RAO may assess a reasonable fee for the production of a public record, except those records that are freely available for public inspection (see 950 CMR 32.08); and pursuant to MGL Chapter 66, Section 10(a)(iii), the RAO may require the payment of the reasonable fee prior to production of the requested records.
   • Fees shall conform to the provisions of 950 CMR 32.08(2) or other applicable law, including that black and white copies and printouts shall be charged at $0.05/page, whether one or two-sided, and the actual cost of a thumb drive or disk if the records are provided electronically other than by mail.
   • It is not permissible to take a record that is electronically accessible and print/copy it and send it to the requester so that copy costs may be accessed.
   • The actual cost of producing a copy of a requested record shall be assessed for records not susceptible to ordinary means of reproduction.
   • With a population of 19,754 as of the decennial census, the Town of Bourne may assess fees for employee time required in connection with search, segregation, or copying of requested records (see MGL Chapter 66, Section 10(d)(iii)(B)).
   • If the request for public records requires employee time for search, segregation, or copying, including employees or necessary vendors, such as legal counsel, technology and payroll consultants or others as needed, such time shall be assessed as a fee to the requester based upon the prorated hourly rate of the lowest paid employee in that office capable of doing the work. Provided further, however, that if the work needed to reply to request requires time for an employee compensated in excess of $25 per hour, the Town may petition the Massachusetts Supervisor of Records for permission to charge in excess of $25 per hour.

8. In general, subject to the exceptions set forth in MGL Chapter 66, Section 10(a), the RAO is required to respond within 10 business days of receipt of a public records request by providing access to or copies of the requested records, providing the requester with direction to access the requested records on the Town's website, or by notifying the requester in writing that all or a portion of the records will be withheld from disclosure and/or that the records will not be provided in that timeframe, addressing the other elements required by law as set forth in MGL Chapter 66, Section 10(b). For the purpose of the response:
   • Business days are Monday through Friday, 8:30 a.m. to 4:30 p.m., except for legal holidays and any day when Town Hall is closed for business due to
emergency, weather, or other events requiring the unexpected closure of business.

- Calculation of time shall begin with the first business day following the receipt of the public records request (see 950 CMR 32.03(3)).
  - Example #1: A request for public records is received by an RAO at 2:00 p.m. on a Wednesday. “Day 1” for purposes of the law will be Thursday.
  - Example #2: A public records request received after hours on a Friday. “Day 1” for the purposes of the law will be Monday (or Tuesday, if Monday is a holiday).
  - Example #3: An email requesting public records is received on Saturday. “Day 1” for the purposes of the law will be Monday (or Tuesday, if Monday is a holiday).

- The Town may refuse to provide records to any person who has not paid a reasonable estimate for provision of public records or who has failed to pay such a fee in connection with a prior request for public records.

- When the Town, within ten business days as provided by law, provides a good faith estimate of the cost to provide access to or copies of requested records, the number of business days for its response shall be stayed until the Town receives the fee. The Town shall, upon receipt of the fee, undertake the required work to comply with the requested in compliance with the applicable time frames set forth in the statute.

9. If the response to the request is anticipated to be time consuming, extensive, voluminous, or otherwise puts a burden on the Town or its departments, the RAO may request from the Massachusetts Supervisor of Records an extension of time to fulfill the request. The requester of the public records shall be notified in writing that an extension has been requested.

Record Access Officers shall meet on such dates and times, whether regularly or intermittently, as the Chief RAO shall determine. Such meetings are strictly administrative in nature and do not constitute a meeting of a public body under the Open Meeting Law. Meetings among the RAOs may occur in person, by telephone, or by email.

The Town of Bourne has custody of records as set forth in Municipal Records Retention Schedule, which can be found on the Secretary of the Commonwealth’s website on the Archives Division Page at the following link:

http://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20161109.pdf
Additional information about the Public Records Law may be found on the Secretary of the Commonwealth Public Records Division's website at:

http://www.sec.state.ma.us/pre/preidx.htm
APPENDIX A

TOWN OF BOURNE
PUBLIC RECORDS REQUEST FORM

The Town of Bourne provides this form to assist the public in making a request for public documents or records. Use of this form is optional, and it is offered only as a convenience to the public. Any request for public records, whether verbal, written on this form, or written in some other format, will be acknowledged and replied to as per law.

Date of the Request: __________________________________________

Contact Information: __________________________________________

Address:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Telephone: __________________________________________

Email: __________________________________________

Requested Record Delivery Method (Circle): e-Mail In-Person Pickup Mail

Description of the documents or records requested. Please be as specific as possible. Use additional sheets, if needed. If you are unsure of what records may exist, please call the main number at (508) 759-0600.
________________________________________________________________________

For office use only.

Date Received: ___________________ Date Responded: ___________________

Date Record Provided: ___________________ Fee Assessed: ___________________

RAO: ___________________ Fee Paid: ___________________

Describe response:
Board of Selectmen
Recycling Center Policy
ACCEPTABLE ITEMS (prices may change)
- Bulky items: each household will get 4 bulky item stickers, good for 2021 only, that can be used for free disposal of the items below. Bulky item stickers must be presented or charges will apply. The charges are:
  - Bulky item stickers must be presented or charges will apply. The charges are:
    - Appliances (including microwaves) - $10
    - Flat screen monitors and TVs, computers (CPUs), Cathode Ray Tubes (TVs, monitors) - $20
    - Mattresses, boxsprings, sofa beds - $20
    - Fluorescent bulbs - One sticker per bundle of up to 8 - $4 each bulb
    - Tires - up to 4 small tires per sticker allowed. Auto/motorcycle/vehicle/mower < 16" - $10, vehicle/truck 16" - 20" - $20, vehicle/truck > 20" - $60
    - Recyclables, scrap metal
    - Yard waste, brush and stumps
    - Residential garbage and rubbish
    - Bulky items and furniture
    - Construction & demolition debris/shingles
    - Propane tanks (20 lbs. only)
    - Batteries- Ni-Cad, auto/marine, lithium
    - Mercury containing items- thermometers, thermostats, switches
    - PCB ballasts
    - Paint- March 27th through October 16th, 10 can limit/day
    - Waste oil and antifreeze (5 gallon limit each), oil filters, no gasoline

SWAP SHOP
- Only leave items in good condition.
- No loitering over 20 minutes or harassing others.
- Items are to be left and taken free of charge. No financial transactions of any kind allowed.
- The Swap Shop is not for commercial users.

Do not leave at Swap Shop
- Items with sharp broken parts, water damage or mildew.
- Mattresses, boxsprings, futons, sleeper sofas, pillows
- Fluorescent bulbs, child car seats
- Televisions, computer monitors
- Paint, hazardous products
- Rubbish
- Clothing (use textile containers)

PAY FOR AT SCALE (sticker holders only)
- Campers, boats and RVs.
- Scale availability during residential recycling center hours; Mon. – Fri., 7:00 a.m. – 3:00 p.m. Saturdays 7:00 a.m. – noon. Closed Sundays. Subject to seasonal schedule.

FOR SALE
Compost bins - $40

Bourne Board of Selectmen
Recycling Center Policy
Calendar Year 2021

Approved by the Selectmen of Bourne:
Judith MacLeod-Froman, Chair
James L. Potter, Vice Chair
George G. Slade, Clerk
Peter J. Meier
Jared P. MacDonald

HOURS OF OPERATION
Labor Day to Memorial Day
Wed. – Mon., 7:00 a.m. to 3:00 p.m.
Closed Tuesdays & Holidays

Memorial Day to Labor Day
7 days a week, 7:00 a.m. to 3:00 p.m.
Closed Holidays
Exact dates to be posted later

IMPORTANT PHONE NUMBERS
ISWM Office 508-759-0600, ext. 4
Recycling Center 508-759-0643
Scale 508-759-0639
Town Hall 508-759-0600
Bourne Board of Health 508-759-0600, ext. 1513
DPW (curbside) 508-759-0600, ext. 3
Website www.townofbourne.com
Recycling/Disposal Sticker
- 1st sticker $30; 2nd sticker $15
- Seniors (60), 1st $20, 2nd $10
- Replacement sticker $10
- Limit of two (2) stickers per property owner/residential household.
- Credit/debit card or check only. NO CASH.

GENERAL RULES
- No Smoking.
- Abusive language toward employees will not be tolerated.
- Stickers are Town property.
- Any violations of these rules may result in loss of sticker.
- State waste disposal bans must be followed. These items include: commercial organic material, recyclable paper, single resin narrow neck plastic containers, metal and glass containers, yard waste and leaves, lead acid batteries, whole tires, cathode ray tubes, white goods (appliances), metal, asphalt pavement, brick, concrete, wood (>5 cu. yd. loads).
- Fluorescent bulbs must be recycled.
- Stickers only issued to Bourne residential property owners and renters with proof of residence. Raw landowners, JBCC residents and MMA students do not qualify.

- Stickers will not be applied to Vehicles with:
  - Dump bodies or dump trailers
  - Trailers greater than 12 feet
  - Beds longer than 8 feet
  - Sidewalls higher than cab
  - Bodies larger than a standard passenger van
  - Dealer plates or rental cars
  - Business lettering (but sticker is kept at the guard shack for referral)

- Proof of residence or ownership required including:
  - Current driver's license and
  - Current vehicle registration
  - One of the following shall be required:
    - Current property tax bill
    - Current lease
    - Current deed with stamps
    - Other current substantive documentation

- Department personnel will apply and remove all stickers on vehicles.
- Hazardous wastes/products and business wastes are prohibited.
- No high-pressure cylinders.
- The Town may track and question excessive numbers of loads or ask for proof of a building permit.
- Builders who build houses on speculation must bring that waste over the scale and pay.

- The acceptance of C&D and bulky items is dependent upon the Town's ability to replace full containers and may be suspended periodically.
- Trailers are not to be used for commercial “dump runs.”
- Areas other than the residential recycling center and department offices are off limits.
- All scrap metal and other recyclables are the property of the Town. Picking is prohibited.
- Site is under video surveillance.
- The Town recognizes that special circumstances may arise. In these situations, a temporary sticker or other arrangements may be made. Sticker holders must be present with the load unless otherwise approved. Please call or visit the ISWM office in advance.
- Marijuana/cannabis residuals, including plants, must go in the trash not the composting area.

Household Hazardous Waste (HHW)
Regional waste collection days are held each April - October, dates TBA. Look for a separate mailing, local ads or visit the ISWM website for more information and how to access collections all over the Cape.
Board of Selectmen
Safety Procedures
Town of Bourne
Memorial Town Hall
24 Perry Avenue, Buzzards Bay, Ma 02532

Safety Procedures

Building Lockdown

In the event of a violent incident, either occurring or threatened, the following procedures shall be followed to reduce the threat to the safety of town hall staff and members of the public.

Upon occurrence of a violent event in town hall, the following steps shall be taken if safe to do so:

1. Announcement over the telephone PA system of “LOCKDOWN”. This should be done by a department or office not involved in the event.
2. Staff shall immediately move to an area of the office away from doors and counter windows. Personnel should sit on the floor and refrain from talking.
3. The office must be locked down by closing any counter window windows and locking the door/s. Any members of the public standing outside of your office should be instructed to come inside and follow the actions of the office personnel.
4. Once the office is shut and locked, do not open the door (even if persons outside are crying, screaming, or knocking on the door). If the fire alarm should sound, you should evacuate your location only if there is smoke or fire.
5. If safe to do so, Dial 911 to report the incident, be ready to provide as much detail as to the event as possible.
6. If not in your department office at the initiation of the LOCKDOWN, proceed to the nearest open office and lock yourself in there. If in the restroom remain there with the door locked and away from the door. Do not remain in common areas.
7. Remain in locked and safe location until advised via the telephone PA or in person by a voice you recognize that the lockdown is over.
Shelter in Place

What Shelter-in-Place Means:
Town Hall employees and staff, as well as customers in the building, may need to “Shelter in Place” due to an event occurring outside of Town Hall. Shelter in place may be necessary due to a chemical spill, radiation emergency, or severe weather. Shelter-in-place means selecting a small, interior room, with no or few windows, and taking refuge there. It does not mean sealing off your entire home or office building.

How to Shelter in Place

- Close the Town Hall
- Bring everyone into the room(s). Shut and lock the door(s).
- If there are customers or other persons in the building, provide for their safety by asking them to stay – not leave. When authorities provide directions to shelter-in-place, they want everyone to take those steps now, where they are, and not drive or walk outdoors.
- Unless there is an imminent threat, ask employees and other persons in the building to call their emergency contact to let them know where they are and that they are safe.
- Turn on call-forwarding or alternative telephone answering systems or services. Change any recorded voice mail or automated attendant messages to indicate that Town Hall is closed, and that staff and visitors are remaining in the building until authorities advise it is safe to leave.
- Close and lock all windows, exterior doors, and any other openings to the outside.
- If you are told there is danger of explosion, close the window shades, blinds, or curtains.
- Have employees familiar with your building’s mechanical systems turn off all fans, heating and air conditioning systems. Some systems automatically provide for exchange of inside air with outside air – these systems, in particular, need to be turned off, sealed, or disabled.
- Gather essential disaster supplies, such as nonperishable food, bottled water, battery-powered radios, first aid supplies, flashlights, batteries, duct tape, plastic sheeting, and plastic garbage bags.
- Select interior room(s) above the ground floor, with the fewest windows or vents. The room(s) should have adequate space for everyone to be able to sit in. Avoid overcrowding by selecting several rooms if necessary. Large storage
closets, utility rooms, pantries, copy and conference rooms without exterior windows will work well. Avoid selecting a room with mechanical equipment like ventilation blowers or pipes, because this equipment may not be able to be sealed from the outdoors.

- It is ideal to have a hard-wired telephone in the room(s) you select. Call emergency contacts and have the phone available if you need to report a life-threatening condition. Cellular telephone equipment may be overwhelmed or damaged during an emergency.
- Use duct tape and plastic sheeting (heavier than food wrap) to seal all cracks around the door(s) and any vents into the room.
- Write down the names of everyone in the room.
- Keep listening to the radio or television until you are told all is safe or you are told to evacuate. Local officials may call for evacuation in specific areas at greatest risk in your community.
Board of Selectmen
Shellfish Regulations
COMMONWEALTH OF MASSACHUSETTS  

TOWN OF BOURNE  

Barnstable, ss.  

2021  

SHELLFISH REGULATIONS  

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NOTE: Special regulations or amendments covering shellfish bed closures, the harvesting of herring and temporary experimental programs for shellfish grants are published separately and are available upon request. Information is also posted on the Town web site at http://www.townofbourne.com.

LICENSING AUTHORITY

At a regular meeting of the Board of Selectmen held October 6, 2020, the following rules and regulations, which were previously adopted on December 3, 2019, were amended covering the harvesting of shellfish, herring, eels and sea worms from the waters and flats of the Commonwealth within the limits of the Town of Bourne, effective January 1, 2021. Under the authority of Massachusetts General Laws, Chapter 130, Section 52 and Town Meeting vote passed in February of 1959, the Town hereby adopts the following regulations:
1. GENERAL REGULATIONS (Applies To All Permits)

1.1 GENERAL PROVISIONS & HARVESTING: Under the provisions of the aforementioned laws, all persons are prohibited from harvesting eels, herring (presently prohibited), sea worms, and any shellfish, including, but not limited to, clams, quahogs, mussels, oysters or scallops, from the coastal waters or flats of the Town without a current permit issued by the Town of Bourne, available at the Department of Natural Resources in Room 102 of Town Hall, located at 24 Perry Avenue in the village of Buzzards Bay, during the regular business hours of 8:30 AM to 4:30 PM, Monday-Friday, excluding holidays. “Harvest” means to catch, dig, take, or attempt to catch, dig or take, or otherwise have in possession any species covered by these regulations or amendments. The harvesting of eels, herring, shellfish or sea worms shall be limited to the regulations set forth herein. All permits shall be valid from January 1st through December 31st of each calendar year. Unless otherwise noted, any violation of these regulations or amendments shall be subject to a fine of one hundred dollars ($100.00).

1.2 RECREATIONAL PERMITS: No more than one (1) Recreational permit will be issued per family, irrespective of the number of parcels of taxable real property owned by the family or the individual members thereof. In this context, a “family” is a person or group of persons, whether or not related by blood or marriage, which share a common domicile. “Domicile” shall be a true, fixed, permanent home and principal establishment. With the exception of Paragraph 1.2.2, the use of this permit is limited to the person to whom the permit was issued or any member of the family as defined herein. Use of this permit is limited to personal, non-commercial purposes, including sustenance. The customer must show to the satisfaction of the licensing authority, such as a valid photo ID and/or a Town real estate tax bill, that they are entitled to a permit and an application form may be required to be submitted and approved before the issuance of the permit. Recreational permit types are as follows:

1.2.1 RESIDENT PERMIT: Issued to a citizen who is domiciled or owns taxable real property in the Towns of Bourne or Sandwich. FEE: $35.00

1.2.2 SENIOR CITIZEN PERMIT: Issued to a citizen who has attained the age of sixty-five (65) years and is domiciled or owns taxable real property in the Towns of Bourne or Sandwich. NOTE: The Senior Citizen permit holder must be present and actively harvesting shellfish. If other domiciled family members also wish to shellfish independently, then a Resident permit must be obtained instead of a Senior Citizen permit. FEE: $10.00

1.2.3 MASSACHUSETTS RESIDENT PERMITS: Issued to a citizen who is domiciled within the Commonwealth. FEE: $175.00

1.2.4 NATIVE AMERICAN PERMIT: Issued to a citizen who is of Native American heritage and domiciled or owns taxable real property in the Towns of Bourne or Sandwich. FEE: None

1.2.5 VETERAN RECREATIONAL PERMIT: Issued to a citizen who is domiciled within the Commonwealth. Valid documentation will be required as proof of Veteran status. FEE: $35.00
1.2.6 SENIOR VETERAN RECREATIONAL PERMIT: Issued to a citizen who has attained the age of sixty-five (65) years old and is domiciled within the Commonwealth. Valid documentation will be required as proof of Veteran status. FEE: $10.00

1.3 PERMIT DISPLAY: Permits must be in the possession of the permit holder and in plain view on outer clothing or posted on the boat in a visible manner while harvesting any species. (Fine: $25.00)

1.4 AGE LIMIT: No child under the age of twelve (12) years shall harvest any species unless accompanied by an adult holding a valid permit, in which case said adult shall be held responsible for all acts of the child.

1.5 SHELLFISH SIZE LIMITS: No person shall harvest quahogs less than one inch (1") shell thickness (hinge width), soft shelled clams less than two inches (2") in the longest shell length, oysters less than three inches (3") in the longest shell length, or scallops without a well-defined annual growth ring. Any other shellfish not listed shall be in compliance with State Regulations. The harvesting of seed shellfish more than three percent (3%) of any batch is prohibited. NOTE: Under Paragraph 1.7 below, all shellfish must be measured and realistically no seed should be taken!

1.6 SHELLFISH GAUGE: A legal gauge for shellfish measurements shall be used while harvesting. (Fine: $25.00)

1.7 DISPOSITION OF SEED: All shellfish shall be measured prior to placement in harvest containers and all seed shall be immediately returned to the same location from which it was harvested. Quahog seed shall be broadcast back into the water, or lightly covered with soil when dry digging. Clam seed shall be placed in the substrate in an upright position and lightly covered with soil, except that those harvested by Commercial clamming seaward of Mean Low Water shall be broadcast back into the water. Oyster seed longer than one inch (1") attached to adults shall be separated and broadcast below the Mean Low Water line. Oyster seed smaller than one inch (1") must be left on the adult shell, broadcast below the Mean Low Water line and shall not be harvested.

1.8 REMOVAL OF BEACH/MARSH GRASS OR PEAT BANKS: The removal of any grasses or peat for the purposes of harvesting shellfish shall be prohibited.

1.9 ALLOWABLE HARVEST HOURS: All shellfish shall be harvested, culled and landed above the Mean High Water line only during the following hours (Fine: $50.00):

Daylight Saving Time: March 14th through November 6th: Sunrise to Sunset
Standard Time: November 7th through March 12th: Sunrise to Sunset
Scallop Season: October 1st through March 31st: Sunrise to Sunset

1.10 SHOVELS and STANDARD GARDEN PITCH FORKS: The use of a shovel or
standard garden pitch fork or any similar tool for the harvesting of shellfish is prohibited. (Fine: $25.00)

1.11 CLOSED AREAS: Some areas are permanently closed, other areas are seasonally closed, and some areas may be temporarily closed on a random basis. Always note official signs along the shoreline, check the Town web site, review the closure list, or contact the Department of Natural Resources.

1.11.1 CLOSED: June through September, all Town public bathing beaches, a portion of the southeasterly side of Scraggy Neck known as “Sunrise Beach”, a portion of Cedar Point Cove (swim beach) defined by two jetties, and all designated oyster beds, as noted in Paragraph 1.12.2, except during the oyster season, as noted in Paragraph 2.3.

1.12 RECREATIONAL AREAS: The following areas are restricted for the exclusive use of Recreational shellfishing and Commercial fishing in these areas is prohibited. At no time shall a fisherman be in possession of shellfish in excess of the Recreational limit while utilizing a Recreational area. Note: Some of the following Recreational Areas may be temporarily closed - See closed area list under separate cover.

Barlows Landing: All waters and flats north of a line drawn from stone jetty located north of pier (Swim Area) to a shellfish marker on the easterly shoreline by 39/43 Harbor Drive.

Cedar Point: From the end of Cedar Point Drive to stake thence northerly to stone jetty located on northeast side of Cedar Point Cove.

Eel Pond (Seasonal Restriction): During the months of June, July, and August Commercial shellfishing in this area shall be prohibited.

Hen Cove: All waterways and flats landward of shellfish boundary markers positioned at end of Pequot Avenue southerly around entire Cove to marker positioned approximately 400 feet south of Cedar Road on the easterly shoreline of Hen Cove.

Little Bay: All waters and flats north of a line drawn from the sign at 8 Briarwood Lane, which will align with the driveway and large tree at the southern end of the property, to the marker located on the opposite shore.

Queen Sewell Cove: All waterways and flats west (landward) of a line drawn from the sign at the end of Cranberry Road Extension to the sign at the sand spit at the end of Quamhasset Road, and east (landward) of a line drawn from the sign at the end of Cranberry Road Extension to the sign by 27 Lewis Point Road (Cape Cod Nursing Home).

Tahanto Flats: All flats landward of a line beginning at the east jetty of the Pocasset River and running northeasterly to Salt Pond inlet located just southeasterly of Monks Park.

Taylor Point: All waters and flats south of a line drawn westerly from #39 Buttermilk Way to a line drawn westerly from the pilings at the State Pier at the Massachusetts Maritime
Academy.

Tobey Island, North Side: All waters and flats south of an imaginary line running from the Monument Beach Ramp northwesterly to a shellfish marker placed on the most northerly end of the sand bar off the north shore of Tobey Island, thence by an imaginary line running in a southerly direction to the wooden pier located on the northerly shoreline point of Tobey Island.

Winsor Cove: All waters and flats easterly of an imaginary line drawn from shellfish boundary post located on Winsor Point to shellfish boundary post located on Long Point.

1.12.1 SENIOR CITIZEN AREAS: Recommended for use by those persons issued a Senior Citizen Permit or disabled persons approved by the Shellfish Constable (See Paragraph 2.7).

Buzzards Bay (Electric Avenue): All waters landward from a fixed marker located on the Town Pier at the Electric Avenue boat ramp to a fixed shellfish sign at the end of the private pier south of the ramp.

Monument Beach: All waterways landward of markers posted between the Tobey Island Bridge and the Town Pier.

Pocasset (Barlows Landing): All waters from a fixed shellfish marker on Salt Marsh Lane to a painted cement marker on the end of the pier at Barlows Landing.

1.12.2 DESIGNATED OYSTER BEDS: The following designated oyster beds are CLOSED, except during the oyster season (unless closed for propagation), as noted in Paragraph 2.3:

a) Taylor Point: The waters and flats along the western shore of Taylor Point at Cohasset Narrows north of a line drawn westerly from the beach way at #17 Buttermilk Way and south of a line drawn westerly from the beach way at #39 Buttermilk Way and thence seaward.

1.13 BOATS ON OYSTER BEDS: The use of dredges, tongs, bull rakes, or boats for the purposes of harvesting shellfish on designated oyster beds, as noted in Paragraph 1.12.2, shall be prohibited. (Fine: $50.00)

1.14 PERMITS NON-TRANSFERABLE: Permits are not transferable and may be suspended or revoked by the Board of Selectmen for any violation of the shellfish rules and regulations, Massachusetts General Laws, Chapter 130, or amendments thereto and subject to rules and regulations of the Town of Bourne, by authority of the vote of this Town passed in February of 1959. Due notice in writing shall be given or mailed to the permit holder of such suspension or revocation.

1.15 PERMIT VIOLATION HEARING: Shellfish permits may be suspended or revoked for violations of these regulations following a public hearing by the Board of Selectmen.
1.16 SHELLFISH INSPECTION: All persons harvesting or having in their possession shellfish or fish of any kind, in boat or container, shall exhibit such shellfish or fish for inspection upon demand of any Shellfish Constable, Natural Resources Officer or Police Officer.

1.17 DISPOSAL OF PREDATORS & SHELLS: All starfish or green crabs caught shall be placed above the Mean High Water line. Except that green crabs harvested may be contained in secure storage cages while waiting for market or personal use. Location of storage cages, cars or rafts are subject to written approval of the Harbor Master. Scallop shells may be disposed of in deep water (six feet (6') or more at Mean Low Water); but in no case shall shells be disposed of at Town landings, off the end of Town docks, at Town swim beaches, where they may be otherwise considered a hazard, or in any other shallow water. (Fine: $50.00)

1.18 TRANSFER OF SHELLFISH: With the exception of replacing seed shellfish into the waterways or flats as required by Paragraph 1.7, no person other than the appointed Shellfish Constable or his assistants shall plant, relocate, store or transplant shellfish within any waterways or flats of the Town without written approval from the Shellfish Constable.

1.19 PENALTIES & FINES: Whoever violates any rule or regulation made under authority of Massachusetts General Laws, Chapter 130, including the regulations established herein or amendments, shall be subject to a fine or not less than ten dollars ($10.00) nor more than one thousand dollars ($1,000.00), or have their permit suspended or revoked, or both, subject to appeal of such suspension or revocation as provided in Paragraph 1.14. Additionally, Natural Resources Officers (NROs) assigned to the Town of Bourne Department of Natural Resources may, upon observing a violation of said regulations, issue a citation ticket to the offender in accordance with non-criminal process as authorized by MGL Chapter 40, Section 21-D and Town meeting vote of Article 52 of the 1986 Town Meeting and Town By-law Section 6.1.2. Specific fines were established in Special Shellfish Regulations 86-4 and are further stipulated, as amended, herein in parentheses following each appropriate paragraph. Unless otherwise noted, any violation of these regulations or amendments shall be subject to a fine of one hundred dollars ($100.00).

1.20 CHANGES & POSTINGS: These regulations are subject to change by the Board of Selectmen, or in exigent circumstances, by the Town Administrator. Regulations and amendments will be posted at the offices of Town Clerk, Selectmen, Department of Natural Resources and at least three post offices of the Town, or in newspaper having general circulation, and a copy mailed to the Town Clerk of the Town of Sandwich for posting in Sandwich and to the Division of Marine Fisheries.

1.21 CHANGES & EXIGENCEY: These regulations and any amendments shall remain in effect and in full force unless modified, changed, or revoked by the Board of Selectmen, or in exigent circumstances, by the Town Administrator.

1.22 TEMPERATURE RESTRICTIONS: Clams and scallops shall not be harvested and the dry digging of quahogs shall be prohibited when the air temperature is below twenty-eight degrees Fahrenheit (28°F), as determined by the Department of Natural Resources.
1.23 SCALLOP SEASON: Effective October 1st scallops may be harvested in all Town waters through March 31st.

1.23.1 HARVESTING: All scallops taken must be an adult scallop with a well-defined, raised, annual growth line, and any scallop without such a line shall be deemed a "seed" scallop (also see Paragraph 1.23.6 below).

1.23.2 RESTRICTED AREAS: The use of drags shall be prohibited in the following areas until the dates indicated:

   a) Hen Cove: All waters and flats northeasterly of an imaginary line drawn from Handy Point to the most Southerly point of land on Patuisset Island until December 1st.

   b) Recreational Areas: All designated Recreational areas listed in Paragraph 1.12 until January 1st. However, at no time shall the use of drags interfere with or endanger Recreational fishermen in the water who are using bag rakes, dip nets, or diving.

   c) Oyster Beds & Senior Areas: All designated oyster beds and Senior Citizen areas, throughout the season.

1.23.3 SCALLOP DRAG RESTRICTIONS:

   a) Frames shall not exceed 36" in width

   b) Lead rollers are prohibited.

   c) Teeth or scoops on drags are prohibited.

1.23.4 LANDING AREAS: All scallops harvested by use of boat and drags shall be landed only at authorized Town Landings: Barlows Landing Ramp, Bourne Marina Ramp, Eel Pond Beach Way, Electric Avenue Ramp, Gray Gables Beach Way, Hen Cove Ramp, Massasoit Avenue Ramp, Monks Park Ramp, Monument Beach Ramp, Ocean Avenue Beach Way, Parker's Boat Yard Ramp, Pocasset River Ramp, and Squeeteague Harbor Beach Way (no vehicles allowed on the beach). “Landed” shall mean that location where shellfish are removed from the shoreline to any point of land above the Mean High Water line. When circumstances warrant it, shellfish may be landed at other areas with prior approval from the Director of the Department of Natural Resources.

1.23.5 DIVERS: Taking of scallops by means of diving shall be limited to Recreational permit holders only and this method shall be prohibited for Commercial permit holders. Divers shall be prohibited in areas where the use of drags is already in progress and must comply with Paragraph 2.6 of the Shellfish Regulations.
1.23.6 CULLING PRACTICE: In the interest of maximum seed survival, it is recommended that seed and by-catch be removed from culling boards into deep water. NOTE: This practice improves the survival rate of seed.

1.24 SHELLFISH CONTAINERS: A peck is 537.605 cubic inches, a bushel is 2,150.42 cubic inches, commonly measured level to the top edge of the container, unless otherwise designed/indicated.

1.25 DIG HOLES: All holes created above the Mean Low Water Line while shellfishing shall be back-filled before leaving the area, taking care to not break or crush any seed shellfish.

2 RECREATIONAL PERMIT REGULATIONS (Also See Section 1)

2.1 NON-COMMERCIAL USE: Shellfish taken by the use of this permit are personal, non-commercial use only and are not to be sold.

2.2 AUTHORIZED HARVEST SEASON/DAYS/LIMITS: Total weekly catch not to exceed one (1) peck per species, Sunday through Saturday, nor shall it exceed one (1) bushel of any or all kinds of shellfish. NOTE: This must be kept in mind during scallop season, when clams, oysters and quahogs may also be harvested. On days where more than one species may be harvested, catch may be mixed species, but total day’s catch is not to exceed one (1) peck.

2.2.1 Summer Season: June through September

Sundays: Total Limit: 1 peck of quahogs
Wednesdays: Total Limit: 1 peck of quahogs
Saturdays: Total Limit: 1 peck of quahogs or clams

2.2.2 Standard Season: October through May

Sundays: Total Limit: 1 peck of quahogs or oysters during oyster season.
Wednesdays: Total Limit: 1 peck of quahogs or clams
Saturdays: Total Limit: 1 peck of quahogs or clams

2.2.3 SCALLOP HARVEST DAYS: Recreational permit holders shall be allowed to shellfish any day of the week.

2.2.4 SCALLOP METHOD OF RECREATIONAL SHELLFISHING: Recreational permit holders may shellfish any day during the season by use of bag rake, dip net, diving or drags.

2.2.5 SCALLOP AUTHORIZED CATCH LIMITS: Recreational permit holders shall be entitled to take not more than one (1) bushel per calendar week, during the season, Sunday through Saturday.
2.3 OYSTER HARVEST DAYS: Oysters may be harvested on Sundays only from first Sunday of November through the last Sunday of December.

2.4 EELS, SEAWORMS & OTHER SHELLFISH: Eels, sea worms and other shellfish may be harvested any day throughout the year. The permit entitles the holder to set up to three (3) eel pots for personal, non-commercial use. Pots shall be marked with the Recreational permit number. The flotation device shall be a minimum of six inches (6") by four inches (4"), capable of floating three (3) pounds eleven (11) ounces, be painted yellow, use only sinking line, and must also have the permit number affixed thereto. Wooden buoys and plastic bottles are prohibited. The harvesting of eels less than nine inches (9") long and in excess of 25 total are prohibited. The placement of eel pots in navigable channels or where they may otherwise create a hazard is prohibited. (Fine: $50.00)

2.5 REQUIRED SHELLFISH CONTAINER: Permit holders must utilize a standard “one peck wire basket” while harvesting shellfish. Only one basket per permit holder is permitted and no other containers may be utilized. (Fine: $25.00)

2.6 DIVING: Permit holders may harvest shellfish while using scuba or snorkel equipment, subject to the following conditions:

a) In accordance with the Laws of the Commonwealth, diving flags of proper size must be displayed at all times when divers are in the water. Divers must stay within one hundred feet (100') of the diving flag at all times.

b) The permit shall be displayed on the diver's flag in a visible manner.

c) The harvesting of shellfish shall be prohibited in water depths less than six feet (6').

d) Shellfish shall be harvested by hand only and the use of any mechanical, suction, or air device for the purposes of disrupting the sea bottom to expose shellfish shall be prohibited.

2.7 DISABLED PERSON: Permit holders who are physically disabled and are unable to harvest shellfish at all because of such a disability may request approval for another person to harvest their shellfish for them. Sufficient medical documentation that meets the satisfaction of the licensing authority must be submitted to the Director of the Department of Natural Resources for approval. No person shall be allowed to harvest shellfish for more than one disabled person.

3 COMMERCIAL PERMIT REGULATIONS (Also See Section 1)

3.1 COMMERCIAL PERMITS: Issued to a citizen who is domiciled in the Towns of Bourne or Sandwich, and valid only for the period that the holder maintains the said domicile.
Domiciled tenants must submit a current, valid, notarized lease. “Domicile” shall be a true, fixed, permanent home and principal establishment. The use of this permit is limited to the person to whom the permit was issued. The citizen must show to the satisfaction of the licensing authority, such as a valid photo ID and/or a Town real estate tax bill, that he/she is entitled to a permit. A Commonwealth of Massachusetts Commercial Shellfish Permit and an application form shall be submitted, which shall be approved prior to the issuance of the permit. The Department of Natural Resources must be notified immediately of any change of application information.

3.1.1 AUTHORIZED HARVESTERS: Citizens who wish to participate in a Commercial fishery must hold a current, applicable Commercial Permit.

3.2 COMMERCIAL APPRENTICE PERMIT: Subject to Paragraph 1.2, issued to a minor citizen twelve (12) to sixteen (16) years old inclusive who is domiciled in the Towns of Bourne or Sandwich. The permit may be issued for the purposes of harvesting shellfish provided that an adult member of his immediate family (i.e., parent, grandparent, legal guardian, etc.) is a current holder of a Commercial permit of the same species. Said adult Commercial permit holder shall directly supervise all activities of and shall be held responsible for all acts of the apprentice. Only two (2) Commercial Apprentice permits per domiciled family shall be permitted at any time.

3.3 COMMERCIAL PERMIT TYPES:

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<td>b) Eel Permit:</td>
<td>$100.00</td>
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<tr>
<td>c) Quahog Permit:</td>
<td>$250.00</td>
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<tr>
<td>d) Scallop Permit:</td>
<td>$250.00</td>
</tr>
<tr>
<td>e) Master Permit:</td>
<td>$625.00</td>
</tr>
<tr>
<td>f) Apprentice Permit:</td>
<td>$100.00</td>
</tr>
</tbody>
</table>

3.4 LANDING AREAS: All shellfish harvested shall be landed at one of the following Town landing areas: Barlows Landing Ramp, Bourne Marina Ramp, Eel Pond Beach Way, Electric Avenue Ramp, Gray Gables Beach Way, Hen Cove Ramp, Massasoit Avenue Ramp, Monks Park Ramp, Monument Beach Ramp, Ocean Avenue Beach Way, Parker’s Boat Yard Ramp, Pocasset River Ramp, and Squeateague Harbor Beach Way (no vehicles allowed on the beach). “Landed” shall mean that location where shellfish are removed from the shoreline to any point of land above the Mean High Water line. When circumstances warrant it, shellfish may be landed at other areas with prior approval from the Director of the Department of Natural Resources.

3.5 TAGGING: Once landed and while in transit, all shellfish containers shall be marked clearly by a tag stating date of harvest, place of harvest, State permit number, and name of the harvester. (Fine: $50.00)

3.6 MIXING OF CATCH: The harvesting of different shellfish species on the same day is prohibited. Regardless of the different types of Commercial Permits held, fishermen shall not harvest more than one (1) species on any one (1) day.
3.7 RECREATIONAL PERMIT USE: Commercial fishermen must stay in compliance with Section 1, Paragraph 1.12 and abide by the Recreational Shellfish Regulations at all times.

3.8 ANNUAL CATCH REPORT: All permit holders must submit a copy of the Commonwealth’s Annual Catch Report indicating the number of pounds and types of shellfish and eels harvested during previous twelve months. This report must be submitted to the Director of the Department of Natural Resources before the issuance of a new permit.

4 COMMERCIAL QUAHOG PERMIT REGULATIONS

4.1 MANPOWER ONLY: The taking of quahogs other than by manpower is prohibited.

4.2 AUTHORIZED HARVESTDAYS: Quahogs may be harvested Monday through Saturday only. No fishing is allowed on Sundays, or the Thanksgiving and Christmas holidays.

4.3 DAILY LIMIT: Shall not exceed three (3) level U.S. bushels - Bushel – U.S. dry measure; 2,150.42 cubic inches, or 32 quarts.

4.3.1 APPRENTICE DAILY LIMIT: Shall not exceed one (1) level U.S. bushel of quahogs, as defined.

4.4 METHOD RESTRICTIONS: Quahogs shall not be taken by means of skin-diving, snorkels, scuba gear, or shadow box.

4.5 RESTRICTED AREAS: Specific areas are closed to all commercial shellfishing. See Paragraph 1.12 and closure list published separately.

5 COMMERCIAL EEL PERMIT REGULATIONS

5.1 POTS/TRAPS: All eel pots shall be marked with the permit number assigned at the time of issuance. The flotation device shall be a minimum of six inches (6") by four inches (4"), capable of floating three (3) pounds eleven (11) ounces, be painted the colors assigned at issuance, use only sinking line, and have the permit number affixed thereto. Wooden buoys and plastic bottles are prohibited.

5.2 SETTING: Eel pots shall not be set in navigable established channels or where they may otherwise pose a hazard.

5.3 SIZE: Eels less than nine inches (9") in length shall not be taken.

6 COMMERCIAL CLAM PERMIT REGULATIONS

6.1 AUTHORIZED HARVEST SEASON: The harvesting of (soft-shelled) clams shall
be allowed only from May 1st until the first day of Scallop Season each year, with the following exception: Any areas under State mandated seasonal closures (i.e., Red Brook Harbor) will be opened March 1st, provided that the State has approved the opening of such closures.

6.1.1 AUTHORIZED HARVEST DAYS/HOURS: Clams may be harvested only on Mondays through Saturdays between the hours of Sunrise to Sunset.

6.2 AUTHORIZED HARVEST EQUIPMENT: Clams may be harvested by means of plunger or jet pump (manifold) which must not exceed four feet (4') in width with two inch (2") long one-quarter inch (1/4") nozzles at three inch (3") spacing along the width of the manifold which shall be restricted to only penetrate nine inches (9") below the bottom surface. This manifold specification may be altered with prior approval of the Director of the Department of Natural Resources. Clams are to be removed from the waters by hand or hand held rakes with a three-quarter inch (3/4") mesh opening to allow for free passage of seed clams. Pump engines shall be equipped with adequate muffler device to ensure that noise levels are kept to an absolute minimum and in no case shall noise levels exceed Federal or State minimum standards. The pump shall be rated at no more than five and one half (5.5) HP.

6.3 AUTHORIZED HARVEST AREAS: The harvesting of clams shall be restricted to the following areas, and shall be “Sub-Tidal” only, meaning six feet (6’) seaward of the Mean Low Water line, or as otherwise noted below:

   Back River East: That portion of Back River east of the Shore Road bridge up to the outer mouth of the Eel Pond inlet.
   Bassetts Island East: From the stream located mid-island southerly to southern end of island.
   Bassetts Island West: The entire westerly shoreline of Bassetts Island.
   Buttermilk Bay: All of Buttermilk Bay.
   Hen Cove: All of inner Hen Cove, outside of the Recreational shellfish markers and in deep water only.
   Hospital Cove: All of Hospital Cove.
   Little Buttermilk Bay: All of Little Buttermilk Bay.
   Mashnee Dike West: The entire West Side of Mashnee Dike.
   Phinney’s Harbor: From the ramp at Chester Park to shellfish marker located at the house on stilts.
   Red Brook Harbor: From Handy Point to most seaward portion of Long Point.
Scraggy Neck: The entire shoreline of Scraggy Neck.

Squeteague Harbor: All of Squeteague Harbor, excluding that portion north of a line drawn from a stationary marker on the westerly side of Squeteague Harbor to the end of Ocean Avenue.

Tobey Island East: The easterly shoreline of Tobey Island southerly from a marker at the beginning of Emmons Cove to sand spit at the south end.

Tobey Island West: The entire westerly shoreline of Tobey Island south to the sand spit.

Wings Neck: The southeasterly shoreline of Wings Neck, excluding Barlows Landing (see Closure BB: 49.3).

6.4 DAILY LIMIT: Shall not exceed three (3) level U.S. bushels, as defined.

6.4.1 APPRENTICE DAILY LIMIT: Shall not exceed one (1) level U.S. bushel of clams, as defined.

6.5 BOAT RESTRICTION: No more than two (2) Commercial Clam or Master Permit and one (1) Apprentice Permit holders per boat shall be permitted. The term “boat” as used herein shall mean a registered boat fully equipped with motor, jet pump and associated equipment capable of jet clamming independently of another boat.

6.6 HARVESTING: In Sub-Tidal areas, clams dislodged by means of jet pumping or hand plunger may be harvested inside the six foot (6’) seaward Mean Low Water line by hand or hand held rakes, as outlined in Paragraph 6.2, provided that the pump motor has been shut off and the manifold and/or plunger unit has been placed on board the boat.

7 COMMERCIAL SCALLOP PERMIT REGULATIONS

7.1 RESTRICTED DAYS: Commercial permit holders shall be allowed to shellfish every day during the scallop season, as noted in Paragraph 1.23 except Sundays, Thanksgiving and Christmas.

7.2 DAILY LIMIT: Commercial permit holders shall be entitled to a daily limit of not more than five (5) level bushels, as defined.

7.2.1 APPRENTICE DAILY LIMIT: Shall not exceed one (1) level U.S. bushel of scallops, as defined.

7.3 BOAT RESTRICTION: Any one (1) boat shall be limited to not more than ten (10) level bushels of scallops per day for Commercial purposes.
The Board of Selectmen adopted these Shellfish Rules and Regulations on October 6, 2020.

PER ORDER OF THE BOARD OF SELECTMEN

[Signatures]
Judith MacLeod Froman, Chair
James L. Potter, Vice Chair
George G. Slade, Jr.
Peter Meier
Peter J. Meier
Jared P. MacDonald

Statement of method and time of publication, as required by Chapter 130, Section 52:

These regulations were duly posted at the Office of the Board of Selectmen, Buzzards Bay, Monument Beach and Pocasset Post Offices, and a certified copy was mailed to the Division of Marine Fisheries Director and to the Town of Sandwich Town Clerk.
Board of Selectmen
Special Event Policy for Buzzards Bay Park
Town of Bourne
Special Event Policy for Buzzards Bay Park
90 Main Street, Buzzards Bay, MA 02532

**Scheduling:** Events are scheduled on a first come, first served basis, subject to preference based upon degree of benefit to the general public, as determined in the following order: events held to raise funds for charitable purposes, events held by other non-profit entities, all other events. The Town does not discriminate on the basis of race, religion, sex, national origin, sexual orientation or other class protected under Federal or State law.

**Fees:**

*Application Fee:*

- **Commercial Events (All businesses and not-for-profit groups):** $75 non-refundable
- **Non-Commercial (Small weddings, family functions, etc.):** No application fee

*Utility Fees (All groups):*

- Electrical: $40/hour*

*Utility fees are charged for the duration of the event, including set-up and break-down.

**Security Deposits:**

*Commercial Events:*

- Up to 100 people: $100
- 101 to 500 people: $250
- More than 500 people: $500

*Non-Commercial Events:*

- Up to 24 people: no fee
- 25 to 50 people: $50
- 51 to 100 people: $100

*Security deposits will be returned at the discretion of the DPW Superintendent. User groups are responsible for cleanup of the rented area.*

Additional fees may be assessed by the Town. Police/Fire staff will be charged separately. Permission to place portable toilets on Town property must be requested in writing and approved by the Department of Public Works Superintendent. The Board of Selectmen have the right to waive fees.

*Insurance:* A Certificate of Insurance with the Town of Bourne named as an Additional Insured, in the amounts of $2,000,000/person and $3,000,000/occurrence is required with the application for all commercial events.

*Grounds for Denials:* The Town shall deny permission for any event based on a finding that the organizer has not provided reasonable safeguards adequate to protect the safety and welfare of event participants, bystanders and the general public before, during and after such events. In addition to safety and welfare concerns, the Town of Bourne reserves the right to deny an event request based on conflicts with other events or activities.
Town of Bourne
Special Event Policy

Rules & Regulations:

All posted rules and regulations shall be followed.

Vehicles are not allowed within the park layout. Please see attached diagram.

Nothing can be placed below ground surface. This includes but is not limited to: tent stakes, portable fencing, horseshoe pits, volleyball nets.

The Town’s carry in, carry out policy for trash is in effect. All litter, trash or debris generated from the event shall be removed by the event organizer.

Public access to and from the park may not be blocked at any time.

Per Town By-Laws, dogs must be leashed in the Park. Per the Board of Selectmen, animals are not allowed within the fenced in playground/splashpad area.

Organizer is responsible for any damage sustained to buildings, structures and grounds occurring during the event.

Cooking grills and open flames are prohibited. Permits may be revoked for misuse of the property.

For larger events, the organizer is responsible for traffic control and public safety through the Bourne Police Department and/or Bourne Fire Department. Police/Fire details may be required at an additional cost.

No placards of a commercial nature may be displayed on Town property. No tacks, nails or staples may be used on the gazebo or pavilions.

Any person or organization granted use of Town property shall assume liability for any damage to the property, injury to participants, damage to or loss of equipment or property. Please see the attached Indemnification and Release. If the person or organization applying shall not be deemed to be of sufficient responsibility, permission will not be granted.

Alcoholic beverages are not permitted on Town property without a license issued by the Board of Selectmen. Per Town of Bourne By-Laws, smoking and E-Cigarette use is prohibited on Town owned or operated playgrounds and recreational areas.

Unauthorized use of Town facilities for organized activities is not allowed. Permits are issued for the outdoor space only and do not include access to any storage areas, buildings or equipment.

Permission for use of Town facilities shall not be granted for any purpose that will, in any way, interfere with their use by the Town.

Cancellation due to inclement weather/poor park conditions will be at the discretion of the Town Administrator, Assistant Town Administrator, DPW Superintendent or the Recreation Director.
**Town of Bourne**

**Special Event Permit Application for Buzzards Bay Park**

<table>
<thead>
<tr>
<th>Date of Application</th>
<th>Name of Organization</th>
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<tbody>
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<table>
<thead>
<tr>
<th>Organization's Mailing Address</th>
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</table>

<table>
<thead>
<tr>
<th>Contact Person</th>
<th>Cell Phone #</th>
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</table>

<table>
<thead>
<tr>
<th>Contact Person's Mailing Address</th>
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</table>

**Event Information:**

<table>
<thead>
<tr>
<th>Event Date</th>
<th>Start Time</th>
<th>End Time</th>
</tr>
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<tbody>
<tr>
<td></td>
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<table>
<thead>
<tr>
<th>Set Up Date</th>
<th>Set Up Time</th>
<th>End Clean Up Time</th>
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**Description of Event**

<table>
<thead>
<tr>
<th># of Participants</th>
<th># of Spectators</th>
</tr>
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<td></td>
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</table>

**Will your event require street closing? If Yes, see Bourne Police**

<table>
<thead>
<tr>
<th>Will there be food?</th>
<th>If Yes, see Board of Health</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Will there be vendors?</th>
<th>If Yes, see Board of Selectmen’s Office and the Board of Health</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Use of electricity/generators?</th>
<th>If Yes, see Bourne DPW</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Will the Event require water?</th>
<th>If Yes, for what purpose?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Use of Tents?</th>
<th>If Yes, please see</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Wish to block parking spaces?</th>
<th>If Yes, see DPW</th>
</tr>
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<tbody>
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<td></td>
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</tbody>
</table>
INDEMNIFICATION AND RELEASE

Town of Bourne Facility Rentals

THIS IS A LEGALLY BINDING DOCUMENT. DO NOT SIGN IT UNTIL YOU HAVE READ THE CONTENTS HEREOF AND UNDERSTAND THE SAME. IF YOU ARE IN DOUBT, CONSULT AN ATTORNEY PRIOR TO SIGNING THIS DOCUMENT.

In consideration of the permission granted to it by the Town of Bourne for the purpose of using playing fields and recreational properties owned by the Town of Bourne, the undersigned, in recognition of the fact that Bourne has no lawful obligation to permit said usage by any person, group or other entity not sponsored by the Recreation Department, does herby release the Town of Bourne, its agents, servants, employees and volunteers from any liability whatsoever in the event of injury to any persons or any actual or perceived infringement of the personal security of any person using the said playing fields and/or recreation areas while engaged in usage authorized by the Town or to any person attending such activity and the undersigned intends this release to be effective and binding on himself/herself and all members, guests, invitees or observers of the group activity which she/he herein represents. This release is provided in addition to, and without limitation on, any and all defenses available to the Town of Bourne pursuant to the Massachusetts General Law and common law.

The undersigned, on behalf of him/herself and the members of the group or entity he/she represents, does herby agree to indemnify the Town and its agents, servants, employees and volunteers against any and all claims, suits, actions, debts, damages, costs, charges and expenses including court costs and attorney's fees, and against all liability, losses and damages of any nature whatsoever, that the Town shall or may at any time sustain or be put to by reason of the usage of the Town owned property, as contemplated herein.

__________________________  _________________________
Signature                      Date

__________________________  _________________________
Title                           Name of Organization

Town of Bourne
Wedding Ceremony Policy

There are many beautiful places in Bourne to hold a wedding ceremony! In addition to Buzzards Bay Park, we recommend the following locations: 3-Mile Look, Sagamore Beach, Monument Beach, Hen's Cove.

For locations other than Buzzards Bay Park, there is no permit process. Town of Bourne public areas are to remain open and available at all times. Scheduling a wedding ceremony is at the participant’s discretion and the Town is not responsible for ensuring a private ceremony.

If holding a wedding ceremony on Town property, all rules and regulations pertaining to the property must be adhered to; including but not limited to:

- Parking permits required for all Town beaches.
- No tents or anything staked into the ground.
- No alcohol.
- No open flames.
Board of Selectmen
Town of Bourne Facilities/Building Use Policy
Town of Bourne Facilities/Building Use Policy

The Town of Bourne recognizes that Municipally-owned buildings belong to the citizens of the Town. It is the intent of this policy to clearly set forth rules and fees assessed for the use of certain non-school municipally owned meeting space to responsible Town of Bourne boards and committees, local non-profit organizations and other governmental entities. As a general rule the Town will not allow use of lease/rent municipal meeting space to for profit entities, except as noted within each facilities schedule. The Town may also permit the use of our facilities by other responsible organizations not located in the Town of Bourne but reserves the exclusive right to determine the community value for such groups.

The Town also recognizes that we are bound by law and must prohibit certain activities. Those prohibited include, but are not limited to:

A- Any activity that may be injurious to the building, grounds or persons.
B- Any activity that is in conflict with any State, Federal, local laws or regulations.
C- Smoking is strictly prohibited in all municipal facilities
D- The use of alcohol is strictly prohibited in all municipal facilities.

It is the intention to grant use of certain municipal facilities for activities of an educational, cultural, civic, social, recreational, governmental or general political nature which are sponsored by responsible, recognized local persons, organizations or agencies. The Town of Bourne reserves the right to cancel any scheduled use of our facilities if a conflict occurs with necessary functions of the Town or its departments, boards and committees or is in conflict with any municipal regulation or by-law. Such cancellations shall be rescheduled at the earliest possible convenience.

The following rules also apply:

1- Reservations for using any meeting room shall require a written notice, on a form provided from the Office of the Town Administrator, or administrative staff at the location where the proposed activity is to occur. Town Boards, Committees, and staff functions take priority over any other function.
2- Persons or organizations that use the facility are responsible for its condition when their event is completed. All furniture must be returned to its original location. Trash must be removed from the room and placed in waste containers provided. Obvious debris on floors must be vacuumed or swept. Lights and other electronic devices must be shut-off. The facility must be in the same or better condition after the event as it was before the event. The facility must be cleaned of all event debris.
3- Persons needing audiovisual equipment must bring their own equipment. Those who wish to use equipment at the Sagamore Fire Station must be authorized to use that equipment or arrange to supply an operator at the expense of the user of the room.
4- Any damage to a municipal facility MUST be reported to an appropriate town employee/official prior to leaving the facility.
5- An additional assessment may be charged to use any room within the facility if left uncleansed.
6- Facilities will be available during regular business hours. Evening meetings conducted by outside agencies or non-town of Bourne municipal bodies must conclude by 9:00 P.M. Time extensions may be granted upon written requests for such.

Page 1
NON-COMPLIANCE

VIOLATION OF ANY RULE OF THIS POLICY WILL RESULT IN REVOCATION OF PRIVILEGES TO USE TOWN OF BOURNE FACILITIES.

FEE SCHEDULE and PAYMENTS

All payments by Check are to made payable to: TOWN OF BOURNE - for the exact amount due. DEPOSITS ARE NON-REFUNDABLE.

A SEPARATE CHECK made payable to: TOWN OF BOURNE is to be written for refundable security deposits, provided the condition of the facility after the scheduled event is signed. Determination for any refund is based upon a report regarding the condition of the facility room used by the applicable.

Waiver of fee: Upon written request from the activity proponent, the board of Selectmen may waive any or all fees associated with facility usage. Security Deposits (refundable as noted within this document) shall not be waived.
General Hours of Operation: 8:30 A.M. through 10:00 P.M. (augmented by special request)

Rooms available: Lower Level Meeting Room: Limited capacity (70)
Upper Level Conference Room: Limited capacity (12)

AVAILABLE USAGE: Local, State, County and Regional, Federal Governmental entities and authorities – others as approved by the Town Administrator

FEE: There is no fee to use the Town Hall by the approved groups noted above.
Sagamore Fire Station (Station # 3)

Hours of Operation: 8:00 A.M. through 9:00 P.M. (augmented by special request)
Rooms available: Second Floor Level Community Room

AVAILABLE USAGE: Local, State, County and Regional, Federal Governmental entities and authorities, Local Not for profit entities, local groups (Scouting, Village Associations, local clubs, Self help type programs, etc.)

FEE: There is no fee to use by Governmental entities and authorities.
Other groups as noted above:

Recurring use:
Up to 4 hours or any portion thereof – $15.00
More than 4 hours or any portion thereof up to 8 hours - $25.00
Weekly: (5 to 7 days per week up to four hours or any portion thereof) – $50.00
Monthly: (5 to 7 days per week up to four hours or any portion thereof) - $200.00

Use of Audio/Visual equipment - $25.00 per use by renting organization’s knowledgable staff.
Actual cost plus 10% for Bourne staff (if available).
Outside licensed private entity approved by Town of Bourne to run equipment at using organizations cost.

One Time or sporadic use:
Up to 4 hours or any portion thereof – $35.00
More than 4 hours or any portion thereof up to 8 hours - $50.00
Use of Audio/Visual equipment - $25.00 per use by renting organization’s knowledgable staff.
Actual cost plus 10% for Bourne staff (if available).
Outside licensed private entity approved by Town of Bourne to run equipment at Using organizations cost.

Security Deposit – $50.00 (refundable upon facility staff inspection)
Pocasset Fire Station (Station 4)

Hours of Operation: 8:00 A.M. through 9:00 P.M. (augmented by special request)

Rooms available: Lower Level Community Room

AVAILABLE USAGE: Local, State, County and Regional, Federal Governmental entities and authorities, Local Not for Profit entities, local community groups (Scouting, Village Associations, local clubs, self-help type programs, etc.)

FEE: There is no fee to use by Governmental entities and authorities. Other groups as noted above:

Recurring use:
   Up to 4 hours or any portion thereof - $10.00 daily use
   More than 4 hours or any portion thereof up to 8 hours - $25.00
Weekly: (5 to 7 days per week up to four hours or any portion thereof) - $50.00
Month: (5 to 7 days per week up to four hours or any portion thereof) - $200.00

One Time or sporadic use:
   Up to 4 hours or any portion thereof - $25.00
   More than 4 hours or any portion thereof up to 8 hours - $40.00

Security Deposit - $50.00 (refundable upon facility staff inspection)
Bourne Veterans' Community Center
See Attached
## Bourne Veterans Community Center
### Proposed Weekday Fees

<table>
<thead>
<tr>
<th><strong>KITCHEN and CAFETERIA</strong></th>
<th><strong>NOTE</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Kitchen only</td>
<td>50.00</td>
</tr>
<tr>
<td>The café is occasionally used as a meeting room when the 3 other meetings rooms are taken.</td>
<td></td>
</tr>
<tr>
<td>Café (dinning area) only</td>
<td>25.00</td>
</tr>
<tr>
<td>Groups such as the Parade Committee, sports groups and Girl Scouts have used this space in the past.</td>
<td></td>
</tr>
<tr>
<td>Both kitchen and café - for meal function 4 hour</td>
<td>75.00</td>
</tr>
<tr>
<td>Both kitchen and café - for meal function 8 hour</td>
<td>150.00</td>
</tr>
<tr>
<td>Refundable security deposit upon completion and clean-up of event is satisfactory</td>
<td>100.00</td>
</tr>
<tr>
<td>When the café is used as a meeting room the proposed meeting room fee should be applied as appropriate.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>MEETING ROOMS</strong></th>
<th><strong>EXAMPLES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum 3 hour block</td>
<td>Any private business or personal event:</td>
</tr>
<tr>
<td>3 meeting rooms for rent</td>
<td>(baby shower, birthday party, condo assoc. meeting)</td>
</tr>
<tr>
<td>Private or for-profit outside group</td>
<td>Harley Davidson Group, TOPS</td>
</tr>
<tr>
<td>Recognized local, county or state support group or organization</td>
<td>Alcoholics Anonymous, AlAnon/Alateen, Compassionate Friends, Visiting Nurses Assoc.*</td>
</tr>
<tr>
<td>S.E. MA American Mountain Club, National Assoc. of Retired Federal Employees</td>
<td></td>
</tr>
<tr>
<td>VNA etc. - No fee for service providing to citizens.</td>
<td></td>
</tr>
<tr>
<td>Regional, state wide, not for profit 501 c 3</td>
<td>United Way, Pan Mass, Foundations, etc.</td>
</tr>
<tr>
<td>501c3 Organizations with continual recurring use departments for meetings</td>
<td>FREE</td>
</tr>
<tr>
<td>Local, county, state or federal governmental department/agency or committee or Town sponsored group.</td>
<td>FREE</td>
</tr>
</tbody>
</table>
GYMNASIUM

Gym-full day over 4 hours

200** The gymnasium can be divided into 2 even spaces by a curtain.

Gym-1/2 day

125**

**Two groups may, on the same application, pay the 200.00 fee on a split gym.

** Fees on Saturday will not be charged to Town or youth activities nor activities that are not fundraising by local not for profits where custodial staff is scheduled. Tournament and fundraising activity will be subject to fees as noted above for weekday or weekend use.

Upon written request, any or all fees/deposits above may be waived at the discretion of the Board of Selectmen
APPLICATION FOR THE USE OF TOWN PROPERTY

Individual/Organization

Address (mailing)

Home/Business Address

Home Telephone #

Business Telephone #

Contact Person

I (we) request the use of the following town owned property:

- Bourne Veterans’ Community Building
- Pocasset Fire Station
- Sagamore Fire Station

Purpose:

Date(s)

Time(s)

From ____________________ (time first person will arrive)

To ____________________ (time last person will leave)

From ____________________ (time first person will arrive)

To ____________________ (time last person will leave)
Page 2

I (we) agree to pay the Town of Bourne a fee, if required, for use of such facilities

Estimated Attendance ____________________

Will the affair be policed? Yes _____ No _____

Do you need furniture moved, a video screen or sound system equipment set up (Sagamore and Bourne Veterans Community Building only)?

______________________________

Are you a Town of Bourne Department, Town Committee or Board? Yes _____ No _____

Are you a State or Federal Department or organization? Yes _____ No _____

Are you a local, Town of Bourne non-profit organization? Yes _____ No _____

Will a fee be charged for admission to this event? Yes _____ No _____

Signed ____________________________

Identification Presented ____________________________

HOLD HARMLESS AGREEMENT

It is agreed by ____________________________

Hereinafter called the Organization, that the Town of Bourne be absolved of any and all liability brought about by actions of the participants and/or patrons of the organization while using the facilities of the Town of Bourne for the purpose of:

______________________________

It is further agreed that the Organization accepts responsibility for any and all damages caused by the participants and/or patrons of the Organization that are determined to be above and beyond what is considered normal wear and tear of the facilities.

Signature of Organization ____________________________

Printed Name ____________________________

Title ____________________________ Dated ____________________________
TOWN OF BOURNE FACILITIES/BUILDING USE POLICY

BOARD OF SELECTMEN

Donald J. Pickard

John A. Ford, Jr.

Peter J. Mejer

James J. Sloniecki

Earl V. Baldwin

Adopted: December 20, 2011
Board of Selectmen
Traffic Rules & Orders
TOWN OF BOURNE

TRAFFIC RULES AND ORDERS

Adopted March 15, 1939
Amended March 7, 2017

BOURNE, MASSACHUSETTS
Introduction

It is the policy of the Board to promote the health, safety, convenience and general welfare of the Town's inhabitants; to lessen the danger from fire caused by vehicular congestion which may impede fire-fighting apparatus from reaching fires in a timely manner; to reduce air pollution caused by unnecessary vehicle emissions associated with traffic congestion; to protect the economic viability of town-wide commerce by improving traffic flow and on-street parking opportunities for those needing to transact business and avail themselves of services in business areas of town; and to encourage the use of public transportation and parking opportunities made available to further these purposes. These Traffic Rules and Regulations are adopted in recognition of the close causal relationship between the availability of parking and the amount of traffic congestion in the different town areas.

The following Traffic Rules and Regulations ("Rules and Regulations") are adopted pursuant to Massachusetts General Law (MGL) Chapter 40, Section 22, as amended; MGL Chapter 85, Section 2; MGL Chapter 90, Section 20A2, as adopted October 1981, (STM); MGL Chapter 40, Section 22D, as adopted May 1987 (ATM), and other applicable laws. The Rules and Regulations shall not affect any act done, any right accrued, any penalty incurred, or any suit, prosecution or proceeding pending under the provisions of previous rules and regulations. In addition, whenever the Rules and Regulations are in conflict with an official traffic sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town, no person shall fail to obey such traffic sign, signal, marking or other device, when operating a vehicle within the Town. Shall any bylaw, enacted by the Town, be in control of any particular issue contained herein, then said bylaw shall take precedence.

The Rules and Regulations shall be effective upon vote of the Board, and all previous Rules and Regulations of the Board, other than temporary rules, regulations and signage, are repealed as of said date, subject, however, to the foregoing limitations.

BOURNE MASSACHUSETTS
TRAFFIC RULES AND ORDERS

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ARTICLE I: DEFINITIONS

For the purpose of the Rules and Regulations, the words and phrases used herein shall have the following meanings except in those instances where the context clearly indicates a different meaning.

SECTION 1.1 Authorized Emergency Vehicles
Vehicles of the Fire Department, Police Department, ambulances and emergency vehicles of federal, state and municipal departments or public service corporations when the latter are responding to an emergency in relation to the Police or Fire Department, or any federal, state and municipal vehicle engaged in the repair of a public way.

SECTION 1.2 Bicycle
Every device propelled by human power upon which any person may ride having no more than two (2) tandem wheels either of which is fourteen (14) inches or more in diameter.

SECTION 1.3 Bicycle Path
Any way under the care, custody, or control of the Town of Bourne, specifically designated and used for bicycle and/or pedestrian travel whereupon motorized vehicles of any kind are excluded.

SECTION 1.4 Board
The Town of Bourne Board of Selectmen.

SECTION 1.5 Bus
Any motor vehicle designed for carrying more than nine (9) passengers and used for the transportation of persons or any motor vehicle operated upon a public way for the carriage of passengers for hire in such a manner as to afford a means of transportation similar to that afforded by a railway company by indiscriminately receiving and discharging passengers along the route on which the vehicle is operated or may be running, or for transporting passengers for
hire as a business between fixed and regular termini, or transporting passengers for hire under
a charter license, special service or school service permit issued by the Commonwealth of
Massachusetts. When applicable, the term "bus" shall include school bus.

SECTION 1.6  Bus Stand
An area in the roadway, adjacent to the curb or edge of roadway, set aside for the long-term (in
excess of fifteen (15) minutes) parking of any bus and confined to certain types of buses as
indicated on the posted sign(s).

SECTION 1.7  Bus Stop
An area in the roadway, adjacent to the curb or edge of roadway, set aside for the parking,
boarding of or alighting from buses.

SECTION 1.8  Commercially Registered Vehicle
Any vehicle bearing commercial license plates.

SECTION 1.9  Commercial Vehicle
Any vehicle being used in the transportation of goods, wares or merchandise for commercial
purposes. All commercial vehicles must permanently display on both sides of the vehicle
(exclusive of windows) the vehicle owner’s name, address and telephone number on at least
three separate lines and bearing commercial license plates.

SECTION 1.10  Crosswalk
That portion of a roadway ordinarily included within the prolongation or connection of curb lines
and property lines at intersections, or any portion of a roadway indicated for pedestrian crossing
by lines on the road surface or by other markings or signs.

SECTION 1.11  Curb Marking, Official
That portion of a curbing, the painting of which the Board has authorized, and which has the
written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1.12  Disabled Veteran (DV) Plate Vehicle
A vehicle bearing a distinctive number plate authorized by MGL Chapter 90 Section 2.

SECTION 1.13  Driver
A person, who is in actual physical control of an operating vehicle.

SECTION 1.14  Emergency Vehicle
Vehicles of the Fire Department (Fire Patrol), police vehicles, ambulances and emergency
vehicles of federal, state and municipal departments or public service corporations when the
latter are responding to an emergency in relation to the Police or Fire Department.

SECTION 1.15  Fire Lane
An area specifically designated for use by the Fire Department whether or not a fire is occurring.

SECTION 1.16  Funeral
Any procession of vehicles properly identified as such accompanying the remains of a human
body.

SECTION 1.17  Handicap Placard Vehicle
A vehicle properly displaying a handicap placard issued by the Registry of Motor Vehicles,
Commonwealth of Massachusetts, pursuant to MGL Chapter 90, Section 2.

SECTION 1.18 Handicap Plate (HP) Vehicle
A vehicle bearing a distinctive number plate, authorized by MGL Chapter 90, Section 2.

SECTION 1.19 Handicap Parking
The designated location that is specifically reserved for individuals with disabilities allowing parking by properly displayed placard or number plate in accordance with M.G.L. Chapter 90 Section 2.

SECTION 1.20 Heavy Commercial Vehicle
Any commercial vehicle of over two (2) and ½ ton capacity.

SECTION 1.21 Intersecting Way
Any way, which joins another way at an angle whether or not it crosses the other.

SECTION 1.22 Intersection
The area embraced within the extensions of the lateral curb lines, or if none, then the lateral boundary lines of intersecting ways, including divided highways. The Rules and Regulations herein contained governing and restricting the movement of Vehicles at and near intersecting ways shall apply at any place along any way at which drivers are to be controlled by traffic control signs whether or not such place is an intersection as herein defined.

SECTION 1.23 Lane
A longitudinal division of a roadway into a strip of sufficient width to accommodate the passage or parking of a single line of vehicles.

SECTION 1.24 Livery Vehicle
A vehicle used, or designated to be used, for the conveyance of less than sixteen (16) persons or passengers for hire, from place to place, except a bus, streetcar, taxi or commercial vehicle.

SECTION 1.25 Loading Zone
That portion of a roadway adjacent to a curb or edge of the pavement reserved for commercial vehicles, as defined in this section, during the actual loading or unloading of materials, or passenger vehicles during the actual receiving or discharging of passengers, indicated by the presence of at least one (1) regulatory sign marking the limits of the loading zone as authorized by the Town of Bourne.

SECTION 1.26 Motorized Bicycle (Moped)
A pedal bicycle which is assisted by a motor, or a non-pedal bicycle which has a motor, with a cylinder capacity not exceeding fifty (50) cubic centimeters, an automatic transmission, and which is capable of a maximum speed of no more than thirty (30) miles per hour.

SECTION 1.27 Municipal Parking Lot
A parking lot owned and operated by the Town of Bourne.

SECTION 1.28 Non-Emergency Repairs
The changing of any vehicle fluid and any other repair, with the exception of minor safety-related repairs and repairs necessary for the vehicle to operate under its own power, that can be completed within ninety (90) minutes, such as changing oil, replacing a tire, replacing a headlight or bulb, or replacing a wiper blade.
SECTION 1.29 Officer
Any officer of the Bourne Police Department or any officer authorized to direct or regulate traffic or to make arrests for the violation of traffic regulations.

SECTION 1.30 Official Street Marking
Any painted line, legend, marking or marker of any description painted or placed upon any public way which purports to direct or regulate traffic and which has been authorized by the Town of Bourne and which has the written approval of the Highway Department, Commonwealth of Massachusetts, if required.

SECTION 1.31 Official Standard Time
Whenever certain hours are named herein they shall mean standard time or daylight-saving time.

SECTION 1.32 Official Traffic Sign
All signs, markings and devices, other than signals, not inconsistent with the Rules and Regulations, and which conform to the Standards prescribed by the Highway Department of the Commonwealth of Massachusetts and placed or erected by authority of public body or town official having jurisdiction for the purpose of guiding, directing, warning, or regulating traffic.

SECTION 1.33 Overpass
A section of road that passes over any state highway or any other roadway were vehicle traffic runs beneath.

SECTION 1.34 Parking
The stopping or standing of a vehicle, whether occupied or not, except when paused for traffic violation.

SECTION 1.35 Passenger Vehicle
Any vehicle registered as a passenger vehicle, including livery vehicles, and excluding buses and commercial vehicles.

SECTION 1.36 Pedestrian
Any person afoot or riding on a conveyance moved by human power, except bicycles.

SECTION 1.37 Person
Any person afoot or riding on a conveyance moving by human muscular power, except bicycles or tricycles.

SECTION 1.38 Plymouth County Parking Department (PCPD)
The agency which processes the payment of violations generated from within the Town of Bourne and from which parking violation books are purchased by the Town of Bourne.

SECTION 1.39 Plymouth County Violation Schedule (PCVS)
The schedule of violations as generated by the PCPD and listed on the parking violation books.

SECTION 1.40 Police Officer
Any officer of the Bourne Police Department authorized to direct or regulate traffic or make arrests for violations of the Rules and Regulations.

SECTION 1.41 Posted
Officially posted by the Town of Bourne.
SECTION 1.42  Private Way or Driveway
Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner.

SECTION 1.43  Public Way
Any road, street, way, highway, improved or unimproved road that is dedicated to public use.

SECTION 1.44  Railroad Crossing
Any intersection of ways with a railroad right-of-way.

SECTION 1.45  Roadway
That portion of a public way between the regularly established curb lines or that part, exclusive of shoulders, improved and intended to be used for vehicular traffic.

SECTION 1.46  Rotary
A road junction formed about a central circle around which traffic moves in one direction only.

SECTION 1.47  Rotary Traffic
The counter-clockwise operation of one or more vehicles around a rotary.

SECTION 1.48  Safety Zone
The area delineated by traffic cones, barrels or other similar objects which indicate an area of road construction, hazard or other special event where traffic control is under direct supervision of a police officer.

SECTION 1.49  School Bus
Any vehicle used for the transporting of pupils and school personnel to and from school, or for the transportation of children enrolled in a camp or recreational program, while so used, but not including any such vehicle used for not more than five (5) days in case of emergency, or a vehicle used for the common carriage of the public under a certificate and permit issued under MGL Chapter 159A, Sections 7 and 8.

SECTION 1.50  Semi-Trailer
A trailer so designed and used in combination with a tractor that some part of the weight of such trailer and that of its load rests upon and is carried by the tractor.

SECTION 1.51  Service Zone
An area in the roadway set aside for the accommodation of commercial and transient vehicular traffic.

SECTION 1.52  Sidewalk
That portion of a public way set aside for pedestrian travel.

SECTION 1.53  Snow Emergency
When Street conditions caused by winter weather require the imposition of a parking ban. A snow emergency shall include, but not be limited to, snowstorms, ice storms, drifting conditions, snow removal after a storm, or ice buildup.

SECTION 1.54  Stand or Standing
The halting of a vehicle, whether occupied or not, other than for the purpose of, and while actually
engaged in, receiving or discharging passengers.

SECTION 1.55  Stop or Stopping
The halting, even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic.

SECTION 1.56  Street or Highway
The entire width between property lines of every way open to the use of the public for purposes of travel.

SECTION 1.57  Street Marking, Official
Any painted line, legend, marking or marker of any description painted or placed upon any way which purports to direct or regulate traffic and which has been authorized by the Chief of Police and which has the written approval of the Department of Public Works, Commonwealth of Massachusetts.

SECTION 1.58  Taxi
A vehicle used, or designed to be used, for the conveyance of persons or passengers for hire, from place to place, and licensed by the Town of Bourne.

SECTION 1.59  Taxi Stand
An area in the roadway in which certain taxicabs are authorized and required to park while waiting to be engaged.

SECTION 1.60  Temporary or Experimental Rule
Rules of the Town of Bourne regulating traffic or to test, under actual conditions, traffic signs, signals, markings, or other devices.

SECTION 1.61  Town
The Town of Bourne.

SECTION 1.62  Tractor
A motor vehicle with or without a carrying capacity of its own but which is primarily designed and used for drawing another vehicle or for industrial or agricultural purposes.

SECTION 1.63  Traffic
Pedestrians, herded or ridden animals, vehicles, or other conveyances, either singly or together, while using any public way for the purpose of travel.

SECTION 1.64  Traffic Control Area
Any area along any way, other than an intersecting way, at which drivers are to be controlled by traffic control signals.

SECTION 1.65  Traffic Control Signal
Any device using colored lights, which conforms to the standards, as prescribed by the Department of Public Works of the Commonwealth of Massachusetts, whether manually, electrically or mechanically operated, by which traffic may be alternately directed to stop and to proceed.

SECTION 1.66  Traffic Island
Any area or space set aside within a public way, which is not intended for use by vehicles.
SECTION 1.67  Traffic Signs, Official
All signals, conforming to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts, not inconsistent with these rules and orders, placed or erected by authority of a public body or official having jurisdiction, for the purpose of directing or warning traffic.

SECTION 1.68  Trailer
Any vehicle or object on wheels and having no forward movement power of its own, but which is drawn by, or used in combination with a vehicle.

SECTION 1.69  U-Turn
The turning of a vehicle whereby the direction of such vehicle is reversed.

SECTION 1.70  Vehicle
Every device in, upon, or by which any person or property is or may be transported or drawn upon a public way, including bicycles, when the provisions of the Rules and Regulations are applicable to them, except non-bicycle devices moved by human power, or horse-drawn carriages.

ARTICLE II: AUTHORITY AND DUTIES OF POLICE

It shall be the duty of Police Officers designated by the Chief of Police to enforce the provisions of the Rules and Regulations. Such officers are hereby authorized to direct all traffic either in person or by means of visible or audible signal in conformance with the provisions of the Rules and Regulations provided that in the event of a fire, other emergency, or upon determination by the Chief of Police or his designee, to expedite traffic or safeguard pedestrians, Officers of the Police Department may direct traffic as conditions may require, notwithstanding the provisions of the Rules and Regulations.

SECTION 2.1  Driver's Adherence to Police Officers
No driver of any vehicle shall fail to comply with any lawful order, signal, or direction of a Police Officer.

SECTION 2.2  Police May Temporarily Close Public Way
The Chief of Police, his designee, or the Board is hereby authorized to close temporarily any Public Way in an impending or existing emergency, or for any lawful assemblage, demonstration or procession.

SECTION 2.3  Police May Temporarily Prohibit Parking
The Chief of Police or his designee is hereby authorized to prohibit, temporarily, parking on any Public Way or part thereof in an impending or existing emergency, for a lawful assemblage, demonstration, procession, or for any other lawful reason deemed necessary. Vehicles parked in places where Parking is prohibited temporarily may be moved by or under the direction of an Officer. Whoever violates this section shall be liable to charges for removal and storage of the vehicle.

SECTION 2.4  Police Station Parking Lot
The Board grants the Chief of Police the authority to regulate the parking and traffic flow in the off-street parking lot immediately surrounding the Bourne Police Department Station House.
SECTION 2.5  Zone of Quiet
The Chief of Police may temporarily establish a zone of quiet upon any street where a person is seriously ill. Said temporary zone of quiet shall embrace all territory within a radius of two hundred (200) feet of the building occupied by the sick person. Said temporary zones of quiet shall be designated by the Chief of Police by causing to be placed at a conspicuous place in the street a sign or marker bearing the words ZONE OF QUIET.

No person operating a motor vehicle within any designated and posted Zone of Quiet shall sound a horn or other warning device on said vehicle except in an emergency, nor shall such person make any loud or unusual noise in said Zone of Quiet.

SECTION 2.6  Exemptions
The provisions of the Rules and Regulations shall not apply to Drivers actually engaged in work upon a Public Way closed to travel or under construction or repair, to Officers when engaged in the performance of emergency duties nor to Drivers of Authorized Emergency Vehicles while operating in an emergency and in performance of emergency duties when the nature of the work of any of these necessitate a departure from any part of the Rules and Regulations. These exemptions shall not, however, protect the Driver of any Vehicle from the consequences of a reckless disregard of the safety of others.

SECTION 2.7  Removal of Vehicles; Liability for Costs
No person shall stand or park or allow, permit or suffer any vehicle to stand or park in any of the following places:

a)  Upon any way in such a manner as to impede the removal or the plowing of snow or ice.

b)  Upon a way within ten (10) feet of a fire hydrant.

c)  Any vehicle found to be illegally parked or standing in a fire lane as established by the fire department, whether or not a fire is in progress.

d)  Upon any way in such a manner as to obstruct any curb ramp designed for use by handicapped persons as a means of egress to a street or public way.

e)  Occupy or obstruct any parking spaces reserved for a vehicle used by a disabled veteran or handicapped person whose vehicle bears the license plate or special parking identification plate as authorized under Chapter 90, Section 2 of the General Laws, or those of any other state or Canadian Province.

Vehicles found in violation of the provisions of this Section, except those specifically exempted by law, shall be removed to a convenient place under the direction of an officer of the Police Department in accordance with Chapter 40, Section 22D of the General Laws (adopted May 1987, ATM) and the owner of the vehicle so removed or towed away shall be liable to the cost of such removal and storage, if any. The moving or towing of any vehicle under the provisions of this Article shall be by and at the direction of the Chief of Police or such other Officer(s) of the rank of Sergeant or higher as he may from time to time designate. The owner of any vehicle removed or towed away under the provisions of this Section shall also be subject to the penalties provided in Chapter 90, Section 20A1/2 (adopted Oct 1981, STM), and Chapter 89, Section 7A of the General Laws.

SECTION 2.8  Police to Keep Record of Towed Vehicles
The Police Department shall keep a record of all vehicles towed or removed under the provisions
of this Article. Such record shall be retained for one (1) year and shall contain the following information:

   a) The registration of the vehicle.
   
b) The location, from which it was towed, and time and date of tow order.
   
c) The location to which it was moved.
   
d) Name of towing contractor, if any.
   
e) Name and rank of officer who authorized towing.

ARTICLE III: TRAFFIC SIGNS, SIGNALS, MARKINGS, AND ZONES

SECTION 3.1  Interference with Signs, Signals, Markings, or Devices Prohibited
   No Person shall willfully deface, damage, move, obstruct, or interfere with any Official Traffic Sign, signal, marking, or device.

SECTION 3.2  Bus Stops, Taxicab Stands and Service Zones, Location
   The location of all bus stops, taxicab stands and service zones shall be specified by the Town of Bourne Board of Selectman and in the case of taxicab stands, the Chief of Police with the approval of the Town of Bourne Board of Selectman shall designate who may use them as such.

SECTION 3.3  Obedience to Traffic Signs, Signals and Markings
   The Driver of any Vehicle shall obey the instructions of any Official Traffic Sign, signal, device, marking, or device, unless otherwise directed by a Police Officer.

SECTION 3.4  Traffic Signs and Signals
   The Chief of Police is hereby authorized, and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

   a) Sections 2.2 and 2.3 of Article II and Sections 4.3(k), 4.3(m), 4.3(n), 4.3(t), and 4.3(v) inclusive of Article IV relating to parking shall be effective only during such time as official signs are erected and maintained on public ways designating the provisions of such sections and located so as to be easily visible to approaching drivers.

   b) Sections relating to one-way streets shall be effective only during such time as a sufficient number of official signs are erected and maintained at the entrance and each of the exits for each one-way street, so that at least one sign will be clearly visible for a distance of at least seventy-five (75) feet to drivers approaching such an exit.

SECTION 3.5  Signals, Signals and Markings Prohibited, Display of Unauthorized
   No person or corporation shall place, maintain or display upon or in view of any street any
unofficial device, sign, signal, curb marking or street marking which purports to be or is an
imitation of or resembles an official traffic device, sign, signal, curb marking or street marking or
which attempts to direct the movement of traffic or which hides from view any official sign, signal
marking or device. The Chief of Police is hereby empowered to remove every such prohibited
sign, signal, marking or device or cause it to be removed without notice.

SECTION 3.6 Traffic Signs, Exceptions
Those provisions of the Rules and Regulations relating to Parking or the exclusion of Vehicles
shall be effective only during such time as at least one (1) Official Traffic Sign is installed and
maintained upon a Public Way in reasonable proximity to the area designating the provisions of
such Parking or Vehicle exclusions.

Those provisions of the Rules and Regulations relating to one-way streets shall be effective only
during such times as at least one (1) Official Traffic Sign is erected and maintained at each of
the exits of each one-way street.

SECTION 3.7 Requirements for the Posting of Temporary Signs Which Prohibit
Parking Due To Construction or Special Events
The posting of signs which prohibit or restrict Parking due to construction or special events shall
be conducted in the following manner:

a) All signs shall conform to Town specifications. The exact legend on each sign shall be
determined by the Police Chief or his designee.

b) All signs shall be installed at locations as determined by the Police Chief or his designee.

SECTION 3.8 Experimental Regulations
For the purpose of trial, the Board or Chief of Police may make temporary rules regulating traffic,
or test under actual conditions, traffic signs, markings, or devices other than signals. No such
experimental rule regulating traffic shall remain in effect for a period of time longer than (30) thirty
days.

ARTICLE IV: PARKING REGULATIONS

SECTION 4.1 Prohibited Parking in Handicapped Person / Disabled Veteran
Parking Space

SECTION 4.1.1 Designated Parking
Any person or body that has lawful control of a public or private way or of improved or
enclosed property used as off-street parking areas for businesses, shopping malls, theaters,
auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any
other place where the public has a right of access as invitees or licensees, shall reserve
parking spaces in said off-street parking areas, in conformity with the provisions and
requirements of Chapter 40, § 21 and Chapter 90, § 2 of the General Laws, as may be
amended from time to time, for any vehicle which bears the distinguishing license plate or
which displays the special parking identification plate authorized by Chapter 90, § 2 of the
General Laws, or which bears the official identification of a handicapped person issued by
any other state.
SECTION 4.1.2 Violations (PCVS 01)
No vehicle that does not bear the distinguishing Handicapped Persons/Disabled Veterans license plate or the special parking identification plate as authorized by Chapter 90, § 2 of the General Laws, or the official identification of a handicapped person authorized by any other state shall stand or be left in any parking space within the city designated for handicapped parking, nor shall any unauthorized vehicle be left in such a manner as to obstruct a curb or ramp designed for use by handicapped persons as a means of egress to a street or public way.

SECTION 4.1.3 Removal of Vehicles by Police
The Chief of Police or such other Officer(s) of the rank of Sergeant or higher, may remove, or cause to be removed, to some convenient place, or to a municipal or public garage, any vehicle parked, standing or left in a parking space designated for use by disabled veterans or handicap persons, or any unauthorized vehicle left on the public way in such a manner as to obstruct a curb or ramp designed for use by disabled veterans or handicapped persons as a means of egress to a street or public way. Vehicles owned by the Commonwealth of Massachusetts or a political subdivision thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer and bearing a distinctive number plate or otherwise conspicuously marked as so owned or registered, shall not be subject to removal. In addition to the fine set forth herein, the actual and reasonable costs of such removal and storage charges, if any, shall be charged to the owner or person in whose name the vehicle is registered, provided however that such charges shall not exceed the maximum rate established by the department of telecommunications and energy.

SECTION 4.2 Snow Emergency/Parking Ban
A snow emergency parking ban is in effect upon the issuance by the National Weather Service of any Winter Storm Warning or Blizzard Warning in which the Town of Bourne is included.

SECTION 4.2.1 Parking
When a snow emergency parking ban is in effect, vehicles parked on a public way must be removed in order to avoid damage to said vehicles and expedite plowing and sanding operations. Individuals who impede the snow removal operations during a snow emergency are subject to ticketing and towing at the owner’s expense. Every attempt will be made to notify the owner prior to towing. Towing will be considered as a last resort.

Even when snow emergencies/parking bans are lifted, cars are not to obstruct roadways in accordance to Traffic Rules and Orders, Article IV Parking, Section 4.3 (q), which prohibits the parking of a vehicle “upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.” Not all streets can accommodate parking within this rule when snow accumulates. Parked cars violating this rule will be subject to ticketing and towing. (PCVS 02)

SECTION 4.2.2 Duration
The parking ban will remain in effect during snow removal operations and will be discontinued when the Superintendent of the Department of Public Works has determined that the streets have been properly cleaned.

SECTION 4.3 General Prohibitions
No Person shall allow, permit, operate or suffer, any Vehicle to stop, Stand, or park in any Public Way under the control of the Town in violation of any provision of these Rules and Regulations.
No Driver shall Stop, Stand, or park a Vehicle in any of the following places, except when necessary to avoid conflict with other Traffic, Pedestrians, or in compliance with the lawful direction of a Police Officer or Official Traffic Sign, signal, marking, or device if such Stopping, Standing, or Parking is the result of an involuntary situation.

a) **All Night Parking**: No person shall park or allow a motor vehicle to stand in an area, other than in an emergency, on any street for a period of time longer than one (1) hour between the hours of 10:00 p.m. and 6:00 a.m. of any day. (PCVS 03)

b) **All Night Parking/Commercial Vehicles**: No Driver shall park or Stand any Commercial Vehicle or Semi-Trailer having a capacity of one (1) ton or over for more than one (1) hour between the hours of nine (9:00) PM of one (1) day and eight (8:00) AM of the following day, or at any time on Sunday, on any part of any Public Way where Parking or Standing a Vehicle is not otherwise prohibited, provided that this section of the Rules and Regulations shall not apply during the loading or unloading of materials. (PCVS 03)

c) **Double Parking**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park in excess of one (1) Vehicle width from the curb or edge of a Public Way. (PCVS 04)

d) **Within 10' of any Fire Hydrant**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Roadway within ten (10) feet of a fire hydrant, the distance to be measured from the point of the edge or curb of said way nearest said fire hydrant. (PCVS 05)

e) **Wrong Direction**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way, unless the Vehicle is parked facing in the direction of Traffic flow on that side of the street, except where Commercial Vehicles are permitted to back to the curb or edge of the Roadway. (PCVS 06)

f) **Obstructing Sidewalk**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Sidewalk or Bicycle Path in such a manner as to obstruct the passage of Pedestrians. (PCVS 07)

g) **Obstructing Crosswalk**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Crosswalk. (PCVS 07)

h) **Obstructing Driveway**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park in front of any driveway on a public way. (PCVS 08)

i) **Restricted or Prohibited Area**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon or within a turnaround at the end of any dead end street, provided at least one (1) official sign is erected. (PCVS 09)

j) **Within 20' of an Intersection**: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way within twenty (20) feet of an Intersecting Way. (PCVS 10)
k) **Overtime Parking:** No Driver shall park or Stand any Vehicle for more than one (1) hour continuously on any day during the hours indicated on a Posted sign, provided that the Rules and Regulations shall not apply to Commercial Vehicles, as defined herein, stopped temporarily during the actual loading or unloading of materials as further defined herein. The provisions of this section shall not apply to any Vehicle owned by a disabled veteran or by a handicapped Person and bearing a distinctive number plate or placard or handicap placard as issued in accordance with General Laws c. 90, § 2. (PCVS 11)

l) **Over 1' from Curb:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way, unless both wheels on the side of the Vehicle adjacent to the curb are within one (1) foot of the curb or edge of the Roadway, except where angle Parking is permitted or Commercial Vehicles, as defined in Section 1.1 of the Rules and Regulations, are permitted to back to the curb or edge of the Roadway. (PCVS 12)

m) **Bus Stop:** No Driver shall stop, Stand, or park any Vehicle other than a Bus in any area designated by the Town as a Bus Stop. (PCVS 13)

n) **Taxi Stand:** No person shall park a vehicle other than a taxicab upon any street within a business district in any taxicab stand. (PCVS 13)

o) **Leaving less than 10' Wide Unobstructed Lane:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way where the Parking of a Vehicle will not leave a clear and unobstructed Lane at least ten (10) feet wide on a one-way street and twenty (20) feet wide on a two-way street for passing Traffic. (PCVS 27)

p) **Blocking Fire Lane:** No person shall park or allow a motor vehicle to stand in an area which has been clearly marked with visible signs and pavement markings indicating that the area is a fire lane. Vehicles in violation of this clause may be subject to a fine and removed by any police officer of the Town of Bourne in accordance with MGL Chapter 236, Section 120D, MGL Chapter 40, Section 22 or any other enabling authority. (PCVS 29)

q) **On Bridge or Approach Thereto:** No Person shall allow, or permit any Vehicle to Stop, Stand, or park upon any bridge, bridge approach, viaduct, or within a highway tunnel or underpass, provided at least one (1) sign is erected notifying of such regulation and restriction. (PCVS 31)

r) **Vehicle for Sale:** No Person shall allow any Vehicle to park upon any Public Way where the Vehicle is being displayed or offered for sale. (PCVS 32)

s) **Obstructing Traffic:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any Public Way where the Parking of a Vehicle will not leave a clear and unobstructed Lane at least ten (10) feet wide on a one-way street and twenty (20) feet wide on a two-way street for passing Traffic. (PCVS 33)

t) **Loading Zones:** No Driver shall stop, Stand, or park any Vehicle in any Loading Zone except Commercial Vehicles, as defined in Section 1.9 of the Rules and Regulations,
stopped for no more than fifteen (15) minutes, Passenger Vehicles stopped temporarily during the actual receiving or discharging of passengers, Vehicles owned and bearing indicia of ownership by the Town, State or Federal Governments, or Vehicles involved in an emergency situation. (PCVS 36)

u) Violation of Rules & Regulations - Town Facilities: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park in violation of any regulation posted at Town Facilities.

The following beaches & boat ramps, as well as any other area so designated by the Board, require a Town Parking Sticker:

- Barlow's Landing (Pocasset)
- Electric Avenue (Buzzards Bay)
- Gray Gables Beach
- Hen Cove (Pocasset)
- Massasoit Avenue (Pocasset)
- Monks Park (Pocasset)
- Monument Beach
- Phillips Road (Sagamore Beach)
- Picture Lake (Pocasset)
- Pocasset River
- Queen Sewell Pond (Buzzards Bay)
- Red Brook Harbor (Cataumet)
- Sagamore Beach (First Beach)
- Sagamore Beach (Second Beach)
- Squeteague (Cataumet)  (PCVS 40)

v) Beach Parking Sticker: The Town Department so designated by the Board shall issue, upon submission of a proper application, submission of appropriate fees, satisfactory demonstration of qualification and after having made a determination of eligibility, an appropriate Parking Sticker for use at Town Facilities.

Adhesive Stickers shall be inscribed with the license plate number of the so-permitted Vehicle, and shall be permanently affixed to the lower left (driver side) windshield or to the left front bumper of the Vehicle so as to be easily seen.

Such stickers shall be valid only for the Vehicle to which it was originally issued for. Stickers are not transferable from one Vehicle to another. Stickers shall be valid for the calendar year in which they are issued. (PCVS 42)

w) Within 10' of any Fire Station: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park within ten (10) feet of the driveway entrance to any fire station (PCVS 43)

x) On a Private Way: No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park on any way designated as Private. (PCVS 44)
y) **Alongside or Opposite Excavation:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic. (PCVS 45)

z) **Improper Angle Parking:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park where such diagonal parking is permitted unless the vehicles is parked with one wheel within twelve (12) inches of the curb and at the angle to the curb indicated by official marks and signs. The vehicle shall be parked so that all four wheels thereof shall be placed wholly within the area indicated for parking, and headed to the curb. (PCVS 46)

aa) **Within an Intersection:** No Person shall allow, permit, operate or suffer any Vehicle to Stop, Stand, or park in within an Intersection, except in those areas where the Parking or Stopping has been permitted by the Town through the installation of designated signs or pavement markings. (PCVS 49)

bb) **Parking outside Marked Lines:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park outside of marked parking spots. (PCVS 50)

cc) **No Parking Zone:** No Person shall allow, permit, operate or suffer, any Vehicle to Stop, Stand, or park upon any at any place where at least one (1) Official Traffic Sign has been placed or erected prohibiting such Stopping, Standing, or Parking. (PCVS 53)

**SECTION 4.4 Parking of Trailers or Semi-Trailers (PCVS 54)**

No Person shall park or Stand any Trailer of any kind or Semi-Trailer, as defined by Sections 1.51 and 1.69, on any part of any Public Way under the control of the Town, unless such Trailer or Semi-Trailer is attached to a Vehicle capable of towing it. The "speed board" and other such equipment associated with municipal operations are exempt from this regulation. Short term exceptions to this section may be permitted by the Chief of Police or his designee so long as public safety is not compromised.

No Person shall park or Stand any Trailer of any kind or Semi-Trailer on any part of any designated Town Facility, except in an area designated for same by the Town.

**SECTION 4.5 Dumpsters and Roll-On/Roll-Off Containers (PCVS 55)**

No Person shall park, store or deposit upon any Public Way of the Town a dumpster or any roll-on/roll-off container used for the collection of refuse, debris, or for any other purpose without approval from the Board.

Any dumpster or any roll-on/roll-off container allowed shall be placed upon the Public Way so that it will leave a clear and unobstructed way at least ten (10) feet wide for moving Traffic on one-way streets and twenty (20) feet wide for moving Traffic on two-way streets. During the hours of darkness or during hours Posted, the outer most edges of such dumpster and/or container shall be clearly marked with a flashing amber light or be permanently affixed with engineer grade reflective material which shall be visible from any Public Way.

**SECTION 4.6 Multiple Parking Tickets; What Constitutes Separate Violations**

The lapse of each Posted time restriction shall constitute a separate offense. In addition, any Vehicle which, while parked or Standing in the same approximate location, violates a time
restriction after having already received two (2) successive time restriction violations in a given twenty-four (24) hour period may be towed and removed by the Bourne Police Department.

SECTION 4.7 Separate Violation for Attached Trailer
Any vehicle which at the time of the offense has in tow a trailer, as defined by section 1.49, and is in violation of any parking restriction, may have separate violations issued for the tow vehicle and the trailer. This includes violations involving parking restrictions at designated town beaches and parking areas. (PCVS 56)

SECTION 4.8 Interpretation of Posted Parking Restrictions
Parking restrictions indicated by the presence of Official Traffic Signs shall be interpreted in the following manner:

a) The direction to which a Parking restriction applies may be indicated by the placing of arrows on the sign(s).

b) A Parking restriction, which is indicated by the placement of an Official Traffic Sign shall continue in effect until another Parking restriction is indicated by the placement of an Official Traffic Sign.

c) Temporary Official Traffic Sign(s) placed on a Public Way for the purposes of construction or special events shall take precedence over all other Posted Parking restrictions in the Public Way.

d) The placement of Official Traffic Signs, which would otherwise permit the Stopping, Standing or Parking of Vehicles, shall not be construed as permission to Stop, Stand or park a motor Vehicle in violation of any regulation which does not require the placement of an Official Traffic Sign, including, but not limited to, the following:

(1) Parking upon any Crosswalk;
(2) Parking within twenty (20) feet of an Intersecting Way;
(3) Parking within ten (10) feet of a fire hydrant;
(4) Parking in front of any driveway; and
(5) Parking in front of a ramp designed for use by handicapped persons.

ARTICLE V: ADVERTISING SIGNS, DISPLAY AND STORAGE OF MATERIALS IN STREETS, TRUCKING, AND PARADES

SECTION 5.1 Using Vehicle for Sole Purpose of Displaying Advertising Prohibited
No person shall operate or park a vehicle on any street or highway for the sole purpose of displaying advertising signs without a permit from the Board.

SECTION 5.2 Placing Structures or Property in Streets Prohibited
a) No person shall place, erect or cause to be placed or erected within any sidewalk, street or highway any fixture or structure unless a permit, issued by the Board authorizing such placing or erection has been granted and is in effect.

b) No person, other than one employed directly or indirectly by the Town and while in performance of necessary public duties, shall at any time place or leave on any sidewalk,
street, or highway any article, material, or park a vehicle or cart on any sidewalk, street, or highway except as may be necessary for the reasonable and expeditious loading and unloading of any such article, material, cart or vehicle, provided, however, that such property shall never be left so as to obstruct the free passage of pedestrians or vehicular travel.

c) Any such fixture, structure or property as referred to in this section which has been erected, placed, or left illegally in any street, highway, or sidewalk may be moved by or under the direction of an officer and at the owner’s expense.

SECTION 5.3 Deposit, Bond, or Insurance Policy May Be Required for Privilege of Using Street for Special Purposes

The Board, when issuing permits for such use of sidewalks, streets or highways as are described in the two previous sections may in its discretion when occasion justifies, demand suitable cash deposit, surety bond or insurance indemnity policy to save the town harmless from all liability of nature whatsoever caused directly or indirectly by such use of sidewalk, street or highway.

ARTICLE VI: ONE-WAY STREETS

SECTION 6.1 One-Way Rules and Regulations

On certain Public Ways or parts thereof, Vehicles shall operate only in the direction as authorized by an Official Traffic Sign. The list of Public Ways or parts thereof where the direction of Vehicles is restricted and is designated as one-way streets is included in Appendix A of the Rules and Regulations.

ARTICLE VII: OPERATION OF VEHICLES

(MGL CHAPTER 89/90 GOVERNS)

SECTION 7.1 Drive within Marked Lanes

When any Roadway has been divided into Lanes, the Driver of a Vehicle shall not drive other than entirely within a single Lane, and he/she shall not move from the Lane in which he/she is driving until he/she has first ascertained if such movement can be made with safety.

SECTION 7.2 Drive on Right Side of Street

The Driver of a Vehicle shall not drive other than on the right half of the Roadway, except on one-way streets, where signs have been erected to the contrary, or when overtaking and passing another Vehicle. The Driver of a slow-moving Vehicle shall not drive other than as closely as possible to the right-hand edge or curb of the Roadway, unless it is impracticable to travel on such side of a Public Way.

SECTION 7.3 Keep to the Right of Public Way Division

On a Roadway divided by a grass plot, Traffic Island, walk, or other structure, the Driver of a Vehicle shall not drive other than to the right of such division, except on one-way streets, or when otherwise directed by a Police Officer, or any official sign, signal, marking, or device.

SECTION 7.4 Overtaking Other Vehicles

The Driver of a Vehicle shall not overtake and pass any other Vehicle proceeding in the same direction at any Intersection of Public Ways, except that this provision shall not apply at Intersections where Traffic is controlled by a Police Officer.
SECTION 7.5  Overtake Only When There is a Space Ahead
The Driver of a Vehicle shall not overtake and pass a Vehicle proceeding in the same direction unless there is sufficient clear space ahead on the right side of the Roadway, except that on a one-way street Drivers shall not be restricted to the use of the right half of the Roadway, but may have access to the entire width thereof, to permit the overtaking to be completed without impeding the safe operation of any Vehicle ahead, and without causing the Driver of any Vehicle to change his/her speed or alter his/her course, except as provided in Section 200.21.6 of the Rules and Regulations.

SECTION 7.6  Driver to Give Way to Overtaking Vehicle
The Driver of a Vehicle, when about to be overtaken and passed by another Vehicle approaching from the rear, shall give way to the right when practicable in favor of the overtaking Vehicle, and shall not increase the speed of his/her Vehicle until completely passed by the overtaking Vehicle.

SECTION 7.7  Obstructing Traffic
No Person shall drive in such a manner as to unnecessarily obstruct the normal movement of Traffic on any Public Way.

No Driver of any Vehicle shall enter an Intersection or a marked Crosswalk unless there is sufficient space beyond the Intersection or Crosswalk and on the right half of the Roadway to accommodate the Vehicle he/she is driving without obstructing the passage of other Vehicles or Pedestrians.

SECTION 7.8  Care in Starting, Stopping, Turning, or Backing
The Driver of any Vehicle shall not start, stop, turn from a direct line, or back his/her Vehicle unless such movement can be made safely. If such movement cannot be made safely, or if it interferes unduly with the normal movement of other Traffic, said Driver shall wait for a more favorable opportunity to make such movement.

SECTION 7.9  Backing around Corners or Into Intersections Prohibited
The Driver of any Vehicle shall not back such Vehicle around a corner at an Intersection or into an Intersection of streets.

SECTION 7.10  Left Turns Prohibited
No Driver of any Vehicle shall make a left turn, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.11  Only Left Turn Movements Permitted
No Driver of any Vehicle shall proceed in any direction other than to the left, at the points of Intersection, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.12  Right Turns Prohibited
No Driver of any Vehicle shall make a right turn, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.13  Only Right Turn Movements Permitted
No Driver of any Vehicle shall proceed in any direction other than to the right at the points of Intersection where prohibited by an Official Traffic Sign, signal, marking or other device, erected
and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.14  Obedience to Lane Control Devices
Where official Traffic control devices are erected directing specific Vehicles to use a designated Lane or Lanes for Traffic moving in a particular direction, regardless of the center of the Roadway, or to prohibit a turn or to make a required turn at an Intersection of Roadways, Drivers of Vehicles shall obey the direction of every such device. For example: Right Lane must turn right and left Lane must turn left.

SECTION 7.15  U-Turns Regulated
No Driver shall turn a Vehicle so as to proceed in the opposite direction unless such turn can be made without backing up and without causing any approaching Driver to decrease speed or change his/her course.

SECTION 7.16  U-Turns Prohibited
No Driver shall make a U turn, where prohibited by an Official Traffic Sign, signal, marking or other device, erected and maintained, or caused to be made, erected and maintained by the Town.

SECTION 7.17  Obedience to Isolated Stop Signs
In accordance with the provisions of MGL Chapter 89, Section 9, as most recently amended, certain streets are designated as "Stop Streets." The list of streets or parts thereof where the direction of Vehicles is restricted and is designated as stop streets is on file with the office of the Board of Selectmen.

SECTION 7.18  Obedience to Yield Signs
In accordance with the provisions of MGL Chapter 89, Section 9, as most recently amended, certain Public Ways are designated as "Yield Streets." The list of streets or parts thereof where the direction of Vehicles is restricted and is designated as Yield Streets is on file with the office of the Board of Selectmen.

SECTION 7.19  Driving on Sidewalks or Bicycle Paths
The Driver of a Vehicle shall not drive on or over any Sidewalk or Bicycle Path except at a permanent or temporary driveway or at an intersection of streets. The Driver of a Vehicle, prior to driving on or over any such driveway, shall yield the right-of-way to any Pedestrian or Bicycle approaching within five (5) feet of such driveway.

SECTION 7.20  Driving Over Traffic Islands Prohibited
The Driver of a Vehicle shall not drive on or over any Traffic Island unless directed to do so by a Police Officer.

SECTION 7.21  Driving Through Safety Zones Prohibited
No Driver of any Vehicle shall drive into, over or through a Safety Zone, except on signal from a Police Officer.

SECTION 7.22  Emerging from a Private Road or Driveway
The Driver of a Vehicle emerging from a Private Way, driveway, or garage, shall stop such Vehicle immediately prior to driving upon the Sidewalk or Bicycle Path area extending across the front of such driveway or garage, and where no such Sidewalk exists, the stop shall be made at the building or property line as the case may be. Upon entering the Roadway the Driver shall yield the right-of-way to approaching Vehicles.
SECTION 7.23  Special Speed Rules and Regulations
In accordance with the provisions of these Rules and Regulations, a special school zone speed restriction of twenty (20) miles per hour has been established on certain Public Ways. The following streets are designated as school zones:

a) Trowbridge Road from Sandy Lane to Cotuit Road
b) Waterhouse Road from Cotuit Road to approximately #84 Waterhouse Road
c) Ernest Valerie Way in the area of the Bournedale Elementary School

SECTION 7.24  Rights and Duties in Funeral or Other Processions
a) It shall be the duty of each Driver in a Funeral or other procession to keep as near to the right edge of the Roadway as is feasible to follow the Vehicle ahead as closely as is practicable and safe.

b) At an intersection where a stop sign or yield sign is located, the Driver of the first Vehicle in a Funeral or other procession shall be the only one governed by the Traffic signal indication or the stop or yield sign, and after the first vehicle enters the intersection, all other vehicles in the procession must proceed together in a group.

SECTION 7.25  Clinging to Motor Vehicles
No person traveling upon a sled, roller skates, coaster, bicycle or any toy vehicle shall cling to, or attach himself or such conveyance to any other moving vehicle upon any roadway.

SECTION 7.26  Riding on Vehicle Prohibited
a) No person shall ride on any portion of a motor vehicle not designated or intended for the use of passengers except that an employee or invitee of the owner of a truck may be permitted to ride in that part of the truck within which the load is usually carried.

b) No person shall board or alight from a vehicle while it is in motion.

SECTION 7.27  Drivers Must Report Accidents
Every person operating a motor vehicle which is in any manner involved in an accident in which any person is killed or injured or, in which there is damage in excess of one thousand dollars ($1,000.00) to any one vehicle or other property, shall report such accident within five (5) days to the Registrar and to the Police Department in accordance with the provisions of Chapter 90, Section 26, of the General Laws.

ARTICLE VIII: PARADES, PROCESSIONS, AND FORMATIONS

SECTION 8.1  Parades, Processions, and Formations
No Person, excepting the forces of the United States military, the military forces of the Commonwealth of Massachusetts, and the forces of the police and fire departments shall take part in any parade, procession or other organized formation of Persons or Vehicles, other than a Funeral procession or a picket line, in or upon any Public Way under the control of the Town unless the Board shall have first issued a permit for such parade, procession, or formation. The Board shall issue such permit in all cases except where the time, place, and manner are not in conformity with the provisions set forth below or where the permit would conflict as to time or place with a permit previously issued.
a) The written request for the permit shall be filed with the Town not more than twelve (12) months or less than three (3) business days prior to the occurrence and should include the following:

1) The date and starting time.

2) The name, address, and telephone number of the applicant and name of the organization involved.

3) The formation or assembly area and time therefor.

4) The route of the parade or motorcade and what portions of the streets traversed may be occupied by such parade, procession, or formation.

5) The approximate number of people and vehicles in the parade or motorcade.

b) No permit shall be issued authorizing a parade, procession, or formation under the following conditions:

1) When the sole purpose is advertising any product, goods, wares, merchandise, event, or is designed to be held for private profit.

2) Between the hours of 10:00 PM to 7:00 AM in areas that are principally residential.

c) The Police Chief or his designee may modify the requested route or time of a parade under the following conditions:

1) When the size of the parade, based upon the expected number of participants and spectators, cannot be safely accommodated on the proposed route because of the capacity of the Roadway or other conditions.

2) When the route or time conflicts with another parade or other public event to such an extent that the public order or safety is threatened. The determination shall be based upon the inability of the Roadway to safely accommodate the expected number of participants and spectators; or the inability to develop safe traffic detours because of the street configuration and traffic congestion in the area.

3) Any modification of the route or the time shall be narrowly tailored to address the conditions and shall be done in consultation with the permit applicant unless the applicant is unavailable or declines to consult with the Police Chief.

4) Any modification to the requested route or time, or any determination by the Police Chief or his designee, shall be in writing to the applicant and shall set forth a basis for such determination.
ARTICLE IX: ACCIDENT REPORTS, RESPONSIBILITY, PENALTIES, SCHEDULE OF FINES, AND REPEALS

SECTION 9.1 Owner Prima Facie Responsible for Violations
If any vehicle is found upon any street or highway in violation of any provisions of these rules and orders and the identity of the driver cannot be determined, the owner or the person in whose name such vehicle is registered, shall be held prima facie responsible for such violations.

SECTION 9.2 Penalties
Whoever violates any of the provisions of these Rules and Regulations, or whoever violates any Temporary or Experimental Rule shall be punished by a fine amount as if a permanent Regulation.

SECTION 9.3 Parking Violation Notice
Officers empowered to enforce these Parking Regulations shall use the Standard Town Parking Violation Notice for said violation as issued by the Chief of Police.

SECTION 9.4 Non-Criminal Violation Citation
Officers authorized to enforce the Rules and Regulations may use the Standard Town Non-Criminal Violation Notice.

SECTION 9.5 Severability
The provisions of the Rules and Regulations are hereby declared to be severable; and if any provision of the Rules and Regulations is invalid, such invalidity shall not affect or impair any other provision hereof.

SECTION 9.6 Schedule of Fines

<table>
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<tr>
<th>Violations That May Result in a Fine and Removal of Vehicle</th>
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<th>Regulation #</th>
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<th>Violations That May Result in a Fine ONLY</th>
<th>County Parking Code</th>
<th>Regulation #</th>
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<td>$100</td>
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<tr>
<td>All other Violations of these Rules &amp; Regulations</td>
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APPROVAL

Approved by a vote of the Board of Selectmen

March 7, 2017

DATE

Board of Selectmen

[Signatures]

CHAIRMAN

A TRUE COPY ATTEST:

[Signature]

TOWN CLERK
Board of Selectmen
Wedding on Town Properties
Town of Bourne
Wedding Ceremony Policy

There are many beautiful places in Bourne to hold a wedding ceremony! In addition to Buzzards Bay Park, we recommend the following locations: 3-Mile Look, Sagamore Beach, Monument Beach, Hen’s Cove.

For locations other than Buzzards Bay Park, there is no permit process. Town of Bourne public areas are to remain open and available at all times. Scheduling a wedding ceremony is at the participant’s discretion and the Town is not responsible for ensuring a private ceremony.

If holding a wedding ceremony on Town property, all rules and regulations pertaining to the property must be adhered to; including but not limited to:

- Parking permits required for all Town beaches.
- No tents or anything staked into the ground.
- No alcohol.
- No open flames.
Board of Sewer Commissioners
Allocation Process Fees
Board of Sewer Commissioners

Town of Bourne

Allocation Process Fees

Application Fee (Filing Fee) (one-time): $1,500

Preliminary Allocation Fee (one-time): $5,000 plus $1 per projected gallons per day flow

Preliminary Allocation Extension Fee (annual): $2,500 plus $1 per projected gallons per day flow

Operational Allocation Fees or sewer use fees: annual user fees defined by vote of the Board

Certificate of Vote

Adopted by vote of the Bourne Board of Sewer Commissioners __Sept 26, 2018__ Date

Board of Sewer Commissioners:

Peter J. Meier, Chair
George G. Blade, Jr. Vice Chair
Donald J. Pickard, Clerk

Michael A. Blanton
Judith MacLeod-Proman

A True Record

Barry Johnson, Town Clerk
Board of Sewer Commissioners
Commercial Wastewater Management Allocation Policy
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I. Purpose of these Policies and Procedures

The Town of Bourne (referred to herein as the Town), through an Inter-Municipal Agreement, may send up to 200,000 gallons per day (gpd) of wastewater for treatment and disposal to a plant owned by the Town of Wareham. Further, it is anticipated that another 100,000 gpd will be available for allocation when a new package treatment plant on the Town’s Queen Sewell Park site becomes operational. The Board of Sewer Commissioners (referred to herein as the Board) controls the allocation of wastewater treatment capacity among parcels in the sewered areas of the Village of Buzzards Bay and assigns allocations on a parcel-by-parcel basis.

In order to follow an objective process for awarding wastewater allocations, the Board shall henceforth apply the following procedures for granting allocations from the Town’s Uncommitted Reserve Capacity to development and re-development in Bourne’s Downtown.

These policies and procedures are in effect primarily for commercial development; single-family residences and residential buildings with up to four units are exempt. The guideline for which properties/projects are required to follow these procedures is: if a development or a change of use requires review by the Bourne Planning Board, then it requires review by the Board of Sewer Commissioners using the policies and procedures described herein.

Further, in order to ensure that unused allocations will not prevent property owners and/or developers from coming forward with projects that may be in the long-term best interests of the Town, the Board hereby establishes a system of periodic reviews of allocations.
II. Uncommitted Reserve Capacity

Annually, during the month of September, the Board shall determine the Uncommitted Reserve Capacity, as defined in Section VIII.

The Board shall grant allocations from the Uncommitted Reserve Capacity in a two-step process detailed below: Applicants shall obtain a Preliminary Allocation and, after meeting established Milestones, can request an Operational Allocation.

III. Obtaining a Preliminary Allocation

A. The Applicant shall apply to the Board for a Preliminary Allocation on a form prescribed by the Board. A sample is appended to this policy statement. An Application Fee (Filing Fee) is due at the time the application is deemed complete and accepted (see Section VII).

B. If the application requests a flow amount that exceeds the Uncommitted Reserve Capacity (see draft application) but is otherwise complete, it will be dated and put on a waiting list. When allocation becomes available, the Board will consider requests on the waiting list in the order in which they were dated. If enough allocation is available and the application fee is paid, the project application will be deemed complete and accepted.

C. The Board shall review applications on a first come, first served basis within sixty days after the Application is deemed complete. If the requested allocation is available within the Uncommitted Reserve Capacity, the Board shall grant Preliminary Allocations to projects which:

1) Demonstrate evidence of adequate financing;

2) Demonstrate control of the project’s parcels (i.e. Purchase and Sale agreement, evidence of ownership);

3) Have been presented to the Planning Board for preliminary project review;

4) Have Milestones established with the mutual agreement of the Board and the Applicant; and

5) Demonstrate that the requested allocation is based on state and local regulations.

D. If the Board grants a Preliminary Allocation, the Applicant shall have up to two years to initiate construction. A Preliminary Allocation Fee is due at the time the Board grants the Preliminary Allocation (see Section VII).

1) During the two years, the Applicant shall show substantial progress in regular six-month reports to the Board. The Board retains the right to revoke the Preliminary Allocation if the Applicant cannot demonstrate progress, although the Board may allow for the continuation or extension of a Preliminary Allocation in the case of delays not under the control of the Applicant. If the Preliminary Allocation is revoked, the allocation shall revert to the Town.
2) When the Board grants a Preliminary Allocation, the Applicant shall pay a Preliminary Allocation Fee as set forth in the Town’s Schedule of Rates and Fees.

3) If the Board extends the Preliminary Allocation beyond the designated two-year period, the Applicant shall annually pay a Preliminary Allocation Extension Fee (see Section VII).

E. The Application Fee, the Preliminary Allocation Fee, and any Preliminary Allocation Extension Fees are non-refundable if the Preliminary Allocation is revoked by a majority vote of the Board.

F. After the Board’s vote to grant a Preliminary Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of a Preliminary Allocation for that specific project/parcel(s) and including any conditions imposed by the Board. Copies of the letter will be sent to the Town’s Building Inspector, Health Agent and Planner.

IV. Obtaining an Operational Allocation

The Preliminary Allocation shall be converted to an Operational Allocation by vote of the Board when the project has been issued a Building Permit.

A. The Board may attach conditions and may reduce or increase the Allocation based on Massachusetts DBP regulations and final approved project design. Where capacity is reduced by Board action, the unused capacity shall revert to the Town.

B. After the Board’s vote to convert the Preliminary Allocation to an Operational Allocation, the Applicant shall be issued a letter signed by the Town Administrator certifying to the existence of an Operational Allocation for that specific project/parcel(s) and including any conditions imposed by the Board. Copies of the letter will be sent to the Town’s Building Inspector, Health Agent and Planner.

V. Managing Unused/Underused Allocations

A. Within six months of the adoption of this policy, the Board shall conduct a public hearing in order to review the Allocations made to parcels on which betterments have been paid but no development has occurred. At that hearing, parcel owners shall be invited to provide the Board with a report of their plans for development within the next two years.

1) If the parcel owner does not provide such a report, or if the parcel owner reports but has no acceptable plans for development in the next two years, the parcel will be considered as having no allocation.

2) If, at a future time, the parcel owner presents a development project, the owner shall go through the full application process as defined herein.

B. If a project with an Operational Allocation has no flow two (2) years after the date that the allocation was granted by the Board, it shall expire and revert to the
Town's Uncommitted Reserve Capacity. There shall be no refund of any fees paid on the reverted Allocation. The Board may grant extensions if it finds that the holder of the Allocation has been working diligently to implement the project and no relevant local or state approvals have expired.

C. When a project that has been granted its Operational Allocation is complete and has been online for three years, the Board shall compare actual flows against the amount granted in the Operational Allocation.

1) If the actual average daily flow exceeds the Allocation, the applicant shall apply for an Allocation equal to the difference, and shall pay the user fee assessed per gpd by the Town at that time.

2) If the actual average daily flow is less than the Allocation, the difference in gpd shall revert to the Town's Uncommitted Reserve Capacity unless the Applicant can demonstrate a continuing need. There shall be no refund of previously paid fees.

VI. Conversion of Existing Allocations

A. At the time of the adoption of this policy, existing Allocations in functional facilities shall be considered Operational Allocations.

B. Allocations that have been granted by vote of the Board to projects not complete at the time of the adoption of this policy shall be considered Preliminary Allocations. The developer or owner of such projects shall have six months to meet the requirements for a Preliminary Allocation as stated in Section III C. herein and to pay the Preliminary Allocation Fee described herein minus the amount of fees paid previously. When the requirements of Section III C. herein have been met, the procedures in Section III D-F herein shall apply.

VII. Fees

A. During the process of obtaining a Preliminary Allocation, the applicant shall be assessed fees as periodically established by the Board, which is hereby authorized to establish or amend wastewater allocation fees from time to time as follows:

1) Application Fee: due upon application for a Preliminary Allocation.

2) Preliminary Allocation Fee: due within 30 days of the Board's approval of the Preliminary Allocation. The fee shall be based upon the projected wastewater flow.

3) Preliminary Allocation Extension Fee: due within 30 days of the Board's vote to extend the Preliminary Allocation beyond the original two years and shall be paid annually for as long as the extension is continued.

B. When the allocation is converted to an Operational Allocation by vote of the Board, the applicant shall pay user fees as designated by the Board of Sewer Commissioners.
C. In cases where a Preliminary Allocation expires and a new person applies for capacity for the same project on the same site, the Board may consider previous fees paid by the original person when establishing fees for the new project.

VIII. Definitions

The following words and phrases have the meanings below:

**Actual Flow:** the volume of wastewater from any individual unit (residential, commercial or institutional) connected to the sewers as measured by a certified water meter.

**Allocation:** a specified amount of wastewater treatment capacity measured in gallons per day (gpd) assigned to a specific project on a specific parcel or parcels upon a majority vote of the Board. All allocations to projects shall be based on state and local regulations. The transfer of all or part of an allocation is prohibited unless approved in writing by the Board.

**Allocation Fee:** a non-refundable fee established by the Board to be paid by the Applicant within 30 days of the time the Allocation, Preliminary or Operational, is voted.

**Application:** a form which shall be completed by the Applicant to request an allocation of wastewater management capacity from the Uncommitted Reserve Capacity. A sample form is attached to this policy statement. The Board may from time to time vote adjustments in the information requested on the form.

**Application Fee (Filing Fee):** a non-refundable one-time fee established by the Board to be paid at the time the Application is deemed complete and accepted. An application shall be deemed complete when it is date stamped and signed by the receiving Town official. Incomplete applications, including applications without the required fee, shall not be processed.

**Board:** the Bourne Board of Sewer Commissioners.

**Development and re-development:** the construction of improvements on a parcel or parcels of land for any purpose, including, but not limited to institutional, commercial and/or industrial activity.

**Gpd:** gallons per day

**Milestones:** goals set by mutual agreement between the Applicant and the Board to measure progress toward meeting the requirements to convert a Preliminary Allocation to an Operational Allocation. Some examples are: finalizing financing, demonstrating control of the parcel(s), receiving final order of conditions from the Planning Board, obtaining all required state and local permits.

**Operational Allocation:** an amount of wastewater treatment capacity in gallons per day assigned to a project by vote of the Board after the project has been issued a Building Permit. This may or may not be the same allocation amount as in the Preliminary Allocation depending on the parameters of the project, the availability of a different
amount of allocation, and the demonstration by the applicant that the project meets all state and local requirements for wastewater treatment. The Operational Allocation shall be reviewed after three years. Any excess of actual flows over the Operational Allocation shall not be available to the project, to another project, or to project expansion and shall be returned to the Town’s Uncommitted Reserve Capacity.

**Operational Allocation Fees:** annual user fees as designated by Town regulations. The first Operational Allocation Fee shall be due within 30 days of the Board’s vote to grant an Operational Allocation.

**Preliminary Allocation:** an amount of wastewater treatment capacity in gallons per day assigned for a period of two years to a project in its early stages of development. If all appropriate conditions to the project are met, this Preliminary Allocation assures the applicant that the required wastewater treatment capacity will be available when the project is ready for operations. As a condition for retaining the Preliminary Allocation, the Applicant must provide status reports to the Board every six months. The Preliminary Allocation shall be voided if the Applicant does not provide information for these periodic reviews or if the Board determines by majority vote that the mutually agreed upon Milestones are not met. The Board can extend a Preliminary Allocation beyond two years or convert a Preliminary Allocation to an Operational Allocation by majority vote.

**Preliminary Allocation Fee:** a non-refundable one-time fee based on the project’s projected flow. This fee shall be due within 30 days of the Board’s vote to grant a Preliminary Allocation.

**Preliminary Allocation Extension Fee:** a non-refundable fee paid at the time the Board votes to extend a Preliminary Allocation beyond the normal two-year period. This fee shall be due within 30 days of the Board’s vote to extend and shall be paid annually for as long as the extension is continued.

**Residential Reserve:** two percent of the systems’ designated treatment capacity held in reserve to allow expansion by existing single-family residences. This reserve is to be calculated annually as part of the determination of the Uncommitted Reserve Capacity.

**Sewers:** the wastewater treatment system.

**Uncommitted Reserve Capacity:** that portion of the wastewater systems’ treatment capacity remaining after subtracting the Preliminary Allocations, the Operational Allocations, existing residential flow and the Residential Reserve from the systems’ designated treatment capacity. This determination shall begin by comparing all allocations, Preliminary and Operational, with actual flows for the previous fiscal year, on a parcel or project basis. Parcel/project owners with significant differences between allocations and flows shall be requested to explain the difference and describe any changes expected in the next 12 months. The Board reserves the right to reduce the allocation for projects more than three years old demonstrating a significant excess of allocation over flow. In that case, the difference between the new and old allocations shall revert to the Town and be counted in the Uncommitted Reserve Capacity. (See page 3 for parcels with paid betterments and unused flow capacity.) The Board shall
Commercial Wastewater Management Allocation Policy

determine the amount of the Uncommitted Reserve Capacity annually and designate such Uncommitted Reserve Capacity to be available for the next fiscal year.

User fees or sewer use fees: annual fees established by vote of the Board.

Waiting list: a list of applications where the requested allocation was not available but which are otherwise deemed complete. The list is stored with the dated applications.

Wastewater: used water discharged from buildings to the treatment plant and monitored on a continuing basis. Can be interchanged with "sewage."

Attachments:
Proposed Preliminary Commercial Allocation Application Form
Flow chart

Certificate of Vote

Adopted by vote of the Bourne Board of Sewer Commissioners  Oct. 4, 2017
Date

Board of Sewer Commissioners:
Peter J. Meier, Chair
George G. Slade, Jr. Vice Chair
Donald J. Pickard, Clerk

Michael A. Blanton
Judith MacLeod-Proman

A True Record

Barry Johnson, Town Clerk
Flow Chart of Application Process for Wastewater Allocations

Apply for Preliminary Allocation 
Complete Application/Check-list

Application Deemed Complete and Accepted? $$

No 
Complete Check-list, documents and resubmit

Application Denied 
"Correct" factors leading to denial and re-submit

Yes 
Review by Board within 60 days

Preliminary Allocation Approved 
Board and Applicant establish milestones $$

Schedule meets 6 months
Schedule meets 6 months
Schedule meets 6 months
Reviews every 6 months

Up to 2 years

Applicant fails to complete permitting or meet milestones: 
Board denies application and Allocation reverts to Reserves

Applicant granted building permit: 
Board grants Operational Allocation $$

After 3 years

Board reviews project: 
Complete and functional? Flow vs. Allocation?

Project not functional: 
Board considers returning Allocation to Reserves

Flow significantly higher than Allocation: Board grants higher Allocation (if available); project pays new fee

Project continues operations

Flow significantly less than Allocation: Board considers reducing Allocation and returns difference to Reserves

Project continues operations
Town of Bourne
Application for Preliminary Commercial Wastewater Management Allocation

Date submitted

Applicant name

Applicant contact address

Applicant e-mail and phone number

Is applicant the property owner?
Yes ☐ No ☐
If no, who is owner?
If no, is applicant:
If buying, attach copy of P&S

Location of proposed project:
Street address
Map and parcel number(s)

Description of proposed project

Financing:
Financing is in place - documentation to that effect is attached
☐ Documentation attached
OR Applicant has letter of intent to finance - copy is attached
☐ Letter of Intent attached

Date of Planning Board preliminary review

Allocation requested
Basis of request:

Any unusual characteristics of projected flow?
Requested amount exceeds available allocation Yes ☐ No ☐ If yes, application is wait-listed

Application is Accepted ☐ Rejected ☐ Wait-listed ☐ and dated

Application Fee attached: Yes ☐ No ☐

Reviewed for completeness - Signed

Date Stamp when determined to be complete

C:\S\WWW Comm 2\allocation policy\draft application
Board of Sewer Commissioners
Sewer Use Regulations
CERTIFICATE OF VOTE

At a meeting of the Sewer Commissioners of the Town of Bourne, held on January 17, 2006, a quorum being present and voting throughout, upon a motion duly made and seconded, it was

VOTED: Sewer Use Charges as follows:

- **Design Review and Construction Inspection Fee:** $1,500
- **Commercial Sewer Permit Fee:** $150 plus $.10 per square foot of building floor space
- **Sewer Connection Fee:** Annual sewer use fee times the number of business units
- **Residential Sewer Permit Fee:** $100 for residential properties plus $100 for each addition unit
- **Sewer System Development Charge:** $73.406 per foot of frontage plus $11,539.356 per acre

BOARD OF SEWER COMMISSIONERS

Linda M. Zuern  Carol A. Cheli  Richard E. LaFarge

Galon "Skip" Barlow  W. Thomas Barlow

A True Record

Town Clerk
TOWN OF BOURNE,
MASSACHUSETTS

SEWER USE REGULATIONS
ADOPTED APRIL 9, 1990

BOARD OF SEWER COMMISSIONERS

W. Thomas Barlow, Chairman
Marie J. Oliva
Robert W. Parady
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REGULATIONS REGARDING THE USE OF PUBLIC SEWERS AND DRAINS: PUBLIC
SEWAGE DISPOSAL; THE INSTALLATION AND CONNECTION OF BUILDING SEWERS
AND GARBAGE DISPOSAL UNITS; THE DISCHARGE OF WATERS AND WASTEWATERS
INTO THE PUBLIC SEWERAGE SYSTEMS; THE USER CHARGE SYSTEM; AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF: IN THE TOWN OF BOURNE,
COUNTY OF BARNSTABLE, COMMONWEALTH OF MASSACHUSETTS.

Be it ordained and enacted by the Board of Sewer Commissioners
of the Town of Bourne of the Commonwealth of Massachusetts as
follows:

ARTICLE I - DEFINITIONS

Unless the context specifically indicates otherwise, the meaning
of the terms used in these regulations shall be as follows:

Sec. 1 "Board" shall mean the Board of Sewer Commissioners,
Town of Bourne, Massachusetts.

Sec. 2 "BOD" (denoting Biochemical Oxygen Demand) shall
mean the quantity of oxygen utilized in the biochemical
oxidation of organic matter under standard laboratory
procedure in five (5) days at 20°C, expressed in
milligrams per liter.
Sec. 3  "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil pipe, waste pipe, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning ten (10) feet (3.28 meters) outside the inner face of the building wall.

Sec. 4  "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Sec. 5  "Combined sewer" shall mean a sewer receiving both surface runoff and sewage.

Sec. 6  "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

Sec. 7  "Health Agent" shall mean the Health Agent of the Town of Bourne or his authorized representative.

Sec. 8  "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
Sec. 9  "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Sec. 10  "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Sec. 11  "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Sec. 12  "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.

Sec. 13  "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Sec. 14  "Sanitary Sewage" shall mean water-carried waste from the sanitary conveniences such as toilets, washrooms, urinals, sinks, showers, drinking fountains, small laundries and from kitchens, restaurants, cafeterias and
floor drains essentially free of industrial wastes or toxic materials.

Sec. 15 "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface, and groundwaters are not intentionally admitted.

Sec. 16 "Septage" shall mean the wastes from holding tanks such as chemical toilets, campers, or trailers; and wastes from septic tanks and cesspools.

Sec. 17 "Sewage Treatment Facility" shall mean any arrangement of devices and structures used for treating sewage.

Sec. 18 "Sewerage System" shall mean an integral arrangement of facilities for collecting, pumping, treating, and disposing of sewage.

Sec. 19 "Sewer" shall mean a pipe or conduit for carrying sewage.

Sec. 20 "Shall" is mandatory; "May" is permissive.

Sec. 21 "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period
of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows, during normal operation.

Sec. 22   "Storm Drain" (sometimes termed "Storm Sewer") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

Sec. 23   "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Sec. 24   "Town" shall mean the Town of Bourne, Massachusetts, acting through the Board of Selectmen.

Sec. 25   "Wastewater" (sometimes termed "Sewage") shall mean the spent water of the communities and may be a combination of the liquid and water carried waste from residences, commercial buildings, industrial plants and institutions, together with any groundwater and surface water that may be present.

Sec. 26   "Watercourse", as defined in Title V and the Wetlands Protection Act, Chapter 131, Section 40 MGL.
Sec. 27  "User" shall mean any individual, firm, company, association, society, corporation or group having a connection to and deriving a benefit (either actual or potential) from the sewage works.

Sec. 28  "User Charges" shall mean a charge levied on all users of the sewage works for the cost of operation and maintenance.
ARTICLE II - SPECIAL CONDITIONS

Sec. 1  In order to comply with Special Grant Condition No. 25 of the Federal Grant Offer for Project C-250 476-02 dated September 30, 1988, the Board will not permit the following:

(a) The connection of any house, business or other structure located in the flood hazard velocity zones on Taylors Point and in Hideaway Village to the sewerage system unless that house, business or structure was in existence prior to the effective date of 310 CMR 15.00, The State Environmental Code Title 5, July 1, 1977.

(b) The construction of additional living space to any house, business or other structure located in the flood hazard velocity zones on Taylors Point and in Hideaway Village proposed to connect to the sewerage system. Living space shall not mean porches, decks, garages or buildable space not suitable for human habitation.

Sec. 2  The connection to the sewerage system of each house, business or other structure, from which sanitary sewage is produced, and which is located in the project area of the Bourne Wastewater Treatment Facilities as identified in
Exhibits 1 and 2 of the Intermunicipal Agreement (January 1989) and served by or proposed to be served by the sewerage system is hereby deemed by the Board to be mandatory unless such house, business or structure is not permitted by Sec. 1 (a) above to connect to the sewerage system.

Such connection shall be made within one year of the completion of the sewerage system.
ARTICLE III - BUILDING SEWERS AND CONNECTIONS

sec. 1 No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Board. Any person proposing a new discharge into the system of a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the Board at least forty-five (45) days prior to the proposed change or connection.

sec. 2 There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Board. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Board or its Agent. A permit and inspection fee of $45.00 (Forty-Five Dollars) for a residential or commercial building sewer permit and $90.00 (Ninety Dollars) for an industrial building sewer permit shall be paid to the Board at the time the application is filed. A permit may at any time be revoked and annulled by the Board for such cause as the Board may deem sufficient,
and all parties in interest shall be held to have waived
the right to claim damages on account of such revocation,
provided said revocation shall be annulled on compliance
with the provisions of these regulations.

Sec. 3    All costs and expense incident to the installation and
connections of the building sewer shall be borne by the
owner. The owner shall indemnify the Board and the Town
from any loss or damage that may directly or indirectly be
occasioned by the installation of the building sewer.

Sec. 4    A separate and independent building sewer shall be
provided for every building; except where one building
stands at the rear of another on an interior lot and no
private sewer is available or can be constructed to the
rear building through an adjoining alley, court, yard, or
driveway, the building sewer from the front building may be
extended to the rear building and the whole considered as
one building sewer.

Sec. 5    The size, slope, alignment, materials of construction
of a building sewer, and the methods used in excavating,
placing of the pipe, jointing testing, and backfilling the
trench, shall all conform to the requirements of the
building and plumbing code or other applicable rules and
regulations of the Town. In the absence of code provisions
or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply. No backfill shall be placed until the work has been inspected by a representative of the Board.

Sec. 6 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. No water operated ejector shall be used.

Sec. 7 No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater, including basement sump pumps, to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Sec. 8 The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Board and the Town, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual.
of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Board before installation.

Sec. 9 The applicant for the building sewer permit shall notify the Board when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of a representative of the Board.

Sec. 10 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Board.

Sec. 11 Plumbers or Drain Layers shall report to the Board the finding by them of all obstructions in connections or the presence therein, if found, of any substance prohibited by these regulations. The report shall contain a full description of the obstructions or substances and shall be submitted in writing to the Board within twenty-four hours of the findings being made. Failure to do so report shall render the plumber and/or drain layer whether firm or
corporation, liable to the penalty of a fine of not more than Twenty Dollars ($20) for each failure to so report. Finding substances prohibited by these regulations in the sewer connection of any building shall be prima facie evidence of violation of these regulations by either or both the owner and occupant of the premises.
ARTICLE IV - USE OF THE PUBLIC SEWERS

Sec. 1  No septage shall be discharged to the public sewers in the Town of Bourne.

Sec. 2  Septage originating from the Town of Bourne may be discharged at the Regional Wastewater Treatment Facility in Wareham. Septage will only be accepted by licensed haulers. Septage must comply with Industrial Pretreatment Regulations.

Sec. 3  No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 4  Stormwater and all other unpolluted drainage shall be discharged to drains or such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Board. Industrial cooling water or unpolluted process water may be discharged, on approval of the Board, to a storm sewer, combined sewer, or natural outlet.
Sec. 5 No Person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

b) Any waters or wastes containing toxic or poisonous solids, liquids, gases or hazardous materials in sufficient quantity, either singly or by interaction with any sewage treatment process which constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment facility.

c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewerage system.

d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage system such as,
but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, inground garbage, whole blood, paunch manure, hair and fleshings entrails, paper dishes, cups, milk containers, either whole or ground by garbage grinders.

Sec. 6 No Person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the Board that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Board will give consideration to such factors as the qualities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment facilities, degree of treatability of wastes in the sewage, and other pertinent factors. The substances prohibited are:

a) Any liquid or vapor having a temperature higher than one hundred fifty (150) °F; (65°C).
b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) °F; (0 and 65°C).

c) Any garbage that has not been properly shredded or any garbage or products from a garbage grinder equipped with a motor greater than 3/4 horsepower.

d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions, whether neutralized or not.

e) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewerage treatment facilities exceeds the limits established by the Board for such materials.
f) Any waters or wastes containing substances or other taste or odor producing substances in such concentrations exceeding limits which may be established by the Board as necessary.

g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Board in compliance with applicable state or Federal regulations.

h) Any waters or wastes having a pH in excess of 9.5.

i) Materials which exert or cause:

1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

2) Excessive discoloration (such as, but not limited to, dye wastes, and vegetable tanning solutions).
3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment facilities.

4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

j) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment facility effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Sec. 7 If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which contain the substances or possess the characteristics enumerated in Section 6 of this Article, and which, in the judgement of the Board, may have a deleterious effect upon the sewerage system, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Board may:
a) Reject the waters or wastes,

b) Require pretreatment to an acceptable condition for discharge to the public sewers,

c) Require control over the quantities and rates of discharge, and/or

d) Require payment to cover the added costs of handling and treating the waters or wastes not covered by existing taxes or sewer charges under the provisions of Article IX.

If the Board permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Board, and subject to the requirements of all applicable codes, ordinances, by-laws, and regulations.

Sec. 8 Grease, oil, and sand interceptors shall be required by the owner at his expense when, in the opinion of the Board, they are necessary to provide preliminary treatment of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved
by the Board and shall be located as to be safely, readily and easily accessible for cleaning and inspections.

section 9

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. If, upon inspection by a representative of the Board, such facilities are found to be in unsatisfactory or ineffective operation, the Board shall order that they be cleaned and/or repaired by the owner at his expense. If the owner fails to comply with such order, the Board may cause the facilities to be cleaned and/or repaired and all expenses incurred to be paid by the owner in addition to any penalties specified in Article VIII, Section 2.

Section 10

When required by the Board, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Board. The manhole shall be installed by the owner at his expense, and shall
be maintained by him so as to be safe and accessible at all times.

sec. 11   All industries discharging into a public sewer shall perform such monitoring of their discharges as the Board and/or other duly authorized employees of the Town may reasonably require, including installation, use and maintenance of monitoring equipment, keeping records, and reporting the results of such monitoring to the Board. Such records shall be made available upon request by the Board to other Agencies having jurisdiction over discharges to the receiving waters. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage treatment facility.
and to determine the existence of hazards to life, limb and property.

sec. 12 Any Person responsible for, or becoming aware of, the discharge to a Sanitary Sewer, accidental or otherwise, of any prohibited substance or of any Slug shall report same immediately by telephone to the Board and Regional Wastewater Treatment Facility in Wareham so that necessary precautions can be taken to minimize the deleterious effects of the discharge.

Sec. 13 All applications to discharge any Industrial wastewater, drainage, substances, or wastes directly into any sanitary Sewer or tributary thereto, shall be accompanied by an agreement stating that the Applicant agrees to abide by all ordinances and rules and regulations of the Board, that the Applicant will provide such works for the preliminary treatment of the wastewater, drainage, substances or wastes as may be required by the Board, and that the Applicant will permit the Board to enter the premises of the industry to sample and measure wastewaters, as needed to check characteristics of the wastewaters, when so directed by the Board. Applications are to be accompanied by a plan showing essential characteristics of all wastewater outlets, analyses of existing wastewater, and statements as to existing and expected average and
maximum wastewater flows, and must be submitted to and approved by the Board prior to initiating discharge to the Sewage Treatment Facilities. Required wastewater analyses are listed in Section 15 of this Article.

Sec. 14 Each industrial user may be required to submit an annual report to the Board on the first of July each year, or such other time as designated by the Board containing information as to the minimum, average, and peak industrial wastewater discharges during the previous year.

Sec. 15 Measurement and analyses of industrial wastewaters are to include the following list where applicable. If any item is not applicable, it shall be so stated on the report of the measurements and the reason for deletion stated.

**Physical Parameters**
- Flow pH
- Temperature
- Color
- Specific conductance

**Chemical and Biological Parameters**
- Total solids
- Total volatile solids
Total suspended solids
Total dissolved solids
Acidity
Alkalinity
5-day BOD
COD
Oil and grease
Chloride

Chemical and Biological Parameters (Continued)

Sulfate
Sulfide
Phenols
NH$_3$ (as N)
NO$_3$ (as N)
NO$_2$ (as N)
Kjeldahl Organic Nitrogen (as N)
Ortho-phosphorus (as P)
Total phosphorus (as P)
Cr, Cu, Fe, Cd, Pb, Mn, Zn, F, As, Hg, Ni, Ag

Sec. 16 No statement contained in this Article shall be construed as preventing any special agreement or arrangement among the Board, the Town, and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Board for treatment, subject to payment therefor, by the industrial concern.
ARTICLE V - LICENSING OF DRAIN LAYERS

Sec. 1   Plumbers and drain layers of established reputation and experience will be licensed by the Board as master drain layers authorized to perform work, subject to compliance with the following requirements:

(a) Applicants for licenses are required to pay a filing fee of $25.00 as master drain layer payable to the Sewer Use Account, all of which will be refunded to the applicant if his application is rejected.

(b) If approved by the Board, applicants for licenses shall file with the Board a proper and acceptable Performance and Guarantee Bond in the amount of $1,000, which shall remain in full force and effect for a period of one year from the date of application.

(c) Applicants for licenses, after approval by the Board shall file with the Board a Certificate of Insurance in the sums of $50,000/$100,000 to cover Public Liability and a Certificate of Insurance in the sum of $10,000 covering Property Damage. In addition, a Certificate of Insurance
covering Workmen's Compensation shall be filed, all of which shall remain in full force and effect for a period of at least one year from the date of approval. Said insurance shall indemnify the Board and the Town of Bourne against any and all claims, liability or action for damages, incurred in or in any way connected with the performance of the work by a master drain layer, and for or by reason of any acts or omission of said master drain layer in the performance of his work.

(d) Applicants for licenses will be approved or disapproved within a period of thirty-one (31) days after filing the application.

Sec. 2 All licenses expire one year from the date of issuance thereof and no licenses are transferable. The fee for each renewal shall be $10.00, which shall be due and payable on or before the anniversary date of issue.

Sec. 3 The Board reserves the right to revoke any licenses if any provision of said license is violated.
Sec. 4  All licensees are required to give a full written report to the Board within twenty-four (24) hours in the event that prohibited substances are found in a sewer or house drain during the course of the work.

Sec. 5  All licensees shall give written notification of the completion of the work, with certification that all conditions of the Sewer By-Law have been complied with. The notification shall be filed with the Board within twenty-four (24) hours after the completion of the work covered in each permit. This notification shall include a sketch of the work done. The sketch will show sufficient measurements to locate all components of the work installed.
ARTICLE VI - PROTECTION FROM DAMAGE

Sec. 1  No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct or a fine of not more than $5,000.
ARTICLE VII - POWERS AND AUTHORITY OF INSPECTORS

Sec. 1 The Board and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of these regulations. Such individuals shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

Sec. 2 The Board and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds duly recorded easements for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage system lying within said easements. All entry and subsequent work, if any, on said easements, shall be done in full accordance with the terms of the duly recorded easements pertaining to the private property involved.
ARTICLE VIII - PENALTIES

Sec. 1  Any person found to be violating any provision of these regulations, except Article VI, shall be served by the Board with written notice stating the nature of the violation and providing a time limit of ten calendar days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation.

Sec. 2  Any person who shall continue any violation beyond the time limit provided for in Article VIII, Section 1, shall be charged with a misdemeanor and, on conviction thereof, shall be fined in the amount not exceeding Five Hundred Dollars ($500) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Sec. 3  Any person violating any of the provisions of these regulations shall become liable to the Board or Town for any expense, loss, or damage occasioned the Board or Town by reason of such violation.
ARTICLE IX - SEWER USE CHARGES

Sec. 1 Sewer use charges will be determined by the Board prior to each billing period for the following categories: residential, commercial, industrial, and all other categories as may be found by the Board to be necessary.
ARTICLE X - SEWER ACCOUNT

Sec. 1 All funds received from the collection of sewer use charges shall be kept in and accounted for in a separate and distinct account known as the "SEWER USE ACCOUNT". Said funds may be expended only upon the authorization of the Board for the operation, maintenance and repair of the sewer system and its related components and for the acquisition, maintenance, repair and replacement of equipment used in connection with the sewer system.

Sec. 2 Any funds derived from penalties assessed under Article VIII, Section 2, shall be deposited into the Sewer Use Account.
ARTICLE XI - VALIDITY

Sec. 1  All regulations or parts of regulations in conflict herewith are hereby repealed.

Sec. 2  The invalidity of any Article, section, sentence, clause, or provision of these regulations shall not affect the validity of any other part of these regulations which can be given effect without such invalid part or parts.
ARTICLE XII - REGULATIONS IN FORCE

Sec. 1   These regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law and adopted by the Board of Sewer Commissioners of the Town of Bourne, Massachusetts on April 9, 1990.

W. Thomas Barlow, Chairman

Marie J. Oliva

Robert W. Parady