

BYLAWS

and

SPECIAL LAWS



Town of Norfolk

Massachusetts

**BYLAWS OF THE
TOWN OF NORFOLK**

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The dates immediately following the paragraphs are the dates of the Town Meetings at which the paragraphs were adopted or amended.

ARTICLE I

TOWN MEETINGS

SECTION 1. The Annual Town Meeting for the election of officers, and for the transaction of other business pertaining to the prudential affairs of the Town shall be held on the first Monday in May of each year. (3/16/36 amended 11/16/73)

The term of office of the Collectors of Taxes shall be three years. (11/16/73)

The term of office of the Treasurer shall be three years. (11/16/73)

The term of office of the Town Clerk shall be three years. (6/7/74)

SECTION 2. All matters in the warrant for the annual Town Meeting except the election of such officers and the determination of such matters as are required by law to be determined by ballot shall be considered at an adjourned meeting. (3/16/36)

SECTION 3. The warrants for all town meetings shall be directed to either of the constables of the Town, and notice of every meeting shall be given by posting attested copies of the Warrant calling the same at the Town Hall, Police Station and Railroad Station, not less than seven (7) days before the day appointed for such meeting. A copy of the Warrant shall be delivered to each residence not less than seven (7) days before the day appointed for such meeting. (3/16/36 amended 5/30/75)

ARTICLE II

FINANCIAL AFFAIRS

SECTION 1. No bill, charge or account against the Town, shall be paid without the approval in writing first being obtained of the person, board or committee authorized to contract the same. (3/16/36)

SECTION 2. Any portion of any appropriation remaining unexpended at the close of the financial year shall revert to the town treasury; unless otherwise provided by law. (3/16/36)

ARTICLE III

COMMITTEES

SECTION 1. At the first annual town meeting following the date on which this by-law becomes effective, the Moderator shall appoint before final adjournment, thereof, a committee to be known as the Advisory Committee consisting of nine citizens, none of whom shall hold any office, either elective or appointive, other than membership on this committee and the Capital Outlay Committee. Upon the election or appointment of any member of this committee to any other town office, his or her membership on this committee shall cease. (3/16/36 amended 5/30/75)

SECTION 2. Said committee to be appointed as follows: three members for a term of one year, three members for term of two years, and three members for a term of three years, and before the final adjournment of each annual town meeting thereafter, the Moderator shall appoint their successors for a term of three years and shall also fill any vacancy which may occur in its membership. (3/16/36)

SECTION 3. To this committee shall be referred all articles involving the appropriation or expenditure of money – and to it may be referred any other article – in any Town Warrant issued during its term of office; and it shall be the duty of the said Advisory Committee, after due consideration of the subject matter of such articles as are referred to it, to report in writing such recommendations as it shall deem for the best interests of the town. (3/16/36)

SECTION 4. The Town Clerk shall call the committee together for organization as soon as practicable after the adjournment of each annual town meeting, or in the event of his disability or failure to do so, any member of the committee may do so. (3/16/36)

SECTION 5. The committee shall organize by choosing a chairman and clerk, and shall cause to be kept a true record of all its proceedings. (3/16/36)

SECTION 6. The Selectmen, with the approval of the Chairman of the Advisory Committee, shall provide a suitable place in which to hold its meetings, and the committee shall hold such meetings as it may find necessary for the purpose of affording opportunity to those interested in the various articles to be heard. (3/16/36)

SECTION 7. Said Advisory Committee may require the various officers and boards of the town to meet with it at such time and place said committee shall appoint for the purpose of information and consultation upon matters referred to it, and it shall be the duty of said officers and boards to so meet the committee; provided, however, any information may be withheld when in the opinion of the said officers or boards the communications thereof might injuriously affect the interest of the town. (3/16/36)

SECTION 8. It shall be the duty of the Town Clerk to immediately notify in writing all members of committees, including the Advisory Committee, that may be elected or appointed, stating the name of the committee and the business assigned to it. (3/16/36)

SECTION 9. It shall be the duty of the member designated as chairman or first named of any other committee chosen by the town to promptly call the members thereof together for organization. (3/16/36)

SECTION 10. It shall be the duty of all committees appointed prior to any annual Town Meeting to make report at said meeting, unless otherwise instructed upon matters referred to them. (3/16/36)

SECTION 11. A committee to be known as the Capital Outlay Committee shall be established, composed of two (2) members of the Town Finance Committee appointed by and from it, one (1) member of the Planning Board appointed by and from it, and four (4) additional members to be appointed by the Selectmen, none of whom may be an appointed or elected member of a Town Board or Committee. One member from the Finance Committee and two at large shall be appointed for one year terms. The other appointees and all replacements shall be appointed for two years and in the manner of the original appointments. The Committee shall annually prepare a Capital Budget Program for use by the Finance Committee, the voters, other town boards and officials in their deliberations. The Committee shall publish such report or a summary thereof in a suitable manner and deposit the original with the Town Clerk. (3/21/66 amended 3/20/67)

SECTION 12. A. The Board of Selectmen shall appoint a Council on Aging for the purpose of co-ordinating or carrying out programs designated to meet the problems of the aging in co-operation with programs of the Commission on Aging established under Chapter 6, Section 73 of the General Laws.

B. The Board of Selectmen shall appoint the Council on Aging consisting of seven (7) members. Upon acceptance of this by-law, the Board shall appoint three (3) members for three (3) years, two (2) members for two (2) years and two (2) members for one (1) year term. Members can be re-appointed for concurrent terms. The members of the Council shall serve without pay.

C. Whenever a vacancy shall occur in the membership of the Council by reason of death, resignation, inability to act or for any other reason, the vacancy shall be filled by appointment by the Selectmen for the remainder of the term.

D. The Council on Aging at its first annual meeting and thereafter, annually in April of each year, shall elect from its membership a President, Vice President, Secretary, and Treasurer. Each officer shall hold office until the next annual election. In the event a vacancy occurs in any of the offices above, the Council shall hold a special meeting for the purpose of electing one of its members to fill such vacancy.

E. The Council shall prepare and submit an annual report of its activities to the Town and shall send a copy thereof to the Commission on Aging.

F. The Council may appoint such clerks and other employees as it may require. (3/27/72 Amended 5/30/75)

SECTION 13. A committee to be known as the By-Law Committee shall be established. Such committee shall consist of five members appointed by the Moderator. In making original appointments the Moderator shall appoint two (2) members for a term of three (3) years, two (2) members for a term of two (2) years and one (1) member for a term of one (1) year. Thereafter, before the close of the annual town meeting, the Moderator shall appoint two (2) members or one (1) member as may be required for a term of three (3) years to fill the places of such members whose terms have expired. No person shall be deemed ineligible to serve successive terms on such committee. The Moderator shall make interim appointments as required to fill the unexpired term of any member ceasing to serve.

The By-Law Committee shall maintain a current record of all amendments to the town By-Laws, any discretionary provisions of the General Laws of the Commonwealth accepted by the Town and any special acts of the General Court affecting the Town. The Committee shall prepare codification of all the foregoing for publication at such intervals as shall be warranted by the fact of major additions or revisions thereto.

The By-Law Committee shall make periodic review of the need for amendment or revision of the town By-Laws and make appropriate recommendations to Town meeting with respect to proposed action thereon. (5/30/75)

ARTICLE IV

LEGAL AFFAIRS

SECTION 1. The Board of Selectmen shall have full authority as agents of the town to institute, prosecute and compromise suits in the name of the town, and to appear, defend and compromise suits brought against it, and to appear in proceedings before any tribunal, unless it is otherwise especially voted by the town. (3/16/36)

SECTION 2. The Selectmen may appoint a Town Counsel who shall at all times furnish legal advice to any officer of the town who may require his opinion upon any subject concerning the duties incumbent upon such officers by virtue of his office. He shall, whenever his services are required, appear in the prosecution or defense of suits and actions in which the Town is a party, and appear at any and all hearings in behalf of the Town. And said board shall have full authority to employ special or additional counsel, if necessity arises. (3/16/36)

SECTION 3. Whenever it shall be necessary to execute any deed conveying land, or any other instrument, required to carry into effect any vote of the Town, the same shall be executed by the Treasurer in behalf of the Town, unless the town shall otherwise provide in any special case. (3/16/36)

SECTION 4. The Town Clerk shall keep, in a book devoted to that purpose alone, a true copy of all deeds and conveyances executed in behalf of the town by any town officers. It shall be the duty of the Town Clerk to see that every conveyance to the Town of any interest in real estate is properly recorded in the Registry of Deeds. (3/16/36)

SECTION 5. EARTH REMOVAL

A. Definitions

For the purpose of this by-law:

1. "Earth" shall include soil, loam, sand, gravel.
2. "Board" shall mean the Board of Selectmen of Norfolk.

B. Basic requirements

1. No earth shall be moved, stripped, stockpiled or removed from any parcel of land within the Town to another parcel either within or without the Town, except upon approval of a special use permit by the Board of Selectmen.

2. In making a determination whether to grant or deny a permit, the Board shall consider the geographical location of the site, the nature of adjacent areas and the uses to which adjacent land is put; whether or not a vegetation barrier will screen the operation from view at the street or from nearby structures; the effect of the magnitude and duration of the operation on the amenities of the neighborhood; all to the end that the welfare of the Town may be protected.

3. No permit for earth removal shall be issued if such removal will –
 - (1) endanger the general health or constitute a nuisance.
 - (2) will result in detriment to the normal use of adjacent property by reason of noise, dust, or vibration.
 - (3) A special use permit for any earth removal shall not be issued for more than one year's duration and may be renewed thereafter.

C. Application for a special permit

All applications for special use permits shall be accompanied by exhibits and documentation deemed necessary by the Board of Selectmen for the proper issuance of a permit. Exhibits and documentation shall include, but shall not be limited to the following:

1. The street location of the proposed excavation.
2. Name and address of the legal owner of the land in question.
3. Name and address of petitioner, if different.
4. Names and addresses of all owners of property within 100 feet of property lines of the land.
5. Four copies of a plan of the land prepared by a registered engineer or land surveyor, drawn to a scale of forty feet to the inch, and including: land boundaries, adjacent streets, location of all structures upon the land, original topography by five-foot contours, proposed final topography by five-foot contours, the limits of proposed earth moving operations, the location and use of all proposed structures to be erected and used in connection with the earth moving operation, the depth of loam at forty-foot intervals along original contour lines, drainage provisions to be made after completion of the project. The plan shall bear appropriate cross sections and a computation of the volume of material to be moved, stockpiled, stripped or removed, certified by the person preparing the plan.
6. A statement estimating the quantity of material to be removed.
7. The proposed form of bond to be used.
8. A public hearing shall be held on each original application for a permit under this by-law. No public hearing shall be required on the matter of renewal of an existing permit. The Board shall cause a notice of the public hearing to be published at the expense of the applicant in a daily or weekly newspaper in general circulation in the Town at least fourteen days prior to the date of said hearing. The notice shall set forth the name of the applicant, the nature of the operation for which a permit is requested, the volume of material to be moved, stripped, stockpiled, or removed, and the location of the premises. Every applicant, or an agent in his behalf, shall, within three days after publication as hereinbefore provided, cause a copy of the published notice to be sent by certified mail, return receipt requested, to each of the persons appearing upon the assessors' most recent valuation list as the owners of property abutting on the premises for which a permit is sought together with those persons appearing as owners across any

public or private way from said premises. An affidavit of the applicant, or of the person mailing such notice in his behalf, together with a copy of the notice mailed and the post office receipts for the certified mailings herein required, shall be filed with the Board as the first order of business at the public hearing. Such affidavit shall be prima facie evidence that notice has been given in compliance herewith.

9. An easement in writing for duration of permit is required permitting Town or agent to enter on premises to inspect progress of work and to secure compliance with terms and conditions of permit in event of applicants default.

D. Requirements of special permit

1. In approving the issuance of a permit, the Board of Selectmen may impose reasonable requirements which shall constitute a part of the permit and which may include, but not be limited to: grading, seeding and planting, construction of necessary fencing and other protections against nuisances, methods of removal, location and use of structures, hours of operation, the duration of the removal operation, routes of transportation of material removal, control of drainage, disposition of waste incident to the operation, providing of adequate vegetation. Any conditions so imposed by the Board shall be endorsed upon the permit issued to the applicant.

2. The Board shall require suitable bond or other security adequate to assure compliance with the provisions of this by-law.

3. All excavated areas shall, upon completion of the operation, be covered with not less than four inches of loam and seeded in a satisfactory manner. No slope in grading shall exceed a ratio of two feet horizontal distance and one foot vertical. No loam shall be removed from the site in excess of that necessary to meet the requirements, but nothing in this section shall be deemed to require the addition of loam in excess of that which existed on the site at the time of issuance of the permit.

E. Termination of permit

1. Any permit issued by the Board of Selectmen shall expire upon the termination date stated thereon. If the Board of Selectmen does not reissue a new permit, upon the proper application of the petitioner, grading, topsoiling, and seeding of the existing excavation shall be completed by the petitioner within thirty (30) days of the expiration thereof.

2. When making application for the renewal of a permit, documents used for the original issuance of permit may be revised to show the conditions existing at time of reapplication. Information required will be as stated under "Application for Special Permit."

F. Permit not required

No special use permit shall be required for the following:

1. Removal of earth from an operating farm, nursery, or cemetery to the extent that such removal is necessary to the operation of same.

2. Removal of earth from the site (1) where a building is under construction pursuant to a building permit to the extent as may be necessary to install the foundation and basement of the building, (2) where a road is under construction pursuant to a permit or by government authority to the extent as may be necessary to complete the project as planned.

3. The moving and removal of earth for any municipal purpose by, or on behalf of, any Department of the Town of Norfolk.

4. A noncommercial moving of earth or regrading of earth upon a single lot upon which a dwelling is situated and occupied to allow regrading to prevent flooding or the construction and repair of on-site sewage disposal facilities.

G. Validity

1. The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof.

H. Penalty

1. Any person, firm, or corporation willfully violating, disobeying, or refusing to comply with any of the provisions of this by-law shall be prosecuted under the terms of General Laws, Chapter 40, Section 21, Para. 17, and shall be subject to a fine of not more than \$50.00 for the first offense, not more than \$100.00 for the second offense, and not more than \$200.00 for any subsequent offense. Each day of noncompliance shall constitute a separate offense. The Board may revoke or suspend the permit of any person, firm, or corporation holding a permit under this by-law if such person, etc., violates, disobeys, or fails to comply with any of the provisions of this by-law. (3/20/70 amended 5/30/75)

ARTICLE V

RECORDS AND REPORTS

SECTION 1. All boards, standing committees, special committees, or officers of the town having charge of the expenditures of the town funds shall annually report thereon in such manner as shall give the citizens a fair and full understanding of the objects and methods of such expenditures referring, however, to the Treasurer's Report for specific details, and shall make therein such recommendations as they deem proper. (3/16/36)

SECTION 2. All reports shall be placed in the hands of the Board of Selectmen for printing as soon as possible, and not later than the tenth day of February of each year. (3/16/36)

SECTION 3. The Board of Selectmen shall annually cause to be printed and distributed not less than five days before the annual meeting among the taxpayers of the town, the reports of the various officers and boards of the town and reports upon such matters as are directed by the town and these by-laws. (3/16/36)

SECTION 4. The Board of Selectmen shall, in addition to the requirements of Section 2 of this article, report their estimate of the amounts of money which will be required for the current financial year. (3/16/36)

SECTION 5. The Town Clerk shall furnish for publication in the Annual Town Report the official records of all Town Meetings during the preceding year. He shall also furnish for the same purposes an abstract of the vital statistics for the preceding year. (3/16/36)

SECTION 6. In his annual report, the Treasurer shall state specifically the objects for which the debt of the town was increased, if so increased during the preceding year; and recite the votes under which the money was borrowed, and shall render a classified statement of all expenditures and receipts of the town in such detail as shall give a fair and full exhibit of the objects and methods of all expenditures. (3/16/36)

SECTION 7. In the town report for the year 1940, and in that for every fifth year thereafter, shall be printed the valuation of estates made by the assessors for that year or an abstract thereof. Further the assessors shall publish each year in said report a list of all taxes abated during the year, together with the reasons for such abatement. (3/16/36 amended 5/30/75)

ARTICLE VI

CONTRACTS

SECTION 1. No town officer and no salaried employee of the town or any agent of any such officer or employee shall sell materials or supplies or furnish labor to the town, by contract or otherwise without permission of the Board of Selectmen or other Board authorized to purchase or

otherwise secure materials, supplies and labor for the town, expressed in a vote which shall appear on the records of such board with the reason therefor. All such contracts or agreements shall be made or awarded, as far as is practicable, in such manner as to secure reasonable competition. (3/16/36)

SECTION 2. When the estimated amount of a proposed contract exceeds \$2,000.00 proposals shall be called for in the manner provided for in this section. Such calls for proposals shall be advertised in a local newspaper, if such is printed in the Town; otherwise shall be posted in at least three public places, at least seven days before the opening of bids, which time shall be stated in the advertisement. (3/16/36 amended 3/18/63 and 5/30/75)

SECTION 3. The bids shall be sealed, properly endorsed, and kept under lock and key until opened at the time stated, in the presence of the Board, Committee or Officer authorized by the Town to make the contract. No bids shall be received after the time advertised for opening. Any or all bids may be rejected. (3/16/36)

SECTION 4. Every contract exceeding \$2,000.00 shall be accompanied by a suitable bond for the performance of the same, or by the deposit of money or security to the amount of such bond. (3/16/36 amended 3/18/63)

ARTICLE VII

JUNK DEALERS AND COLLECTORS

SECTION 1. The Selectmen may license suitable persons to be dealers in and keepers of shops for the purpose, sale, or barter of junk, old metals or second-hand articles in this town. They may also license suitable persons as junk collectors to collect, by purchase or otherwise, junk, old metals and second-hand articles from place to place in said town, and they may also provide that such collectors shall display badges upon their persons or upon their vehicles, or upon both, when engaged in collecting, transporting or dealing in junk, old metals, or second-hand articles, and may describe the design thereof. They may also provide that such shops and all articles of merchandise therein, and any place, vehicle, or receptacle used for the collecting or keeping of the articles aforesaid may be examined at all times by the Selectmen, authorized thereto. (3/16/36)

SECTION 2. Every keeper of a shop for the purpose of sale or barter of junk, old metals or second-hand articles within its limits, shall keep a book in which shall be written, at the time of every purchase, of any such article, a description thereof, the name, age, and residence of the person from whom and the day and hour when such purchase was made; that such book shall, at all times, be open to the inspection of the Selectmen, and of any persons by them respectively authorized to make such inspection; every keeper of such shop shall put in a suitable and conspicuous place on his shop a sign having his name and occupation legibly inscribed thereon in large letters; such shop, and all articles of merchandise therein, may at all times be examined by the Selectmen or by any one by them respectively authorized to make such examination; and no keeper of such shop and junk collector shall, directly or indirectly, either purchase or receive by way of barter or exchange any of the articles aforesaid of a minor or apprentice knowing or having reason to believe him to be such; and no article purchased or received by such shopkeeper shall be sold until at least a week from the date of its purchase or receipt has elapsed. The Selectmen may also prescribe the hours in which such shops shall be closed, and that no keeper thereof and no junk collector shall purchase any of the articles aforesaid during such hours. (3/16/36)

ARTICLE VIII

REGULATION OF ADVERTISING SIGNS AND BILLBOARDS

SECTION 1. Authorization. In conformity with the General Laws and lawful state regulations for the proper control and restriction of outdoor advertising devices and without relaxing any

restrictions on said devices imposed by such regulations, said devices in the Town of Norfolk are hereby further restricted as provided in the following sections. (3/16/36)

SECTION 2. Exemptions. This by-law shall apply exclusively to outdoor advertising within public view of any highway, public park or reservation. It shall not apply to signs or other devices controlled under the provision of Section 1, 2 or 8, of Chapter 85, General Laws, or to signs or other devices on or in the rolling stock, stations, subways or structures of or used by common carriers, except advertising devices on bridges or viaducts or abutments thereof; and except for lawful restrictions as to size and location, it shall not apply to signs or other devices which advertise or indicate either the person occupying the premises in question or the business transacted thereon or advertise the property itself or any part thereof as for sale or to let and which contain no other advertising matter. It also shall not apply to any advertising device legally permitted and maintained on the date of the taking effect of this by-law, until one year after the first day of July next following said date. (3/16/36)

SECTION 3. Definitions:

“Advertising devices” shall mean billboards, painted bulletins, poster panels, signs, placards, and other outdoor units designed to call public attention to the matter displayed thereon.

“Advertising sign” shall mean any outdoor device.

“Sign-board” shall mean any structure designed for displaying an outdoor advertisement.

“Highway” shall mean any public way.

“Public Park” shall mean any piece of public land of at least five thousand square feet set apart for beauty and public enjoyment.

“Public Reservation” shall mean a piece of public land set apart for recreational use as a state or municipal forest, as a protection to a public water supply, as a memorial, or cemetery, or as a place of unusual scenic or historical interest.

“Permitted” shall mean authorized by an official permit.

“Display” shall mean to make or maintain visible from any highway, public park or reservation.

“Area” of a sign or signboard shall mean the area of the face view of the entire device, including all attachments except supports and lattice at the base thereof.

“Residential District” shall include any district or block in which the greater part of the street frontage is occupied by land of one or more of the following classes: land devoted to residence or lodging purposes; undeveloped or open land; land devoted to farming, horticulture, floriculture or plantations, including the sale thereon of its own products, or to the raising of live-stock, pasturage, forests, wood-lots, parks, reservations, or recreation area.

“Non-conforming business” shall mean a business located in a residential or rural district, other than such rural business as farming or the raising and sale on the same premises of farm, garden or orchard products.

“Lawful sign” shall mean any outdoor advertising device not prohibited by any provision of law or by any lawful regulation.

“Accessory sign” shall mean any outdoor advertising device which carries only advertisements strictly incidental and subordinate to a lawful use of the premises on which it is located, including signs indicating business transacted or goods sold or produced on the premises or an occupant thereof, but not including any sign sold or rented to an outside party.

“Sign on a wall” shall mean a sign closely attached throughout to and facing with that wall, or on a window or door therein.

“Lot” shall mean a plot of ground containing and devoted to the purpose of a building or laid out to contain a building, with all required open spaces; or a larger tract of unbuilt, undivided land under one ownership. (3/16/36)

SECTION 4. Set-backs. No advertising sign or sign-board shall be permitted or allowed to be so located as to obstruct a view between any points on connecting streets within fifty feet of a corner of the rights of way; or to obstruct any door, window or fire escape on a building; or if on a roof to be set nearer than one-half its height to the wall thereof on a street front; or in a residential district, to extend more than six inches nearer to any boundary of the lot or premises on which it is located than it would be lawful to maintain a building. (3/16/36)

SECTION 5. Prohibitions. Except signs exempted under Section 2, no person, firm, association or corporation shall be permitted or allowed to erect, display or maintain any billboards or other outdoor advertising device in any district.

(a) Except the owner or a tenant occupant of the premises where it is located, or a party holding written permission from either to display the device for a limited period, which party's name shall be conspicuously displayed thereon;

(b) Upon any rock, tree, fence or pole;

(c) Within one hundred feet of any church, public building, monument or memorial, or within three hundred feet of any public park, playground or public reservation, if within view from any portion thereof; except that this paragraph shall not apply to accessory signs on the walls of buildings;

(d) If it contains any obscene, indecent or immoral matter.

(e) Unless all parts and attachments and the ground about the base thereof are kept in neat and safe condition.

SECTION 6. Administration. Whenever notice of an application for such a permit is received by the Town Clerk, he shall immediately transmit it to the Inspector of Buildings or other officer, if any, charged with the administration of this by-law. Such officer or in the lack of such officer, the Town Clerk shall thereupon make an examination of the case and as promptly as possible within thirty days of the receipt of the application by Town Clerk, shall send written notice to the State authority to whom the application is addressed stating whether or not the proposed advertising device would violate any provision of this by-law, and if so, what provision. Like notice shall be sent also to the applicant and to the owner or tenant of the proposed location of the device.

At least twenty-five days before an outdoor advertising device not requiring a permit from any state authority and not exempted under Section 2 shall be erected or displayed in the town, a description thereof and of its proposed location shall be filed with the Town Clerk, after which the procedure shall be the same as prescribed in the preceding paragraph in the case of an application for a state permit, except that notice whether or not the device would violate any provision of the law shall be sent, within twenty days after receipt of the description, only to the party filing the same and to the owner or tenant of the proposed location. (3/16/36)

SECTION 7. Penalties and Enforcement. Whoever violates any provisions of sections 4 or 5 hereof, shall be guilty of a misdemeanor and shall be punished by a fine of not more than one hundred dollars, and whoever after final conviction for such violation unlawfully displays such outdoor advertising device for twenty days shall be punished by a fine of not more than five hundred dollars.

The Selectmen or any officer charged with the enforcement of this by-law shall cause any such violator to be prosecuted; and shall notify the state regulatory authority of Outdoor Advertising of any and all violations of lawful state regulations. (3/16/36)

ARTICLE IX

POLICE REGULATIONS

SECTION 1. No owner or person having the care of any sheep, goats, swine, oxen, cows, horses or other grazing animals or fowl, shall permit or suffer the same to go at large or to graze on any street, way, common, square or other public place within the town, nor permit any such animal to go upon any sidewalk therein except for the purpose of crossing the same. (3/16/36)

SECTION 2. No person shall leave any vehicle or material or place any obstruction in any sidewalk, street or public place and suffer the same to remain there over night without maintaining a sufficient light and suitable guards over or near the same throughout the night, nor allow the same to remain after notice from a police officer of Norfolk to remove the same. (3/16/36)

SECTION 3. No person shall, by any means or in any manner willfully frighten any horse, or play at any game in which a ball is used, or shoot with bows and arrows, fly any kites, or throw stones or other missiles in any street or on any sidewalk. (3/16/36)

SECTION 4. No person shall skate or coast upon any sled upon any sidewalk or any street or public place except at such times and upon such streets or places as the Selectmen may, by public notice, designate for such purposes. (3/16/36)

SECTION 5. No person shall discharge any gun, fowling piece, pistol, or firearm or set fire to any material known as fireworks, or other combustible matter, in any of the public ways or streets of the town, except on such occasions and of such character and kind as the chief of police may, by public notice permit; provided, however, this section shall not apply to any person abating a nuisance of in the exercise of duty required or justified by law. (3/16/36)

SECTION 6. No person, other than a duly authorized officer or employee shall dig a trench or lay a pipe in, or in any way disturb the earth or materials on, in or under any street or public way without a permit in writing given by the Board of Selectmen upon application by said person made to said Board; and whenever such a permit is so issued, the person or persons to whom it shall be issued shall, whenever a pipe, drain, or any other structure is placed in, along or under such a street or public way, file with said Board, a plan of the same showing the location and elevation of such pipe, drain or other structure, said plan to be of such size and standard as said Board may require. Any person or persons requesting such permission may be required by the Selectmen to give a bond satisfactory to them to indemnify the town against any loss or damage occasioned by such excavation and/or alteration. (3/16/36 amended 6/7/74)

SECTION 7. No person shall behave in a rude, indecent or disorderly manner or use any indecent, profane or insulting language in any public place or in any street or sidewalk in the town or near any dwelling house or other building therein, or upon any doorstep, portico or other projection from any such house or other building to the annoyance or disturbance of any person; nor shall any person throw or drop in or upon any footpath, sidewalk or highway in the town any piece of wire, metal, mineral, nail or other material that might or would be a source of annoyance or danger to anyone lawfully passing over or using the same. (3/16/36)

SECTION 8. Three or more persons shall not stand in a group or near each other on any public way or sidewalk in such a manner as to obstruct a free passage for pedestrians after a request to move on, made by any police officer of Norfolk. (3/16/36)

SECTION 9. No person shall throw or deposit in any manner upon any public way, place or square in the town any article, substance or material which may prove injurious in any respect to the hoofs of animals, the tires of bicycles or the rubber tires of automobiles and other vehicles. (3/16/36)

SECTION 10. No person shall distribute or deposit advertising circulars, papers or other matter on the streets of the town, or shall team manure, hay, rubbish, ashes, liquid or other material in such a manner as to litter, pollute, or injure the streets of the town nor shall any person throw or deposit in any street or on any sidewalk, ashes, dirt, rubbish or other refuse of any kind except in the manner provided by the Board of Health. (3/16/36)

SECTION 11. No person shall cart or convey garbage, manure, rubbish, or filth of any kind nor any noxious or refuse liquid or solid matter or substance in any public street or place, except in such manner and at such times as the Board of Health by regulation or permit shall prescribe. (3/16/36)

SECTION 12. No person shall, without authority from the chief of the fire department, open or interfere with a signal box, wire or anything connected with the fire alarm apparatus except in cases of fire. (3/16/36)

SECTION 13. No person shall, without proper authority, extinguish, or remove any light placed to denote an obstruction or defect in a street or way. (3/16/36)

SECTION 14. No person shall, without proper authority, intermeddle with or willfully break any arc lamp or lamp globe or incandescent lamp or any insulators or attachments used to carry wires within the limits of any public way or place in the town. (3/16/36)

SECTION 15. No person shall make any indecent figures or write any indecent or obscene words upon any fence, building or structure in any public place, or commit a nuisance upon any sidewalk or against any tree, building or structure adjoining the same. (3/16/36)

SECTION 16. No person shall, without right, willfully or intentionally remove, displace, destroy, deface, mar or injure any guideboard, boundary sign, guard rail, machinery, equipment, building or other property of the Town. (3/16/36)

SECTION 17. No person shall keep any bird, fowl, or other animal, who by barks, howls or other noises disturbs the peace and quietness of any resident of the Town. (3/13/36)

SECTION 18. No person shall bathe or swim in any public place or exposed place in the Town in an indecent or nude condition. (3/16/36)

SECTION 19. For the purpose of facilitating the plowing or removal of snow and ice from any way, the Superintendent of Streets may cause any vehicle interfering with such work to be removed to any convenient place, including a public garage or storage area. The cost of such removal and storage charges shall be borne by the owner of such vehicle; the Superintendent of Streets shall cause a record to be kept of the registration number of any such vehicle so removed and of the place to which it was taken. (5/30/75)

SECTION 20. The owner of land whereon is located an abandoned well or well in use shall provide a covering for such well capable of sustaining a weight of three hundred pounds or shall fill same to the level of the ground. Whoever violates the requirement set forth herein shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars. (5/30/75)

SECTION 21. No transient person shall solicit funds for charitable, veteran, or fraternal purpose or solicit subscriptions for periodicals or shall solicit purchase orders and deposits for restoration or permanent preservation of personal articles of intrinsic value or photographs or portraits within the Town of Norfolk without first having registered his license number, organization, and business address and his true name, home address and date of birth with the Chief of Police or other Officer having charge of the station house. Violation of this section shall be punishable by a fine of not more than \$20.00. (3/23/64, amended 3/24/66)

SECTION 22. No person shall have more than one unregistered car or truck ungaraged on his premises in a residential district at any time unless authorized by the Board of Selectmen. In no event will an unregistered car or truck be stored in the front yard. (6/23/65, amended 6/24/66)

SECTION 23. A. License Fees; exemption for seeing-eye dogs; refund of fees.

The annual fee for every dog license, except as otherwise provided by law, shall be two dollars for a male dog, and five dollars for a female dog unless a certificate of a registered veterinarian who performed the operation that such female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the Town Clerk, in which case the fee shall be two dollars. A certified copy of such certificate on file in the office of any city or town clerk within the Commonwealth may be accepted as evidence that such operation has been performed. If the Town Clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the Commonwealth describing the dog and stating that he has examined such dog and that it appears to have been, and in his opinion has been spayed and thereby deprived of the power of propagation.

No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided, that the division of the blind certifies that such dog is so trained and actually in the services of a blind person.

No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal of the dog, nor shall any license fee or part thereof paid by mistake be paid or recovered back after it has been paid over to the county under Chapter 140, Section 147 of the General Laws.

B. Disturbing the peace.

No person shall own or keep in the Town any dog which by biting, excessive barking, howling or in any other manner disturbs the quiet of the public.

C. Complaint of nuisance.

If any person shall make a complaint in writing to the Dog Officer that any dog owned or harbored within his jurisdiction is a nuisance by reason of vicious disposition or excessive barking or other disturbance, the Dog Officer shall investigate such complaint, which may include an examination under oath of the complainant, and submit a written report to the Selectmen of his findings and recommendations, together with the written complaint. Upon receipt of such report and examination of the complainant under oath, the Selectmen may make such order concerning the restraint, muzzling or disposal of such dog as may be deemed necessary.

The Dog Officer, after investigation, may issue an interim order that such dog be restrained or muzzled for a period not to exceed fourteen days to enable the Selectmen to issue their order following receipt of the report of the Dog Officer. If the Selectmen fail to act during the period of the interim order, upon expiration of the period the interim order automatically is vacated.

The Dog Officer shall accept and investigate all written complaints.

D. The Dog Officer may restrain or muzzle, or issue an interim order to restrain or muzzle, for a period not to exceed fourteen days, any dog for any of the following reasons:

- (1) For having bitten any person.
- (2) If found at large or unmuzzled, as the case may be, while an order for the restraint of such dog is in effect.
- (3) If found in a school, schoolyard or public recreational area.
- (4) For having killed or maimed or otherwise damaged any other domesticated animal.
- (5) For chasing any vehicle upon any public way or way open to public travel in the Town.
- (6) For any violation of sub-section B.

Upon restraining or muzzling, or issuing an interim order to restrain or muzzle, the Dog Officer shall submit in writing to the Selectmen a report of his action and the reasons therefor. Upon receipt of such report the Selectmen may make such order concerning the restraint, muzzling or disposal of such dog as may be deemed necessary. If the Selectmen fail to act upon the report during the period the dog is restrained or muzzled, upon expiration of the period, the interim order automatically is vacated.

E. Appeal of restrain or muzzling.

The owner or keeper of any dog that has been ordered to be restrained or muzzled or has been restrained under this article, may file a request in writing with the Dog Officer that the restraining order be vacated, or that the dog be released, and after investigation by the Dog Officer such officer may vacate such order or release such dog, if the order or restraint was imposed by him. If the order was imposed by the Selectmen, the Dog Officer shall submit a written report of his investigation, with his recommendations, to the Selectmen, who may vacate such order.

The owner of any dog under order of restraint or muzzling or a disposal order by Selectmen following an appeal, shall have the right to appeal to the District Court.

F. Any owner or keeper of a dog who shall fail to comply with any order of the Dog Officer or Selectmen issued pursuant to this article shall be punishable by a fine of ten dollars (3/20/70)

SECTION 24. No person, except an officer of the law in the performance of his duties, shall enter upon the premises of another or upon any public or private property with the intention of peeping into the windows of a house or other building or of spying in any manner upon any person or persons therein. A violation of this section shall be punishable by a fine of \$20.00. (3/26/71, amended 11/5/71)

SECTION 25. No person shall drink any alcoholic beverage as defined by Massachusetts General Law, Chapter 138, Section 1, while on, in or upon any public way or way to which the public has access; any public park, play-ground or conservation area; or upon any private land or place without the consent of the owner or person in control thereof, a violation of this by-law shall be deemed to be a breach of the peace. All alcoholic beverage being used or consumed in violation of this by-law shall be seized and safely held until final disposition of any complaint brought against any person or persons charged with such violation, after which they shall be returned to the person lawfully entitled to the possession thereof. (11/16/73, amended 5/30/75)

SECTION 26. No driveway or other access to a public street shall be constructed or altered at the point of intersection with such street unless a written permit is first obtained from the Building Inspector. No building permit shall be issued for the construction of a new building or structure unless such access permit has first been obtained. (7/7/74)

ARTICLE X

FIRE DEPARTMENT REGULATIONS

SECTION 1. The Chief of the fire department may, and upon complaint of a person having interest in any building or premises or property adjacent thereto, shall, at all reasonable hours, enter into buildings and upon premises within his jurisdiction and make an investigation as to the existence of conditions likely to cause fire. He shall in writing order such conditions, if existing, to be remedied and whenever such officer finds in any building or upon any premises any accumulation of combustible rubbish, including waste paper, rags, cardboard, string, packing material, sawdust, shavings, sticks, waste leather or rubber, broken boxes or barrels or other refuse that is or may become dangerous as a fire menace to such building or premises, he shall in writing order the same to be removed or such conditions to be remedied. Whoever refuses or neglects to comply therewith shall be punished by a fine of not less than ten nor more than fifty dollars for each day during which neglect or refusal continues. (3/16/36)

ARTICLE XI

REPEAL AND AMENDMENT

SECTION 1. These by-laws may be repealed or amended at any annual Town Meeting, or any other Town Meeting specially called for the purpose, an article or articles for such purpose having been inserted in the Warrant for such meeting. (3/16/36)

SECTION 2. Every violation of any of the provisions of the foregoing by-laws contained in Articles 6, 7 and 9, unless otherwise provided by law or these by-laws shall be punished by a fine of not less than five (\$5.) dollars nor more than twenty (\$20.) dollars for each violation or breach thereof. (3/16/36)

SECTION 3. If any provision of these by-laws is declared unconstitutional or illegal by any Court, the validity of the remaining provisions shall not be affected thereby. (3/16/36)

SECTION 4. These by-laws shall go into effect upon the acceptance by the Town, and their approval and publication in the manner required by law, and all by-laws heretofore existing are hereby repealed. (3/16/36)

**ACTS AND RESOLVES PASSED BY THE
GENERAL COURT OF MASSACHUSETTS
FOR THE TOWN OF NORFOLK
1870 – 1975**

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An Act to Incorporate the Town of Norfolk

Section 1. All the territory now within the towns of Wrentham, Franklin, Medway and Walpole, in the county of Norfolk, comprised within the following limits, that is to say: beginning at a point on Charles River, in the north-west angle of Wrentham, and following in an easterly course the present line of division between Wrentham and Medfield to Stop River; thence running southerly along said river, and separated by the thread of its stream from Walpole to a point forty rods north of the mouth of the first brook running into said river, below Campbell's Mills, on the easterly side; thence from said point, by a straight line, running to the junction of Back and Bird streets, in Walpole; thence to the easterly side of said Bird street to its junction with West street; thence westerly by the northerly side of West street, twenty-five rods; thence southerly and near to and westerly from the barn belonging to the home estate of Charles Bird, until said line strikes Stop River, one hundred and twenty rods southerly from West street; thence along said river as far as Wrentham and Walpole are separated by the thread of its stream; thence by a straight line, running westerly of the Walpole almshouse and easterly of the farm buildings of Patrick Reardon, and easterly of the Dupee Blake place, so called, to a point on the line between Walpole and Foxborough, one hundred and twenty-five rods north-easterly from Dedham Rock; thence from said point, following the present line of division, between Wrentham and Foxborough, to Dedham Rock; thence southerly from said rock along the present line of Wrentham and Foxborough to a point on said line on the southerly side of Pine street; thence by a straight line to a point on the westerly side of Everett street, northerly of the house of Edmund T. Everett, and southerly of the Pondville cemetery, to a point on the westerly side of North street, five rods southerly of the farm buildings of Samuel J. Benn; thence through the Stony Brook reservoir, near to the house of E. S. Nash, to a point on the line between Franklin and Wrentham, ninety rods southerly of the house late of Eliphalet Lawrence; thence running northerly, by a straight line, near to the west of the farm buildings of the home estate of J. E. Pollard, near the Elliot Felting Mills, near to and thirty-five rods west of the present residence of Saul B. Scott, to the southern extremity of Populatic Pond; thence along the western shore of said pond, at low-water mark, to Charles River; thence in an easterly course upon Charles River, and separated by the thread of its stream from Medway to the centre of the iron bridge over said river; thence upon the thread of said river to the bridge of the Medway branch railroad; thence along the southerly side of said railroad, twenty-eight rods, to a point; thence from said point, by a straight line running in a north-easterly course, passing south-easterly of and near to the village of Deanville, near to and south of the old barn belonging to John Barber, to a point on Baltimore street, two rods from said barn; thence by a straight line to the easterly side of the great bend in Charles River and near the old fording place; thence upon said river, and separated by the thread of its stream, from Medway to the point of beginning; — is hereby incorporated into a town by the name of Norfolk; and said town of Norfolk is hereby invested with all the powers, privileges, rights and immunities, and is subject to all the duties and requisitions to which other towns are entitled and subjected by the constitution and laws of this Commonwealth.

Section 2. The inhabitants of said town of Norfolk shall be holden to pay all arrears of taxes, which have been legally assessed upon them by the towns of Wrentham, Franklin, Medway and Walpole, respectively; and all taxes heretofore assessed and not collected, shall be collected and paid to the treasurers of the towns of Wrentham, Franklin, Medway and Walpole, respectively, in the same manner as if this act had not been passed; and until the next general valuation of estates in this Commonwealth, the town of Norfolk shall annually pay over to the said towns of Wrentham, Franklin, Medway and Walpole, respectively, the proportion of any state or county tax which the said towns of Wrentham, Franklin, Medway and Walpole, respectively, may be required to pay, upon the inhabitants or estates

hereby set off; said proportion to be ascertained and determined by the respective valuations of the said towns of Wrentham, Franklin, Medway and Walpole, next preceding the passage of this act.

Section 3. Said towns of Wrentham, Franklin, Medway, Walpole and Norfolk, shall be respectively liable for the support of all persons who now do, or shall hereafter stand in need of relief as paupers, whose settlement was gained by or derived from a settlement gained or derived within their respective limits.

Section 4. The towns of Wrentham, Franklin, Medway, Walpole and Norfolk shall retain the school-houses within their respective limits, and the town of Norfolk shall assume and pay its just and equitable proportions, according to its present assessed valuation, of any debt due or owing from the towns of Wrentham and Franklin, respectively, at the time of the passage of this act, and shall be entitled to receive from said towns, respectively, its just and equitable proportion, according to said assessed valuation, of all the corporate property then owned by said towns of Wrentham and Franklin, respectively, including therein the school-houses retained by said Wrentham, Franklin and Norfolk, respectively; and said town of Norfolk shall be held to refund to said towns of Wrentham and Franklin, respectively, its just proportion of the surplus revenue, whenever the same shall be called for according to law; such proportion to be determined by the decennial state valuation next preceding such call. And in case the proportions aforesaid cannot be agreed upon by said towns of Norfolk, Wrentham and Franklin, respectively, the same shall be determined by three commissioners, to be appointed by the superior court for said county of Norfolk, upon a petition of either of said towns.

Section 5. The territory of the town of Norfolk, heretofore part of the towns of Franklin and Walpole, for the purpose of electing representatives to the general court until the next decennial census, or until another apportionment be made, shall remain a part of said towns of Franklin and Walpole, respectively, and vote therefor at such places, respectively, as the said towns shall vote; and the selectmen of Norfolk shall make a true list of all persons within their town, qualified to vote at every such election, and shall post up the same in said town of Norfolk, and shall correct the same as required by law, and shall deliver a true list of all such voters as are entitled to vote in said towns of Franklin, and Walpole, respectively, to the selectmen thereof, seven days at least before such election, to be used thereat.

And the territory of the town of Norfolk, heretofore part of the towns of Wrentham and Medway, until another apportionment be made, shall, for the purpose of electing representatives to the general court, remain a part of the twelfth Norfolk representative district, and vote for the same in the town of Norfolk; and the clerk of the town of Norfolk shall make returns and meet with the clerks of the towns of Foxborough, Medway and Wrentham for the purpose of ascertaining the result of the election and making certificates of the same at the time and place now provided for said meeting by law; and the territory of said town of Norfolk, until legally changed, shall, for the purpose of electing a representative in congress, continue to be part of congressional district numbered eight; and for the purpose of electing a councillor, part of the second councillor district; and for the purpose of electing a senator, a part of the third Norfolk district.

Section 6. Any justice of the peace within and for the county of Norfolk, may issue his warrant, directed to any principal inhabitant, of the Town of Norfolk, requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at the time and place appointed for the purpose of choosing all such town officers as towns are by law authorized and required to choose at their annual meetings; and said warrant shall be served by posting up copies thereof, attested by the person to whom the same is directed, in three public places in said town, seven days at least before such meeting. Such justice, or, in his absence, such principal inhabitant, shall preside until the choice of moderator in said

meeting. The selectmen of the towns of Wrentham, Franklin, Medway and Walpole shall, before said meeting, prepare a list of voters from their respective towns within said Norfolk, qualified to vote at said meeting, and shall deliver the same to the person presiding at said meeting before the choice of a moderator thereof.

Section 7. This act shall take effect upon its passage.

Approved February 23, 1870

1871

4/19/1871

Page 572

Chapter 201

An Act to Define the Boundary Line Between the Towns of Norfolk and Wrentham

Section 1. The boundary line between the town of Norfolk and the town of Wrentham is hereby established, as follows: beginning on Pine Street, on the dividing line between the towns of Norfolk, Wrentham and Foxborough, on the southerly side of said street, at the bound now established by a stone monument marked "W.F. and N.," thence north sixty-two degrees and twenty-three minutes ($62^{\circ} 23'$) west, one hundred and sixty-eight and nine-tenths rods ($168 \frac{9}{10}$) to a stone monument marked "W. and N.," on the west side of Everett street, near the south corner of the Pondville cemetery, thence north sixty degrees and forty-five minutes ($60^{\circ} 45'$) west, one hundred and fifty-five rods to a stone monument marked "W. and N.," on the west side of Dedham street, thence on the same course two hundred and nine and four-tenths rods ($209 \frac{4}{10}$) to a stone monument marked "W. and N.," on the westerly side of North street, and five rods southerly of the farm buildings of Samuel J. Benn, thence north eighty-one degrees (81°) west, thirty-one (31) rods to a stone monument marked "W. and N.," on the east side of Shears street, thence on the same course four hundred and eighty-three (483) rods through the Stony Brook reservoir and passing over Tails End street where there is a stone monument marked "W. and N.," to a stone monument marked "W. and N." on the west side of Park Street about forty-five (45) rods north of the residence of E. S. Nash thence on the same course two hundred and one and two-tenths ($201 \frac{2}{10}$) rods to a stone monument marked "W.F. and N." on the dividing line between the towns of Norfolk, Franklin and Wrentham ninety (90) rods southerly of the house of J. E. Pollard.

Section 2. So much of chapter thirty-five of the acts of the year eighteen hundred and seventy as is inconsistent herewith, is hereby repealed.

Section 3. This act shall take effect upon its passage.

Approved April 19, 1871

1879

2/21/1879

Page 447

Chapter 49

**An Act to Authorize the North Parish of Wrentham to Sell Its Meeting-House
and Land to the Town of Norfolk**

Section 1. The North Parish of Wrentham is hereby authorized to sell its right and title to the meeting-house and land now owned or occupied by said parish to the town of Norfolk.

Section 2. This act shall take effect upon its passage.

Approved February 21, 1879

1902

2/27/1902

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Chapter 133

**An Act to Authorize the Towns of Millis, Westwood and Norfolk
to Unite for the Employment of a Superintendent of Schools**

Section 1. The towns of Millis, Westwood and Norfolk shall have the same power to unite for the purpose of the employment of a superintendent of schools, and the same right to receive an allowance from the state treasury, under the provisions of section forty-three of chapter forty-two of the Revised Laws, which they would have if said towns contained twenty-five schools, and they shall be subject to the same duties and liabilities to which they would be subject if they contained twenty-five schools.

Section 2. This act shall take effect upon its passage.

Approved February 27, 1902

1903

4/26/1903

Page 360

Chapter 389

**An Act to Establish the Boundary Line Between the Town of Medfield
and the Towns of Dover, Walpole and Norfolk**

Section 1. The following described line shall hereafter be the boundary line between the town of Medfield and the towns of Dover, Walpole and Norfolk: — Beginning at the corner of the towns of Dover, Medfield and Sherborn at a point in the middle of Charles River, south eighty-nine degrees, thirty-one minutes west and seventy five feet distant from a round top boulder lettered D M, standing seventy feet northwest of the northwesterly corner of the Medfield asylum pumping station and about thirty feet east of the easterly bank of the Charles River in latitude forty-two degrees, twelve minutes, fifty-five and two one-hundredths seconds, and longitude seventy-one degrees, twenty minutes, nineteen and seven one hundredths seconds; thence north eighty-nine degrees, thirty minutes, fifty-eight seconds east, true bearing, eighteen thousand two hundred and fifty feet, passing through said round top boulder to a point about sixty-five feet south of the present northeasterly corner of Medfield in latitude forty-two degrees, twelve minutes, fifty-six and forty-seven one hundredths seconds, and longitude seventy-one degrees, sixteen minutes, seventeen and fifty-six one hundredths seconds; thence south twenty degrees, two minutes east, true bearing, two thousand three hundred and forty-eight feet to a point marked by a granite monument lettered D M, standing about four hundred feet south of the house of W. Condrick on Hartford street at what was formerly known as the "Wolf Pit", and in latitude forty-two degrees, twelve minutes, thirty-four and sixty-eight one hundredths seconds, and longitude seventy-one degrees, sixteen minutes, six and eighty-seven one hundredths seconds; thence south six degrees, fifty-five minutes west, true bearing, three thousand three hundred and thirty-seven feet to the corner of the towns of Dover, Medfield and Walpole, marked by a granite monument lettered D M, M. W and W D, standing on the southerly side of the highway known as County street in Dover and Main street in Medfield, at a point opposite the house of P. J. Connor, and in latitude forty-two degrees, twelve minutes, one and ninety-five one hundredths seconds, and longitude seventy-one degrees, sixteen minutes, twelve and twenty-one one hundredths seconds; thence south thirteen degrees, forty minutes west, true bearing, seven thousand and fifty-nine feet to a point marked by a granite monument lettered M and W, standing in woodland about one thousand four hundred feet south of the house of James W. Coltman, in latitude forty-two degrees, ten minutes, fifty-four and nineteen one hundredths seconds, and longitude seventy-one degrees, sixteen minutes, thirty-four and thirty-seven one hundredths seconds; thence south no degrees, fifty-four minutes east, true bearing, twelve thousand and forty-four feet to a point marked by a granite

monument lettered M, W, W, standing at the present southeast corner of Medfield in latitude forty-two degrees, eight minutes, fifty-five and twenty-three one hundredths seconds, and longitude seventy-one degrees, sixteen minutes, thirty-one and eighty-four one hundredths seconds; thence north eighty-seven degrees, forty minutes west, true bearing, about seven thousand seven hundred and ninety-three feet to the middle of Stop River at the present corner of the towns of Norfolk, Medfield and Walpole, at a point about twenty feet north eighty-nine degrees, forty-five minutes east, true bearing from a granite monument lettered M N W, standing in an open meadow on the westerly bank of the river in latitude forty-two degrees, eight minutes, fifty-eight and thirty-seven one hundredths seconds, and longitude seventy-one degrees, eighteen minutes, fifteen and forty-seven one hundredths seconds and about five hundred and twenty-five feet southeasterly from the culvert through which Stop River passes under South Street in Medfield; thence south eighty-nine degrees, forty-five minutes west, true bearing, nine thousand seven hundred and fifty feet, passing through said monument on the westerly side of Stop River to the middle of Charles River, at the present corner of the towns of Medfield, Millis and Norfolk at a point south eighty-nine degrees, forty-four minutes west and thirty feet distant from a granite monument lettered M and N, standing in an open meadow on the easterly bank of Charles River, in latitude forty-two degrees, eight minutes, fifty-seven and ninety-four one hundredths seconds, and longitude seventy-one degrees, twenty minutes, twenty-four and twenty-six one hundredths seconds.

Section 2. This act shall take effect upon its passage.

Approved May 27, 1903.

1926

3/15/26

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Chapter 119

**An Act Providing for the Reimbursement of the Town of Norfolk
for Loss of Taxes by Reason of the Nonuse by the Commonwealth
of the Norfolk State Hospital in Said Town for the Purposes of a Public Institution**

The Town of Norfolk shall, for the year nineteen hundred and twenty-four and for each year thereafter so long as the ownership of the Norfolk state hospital in said town remains in the commonwealth, be reimbursed by it under sections thirteen to seventeen, inclusive, of chapter fifty-eight of the General Laws, for the loss of taxes sustained by said town by virtue of such ownership, to the same extent and in the same manner as though said hospital were used by the commonwealth for the purposes of a public institution; provided, that such reimbursement for the years nineteen hundred and twenty-four and nineteen hundred and twenty-five shall be made at the same time as the reimbursement for the current year. No payment hereunder shall be made during the current fiscal year until an appropriation has been made sufficient to cover the same.

Approved March 15, 1926

1927

3/28/27

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Chapter 179

**An Act to Re-Establish a Portion of the Town Line Between
the Towns of Norfolk and Walpole**

Section 1. The following described line shall hereafter constitute a portion of the boundary line between the towns of Norfolk and Walpole: – Beginning at the present Norfolk-

Walpole town bound number four, as shown in the Massachusetts state atlas, about four hundred feet westerly of the junction of West and Bird streets; thence north twenty-two degrees fifty-nine minutes west and approximately seven and five tenths feet distant to a point in the northerly line of Main street in said town of Norfolk, as laid out by the Norfolk county commissioners; thence, along said northerly line of Main street to its intersection with the easterly line of Bird street in said town of Norfolk approximately twenty-five feet northerly of the present Norfolk-Walpole town bound number three, as shown in said atlas, marking an angle in the present boundary line.

Section 2. This act shall take effect upon its passage.

Approved March 28, 1927

1927

4/1/27

Page 474

Chapter 16

Resolve Authorizing the Transfer of the Norfolk State Hospital Property

Chapter four of the resolves of nineteen hundred and twenty-five is hereby amended by inserting after the word "convey" in the third line the words: —, or transfer to the control of any state department, board or commission, — so as to read as follows: — Resolved, that the commissioner of mental diseases and the commission on administration and finance, acting jointly, are hereby authorized to sell and convey, or transfer to the control of any state department, board or commission, in whole or in part, with the approval of the governor and council, the property comprising the Norfolk state hospital and situated in the towns of Norfolk and Walpole including the land and all the buildings and other improvements thereon.

Approved April 1, 1927

1936

2/10/36

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Chapter 26

**An Act Authorizing the Town of Norfolk to Receive and Administer the Property
of the Norfolk Cemetery Association in Said Town,
Subject to Judicial Decree as Affecting Trust Property**

Section 1. Norfolk Cemetery Association, a corporation duly incorporated under general law and situated in the town of Norfolk, may, by deed executed by the treasurer, and three trustees or a majority thereof, of the corporation thereunder duly authorized, convey and transfer to said town, and said town is hereby authorized to receive, and thereafter to hold and maintain, but for cemetery purposes only, and subject to all rights heretofore existing in any burial lots, the real and personal property of the corporation not subject to any trust, and thereupon, and upon the transfer of trust funds as hereinafter provided, the corporation shall be dissolved; and the cemetery of the corporation shall be and become a public burial place, ground or cemetery.

Section 2. In so far as authorized by the decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from said corporation a conveyance and transfer of, and administer, all funds or other property held by it in trust for the perpetual care of the lots in its cemetery and for other purposes, and also any property devised or bequeathed to said corporation under the will of any person living at the time of said transfer or conveyance or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with

any savings bank, under authority of section thirty-seven or thirty-eight of chapter one hundred and sixty-eight of the General Laws, or with any other banking institution, for the benefit of the corporation, or of any lots in its cemetery, may, after such conveyance and transfer are authorized by such decree, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer, under the direction of the cemetery commissioners of said town, shall use the same for the purposes specified in such decree.

Section 3. All real and personal property, and property rights, acquired by said town from the corporation under authority of section one shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in its cemetery or any lots therein shall remain in force to the same extent as if this act had not been passed and such transfer had not occurred. The records of the corporation shall be delivered to the clerk of said town, and such clerk may certify copies thereof.

Section 4. This act shall take full effect upon its acceptance by a majority of the registered voters of the town of Norfolk present and voting thereon at the annual town meeting of said town to be held in the year nineteen hundred and thirty-six, or at a special town meeting called for the purpose to be held prior to December thirty-first, nineteen hundred and thirty-six.

Approved February 10, 1936

1936

2/10/36

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Chapter 27

**An Act Placing the Office of Chief of Police of the Town of
Norfolk Under the Civil Service Laws**

Section 1. The office of chief of police of the town of Norfolk shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations relating to the appointment and removal of police officers in towns, and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to such laws; provided; however, that Douglas Rockwood, the present incumbent of said office, may continue to serve as such without taking a civil service examination.

Section 2. This act shall be submitted to the voters of said town at the annual town meeting in the current year in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: "Shall an act passed by the General Court in the year nineteen hundred and thirty-six entitled 'An Act placing the office of chief of police of the town of Norfolk under the civil service laws', be accepted?" If a majority of the votes in answer to said question are in the affirmative, then this act shall thereupon take effect, but not otherwise.

Approved February 10, 1936

1943

4/1/43

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Chapter 134

**An Act Authorizing the Town of Norfolk or Any Water Supply District Therein
to Purchase Water from the Commonwealth**

Section 1. Subject to the approval of the governor and council, the town of Norfolk, or any water supply district duly established therein, may obtain from the commonwealth, through an arrangement with the department of correction, water from the works of the state prison colony, and may obtain from the commonwealth, through an arrangement with the department of public health, water from the works of Pondville Hospital. In carrying out any such plan of supplying water to said town, or district which is approved by the governor and council, the commissioner of correction or the commissioner of public health, or each of said commissioners, as the case may be, may, in his discretion, arrange for the delivery of, and deliver, water from the works under his control into the pipes of said town or district, from such places and on such conditions and terms as such commissioner and the water commissioners of said town or district may mutually agree upon. If either of such commissioners and said water commissioners are unable so to agree, the water from the works under the control of such commissioner shall be pumped and delivered from such places and upon such conditions and terms as shall be approved and authorized by the governor and council.

Section 2. This act shall take effect upon its passage.

Approved April 1, 1943

1948

5/14/48

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Chapter 312

**An Act Increasing the Amount of Money that the Town of Norfolk
May Borrow for School Purposes**

Section 1. Chapter 297 of the acts of 1946 is hereby amended by striking out section 1 and inserting in place thereof the following section: — Section 1. For the purposes of constructing a school building and originally equipping and furnishing the same, the town of Norfolk may, by vote at an annual town meeting, borrow from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Norfolk School Loan, Act of 1946. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, including the limitation contained in the first paragraph of section seven thereof.

Section 2. This act shall take effect upon its passage.

Approved May 14, 1948

1964

5/26/64

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Chapter 437

**An Act Authorizing the Town of Franklin to Acquire Land in the
Town of Norfolk for the Purpose of Increasing Its Water Supply**

The town of Franklin acting by its board of public works, for the purpose of increasing its water supply, may with the assent of the selectmen of the town of Norfolk take by eminent domain under the provisions of chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, the following described parcels of land located in said town of Norfolk, bounded and described as follows:

Land located in the town of Norfolk and being shown as lots A and B on a plan entitled "Subdivision plan of land in Franklin and Norfolk", being a subdivision of lot C as shown on Plan 6616J filed with Certificate of Title No. 34088, Registry District of Norfolk County, containing six and eighty-seven hundredths acres of land more or less.

Approved May 26, 1964

1972

6/23/72

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Chapter 476

**An Act Authorizing the Town of Norfolk to Acquire, Administer
and Maintain the Property of the Norfolk Cemetery Association**

Section 1. Notwithstanding any general or special law to the contrary, the town of Norfolk is hereby authorized to take by eminent domain, or acquire by purchase, gift or otherwise, title to certain land with the assets and buildings thereon in said town used, or formerly used, as a private cemetery, and owned by the Norfolk Cemetery Association, and thereafter to hold, administer and maintain said land, building and assets for cemetery purposes, subject to all rights heretofore existing in any burial lots located within the cemetery. Upon the acquisition of said land by said town, it shall be and be used as a public burial ground, place or cemetery.

Section 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from the corporation a conveyance and transfer of, and administer, all funds or other property held by the corporation in trust for the perpetual care of the lots in the cemetery and for other purposes, and also any property devised or bequeathed to the corporation under the will of any person living at the time of said acquisition or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited, in trust with any savings bank as authorized by law, or with any other banking institution, for the benefit of the corporation, or any burial lot therein, may, after the acquisition by said town, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purpose of said trusts.

Section 3. All property and property rights acquired by said town under authority of this act shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the cemetery or any lots therein shall remain in force to the same extent as if this act had not been passed and such acquisition had not occurred. Any records of the corporation shall be delivered to the clerk of said town and he may certify copies thereof.

Section 4. This act shall take effect upon its passage.

Approved June 23, 1972



