

AVON, MASSACHUSETTS
WETLANDS PROTECTION BYLAW

SECTION I: PURPOSE

THE PURPOSE OF THIS BYLAW IS TO PROTECT THE WETLANDS, RELATED WATER RESOURCES, AND ADJOINING LAND AREAS IN AVON BY CONTROLLING ACTIVITIES DEEMED BY THE CONSERVATION COMMISSION LIKELY TO HAVE A SIGNIFICANT OR CUMULATIVE EFFECT UPON WETLAND VALUES, INCLUDING BUT NOT LIMITED TO THE FOLLOWING: PUBLIC OR PRIVATE WATER SUPPLY, GROUNDWATER, FLOOD CONTROL, EROSION AND SEDIMENTATION CONTROL, STORM DAMAGE PREVENTION, DRAINAGE, WATER POLLUTION, WILDLIFE HABITAT, AGRICULTURE, RECREATION AND AQUACULTURE VALUES (COLLECTIVELY, THE "WETLAND VALUES PROTECTED BY THIS BYLAW").

SECTION II: JURISDICTION

EXCEPT AS PERMITTED BY THE CONSERVATION COMMISSION OR AS PROVIDED IN THIS BYLAW, NO PERSON SHALL REMOVE, FILL, DREDGE, BUILD UPON, DEGRADE, OR OTHERWISE ALTER THE FOLLOWING RESOURCE AREA: ANY FRESHWATER WETLAND; MARSHES; WET MEADOWS; BOGS; SWAMPS; VERNAL POOLS; BANKS; RESERVOIRS; LAKES; PONDS; STREAMS; CREEKS; LANDS UNDER WATERBODIES; LANDS SUBJECT TO FLOODING OR INUNDATION BY GROUNDWATER OR SURFACE WATER; AND LANDS WITHIN 100 FEET OF ANY OF THE AFORESAID RESOURCE AREAS (COLLECTIVELY THE "RESOURCE AREAS PROTECTED BY THE BYLAW").

SECTION III: EXCEPTIONS

THE PERMIT AND APPLICATION REQUIRED BY THIS BYLAW SHALL NOT BE REQUIRED FOR MAINTAINING, REPAIRING, OR REPLACING, BUT NOT SUBSTANTIALLY CHANGING OR ENLARGING, AN EXISTING AND LAWFULLY LOCATED STRUCTURE OR FACILITY USED IN THE SERVICE OF THE PUBLIC TO PROVIDE ELECTRIC, GAS, WATER, TELEPHONE, TELEGRAPH OR OTHER TELECOMMUNICATION SERVICES, PROVIDED THAT WRITTEN NOTICE HAS BEEN GIVEN TO THE COMMISSION PRIOR TO COMMENCEMENT OF WORK, AND PROVIDED THAT THE WORK CONFORMS TO PERFORMANCE STANDARDS AND DESIGN SPECIFICATIONS IN REGULATIONS ADOPTED BY THE COMMISSION.

THE PERMIT AND APPLICATION REQUIRED BY THIS BYLAW SHALL NOT BE REQUIRED FOR WORK PERFORMED FOR NORMAL MAINTENANCE OR IMPROVEMENT OF LAND IN AGRICULTURAL USE, PROVIDED THAT WRITTEN NOTICE HAS BEEN GIVEN TO THE COMMISSION PRIOR TO COMMENCEMENT OF WORK, AND PROVIDED THAT THE WORK CONFORMS TO PERFORMANCE STANDARDS AND DESIGN SPECIFICATIONS IN REGULATIONS ADOPTED BY THE COMMISSION.

THE PERMIT AND APPLICATION REQUIRED BY THIS BYLAW SHALL NOT APPLY TO EMERGENCY PROJECTS NECESSARY FOR THE PROTECTION OF THE HEALTH AND SAFETY OF THE PUBLIC, PROVIDED THAT THE WORK IS TO BE PERFORMED BY OR HAS BEEN ORDERED TO BE PERFORMED BY AN AGENCY OF THE COMMONWEALTH OR A POLITICAL SUBDIVISION THEREOF, PROVIDED THAT ADVANCE NOTICE, ORAL OR WRITTEN, HAS BEEN GIVEN TO THE COMMISSION PRIOR TO COMMENCEMENT OF WORK OR WITHIN 24 HOURS AFTER COMMENCEMENT, PROVIDED THAT THE COMMISSION OR ITS AGENT CERTIFIES THE WORK AS AN EMERGENCY PROJECT, PROVIDED THAT THE WORK IS PERFORMED ONLY FOR THE TIME AND PLACE CERTIFIED BY THE COMMISSION FOR THE LIMITED PURPOSES NECESSARY TO ABATE THE EMERGENCY, AND PROVIDED THAT WITHIN 21 DAYS OF COMMENCEMENT OF AN EMERGENCY PROJECT A PERMIT APPLICATION SHALL BE FILED WITH THE COMMISSION FOR REVIEW AS PROVIDED BY THIS BYLAW. UPON FAILURE TO MEET THESE AND OTHER REQUIREMENTS OF THE COMMISSION, THE COMMISSION MAY, AFTER NOTICE AND A PUBLIC HEARING, REVOKE OR MODIFY AN EMERGENCY PROJECT APPROVAL AND ORDER RESTORATION AND MITIGATION MEASURES.

OTHER THAN STATED IN THIS SECTION, THE EXCEPTIONS PROVIDED IN THE WETLANDS PROTECTION ACT SHALL NOT APPLY UNDER THIS BYLAW.

SECTION IV. APPLICATIONS FOR PERMITS &
REQUESTS FOR DETERMINATION

WRITTEN APPLICATION SHALL BE FILED WITH THE COMMISSION TO PERFORM ACTIVITIES REGULATED BY THIS BYLAW AFFECTING RESOURCE AREAS PROTECTED BY THIS BYLAW. THE PERMIT APPLICATION SHALL INCLUDE SUCH INFORMATION AND PLANS AS ARE DEEMED NECESSARY BY THE COMMISSION TO DESCRIBE PROPOSED ACTIVITIES AND THEIR EFFECTS ON THE ENVIRONMENT. NO ACTIVITIES SHALL COMMENCE WITHOUT RECEIVING AND COMPLYING WITH A PERMIT ISSUED PURSUANT TO THIS BYLAW.

THE COMMISSION IN AN APPROPRIATE CASE MAY ACCEPT AS THE PERMIT APPLICATION AND PLANS UNDER THIS BYLAW THE NOTICE OF INTENT AND PLANS FILED UNDER THE WETLANDS PROTECTION ACT, G.L. c. 131, s 40, AND REGULATIONS, 310 CMR 10.00.

ANY PERSON DESIRING TO KNOW WHETHER OR NOT A PROPOSED ACTIVITY OR AN AREA IS SUBJECT TO THIS BYLAW MAY IN WRITING REQUEST A DETERMINATION FROM THE COMMISSION. SUCH A REQUEST FOR DETERMINATION SHALL INCLUDE SUCH INFORMATION AND PLANS AS ARE DEEMED NECESSARY BY THE COMMISSION.

AT THE TIME OF A PERMIT APPLICATION OR REQUEST FOR DETERMINATION, THE APPLICANT SHALL PAY A FILING FEE SPECIFIED IN REGULATIONS OF THE COMMISSION. THE FEE IS IN ADDITION TO THAT REQUIRED BY THE WETLANDS PROTECTION ACT, G.L. c 131, s. 40, AND REGULATIONS, 310 CMR 10.00. THE COMMISSION MAY WAIVE THE FILING FEE, CONSULTANT FEE, AND COSTS AND EXPENSES FOR A PERMIT APPLICATION OR REQUEST FOR DETERMINATION FILED BY A GOVERNMENT AGENCY AND SHALL WAIVE THEM FOR A REQUEST FOR DETERMINATION FILED BY A PERSON HAVING NO FINANCIAL CONNECTION WITH THE PROPERTY WHICH IS THE SUBJECT OF THE REQUEST.

UPON RECEIPT OF A PERMIT APPLICATION OR REQUEST FOR DETERMINATION, THE COMMISSION IS AUTHORIZED TO REQUIRE AN APPLICANT TO PAY A FEE FOR THE REASONABLE COSTS AND EXPENSES BORNE BY THE COMMISSION FOR SPECIFIC EXPERT ENGINEERING AND OTHER CONSULTANT SERVICES DEEMED NECESSARY BY THE COMMISSION TO COME TO A FINAL DECISION ON THE APPLICATION. THIS FEE IS CALLED THE CONSULTANT FEE. THE SPECIFIC CONSULTANT SERVICES MAY INCLUDE BUT ARE NOT LIMITED TO WETLANDS SURVEY AND DELINEATION, ANALYSIS OF WETLAND VALUES, HYDROGEOLOGIC AND DRAINAGE ANALYSIS, WILDLIFE HABITAT EVALUATIONS, AND ENVIRONMENTAL OR LAND USE LAW.

THE COMMISSION MAY REQUIRE THE PAYMENT OF THE CONSULTANT FEE AT ANY POINT IN ITS DELIBERATIONS PRIOR TO A FINAL DECISION. THE APPLICANT SHALL PAY THE FEE TO THE TOWN TO BE PUT INTO A CONSULTANT SERVICES ACCOUNT OF THE COMMISSION, WHICH MAY BE DRAWN UPON BY THE COMMISSION FOR SPECIFIC CONSULTANT SERVICES APPROVED BY THE COMMISSION AT ONE OF ITS PUBLIC MEETINGS.

THE EXERCISE OF DISCRETION BY THE COMMISSION IN MAKING ITS DETERMINATION TO REQUIRE THE PAYMENT OF A FEE SHALL BE BASED UPON ITS REASONABLE FINDING THAT ADDITIONAL INFORMATION ACQUIRABLE ONLY THROUGH OUTSIDE CONSULTANTS WOULD BE NECESSARY FOR THE MAKING OF AN OBJECTIVE DECISION.

THE COMMISSION SHALL RETURN ANY UNUSED PORTION OF THE CONSULTANT FEE TO THE APPLICANT UNLESS THE COMMISSION DECIDES AT A PUBLIC MEETING THAT OTHER ACTION IS NECESSARY. ANY APPLICANT AGGRIEVED BY THE IMPOSITION OF, OR SIZE OF, THE CONSULTANT FEE, OR ANY ANY ACT RELATED THERETO, MAY APPEAL ACCORDING TO THE PROVISIONS OF THE MASSACHUSETTS GENERAL LAWS.

THE MAXIMUM CONSULTANT FEE CHARGED TO REIMBURSE THE COMMISSION FOR REASONABLE COSTS AND EXPENSES SHALL BE ACCORDING TO THE FOLLOWING SCHEDULE:

<u>PROJECT COST</u>	<u>MAXIMUM FEE</u>
UP TO - \$ 50,000	NO FEE
\$ 50,000 - \$ 100,000	\$ 1,000
\$ 100,001 - \$ 500,000	\$ 2,500
\$ 500,001 - \$1,000,000	\$ 5,000
\$1,000,001 - \$1,500,000	\$ 7,500
\$1,500,001 - \$2,000,000	\$10,000

EACH ADDITIONAL \$500,000 PROJECT COST INCREMENT (OVER \$2,000,000) SHALL BE CHARGED AT AN ADDITIONAL \$2,500 MAXIMUM FEE PER INCREMENT.

THE PROJECT COST MEANS THE ESTIMATED, ENTIRE COST OF THE PROJECT INCLUDING, BUT NOT LIMITED TO, BUILDING CONSTRUCTION, SITE PREPARATION, LANDSCAPING, AND ALL SITE IMPROVEMENTS. THE CONSULTANT FEE SHALL BE PAID PRO RATA FOR THAT PORTION OF THE PROJECT COST APPLICABLE TO THOSE ACTIVITIES WITHIN RESOURCE AREAS PROTECTED BY THIS BYLAW. THE PROJECT SHALL NOT BE SEGMENTED TO AVOID BEING SUBJECT TO THE CONSULTANT FEE. THE APPLICANT SHALL SUBMIT ESTIMATED PROJECT COSTS AT THE COMMISSION'S REQUEST, BUT THE LACK OF SUCH ESTIMATED PROJECT COSTS SHALL NOT ALLOW THE APPLICANT TO AVOID THE PAYMENT OF THE CONSULTANT FEE.

SECTION VII:

PERMITS, DETERMINATION, & CONDITIONS

IF THE COMMISSION, AFTER A PUBLIC HEARING, DETERMINES THAT THE ACTIVITIES WHICH ARE SUBJECT TO THE APPLICATION ARE LIKELY TO HAVE A SIGNIFICANT OR CUMULATIVE EFFECT UPON THE WETLAND VALUES PROTECTED BY THIS BYLAW, THE COMMISSION, WITHIN 21 DAYS OF THE CLOSE OF THE HEARING, SHALL ISSUE OR DENY A PERMIT FOR THE ACTIVITIES REQUESTED. IF IT ISSUES A PERMIT, THE COMMISSION SHALL IMPOSE CONDITIONS WHICH THE COMMISSION DEEMS NECESSARY OR DESIRABLE TO PROTECT THOSE VALUES, AND ALL ACTIVITIES SHALL BE DONE IN ACCORDANCE WITH THOSE CONDITIONS.

THE COMMISSION IS EMPOWERED TO DENY A PERMIT FOR FAILURE TO MEET THE REQUIREMENTS OF THIS BYLAW; FOR FAILURE TO SUBMIT NECESSARY INFORMATION AND PLANS REQUESTED BY THE COMMISSION; FOR FAILURE TO MEET THE DESIGN SPECIFICATIONS, PERFORMANCE STANDARDS, AND OTHER REQUIREMENTS IN REGULATIONS OF THE COMMISSION; FOR FAILURE TO AVOID OR PREVENT UNACCEPTABLE SIGNIFICANT OR CUMULATIVE EFFECTS UPON THE WETLAND VALUES PROTECTED BY THIS BYLAW; AND WHERE NO CONDITIONS ARE ADEQUATE TO PROTECT THOSE VALUES. DUE CONSIDERATION SHALL BE GIVEN TO ANY DEMONSTRATED HARDSHIP ON THE APPLICANT BY REASON OF DENIAL, AS PRESENTED AT THE PUBLIC HEARING.

A PERMIT SHALL EXPIRE TWO (2) YEARS FROM THE DATE OF ISSUANCE. NOTWITHSTANDING THE ABOVE, THE COMMISSION IN ITS DISCRETION MAY ISSUE A PERMIT EXPIRING FIVE YEARS FROM THE DATE OF ISSUANCE FOR RECURRING OR CONTINUOUS MAINTENANCE WORK, PROVIDED THAT ANNUAL NOTIFICATION OF TIME AND LOCATION OF WORK IS GIVEN TO THE COMMISSION. ANY PERMIT MAY BE RENEWED ONCE FOR AN ADDITIONAL ONE YEAR PERIOD, PROVIDED THAT A REQUEST FOR A RENEWAL IS RECEIVED IN WRITING BY THE COMMISSION PRIOR TO EXPIRATION.

FOR GOOD CAUSE THE COMMISSION MAY REVOKE OR MODIFY A PERMIT OR DETERMINATION ISSUED UNDER THIS BYLAW AFTER NOTICE TO THE HOLDER OF THE PERMIT; THEN NOTICE TO THE PUBLIC, ABUTTERS, AND TOWN BOARDS, PURSUANT TO SECTION 5, AND A PUBLIC HEARING MAY BE HELD.

THE COMMISSION IN AN APPROPRIATE CASE MAY COMBINE THE PERMIT OR DETERMINATION ISSUED UNDER THIS BYLAW WITH THE ORDER OF CONDITIONS AND DETERMINATION OF APPLICABILITY ISSUED UNDER THE WETLANDS PROTECTION ACT.

NO WORK PROPOSED IN ANY PERMIT APPLICATION SHALL BE UNDERTAKEN UNTIL THE PERMIT ISSUED BY THE COMMISSION WITH RESPECT TO SUCH WORK HAS BEEN RECORDED IN THE REGISTRY OF DEEDS OR, IF THE LAND AFFECTED THEREBY BE REGISTERED LAND, IN THE REGISTRY SECTION OF THE LAND COURT FOR THE DISTRICT WHEREIN THE LAND LIES, AND UNTIL THE HOLDER OF THE PERMIT CERTIFIES IN WRITING TO THE COMMISSION THAT A PERMIT HAS BEEN SO RECORDED.

SECTION VIII: REGULATIONS

AFTER PUBLIC NOTICE AND PUBLIC HEARING, THE COMMISSION SHALL PROMULGATE RULES AND REGULATIONS TO EFFECTUATE THE PURPOSES OF THIS BYLAW. FAILURE BY THE COMMISSION TO PROMULGATE SUCH RULES AND REGULATIONS OR A LEGAL DECLARATION OF THEIR INVALIDITY BY A COURT OF LAW SHALL NOT ACT TO SUSPEND OR INVALIDATE THE EFFECT OF THIS BYLAW.

AT A MINIMUM THESE REGULATIONS SHALL DEFINE KEY TERMS IN THIS BYLAW NOT INCONSISTENT WITH THE BYLAW AND PROCEDURES GOVERNING THE AMOUNT AND FILING OF FEES.

SECTION IX: DEFINITIONS

THE FOLLOWING DEFINITIONS SHALL APPLY IN THE INTERPRETATION AND IMPLEMENTATION OF THIS BYLAW.

THE TERM "PERSON" SHALL INCLUDE ANY INDIVIDUAL, GROUP OF INDIVIDUALS, ASSOCIATION, PARTNERSHIP, CORPORATION, COMPANY, BUSINESS ORGANIZATION, TRUST, ESTATE, THE COMMONWEALTH OR POLITICAL SUBDIVISION THEREOF TO THE EXTENT SUBJECT TO TOWN BYLAWS, ADMINISTRATIVE AGENCY, PUBLIC OR QUASI-PUBLIC CORPORATION OR BODY, THIS MUNICIPALITY, AND ANY OTHER LEGAL ENTITY, ITS LEGAL REPRESENTATIVES, AGENTS, OR ASSIGNS.

THE TERM "ALTER" SHALL INCLUDE, WITHOUT LIMITATION, THE FOLLOWING ACTIVITIES WHEN UNDERTAKEN TO, UPON, WITHIN OR AFFECTING RESOURCE AREAS PROTECTED BY THIS BYLAW:

- A. REMOVAL, EXCAVATION, OR DREDGING OF SOIL, SAND, GRAVEL, OR AGGREGATE MATERIALS OF ANY KIND;
- B. CHANGING OF PREEXISTING DRAINAGE CHARACTERISTICS, FLUSHING CHARACTERISTICS, SALINITY DISTRIBUTION, SEDIMENTATION PATTERNS, FLOW PATTERNS, OR FLOOD RETENTION CHARACTERISTICS;
- C. DRAINAGE, OR OTHER DISTURBANCE OF WATER LEVEL OR WATER ACCEPTABLE;
- D. DUMPING, DISCHARGING OR FILLING WITH ANY MATERIAL WHICH MAY DEGRADE WATER QUALITY;
- E. PLACING OF FILL, OR REMOVAL OF MATERIAL, WHICH WOULD ALTER ELEVATION;
- F. DRIVING OF PILES, ERECTION, OR REPAIR OF BUILDINGS, OR STRUCTURES OF ANY KIND;
- G. PLACING OF OBSTRUCTIONS OR OBJECTS IN WATER, OR IN SEASONAL WATERWAYS;
- H. DESTRUCTION OF PLANT LIFE INCLUDING CUTTING OF TREES;
- I. CHANGING TEMPERATURE, BIOCHEMICAL OXYGEN DEMAND, OR OTHER PHYSICAL, BIOLOGICAL, OR CHEMICAL CHARACTERISTICS OF ANY WATERS;
- J. ANY ACTIVITIES, CHANGES OR WORK WHICH MAY CAUSE OR TEND TO CONTRIBUTE TO POLLUTION OF ANY BODY OF WATER OR GROUNDWATER; AND
- K. APPLICATION OF PESTICIDES OR HERBICIDES.

THE COMMISSION SHALL HAVE AUTHORITY TO ENFORCE THIS BYLAW, ITS REGULATIONS, AND PERMITS ISSUED THEREUNDER BY VIOLATIONS NOTICES, ADMINISTRATIVE ORDERS, AND CIVIL AND CRIMINAL COURT ACTIONS. ANY PERSON WHO VIOLATES PROVISIONS OF THIS BYLAW MAY BE ORDERED TO RESTORE THE PROPERTY TO ITS ORIGINAL CONDITION AND TAKE OTHER ACTION DEEMED NECESSARY TO REMEDY SUCH VIOLATIONS.

UPON REQUEST OF THE COMMISSION, THE BOARD OF SELECTMEN AND THE TOWN COUNSEL SHALL TAKE LEGAL ACTION FOR ENFORCEMENT UNDER CIVIL LAW. UPON REQUEST OF THE COMMISSION, THE CHIEF OF POLICE SHALL TAKE LEGAL ACTION FOR ENFORCEMENT UNDER CRIMINAL LAW.

MUNICIPAL BOARDS AND OFFICERS, INCLUDING ANY POLICE OFFICER OR OTHER OFFICER HAVING POLICE POWERS, SHALL HAVE AUTHORITY TO ASSIST THE COMMISSION IN ENFORCEMENT.

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS BYLAW, REGULATION THEREUNDER, OR PERMITS OR ADMINISTRATIVE ORDERS ISSUED THEREUNDER, SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$300.00. EACH DAY OR PORTION THEREOF DURING WHICH A VIOLATION CONTINUES, OR UNAUTHORIZED FILL REMAINS IN PLACE, SHALL CONSTITUTE A SEPARATE OFFENCE, AND EACH PROVISION OF THE BYLAW, REGULATIONS, PERMIT, OR ORDER VIOLATED SHALL CONSTITUTE A SEPARATE OFFENCE. THE PROVISIONS OF THIS BYLAW MAY BE ENFORCED BY THE CONSERVATION OFFICER OR BY ANY POLICE OFFICER OF THE TOWN OF AVON IN THE MANNER PROVIDED BY GENERAL LAWS CHAPTER 40, SECTION 21D.

AS AN ALTERNATIVE TO CRIMINAL PROSECUTION IN A SPECIFIC CASE, THE COMMISSION MAY ISSUE CITATIONS UNDER THE NON-CRIMINAL DISPOSITION PROCEDURE SET FORTH IN G.L. c. 40, s. 21, AND ADOPTED BY THE TOWN AS A GENERAL BYLAW.

SECTION VII:

BURDEN OF PROOF

THE APPLICANT FOR A PERMIT SHALL HAVE THE BURDEN OF PROVING BY A PREPONDERANCE OF THE CREDIBLE EVIDENCE THAT THE WORK PROPOSED IN THE PERMIT APPLICATION WILL NOT HAVE UNACCEPTABLE SIGNIFICANT OR CUMULATIVE EFFECT UPON THE WETLAND VALUES PROTECTED BY THIS BYLAW. FAILURE TO PROVIDE ADEQUATE EVIDENCE TO THE COMMISSION SUPPORTING THIS BURDEN SHALL BE SUFFICIENT CAUSE FOR THE COMMISSION TO DENY A PERMIT OR GRANT A PERMIT WITH CONDITIONS.

SECTION XIII:

APPEALS

A DECISION OF THE COMMISSION SHALL BE REVIEWABLE IN THE SUPERIOR COURT IN AN ACTION FILED WITHIN 60 DAYS THEREOF, IN ACCORDANCE WITH G.L. c. 249, s. 4.

SECTION XIV:

RELATION TO THE WETLANDS PROTECTION ACT

THIS BYLAW IS ADOPTED UNDER THE HOME RULE AMENDMENT OF THE MASSACHUSETTS CONSTITUTION AND THE HOME RULE STATUTES, INDEPENDENT OF THE WETLANDS PROTECTION ACT, G.L. c. 131, s. 40, AND REGULATIONS THEREUNDER.

SECTION XV:

SEVERABILITY

THE INVALIDITY OF ANY SECTION OR PROVISION OF THIS BYLAW SHALL NOT INVALIDATE ANY OTHER SECTION OR PROVISION THEREOF, NOR SHALL IT INVALIDATE ANY PERMIT OR DETERMINATION WHICH PREVIOUSLY HAS BEEN ISSUED.



Posted:

Robert R. Geary
Robert R. Geary - Constable
August 26, 1991
Avon Town Hall
Avon Fire & Police Station
Avon Post Office
April's Market
Avon Library
Geary's Liquors, Inc.

TOWN OFFICES
BUCKLEY CENTER
AVON, MASSACHUSETTS 02322

588-0414

OFFICIAL BULLETIN

TOWN OF AVON, MASSACHUSETTS

SUBJECT MATTER

REVISED TOWN OF AVON GENERAL BY-LAWS

Date of Approval: August 23, 1991

ISSUED BY:

John J. DeMarco
John J. DeMarco, Chairman
AVON BOARD OF SELECTMEN

A true copy:

Attested

Lorraine E. Meninno
Lorraine E. Meninno, CMC
Town Clerk- Town of Avon

PUBLIC NOTICE

Claims of invalidity to the proper authority by reason in the procedure of the adoption of the amendments to the General By-Laws may only be made within 90 days of this posting.



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place,
Boston, MA 02108-1698

SCOTT HARSHBARGER
ATTORNEY GENERAL

(617) 727-2200

91 AUG 26 AM 9:21
TOWN CLERK

August 23, 1991

Lorraine E. Mennino
Town Clerk
Buckley Center
Avon, MA 02322

Dear Ms. Mennino:

I enclose the amendment to the general by-laws adopted under article 9 of the warrant for the Avon Annual Town Meeting that convened May 7, 1991, with the approval of this Office endorsed thereon.

Very truly yours,

Anthony E. Penski
Assistant Attorney General
617-727-2200 ext. 2082

AEP:ccs