

**Legal Notice
(Seal)
Town of Reading**

To the Inhabitants of the Town of Reading:

Please take notice that the Bylaw Committee of the Town of Reading, pursuant to Section 8-9 of the Reading Home Rule Charter, will hold a public hearing on Wednesday, July 6, 2011 at 7:00 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts on the preliminary report and draft recodification of the "Town of Reading Massachusetts General Bylaw".

Copies of the proposed re-codified bylaws are available:

- ◆ in the Town Clerk's office, 16 Lowell Street, Reading, MA, M-W-Thurs from 7:30 a.m. - 5:30 p.m., Tues from 7:30 a.m. - 7:00 p.m.; and
- ◆ in the Reading Public Library during their normal business hours; and
- ◆ on the Town of Reading web site at www.readingma.gov

All interested parties are invited to attend the hearing, or may submit their comments in writing or by email prior to 5:00 p.m. on July 6, 2011 to townmanager@ci.reading.ma.us

By order of
Peter I. Hechenbleikner
Town Manager

**Preliminary Report on General Bylaw Recodification
July 6, 2011**

Section 8-9 of the Reading Home Rule Charter, requires that the Bylaw Committee present to Town Meeting not less than every 10 years, proposed revisions or recodification of the bylaws of the Town.

Section 8-9: Reenactment and Publication of Bylaws

Within one (1) year of the adoption of this Charter and at intervals of not more than ten (10) years thereafter, proposed revisions or recodification of the bylaws of the Town shall be presented to Town Meeting by the Bylaw Committee.

At least four (4) months prior to the Town Meeting at which action under this section is to be taken, the Committee shall cause to be published in a local newspaper: (a) a report summarizing its recommendations and noting the times and places within the Town where complete copies of the report shall be available for inspection by the public, and (b) the date, time and place not less than two weeks following such publication when a public hearing shall be held by the committee on the preliminary report.

[Amended November 15, 2004 (Article 16) and approved by vote of the Town on April 5, 2005]

The General Bylaw of the Town was last re-codified in 1988, shortly after the Reading Home Rule Charter was adopted.

The intent of recodification is not to make substantive changes to the General Bylaw, but to make sure that they are simple to read and understand, and are internally consistent and accurate.

Since the winter of November 2010, the Bylaw Committee (together with Town Counsel, the Town Clerk, and the Town Manager) has met 8 times and has developed a new, easier to read, standardized version of the General Bylaw. The details of this draft are available in hard copy at the Library and Town Clerk's office, and electronically on the Town's web site at www.readingma.gov.

In proceeding with this recodification, the Bylaw Committee had several specific goals in mind:

- ◆ Improve the organization of the General Bylaw - It is clear that the existing bylaws have been amended in sequential order without any particular attention to organizing the sections by subject matter. The "Public Order" article seems to eclipse the others.
- ◆ Improve the formatting – Make the General Bylaw more user friendly; easier to read; simpler (there are too many subsections in some portions of the bylaw); more compact (narrower margins mean less paper is used); add a robust index (not part of the adopted bylaw, but as a useful tool); and keep the chronology (also not part of the adopted bylaw, but as an additional tool).
- ◆ Standardize terms within the General Bylaw to the extent practical. The Bylaw Committee has had some definite ideas as to how to spell and reference certain terms. Town Counsel has reviewed those to ensure conformance with standard practice. Examples of now standardized terms include: the spelling and capitalization of "bylaw", references to the state statutes as "M.G.L.", and the consistent use of other common

terms. In addition, there are a number of sections with common language, and some sections where the language is similar. The Bylaw Committee has attempted to organize the bylaws so that the common language is standardized, and included only once in the bylaws.

- ◆ Review the bylaw for content. Each of the bylaw sections was reviewed in an effort to determine what, if any, changes are needed. The following are examples of some of those changes:
 - ◆ What can be “re-codified” as is – (Wetlands)
 - ◆ What needs to be modified – (Personnel)
 - ◆ What needs to be removed – (Building Code)
 - ◆ What needs to be added – (table in section 1.7 that shows who enforces non-criminal disposition and what the fines are)

The following is a summary of the detailed work included in the proposed recodification:

Organization:

Following its review of best practices in the Commonwealth, the Bylaw Committee recommends reorganizing the General Bylaw into 8 Articles:

- General Provisions
- Town Meeting
- Town Offices and Town Officers
- Personnel
- Conduct of Town Business
- Financial Procedures
- Regulation on the Use of Land
- Public Order

Inclusion of all previous sections

The Bylaw Committee retained all of the previous sections of the General Bylaw, but reorganized many of the provisions into new sections, except for the following sections which have been deleted:

- ◆ Laundromat Licenses – staff has determined that there is no reason for such a license
- ◆ Underground Petroleum Storage License – This bylaw was rescinded by Town Meeting at the 2011 Annual Town Meeting
- ◆ Gas Inspector section – not necessary – no other such positions are included in the bylaw
- ◆ Building Code – not necessary – there is a state building code and the Town may not vary from that
- ◆ Municipal Data Processing Center – no longer needed – this was required in pre-Charter days
- ◆ Eliminated the Conflict of Interest section because the state statute, M.G.L. c.268A, applies

Summary of Changes:

Article 1 General Provisions

- ◆ Added some definitions from the detailed bylaw sections to create a general definition section
- ◆ Standardized the non-criminal disposition section as section 1.7 from different language in various sections of the bylaw, and inserted a chart that contains the bylaw section, enforcing agent, and fines (fines are specified in accordance with state statute)

Article 2 Town Meeting

- ◆ No substantive changes

Article 3 Town Offices and Town Officers

- ◆ Eliminated the section on the Gas Inspector – not necessary
- ◆ Standardized the section on the general standards for Appointed Boards, Committees, and Commissions
- ◆ Eliminated Municipal Data Processing Center – no longer needed – this was required in pre-Charter days
- ◆ Eliminated the Conflict of Interest section because M.G.L. will apply

Article 4 Personnel

- ◆ No substantive changes

Article 5 Conduct of Town Business

- ◆ Removed a number of sections and put them in another section of the bylaw
- ◆ Modified the sections on Rules and Regulations to reflect current practice

Article 6 Financial Procedures

- ◆ No substantive changes

Article 7 Regulation on the Use of Land

- ◆ This is a new article compiled of sections from various other sections of the bylaw
- ◆ Removed details of non-criminal disposition from individual sections and inserted them in the first article
- ◆ Eliminated underground petroleum storage licensing article
- ◆ Eliminated laundromat licensing and reference to the Gas Inspector position – not necessary – no other such positions are indicated
- ◆ Eliminated reference to the Building Code – not necessary – there is a state building code and the Town may not vary from that

Article 8 Public Order

- ◆ Rewrote the section on Anti-Litter to simplify it but retained the intent of the existing bylaw
- ◆ Rewrote the section on News Racks but retained the intent of the existing bylaw

The Bylaw Committee looks forward to hearing any questions or comments at its hearing on July 6, 2011 at 7:00 p.m. in the Selectmen's Meeting Room, 16 Lowell Street, Reading, Massachusetts

Respectfully submitted
Bylaw Committee

Phil Pacino, Chairman
Dolores Carroll
John H. Russell
Ron O'Keefe
Louise Callahan