

ARTICLE 4 - POLICIES RELATED TO PUBLIC WORKS

Section 4.1 - Delegating the Hearing and Approval Process for Municipal Consent to Construct or Alter Utility Lines

1. Chapter 166, Section 22 of the Massachusetts General Laws requires that the Select Board provide for a public hearing on petitions to construct or alter utility lines in the Town of Reading.
2. The Select Board hereby delegate to the Director of Public Works the responsibility for holding public hearings as required by Chapter 166, Section 22, and for granting or denying any such petitions for line location or alteration.

Adopted 11-3-86, Revised 12-31-94, Revised 1-4-05, Revised 7-13-2020

Section 4.2 - Acceptance of Private Ways and Establishment of Betterments Therefore

4.2.1 - Purpose

1. The Town has developed this policy for the acceptance of Private Ways as Public Ways. This is done for several reasons. Two of the more important reasons are:
 - a. Roads built by Developers may be accepted before they begin to deteriorate, and
 - b. Full Town services may be legally granted on roads that have been previously private ways.

4.2.2 - Process

1. The Select Board will consider, based on petitions of residents owning property on a private way, based on staff recommendations or based on the Board's own initiative, the acceptance of private ways under the Betterment Act. The process will be:
 - a. Consideration at a public meeting of the Select Board, and decision as to whether to go forward with the process.
 - b. Upon a determination to go forward with consideration, the Board will refer the matter to the Director of Public Works with direction to hold a public hearing in accordance with the Betterment Act within 3 months.
 - c. The Director of Public Works will hold a public hearing in which all abutters present will be given a copy of the estimated costs of construction of the street and any other improvements considered, and the estimated costs of construction of the projects. In addition, a copy of this material will be sent to all abutters not present at the hearing. A breakdown will be supplied at the same time of the individual lot frontages, and the costs of the improvements to each property owner based on front footage. Final assessments are based on actual costs but cannot in any event

exceed the estimated assessment. The final assessments may be less than the estimate.

- d. At the public hearing, which may be continued by the Director to a date certain, an opinion questionnaire will be distributed to all abutters with return request within 10 days of the end of the hearing. The questionnaire will also be mailed to all abutters not present. Based on the testimony at the hearing(s), the Director of Public Works will provide input and make a recommendation to the Select Board regarding the acceptance and improvement of the private way. The input will include minutes of the hearings, a copy of materials presented at the hearings, and a recommendation as to whether and in what manner acceptance and improvement take place. This input and recommendation will be made within 30 days of the completion of the last date of the hearing.
- e. Upon receipt of the recommendation from the Director, the Town Manager will set a date for the review and action by the Select Board on the Director's report. All abutters will be notified at least 2 weeks before the date of this review and the recommendation. The notice will include a summary of the Director's recommendation.
- f. The Select Board will decide at a public meeting whether they recommend acceptance to the Town. If the decision is to recommend acceptance, the Select Board will support a Warrant Article before the next Annual Town Meeting requesting an appropriation of funds for the construction.
- g. Costs of construction are borne 100% by the abutting property owners on a pro rata per front foot basis. Under the provisions of the Betterment Act, the assessment may be apportioned over a period not exceeding twenty years, with annual payments of not less than five dollars, with interest at a rate determined by the Select Board annually on the unpaid balance. These apportioned payments appear annually on the real estate tax bill.
- h. Corner lots are subject to a corner lot exemption which is computed by a formula adopted by the Select Board and which is detailed in Section 4.2.3 below.
- i. Street construction is generally completed the same calendar year that the street acceptance is voted at the Annual Town Meeting.

4.2.3 - Method of Assessing

1. The usual method of assessing street betterments will be as follows:
 - a. For each particular street, the calculated cost per linear foot of frontage shall be arrived at by dividing the total cost of construction by the calculated abutting frontage. The calculated abutting frontage shall be arrived at by deducting from the total abutting frontage the abated frontage as described herein.

- b. All lots, except corner lots, shall be assessed at the rate of the derived unit cost described in Section 1. A corner lot, to qualify for exemptions, must be a lot having one side located on an accepted street (Public Way).
- c. When street construction improvements are made at different times, corner lots shall be assessed at the rate of the total derived unit cost per linear foot of abutting frontage on the first side constructed, and at a rate of one-quarter the derived unit cost per linear foot for each foot of abutting frontage on the second side constructed or as otherwise determined by the Board.
- d. When all street construction improvements are made simultaneously, corner lots shall be assessed at the rate of the total derived unit cost per linear foot of abutting frontage on the longest side or sides constructed, and at a rate of one-quarter the derived unit cost per linear foot for each foot of abutting frontage on the shortest side constructed or as otherwise determined by the Board.
- e. A corner lot shall be defined as a lot having two or more sides on one or more streets, having an interior angle of 45 degrees or more between two of the sides, or at the tangents thereof; and a total abutting street frontage on two or more sides of 160 feet or more, and the frontage to be assessed shall be derived by adding one-half the length of arc or curve at the intersection of the two streets to either side of the frontage assessed, or as otherwise defined by the Board.
- f. A corner lot, in order to be assessed as above, shall not be divisible into two or more lots under the applicable Town Zoning Regulation unless, in the judgment of the Board, the land is unsuitable for division into two more lots. When a corner lot is devisable into two or more lots, the Board shall apportion the abatement at its discretion.

Adopted 1-12-87, Revised 12-13-94, Revised 1-4-05, Revised 7-13-2020

Section 4.3 - House or Building Moving

- 1. No house or building shall be moved within the Town of Reading without prior approval of the Director of Public Works. It is the intent of the Select Board that:
 - a. All costs associated with such a move be borne by the benefiting party;
 - b. The Town be held harmless from any event arising out of such a move through the posting of appropriate performance bonds and/or insurance certificates;
 - c. Adequate public notice regarding all of the aspects of the move be given to all affected parties along the route of the move.

Adopted 9-28-87, Revised 12-13-94, Revised 7-13-2020

Section 4.4 - Street Lighting

1. The Select Board, acting through the Town Manager or his designee, shall determine the placement, frequency and size of all public street and public parking lot lighting.
2. The Town Manager or his designee shall review the street lighting scheme with the Reading Municipal Light Department and the Police Department, and advise the Select Board annually on the quantity and illumination level required. The RMLD will advise the Select Board on the estimated lighting budget required to provide such lighting.

4.4.1 - Placement; General

1. Lights shall be placed at curves, intersections and heavily traveled areas and at locations of severe topographical changes. Lights will also be considered at locations of high incidences of accidents, and at locations of high pedestrian activity. Lights will be considered at public parking lots, recreation areas, etc. on the basis of identified public safety needs.
2. The frequency of lighting fixtures on straight runs of street length shall be at every third pole and shall be on alternate sides of the road where possible.
3. The type of street, considering width, traffic, zoning and background may affect frequency and size.
4. In all cases, the Reading Municipal Light Department shall make the final decision within plus or minus 25 feet on the specified physical location subject to field installation conditions.

4.4.2 - Petition(s)

1. Requests for new or added lights in an already lighted area shall be made to the Director of Public Works or their designee for action. The Director of Public Works or their designee shall consult with the Police Department and/or other Town staff, and shall have thirty (30) working days to respond to the petitioner. A petitioner not satisfied with the Public Works Director's decision may appeal to the full Select Board.

4.4.3 - Subdivision Lighting

1. The Engineering Division of the Department of Public Works shall review the lighting scheme in review of subdivision plans in accordance with this policy. The Director of Public Works will then advise the Developer and Community Planning and Development Commission of lighting standard locations.
2. The Town of Reading will not be responsible for subdivision lighting costs until at least 50% of the proposed lots within 300 feet of a planned street light are built and are occupied.

Adopted 6-25-91, Revised 12-13-94, Revised 7-13-2020

Section 4.5 - Installation, Construction and Reconstruction of Curbs and Sidewalks

1. This policy has been developed in order to provide guidance to future Select Boards in their role as Highway Commissioners, and to provide direction to the Community Planning and Development Commission and the Department of Public Works. Any variance from this policy will require the specific action of the Select Board.
2. As the Town has grown, there has developed a disparate pattern of curbing and sidewalks throughout the Town. While recognizing and wanting to preserve the character of different areas of the Town, it is also in the Town's interest to develop and adhere to certain standards of the type of improvements installed either through private initiative or through public action.

4.5.1 - Curbing

1. Curbing that is installed in all areas of Town shall conform to the following:
 - a. At all intersections, vertical granite curbing will be installed, meeting all requirements as specified in the Subdivision Regulations of the Town and as specified in applicable State and/or Federal law at the time;
2. Along rural roads in locations where vertical granite curbing is unnecessary or where it is inconsistent with the character of the roadway, bituminous "cape cod berm" type of curbing will be permitted;
 - a. Where a new development takes place along a rural road, vertical granite curbing will be used within the new development streets, as specified in the Subdivision Regulations, and along the existing rural road for the entirety of its frontage;
 - b. In all other locations, and including "infill" locations along existing streets, vertical granite curbing shall be used;
 - c. The CPDC may, as part of an application for Scenic Road approval and with the recommendation of the Select Board, approve an alternative form of curbing.
 - d. All curbing shall conform to Town of Reading design standards.

4.5.2 - Sidewalks

1. It is the intent of the Select Board that, over time, all areas of Reading will have sidewalks on at least one side of every street, and that on busier streets, sidewalks shall be provided on both sides of the street as follows:
 - a. In areas that have intermittent sidewalks, sidewalks shall be installed of a type (either cement concrete or bituminous) that is predominant in the area;

- b. In other areas of the community where there is no predominant type of sidewalk, bituminous sidewalk will be permitted;
- c. Where sidewalks are repaired or replaced, they will be repaired or replaced with the same type as previously existed, unless the previously existing sidewalk is not of the type that predominates in the area;
- d. As new areas of the community develop and the issue arises as to the need for sidewalks within a development, the Select Board urges the Community Planning and Development Commission to evaluate the need for sidewalks on both sides of the proposed street(s). In instances where the CPDC feels that the roadway is not a major one, that the road is not subject to further extension, and that the public interest is served by having sidewalks on only one side of the street, the Select Board urges the CPDC to require the developer to extend an amount of sidewalk equal to that being waived, in a location to be determined by the Town Manager.
- e. All sidewalks shall conform to Town of Reading design standards.

4.5.3 - Tree Lawns

1. In most areas of the community, there is a tree lawn, or grassed area, consisting of a strip of planted material that exists between the curb or curb line and the sidewalk area or edge of the Town’s right-of-way. The tree lawn is to be preserved as such, and is not to be used as a parking area or widened sidewalk unless specifically approved by the Select Board. Tree lawns, if applicable, also allow for snow storage as a method of maintaining regulatory sidewalk widths during the winter months, when a sidewalk exists at that location.
2. Under no circumstances shall a private property owner install underground irrigation equipment within a tree lawn area. The Town of Reading shall not be held responsible for any irrigation equipment that gets damaged when located within a tree lawn.

Adopted 3-30-93; Revised 12-13-94, Revised 8-26-2008, Revised 7-13-2020

Section 4.6 – Solid Waste Recycling, Collection and Disposal Rules

4.6.1 – Purpose

1. The Town of Reading manages a comprehensive program for recycling, rubbish collection, and disposal of residential solid waste consistent with state and federal law and regulations. This rule applies to the recycling, collection and disposal from single-family detached residences, two and three-family attached residences, and condominium complexes in the Town. This rule does not apply to stores, businesses, rooming or boarding houses, apartment houses of more than 3 residences, manufacturing facilities, professional buildings or other commercial enterprises.

2. The Town's solid waste and recycling program includes:
 - recyclable materials
 - household rubbish
 - yard waste
 - scrap metals
 - paper shredding
 - bulk waste
 - appliances
 - hazardous waste
 - electronics

4.6.2 – Definitions

1. Appliances are defined as including but are not limited to refrigerators, stoves, washers, dryers, heaters, dishwashers, air conditioners, de-humidifiers, hot water heaters, over the stove microwaves, or other items as determined by the Director of Public Works.
2. Bulk waste items are defined as any item that is not considered as household rubbish; is not hazardous waste; is not recyclable; is an item of such size or weight that the item cannot be readily handled by one person or exceeding (60) pounds; or any item that includes the following:
 - a. Auto parts such as generators, starters, air cleaners, auto seats, wheel rims, small pieces of body metal, etc.
 - b. Items such as sofas, chairs, recliners, arm chairs, mattresses, box springs, tables, desks, bookcases, lawn mowers (fluids drained), gas grill (tank removed), carpeting (maximum of 5 rolled sections cut into 3-foot lengths), swing sets (dismantled with concrete footings removed), bicycles, or other items as determined by the Director of Public Works.
3. Construction debris is defined as asphalt, brick, concrete, metal, earth, stones, tree trunks, wood over 3 feet in length and greater than 60 lb in weight, and like materials as defined by the Director of Public Works.
4. TV's are defined as televisions which include LCD/LED/plasma televisions/flat screen computer monitors, and CRT's are defined as all other televisions and computer monitors.
5. Electronics are defined as anything containing an electrical power cord, but not otherwise defined as a TV, CRT, or Bulk Waste item. Examples of electronics include computer hardwares, microwave ovens, toaster ovens, coffee makers, and other like items as determined by the Director of Public Works.

6. Hazardous waste is defined as gasoline, motor oil, explosives, compressed gases, explosive chemicals, corrosive chemicals, fluorescent bulbs, compact fluorescent lights (CFL's), tires, automotive and household batteries, and other hazardous materials as defined by the Massachusetts Department of Environmental Protection and the federal Environmental Protection Agency and other materials that the Director of Public Works may from time to time deem hazardous.
7. Household rubbish is defined as household refuse; cold ashes; ceramics; light bulbs; plate glass; non-pressure treated wood tied in bundles less than 3 feet in length (limit of 2); and shall not weigh more than a combined 60 lb.; and garbage, except as defined within or prohibited elsewhere in these rules, or as determined by the Director of Public Works.
8. Recyclable materials shall be defined as any item deemed acceptable for curbside recycling pickup as determined by the website RecycleSmartMa.org
9. Yard Waste is defined as leaves, grass clippings, branches, brush, Christmas trees, wreaths and similar holiday decorations, and other yard waste as defined by the Director of Public Works.

4.6.3– Collection Schedule

Recyclable materials, household rubbish and bulk waste items that are eligible for curbside collection will be collected in accordance with a schedule to be published and posted electronically and available at the Public Works office.

1. Items will be collected when set curbside in approved containers by 6:30 A.M. on regular collection days. Collection personnel are prohibited from entering onto or trespassing on any private property during collection. If recyclable items, household rubbish, leaf bags, and bulk waste items are not placed curbside by 6:30 A.M. on regular collection days, and the collector has already driven by the residence, the recyclable items, household rubbish, leaf bags, and bulk waste items will not be picked up that week and the resident will be responsible for removing the recyclable items, household rubbish, leaf bags, and bulk waste items from the curbside no later than the end of that day.
2. If there is no recycling at the curbside weekly, then rubbish will not be collected that week from the property.
3. No collection will be made on days that the following legal holidays are celebrated: New Year's Day, Martin Luther King Day, President's Day, Patriots Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day. Collections will be one day late during the balance of the week in which the holiday falls. If a holiday falls on a weekday, the fifth day of collection will be Saturday. (As an example, if a holiday falls on Monday, Monday's collection will be made on Tuesday, etc.)

4.6.4– Approved Rubbish Containers

1. Household rubbish must be placed in an approved container. Approved containers are:
 - 1.5-mil thickness plastic bags of 30-gallon capacity; or
 - 30 gallon or 45-gallon capacity non-metal barrels with handles. Residents using barrels are cautioned that subzero temperatures and icing may result in the steel hopper of the truck damaging the barrels.
2. Other types of barrels or other unapproved containers will be treated as a bulk item and disposed of as such.
3. If any rubbish or recycling container deteriorates during collection, any rubbish left will not be picked up by the contractor, and the resident will be responsible for cleaning up all the remaining rubbish.
4. Not more than (4) bags/small barrels, or (3) large barrels (a maximum total of 120 gallons) of rubbish per household will be picked up each week. Any container that because of size, shape, weight (over 60 pounds), or condition of the container, cannot be handled by one person, the container will not be collected and will be left curbside. It will be the owner’s responsibility to remove the container from the edge of the roadway no later than the end of the day of the regular pickup when containers are left curbside for the above reasons.

4.6.5 – Approved Recycling Containers

1. At no cost to the household, the Town will supply each household subject to these rules with (1) plastic bin for recyclable materials.
2. Additionally, the Town will supply upon request a Recycling sticker or stickers to be placed on 45 gallon or smaller capacity non-metal barrels with handles.

4.6.6 - Appliances

1. Households shall arrange payment and pickup directly with the Town’s recycling and rubbish contractor for curbside collection of used appliances. Contact information for the contractor will be supplied to residents on the Town’s website and at the Public Works office. Collection will be on a weekly schedule, with deadlines for notice of collection determined by the contractor and approved by the Director of Public Works. The cost will be \$35 per appliance.

4.6.7 - Bulk Waste Collection

At no cost to the household, one item of bulk waste may be placed for collection weekly at curbside on the same day and in the same location as scheduled recycling and rubbish collection, in accordance with the following rules:

1. Auto parts such as generators, starters, air cleaners, auto seats, wheel rims, and small pieces of body metal, etc. will be picked up as bulk items except that if in the opinion of the Department of Public Works the quantity of these parts at any one household is unusually great, they will not be collected.
2. Auto parts such as engine blocks or large pieces of body metal, will **not** be collected.

3. Construction and Demolition material such as asphalt, brick, concrete, metal, earth, stones, and tree trunks, will **not** be collected. Wood longer than three (3) feet in length and heavier than 60 pounds will **not** be collected. Non-pressure treated wood under (3) feet in length must be tied in bundles (limit of 2), and weigh less than a combined 60lb in order to be collected as part of regular weekly household rubbish collection.
4. Tires and batteries will **not** be collected curbside, and may be taken to the twice yearly household hazardous waste collection.
5. Scrap metals will be separately collected curbside once per year on a schedule determined by the Town.

4.6.8 – TV's / CRT's

1. Households may arrange payment/pickup directly with the Town's recycling and rubbish contractor for curbside collection of TV's and CRT's. Contact information for the contractor will be supplied to residents by the Town. Collection will be on a weekly schedule, with deadlines for notice of collection determined by the contractor and approved by the DPW Director. The cost will be \$35 per TV or CRT.

4.6.9 – Electronics

1. Electronics are not accepted curbside by the Town's rubbish collection. Any electronics may be brought to the Town's DPW Facility, 75 Newcrossing Road, during hours as found on the Town's website. Any electronics with a plug, except TV's, CRT's, or Bulk Waste items, will be accepted.

4.6.10 – Hazardous Materials

1. All hazardous materials as herein defined shall not be collected with the Town's rubbish collection. The Department of Public Works operates free drop-off recycling at its facility on Newcrossing Road, during hours to be published and posted electronically for:
 - used motor oil
 - fluorescent tubes
 - energy efficient compact fluorescent light (CFL) bulbs.
2. In cooperation with the Town of Wakefield, the Town also provides two days per year for household hazardous waste drop-off, at which all other household hazardous waste items as defined will be collected. The schedule of these Household Hazardous Waste Collection days will be published and posted electronically.

4.6.11 – Recycling

1. Every household for which rubbish collection is provided is required to place in designated bin(s) or containers all recyclable materials. Recycling is collected weekly, on the same day of the week as the rubbish collection.
2. The recycling bin(s) must be placed at curbside along with rubbish on the designated collection day and will be collected by the contractor. If there is no recycling at

curbside weekly, then rubbish will not be collected that week. If any material placed in the bin is not recyclable, the recycling will not be collected for the property that week. If recycling is left behind, it will be picked up on the following week's collection schedule, provided the unacceptable items have been removed.

3. All recycling can be placed in the same recycling bin or container and does not have to be sorted.
4. Due to the volatility of the recycling market, households should refer to the website RecycleSmartMa.org for the most up to date information on what items can be recycled, or visit the Department of Public Works webpage at www.readingma.gov for additional updates.
5. If recycling corrugated cardboard, it should be flattened or tied into bundles no larger than 4' by 4'.

4.6.12 - Yard Waste

1. Leaves and other yard waste (i.e. grass clippings, branches, brush) will only be picked up curbside during the seasonal curbside pick-up of leaves 5 times per year on a schedule to be determined by the Director of Public Works.
2. The Town will operate a compost center available to Town residents only, from April 1 through December 1, or as determined by the Director of Public Works, at times and on a schedule to be published and posted electronically. Leaves and other yard waste may be taken to the compost center in any container; the container must be removed unless it is a biodegradable Kraft paper bag. Tree trimmings may be a maximum of 8 feet in length and 8 inches in diameter.
3. The Town may establish a system of charging for the use of the Compost Center. The Compost Center is available only for use by residents, those under contract with the Town, or Town owned vehicles. Commercial landscapers are not eligible to utilize the Compost Center.
4. A Compost sticker is required for use of the Compost Center, and is available 24/7 at the Reading Police Station, 15 Union Street.

4.6.13 – Enforcement

1. These rules are enforceable by the Director of Public Works. Enforcement may consist of refusal to collect rubbish, bulk waste, or other materials that are not disposed of in accordance with these rules. These rules are also enforceable in accordance with Article 1.8 of the General Bylaws providing for a fine of up to \$300 for each offense.

Adopted: 6/5/90, Revised 12-13-94, Revised 5/ /99, Revised 1-4-05, revised 1-22-08; Revised 03-25-08, Revised 10/5/10, Revised 7-13-2020

Section 4.7 - Sewer Connection Permit Program

4.7.1 - Purpose and Authority

1. The use of all public sewers in the Town shall be controlled by the Department of Public Works. No person shall, without prior authorization, uncover, excavate, block access to, make any connection with or opening into, alter, or disturb the Town's wastewater or storm drainage systems. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the Town's wastewater or storm drainage systems.
2. The Sewer Use Regulations of the Town of Reading requires that all persons desiring extensions and connections to, or an increase in the use of an existing connection to the sanitary sewer system be subject to the requirements of the Sewer Connection Permit Program as stated herein.
3. These regulations establish the program whereby sewer system extensions, connections and increased usage are regulated and permitted by the Director of Public Works pursuant to the Sewer Use Regulations of the Town. These regulations are adopted to ensure proper operation of the sewer system within the Town.
4. All private sewers and laterals that connect to the Town's wastewater or storm drainage system shall be constructed, installed, maintained, repaired and operated by their owners, at the owner's expense. Ownership of a private sewer and lateral shall be from and including the connection at the Town's sewer main to the building and/or facility being serviced. All sewers that connect to the Town's wastewater or storm drainage system shall be constructed, installed, maintained, repaired, and operated to the satisfaction of the Town.
5. New connections, disconnections and repairs to private sewers shall be made by a Licensed Drain Layer. No person shall enter or perform any work on the Town's wastewater or storm drainage system without first obtaining the necessary permit(s) from the Department of Public Works.
6. Connection to the Town's wastewater system and storm drainage system shall be subject to the availability of capacity in the system, as determined by the Town. Connections shall be made in compliance with all Town rules, regulations and specifications and are also subject to any applicable State and Massachusetts Water Resources Authority (MWRA) regulations, at the owner's expense.
7. Inflow or infiltration is prohibited in the Town's wastewater system and shall be at the owner's expense to remove or repair upon discovery.

4.7.2 - Definitions

As used in these regulations, the following words have the following meaning:

1. "Activity" shall mean modification to the sewer system including construction of extensions and connections to the existing Town sewerage system and increased discharge to existing connections.
2. "Director" shall mean the Director of Public Works of the Town of Reading, or his authorized deputy, agent, or representative.
3. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
4. "Infiltration" shall mean water that enters a sewer system from the ground through means such as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is distinguished from, inflow.
5. "Inflow" shall mean water other than sanitary sewage that enters a sewer system from sources such as sump pumps, roof leaders, cellar drains, yard drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, infiltration.
6. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority, or sewer laid in any land or way, public or private, open or proposed to be opened for public travel.
7. "Sanitary Sewer" shall mean a sewer designed to convey sewage and to which storm, surface and groundwater are not intentionally admitted or permitted.
8. "Sewage" shall mean a combination of the water-carried wastes from residences, business building, institutions, and industrial establishments, together with such ground, surface and storm waters as may be unintentionally present.
9. "Sewer" shall mean a pipe or conduit for carrying sewage.
10. "Shall" is mandatory; "May" is permissive.
11. "Sewer connection" shall mean the sewer pipe and appurtenant works necessary to connect a building or estate to a sewer system.
12. "Sewer extension" shall mean the addition to a sewer system of a sewer pipe, together with appurtenant works, which when connected to the sewer system becomes the property of, and is operated and maintained by the town.

13. "Wastewater" shall mean sewage, industrial waste, other wastes or any combination of the three.
14. "Storm drain" shall mean street rainfall collection systems whether piped or open trench.

4.7.3 - Activities Requiring A Sewer Connection Permit

1. No person shall construct, effect, modify, or use any sewer system extension or connection, or increase usage to an existing public sewer connection, without a currently valid permit from the Director unless exempted in Section 4.7.4. Any person who proposes to construct, effect, modify or use a sewer system extension or connection may obtain a permit by filing the appropriate form in accordance with these regulations.

4.7.4 - Activities Exempt From Sewer Connection Permit Requirements

1. Activities on property not currently benefiting from a public sewer are exempt in their entirety. Any such property later desiring benefit from a public sewer, by whatever means available, shall become subject to the usual assessment for betterment and shall also be subject to the requirements of the Sewer Connection Permit Program described herein as it applies.
2. Activities on property benefiting from a public sewer and having been assessed a betterment but not yet connected to the sewer system are exempt.

4.7.5 - Requirements of Sewer Connection Permit Program

1. A person, whose activity is not exempted, desiring connection to or an increase in use of an existing connection to the sewer system shall be required to pay the Town a Sewer Connection fee the amount of which is determined as set forth in Section 4.7.5.2.
2. The Sewer Connection Fee will be based on the Sewer Connection Fee rate times the number of gallons per day (gpd) of sewage to be discharged into the sewerage system. Such gallonage will be determined in accordance with Section 4.7.9, "Calculation of Flows".
3. The Sewer Connection Fee rate is hereby established at a rate of \$4 per gallon, and may be periodically reviewed and amended by the Select Board. The sewer connection fee shall be multiplied by the estimated gallons per day to be generated by each use as determined by the table in section 4.7.9, and that sum shall be multiplied by 2 to accomplish the 2:1 Inflow/Infiltration removal as required in this policy.

4.7.6 – Uses of the Sewer Connection Permit Fees

1. The Sewer Connection Fee will be expended by the Town to ensure the proper operation of the sewage system including but not limited to the removal of excessive infiltration and inflow, the reimbursement to private property owners for removal of sump pump or other inflow sources from the sanitary sewer system, and to improve, modify, or extend the Town storm drain system.

2. When the Sewer Connection Permit Fees are used to reimburse private property owners for the cost of eliminating inflow into the sewer system, the Town will reimburse subject to the following conditions:
 - a. Up to 100% of the cost of such work but not to exceed \$1000.
 - b. An itemized bill marked paid by a person licensed to perform such work.
 - c. Submission of all permits and certificates that the work has been completed and inspected by the Town
 - d. A statement signed by the property owner and filed with the registrar of deeds that this work has been done and will be maintained in working order.
3. All charges levied or contributions received under this program shall be administered by the Director of Public Works who shall advise the Town Manager and Select Board how and when these sums should be expended.

4.7.7 - Application for a Permit

1. Duty to apply. Any person required to obtain a permit pursuant to Section 4.7.3 shall complete and submit the application form to the Department of Public Works.
2. Who must apply. Any person seeking extension to or connection with the Town sewerage system and any person having an existing connection with and seeking an increase in the rate of discharge prevailing upon adoption of this program. Calculation of flows shall be in accordance with Section 4.7.5.2 of these regulations.
3. Time to apply. Any person required to obtain a permit pursuant to Section 4.7.3 shall submit an application at least 60 days before the date on which the sewer system extension or connection is to be constructed, or increase usage is to be activated, unless permission for a later date has been granted by the Director. Persons proposing a new discharge are encouraged to submit their applications well in advance of the 60-day requirement to avoid delay. All extensions with flow of more than 2000 gallons per day, or over 1200 feet in length require a Sewer Extension Permit from the Massachusetts Department of Environmental Protection, Water Pollution Control Division and may trigger EPA review. Extensions or connections requiring DEP action cannot be acted upon by the Reading Director of Public Works until DEP review is final and acted upon.
4. Completeness. The Director shall not review a permit before receiving a complete application. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director.

4.7.8 - Permit Conditions

1. General conditions. The conditions in Section 4.7.8 apply to every permit issued under this program.
2. Special conditions. In addition to conditions applicable to all permits, the Director shall establish special conditions, as required, on a case-by-case basis, to provide for

and assure compliance with all applicable requirements of the State and Federal Acts and regulations adopted thereunder.

4.7.9 - Calculation of Flows

1. Unless a variance is authorized by the Director in writing, applicants applying for a sewer extension, connection or increase in usage permit shall use the following figures in calculating daily sewage flow in completing the application.

SEWAGE FLOW ESTIMATES

<u>Type of Establishment</u>	<u>Gallons Per Day Per Person</u>
Boarding Schools, Colleges	65
Nursing Home and Rest Home	100
School, without cafeteria, gymnasium or showers	10
School, with cafeteria, but not gymnasium or showers	15
School, with cafeteria, gymnasium or showers	20
Swimming Pool	10
Camp, resident--washroom and toilets	25
Camp, resident--mess hall.	10
Camp, day--washroom and toilets	10
Camp, day--mess hall	3
Camp Ground--showers and toilets-per site	75
Gymnasium--per spectator	3
Gymnasium--per participant	25
Theater, Auditorium	3
Public Park--toilet wastes only	5
Public Park--bathhouse, showers, and flush toilets	10
Factory or Industrial Plant, without cafeteria	15
Factory or Industrial Plant, with cafeteria	20
Work or Construction Camp	50
Single and multiple dwelling units-per bedroom – motels, hotels, boarding houses..	110
Tennis club--per court	250
Bowling Alley--per alley	100
Country Club--dining room--per seat	10
Country Club--snack bar or lunch room-per seat	10
Country Club--locker and showers-per locker	20
Church--per seat	3
Church--vestry/kitchen-per person at capacity	5
Trailer, Dump station--per site or per trailer	50
Mobile Home Park--per site or	200
Office Building--per 1,000 sq. ft	75
Dry Goods Stores-per 100 sq. ft	5
Drive-in--per stall	5
Non-single family, Automatic Clothes washers per washing machine-	400
Hospital--per bed	200
Service Station, excluding thruway--per island	300
Skating Rink--3,000 gallons per day—plus 5 gallons per seat	300
Dog Rounds-Veterinary Clinics--per pen.	50
Restaurant, food service establishment, lounge, tavern	35
Restaurant, thruway service area	150
Restaurant, kitchen flow	15
Barber Shop/Beauty Salon per chair	100

2. Estimated sewage flow other than those listed should be considered in relation to actual meter readings of established flows from known or similar installations. Generally, estimated sewage flows will be based on 200 percent of average water meter readings in order to assimilate maximum daily flows.
3. For purpose of this section, a "bedroom" means any portion of a dwelling which is so designed as to furnish the minimum isolation necessary for use as a sleeping area. Such area shall not include kitchen, bathroom, dining room, halls, or unfinished cellar; but shall include bedroom, den, study, sewing room, or sleeping loft.
4. The Select Board reserves the right to add, delete, rescind, modify or otherwise amend the requirements of this Sewer Connection Permit Program.

Adopted , *Revised 7-13-2020*

Section 4.8 - Water Meter Readings, Abatements and Credits

When receiving a complaint on a water meter reading:

1. The Department of Public Works verifies that the meter reading is correct.
2. If it is verified that the meter reading is correct, the Department advises the consumer to perform an internal leak review. If not verified and the reading is found to be incorrect, the Department shall make internal adjustments to the water bill, and repair/replace the meter as required.

Adopted 3-24-87, Revised 12-13-94, Revised 7-13-2020

Section 4.9 - Water Conservation Program

4.9.1 - Stage 1 Water Conservation Restrictions

Stage 1 provides for mandatory water conservation, subject to penalties in accordance with law for violation of these restrictions.

Water may be used for outdoor purposes only from 4:00 A.M. to 9:00 A.M., and 5:00 P.M. to 8:00 P.M., Monday through Sunday, and only in accordance with the following schedule:

- Even numbered addresses: Outdoor use is permitted on even-numbered days of the month only during the hours specified above.
- Odd-numbered addresses: Outdoor use is permitted on odd-numbered days of the month only during the hours specified above.

There is no restriction on hand held devices.

In addition, the following regulation on filling swimming pools is mandatory: Swimming pools shall be filled in accordance with the above schedule only, unless a waiver is granted by the Town Manager.

4.9.2 - Stage 2 Water Conservation Restrictions

Stage 2 provides for enhanced outdoor water restrictions when flows in the Ipswich River are at a critical stage.

The Town will daily monitor total Reading water use from all sources, and will monitor the Ipswich River stream flows at the USGS South Middleton gauge. If the Town water use during the May 1—October 31 period equals or exceeds those amounts in Table 1, and if the streamflow as measured at the USGS South Middleton gage (#01101500) is at or below 18.7 cfs (0.42 cfsm) for any three consecutive days during the 30 day period following the Trigger Dates in Table 1, then the Town will implement the additional outdoor water use restrictions as noted in Table 2 below. These restrictions will remain in place until October 31st or until streamflows are above the threshold for seven consecutive days or the Town’s water use at the next trigger date is below the Table 1 threshold volume. The Town will implement each additional water conservation measure as indicated within 7 days of reaching the Reading water use/streamflow level.

Table 1
Trigger Dates and Reading Water Use Thresholds

Trigger Date	Total Reading water use threshold
June 1	75 million gallons or more
July 1	158 million gallons or more
August 1	228 million gallons or more
September 1	290 million gallons or more
October 1	350 million gallons or more

Table 2
Required Town Actions Based on Streamflow and Reading Water Use

Additional Conservation restrictions	Town actions if streamflow is below threshold for 3 consecutive days
First	Town will reduce hours of allowed outdoor water use by four hours per day from the existing Town of Reading Stage 1 mandatory restrictions.
Second	Town will reduce hours of allowed outdoor water use by four hours per day from the existing Town of Reading Stage 1 mandatory restrictions and will require that only hand-held watering devices be used.
Third	Town will implement its Stage 3 water restrictions (a ban on all outdoor water use)

On or after the first trigger date (Table 1) at which Reading water use threshold is equaled or exceeded, if the streamflow is below the threshold for three consecutive days, the Town will implement the first level of additional conservation measures shown in Table 2. On the next trigger date at which Reading water use volume is equaled or exceeded, and if an additional level of conservation is still available, the next level of restrictions will be applied.

4.9.3 – Stage 3 Water Conservation Regulations

Stage 3 is provided for the eventuality that only enough water is available for essential public health and safety purposes. In this event, no outdoor water use of any type is permitted. Water use is restricted to domestic home use only for purposes including normal bathing, laundry, and sanitary uses.

4.9.4 - Exemptions from Water Conservation Regulations

Notwithstanding the foregoing, irrigation of public parks and recreational fields by means of automatic sprinklers equipped with moisture sensors or similar control technology may also be permitted

Additionally, Town approved private automatic sprinkler systems equipped with water-saving, weather-responsive controller switches will be allowed to continue irrigation operations. Properties with these systems must display a sign approved by the Town indicating that they are exempt.

4.9.5 – Delegation to Town Manager to implement Water Conservation Regulations in advance of “triggers”

If, upon monitoring the weather, the Town’s water use, the South Middleton gauge, and other factors, the Town Manager determines that the above restrictions should be put in place earlier than required in order to try to avoid more stringent restrictions in the future, the Town Manager is authorized to do so, and will notify the Board of Selectmen immediately of such action.

4.9.6 – Waivers from Water Conservation Regulations

The Town Manager may develop policies and procedures to grant waivers from these restrictions as appropriate.

4.9.7 – Penalties for violating Water Conservation Regulations

Violation of these regulations is punishable by a fine of up to \$300.00.

Adopted 4-25-89, 11/04, Revised 1-4-05, Revised 6-28-05

Section 4.10 - Abatement of Sewer Charges for Filling of Swimming Pools

1. When a building, electrical or plumbing permit application is received to construct a new swimming pool, and the owner of that property has not received a prior sewer abatement, then an abatement for the sewer charge will be granted at the sewer rate in effect at the time that the pool was initially constructed.

Adopted 8-2-94, Revised 12-13-94

Section 4.11 - Second Water Meters

1. The Select Board hereby places a moratorium on the installation of any second water meters for residential use.

Adopted 12-13-94, Revised 1-4-05, Revised 7-13-2020

Section 4.12 - Regulations For Reimbursement for Sewer Backflow Prevention

1. The Town of Reading is aware that residents may have experienced sewer backup into their homes through no fault of their own, and through no fault of the Town. This type of backup generally occurs in times of heavy rainfall. The Town recognizes that there are methods that homeowners may take to prevent sewer back up in their home, and that these measures are the responsibility of the property owner and take place on private property. The Town also wishes to assist homeowners in protecting their own property from such circumstances. There is hereby established a program of 50% reimbursement for such back-flow prevention systems, and these regulations implement that policy.
2. The Town will reimburse, on a one-time only basis, 50% of the cost of a sewer back flow prevention system for a one or two family dwelling up to a maximum Town expenditure of \$500 per dwelling.
3. With limited funding, priority will be given to locations that have actually had a sewer back up within the past 3 years.
4. The property owner will select the method of sewer back flow prevention. The Town will not recommend, or participate in the choice of system, and will not be responsible for the system.
5. The property owner will be solely responsible for the initial installation, maintenance, operation and replacement of the back-flow prevention system as needed.
6. The homeowner will be responsible for securing all building, plumbing, and other permits required to perform the work, and will present proof of the permit and inspection at the time that a request for reimbursement is made. The system must conform to the requirements of Section 2.09 (4) (a-1) of the regulations of the Board of State Examiners of Plumbers and Gas Fitters.
7. The property owner will sign a copy of these regulations acknowledging them, and will pay for the cost of filing this statement with the Register of Deeds and submit a receipted copy to the Department of Public Works for the Town's files.

Adopted 8-21-01, Revised 1/05, Revised 7-13-2020

Section 4.13 - Street Opening Permit Policy

This policy establishes requirements for performing work within road rights-of-way within the Town of Reading:

4.13.1 - Activities Requiring a Street Opening Permit

1. No person shall excavate any roadway in the Town of Reading for the purposes of installing or repairing sewer, water, drainage, gas, telephone, cable television or other utilities without first obtaining a Street Opening Permit from the Engineering Division of the Department of Public Works.

2. In addition, any excavation within the road right-of-way for the installation or replacement of driveway aprons, sidewalk or curb, or occupancy of the sidewalk or street area will require the issuance of a Street Opening Permit.

4.13.2 - Permit Application Submission Requirements

1. Applications for Street Opening Permits must include the following information:
 - a. A current valid DIG SAFE number;
 - b. A satisfactory Certificate of Insurance naming the Town of Reading as an additional insured;
 - c. A satisfactory Street Opening Bond in the amount of Five Thousand Dollars (\$5,000.00) executed to the benefit of the Town of Reading; and
 - d. A sketch of the location and nature of the work to be done.

4.13.3 - Permit Issuance

1. Permits will be routinely issued between April 1 and November 15. Between November 15 and December 15, and between March 15 and April 1, a permit may be issued at the discretion of the Engineering Division. Between December 15 and March 15, the Director of Public Works may grant a permit under emergency conditions where no other alternative exists.

4.13.4 - Street Opening Moratorium

1. Except in cases of emergency, as determined either by the Director of Public Works or by special permission of the Select Board, no person shall break, dig up or excavate any portion of a public way which has been resurfaced or reconstructed within five (5) years immediately preceding the date of such request. Any such request shall be submitted in writing to the Director of Public Works. The Select Board may grant such permission only if a majority of the membership of the Board determines, after a public hearing, that such excavation would serve the public good.
2. Where either the Director of Public Works or the Select Board grant such permission, it shall require, as a condition of such permission, that the resurfacing of such excavation shall be accomplished with one continuous surface extending longitudinally at least ten (10) feet beyond the limits of the entire length of the excavation parallel to the street line and extending in a transverse direction from curb to curb, or in the absence of curbing, from gutter to gutter, with no breaks or cuts in the surface.
3. Where more than one excavation is made in the same portion of the roadway, any two or more excavations which are within thirty (30) feet of each other shall be combined for resurfacing purposes; and, in such instance, the resurfacing shall extend from curb to curb or, in the absence of curbing, from gutter to gutter, and for the entire linear distance necessary to include the resurfacing of all excavations at that location.

4. All work done hereunder, must be performed to the satisfaction of the Director of Public Works and in accordance with approved industry standards for roadway excavation, backfill, base material, compaction, final grading and pavement installation.
5. For the purposes of this section, the term “Emergency” shall be defined as a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
6. This section is intended to regulate the resurfacing of certain roadways, and nothing contained herein shall be interpreted as requiring the placement of any utility lines, pipes, conduits or the like in a precise location under the surface of any such roadway.

4.13.5 - Permit Compliance

1. The applicant must comply with the Street Opening Permit Requirements and Roadway Construction and Repair Standards or Driveway Design Requirements as established by the Department of Public Works.

4.13.6 - Driveway Rules and Regulations

The Department of Public Works may issue permits for motor vehicles access and exits onto public ways and / or across sidewalks as specified in the Town General By-Law Article 8, Section 8.1.7, if request complies with the following requirements:

1. No access shall be allowed at the end of a roadway (except a cu-de-sac)
2. A single car driveway shall not exceed 12 feet in width.
3. A double car driveway shall not exceed 24 feet in width.
4. A single direction parking lot entry shall not exceed 15 feet in width.
5. A dual direction parking lot access shall not exceed 30 feet in width.
6. Two access ways may be allowed on any single lot if the distance between the access points shall be at least 125' unless specific indicated needs to contrary are demonstrated.
7. The minimum distance between a dual direction parking lot access and any other driveway or entry on the same lot shall be 50'.
8. Any access to a public way or across any sidewalk shall conform to the typical cross-section of driveway apron (copy attached).
9. No permit shall be issued for the purpose of parking vehicles on sidewalks, tree lawn areas or roadway shoulders.

10. No access to a public way or across any sidewalk shall conflict with Town shade trees, nor existing or proposed utilities (hydrants, catch basins, headwalls, etc.).
11. Any access shall comply with all applicable traffic engineering and safety requirements and standards (sight distance, alignment, etc.).
12. Driveways should be located to the best advantage with regard to the road alignment profile, sight distance conditions, and features.
13. The standards call for not more than two driveways for any one property. Additional driveways should not be allowed unless there is a clear necessity for them. No circular drives are allowed, unless there is a minimum frontage of 150 feet.
14. If there are a number of commercial establishments to be constructed, then a service road shall be constructed by the applicant to connect with the exit and entrance allowed under the standards.
15. The standard, for commercial drives, on roads having a design speed or 85th percentile speed of 30 M.P.H. or less may have two 45° drives with a minimum radius of 30 feet and a minimum square width of 20 feet. If the major use of the drives is for trucks, the width may be increased to a maximum of 24 feet.
16. In the case of short frontage, where it would be impossible to construct two 45° drives and a driving island, or were warranted by other site conditions, a single 90° driveway, 24 feet wide, measured at the point of tangency to the drive, and two 30-foot radii may be used.
17. Residential driveways will consist of a single 90° drive with a maximum property line width of 24 feet.
18. Wherever possible, drives are to be set back 50 feet or more from street corners, measured between the nearest edge of the driveway and the cross-road edge of pavement.
19. Proposed driveways must conform to the typical cross section requirements for the roadway width being entered whether the sidewalks exist or not.
20. At locations where sidewalks and curbing exist, curb corners of like material shall be installed with a minimum a 2-foot radius.
21. The grade of a driveway may not exceed 10% plus or minus for a distance of at least 20 feet from the property line into the lot.
22. Driveways with excessive width and length may require drainage, if the surface runoff will create a hazardous condition of the roadway surface.

23. All proposed driveways or modifications to existing driveways must be submitted for approval to the Department of Public Works. The sketch shall indicate all trees, hydrants, poles, etc., as well as the gutter grade, property line grade, and proposed grades in sufficient detail to insure compliance with the above requirements. The sketch shall also provide a 2-inch by 4-inch area on the plan dedicated for Town comments and/or approval.
24. Any driveways for a commercial or industrial use will require approval from the Select Board.
25. Any driveway within the State jurisdiction require approval from MassDOT and the Town of Reading.
26. The applicant may appeal to the Select Board in cases of dispute concerning said permit issuance.

Adopted , *Revised 7-13-2020*

Section 4.14 – Public Shade Tree Policy

The Town of Reading manages a comprehensive program for maintaining and protecting all Town owned public shade trees, which is overseen by the Town’s Tree Warden through the Department of Public Works. This policy outlines the rules and regulations of the Department of Public Works governing the maintenance and protection of all Public shade trees within the Town of Reading. Residents are encouraged to review this policy so as to not violate the rules and regulations included within this section.

4.14.1 – Definitions

1. “Tree Warden,” or their designee, is defined as the sole individual within the Town of Reading responsible for making decisions regarding the planting, maintenance, and protection of all Town Public shade trees.
2. “Public Shade tree” is defined per M.G.L. ch.87 §1 as, “All trees within a public way or on the boundaries thereof including trees planted in accordance with the provisions of (M.G.L. ch.87) section 7 shall be public shade trees; and when it appears in any proceeding in which the ownership of or rights in a tree are material to the issue, that, from length of time or otherwise, the boundaries of the highway cannot be made certain by records or monuments, and that for that reason it is doubtful whether the tree is within the highway, it shall be taken to be within the highway and to be public property until the contrary is shown.” This definition shall also include any tree located on municipally owned property, including but not limited to cemeteries, parks, and schools.
3. “D.B.H.” defined as diameter at breast height or the height at which a tree’s diameter is measured. This height shall be 4.5 feet above the ground.

4. "R.O.W." defined as Right of Way, are the limits of land owned and under jurisdiction of the Town of Reading.
5. "Trenching" is defined as any linear sub-surface excavation, including but not limited to, utility lines, foundations, roads, sidewalks, or irrigation.

4.14.2 – Tree Hearings

1. If a property owner sees the need to remove a Public Shade tree, that individual should send a formal written request to the Tree Warden.
2. No individual other than the Tree Warden or his designee shall be permitted to trim or remove Public Shade trees on Town property without written permission from the Tree Warden.
3. Any part of a tree, when measured at breast height, growing within the Town's R.O.W., shall be considered a Public Shade tree.
4. Trees in all Town owned parks, shall fall under the jurisdiction of the Tree Warden.
5. Unless planted by the Town or private contractor, any Public Shade tree under 3-inch caliper will not require a tree hearing but will require permission from the Tree Warden or their designee.
6. The owner of the property requesting the tree hearing, shall be responsible for all costs associated with the tree hearing.
7. If the tree is considered to be a hazard by the Tree Warden, the Town will remove the tree and grind the stump in its entirety, with the full cost of removal being borne by the Town.
8. If the tree is not considered to be a hazard by the Tree Warden, the Tree Warden shall make such denial at the Tree Hearing. The property owner requesting the Tree Hearing may appeal any denial to the Select Board. If the Select Board, at a public meeting, determines that said tree shall be removed, the Town will remove the tree and cover all removal costs. The property owner who made the request, however, shall pay restitution to the Town for the removal of the Town tree, as defined within Section 4.14.2.9.
9. Restitution for the tree depends on the species of the tree, and shall be determined by the Tree Warden. As an example, a 30-inch D.B.H. sugar maple tree would have an equivalent cost value of (15) 2-inch caliper trees at a cost of \$300.00 per tree. All restitution shall be deposited in the Town of Reading's Tree Fund account for future tree plantings within the Town.

4.14.3 – New Tree Plantings

1. Tree planting within the Town's "tree lawn" shall be the first choice for plantings. The Tree Warden, or his designee, will determine the best location for tree planting. Examples of issues considered by the Tree Warden in determining best location include sight line, proximity to driveways, and proximity to powerlines (certain tree height planting restrictions may exist). In some cases, tree plantings in the "tree lawn" may not be suitable. Under M.G.L. ch.87 §7, with written permission from the owner of the property, the Town can plant a tree on private property within (20) feet of the R.O.W.

2. Planting on Town property shall not be allowed without the permission of the Tree Warden. Any unauthorized tree planting on Town property shall be subject to removal by the Tree Warden.
3. The planting of trees on Town property, or within a sub-division, by a contractor, shall follow the Tree Warden's planting standards. The Tree Warden shall mark out the locations and determine species of tree to be planted.

4.14.4 – Penalties for Injuring Town Shade Trees

1. Per M.G.L. ch.87 §11 - Injury to trees of another person: “Whoever willfully, maliciously or wantonly cuts, destroys or injures a tree, shrub or growth which is not his own, standing for any useful purpose, shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars.”
2. Girdling, drilling, debarking, or the application of herbicides to a Town tree shall warrant a \$500 penalty, or the cost to replace the tree, depending on the physical damage done, as determined by the Tree Warden.
3. Unauthorized trimming of a Town tree shall warrant up to a \$500 penalty per tree, dependent upon damage performed, as determined by the Tree Warden.
4. Unauthorized removal of a Town tree by a property owner shall warrant a penalty of D.B.H. x \$300 / 2.
5. Unauthorized removal of a Town tree by a Contractor: 1st offense \$1,000; 2nd offense \$2,500; 3rd offense \$5,000 and the Contractor shall be banned from performing any tree work within the Town of Reading for a period of up to 5 years.

4.14.5 – Construction Activities and Tree Protection

1. No activity shall be permitted which will compromise the root system of a Town tree. Construction activities around Town trees must proceed with extreme caution, and shall receive prior approval from the Tree Warden. Tree roots exist in the top layer of soil and are very susceptible to injury. Damage to the root system is the number one killer of trees. Any activity under a tree is a potential root killer and is therefore strictly prohibited, including the storage of equipment or materials as well as minor vehicle and foot traffic. Injury to roots within the critical root area is capable of slowly killing healthy trees.
2. Any Town tree within a construction area, as determined by the Tree Warden, shall have fencing erected around the critical root area before construction begins and shall be kept intact until final inspection by the Tree Warden. The temporary fencing should be at least three feet high, clearly visible and supported by steel T-bar or similar stakes. Protecting groups of trees instead of individual trees is the preferred method when possible. In protecting a group of trees, protective fencing shall be installed outside the critical root area of all trees in the group. Warning signs shall be prominently displayed on the fencing alerting individuals to the protected area. If the Tree Warden determines that there is any damage to any Town trees caused by construction activity, penalties shall be assessed as described in §4.14.4 of these regulations.
3. Anyone performing trenching operations must take care to protect the critical root area of the tree from any trenching activity. This area can extend up to (11) feet horizontally from

the trunk of the tree. Protecting the critical root area is very important, and its size is predicted using the trunk diameter measurement. Also, no trenching machinery shall be allowed within the critical root area. If approved by the Tree Warden, utility lines may be placed under the roots by digging a tunnel using a soil auger. Tunneling within the critical root area shall be performed at a minimum depth of (2) feet in an attempt to avoid most roots. If the utility is located directly under the trunk, tunneling shall be performed at a minimum depth of (3) feet. Another option is to dig a trench that leaves the root system intact. This can be performed with a pneumatic air excavator. Another option is careful hand digging below the roots from the side for short distances. Trenching shall be avoided in hot, dry, or windy conditions. Protect exposed roots by immediately wrapping with wet burlap and keeping moist. Do not leave the trench exposed for very long (1 hour is best), and quickly replace the soil and soak with water to pack. If a root is severely damaged it heals quicker if a clean cut is made above the damage. Cut with a reciprocating saw or small pruning saw.

4. Every attempt should be made to avoid changing the grades (raising or lowering the level of the existing soil) within the root zone of any Town tree. Retaining walls may be required for large cuts and fills in order to maintain the original grade around the tree. Filling around a tree can damage root systems primarily by cutting off the oxygen and water supply. Changing grades around a tree could alter the water table and in affect could change how water drains around the tree. Whether changing grades around a Town tree or not, no machinery or vehicles of any kind shall not be permitted within the critical root area of a tree, as this will compact the soil. Any change in grade within the root zone of a tree shall require prior approval from the Tree Warden.

4.14.6 – Tree, Shrubbery, and Lawn Protection in Public Park Areas

1. No person shall, in any public park, damage, cut, carve, transplant, or remove any tree or plant or injure the bark, or prick the flowers or seeds, of any tree or plant. Nor shall any person attach any rope, wire, or other contrivance to any tree or plant. A person shall not dig in or otherwise disturb grass areas, or in any other way injure or impair the natural beauty or usefulness of any area.
2. No person shall, in any public park, climb any tree, or wall; or stand or sit upon monuments, vases, fountains, railings, or fences or upon any other property not designated or customarily used for such purposes.
3. No person shall, on any public park, tie or hitch a horse or other animal to any tree or plant.

4.14.7 – Special Conditions Regarding Town Shade Trees and Building Department Permits

1. Before obtaining a building permit, the applicant shall receive prior approval from the Tree Warden, including all necessary signatures, regarding any Public Trees within the Town's Right of Way.
2. No signage of any kind shall be affixed to a Public Shade Tree for any reason.

Adopted 7-13-2020

Section 4.15 – Addressing Standards and Regulations

The purpose of these regulations is to standardize addressing regulations and to implement a Master Address Table (MAT), which lists all known and properly assigned addresses for all parcels, buildings and structures within the Town of Reading.

4.15.1 Authority

1. These regulations are authorized under Reading’s General Bylaw Section 8.5.2.1:

“8.5 Public Works

8.5.2 Street Numbering

8.5.2.1 Establishment of Numbering System

The Select Board shall establish a system for the numbering of any building on or near the line of public or private ways and shall prescribe by suitable rules and regulations the method in which such numbering shall be done.”

4.15.2 Administration

1. The Town Engineer is the sole agent of the Town of Reading authorized to assign and modify addresses for all taxable and non-taxable properties.
2. The GIS Coordinator shall maintain an up-to-date digital Master Address Table (MAT) using addresses assigned by the Town Engineer.

4.15.3 Requirements

1. In residential districts, all principal buildings and in business and other districts, all stores, industrial, commercial and other principal buildings or significant structures shall be required to have a valid address conforming to these regulations, which shall be included in the Town of Reading Master Address Table (MAT).
2. For projects that require new or modified addresses for buildings, roads, or other structures, addresses shall be assigned by the Town Engineer upon application for a building permit.
3. No one may be granted any permit or license within the Town unless the property, building or structure has a valid address, which is included in the MAT.
4. All addresses shall conform to the Addressing Standards included in this Section.

4.15.4 Procedure

1. Existing Property

- a. If an existing property, building or structure is not included in the MAT, then the owner or applicant shall petition the Town Engineer, to determine if an existing address is valid and/or formatted properly.
- b. The Town Engineer shall determine, based upon the addressing standards approved by the Select Board the valid address and it then shall be added to the MAT and that address will then be eligible for permitting and/or licensure.
- c. If the Town Engineer determines that the existing address is not valid, then the Town Engineer shall assign a valid address to the parcel, building or structure, according to these regulations.

2. New or Re-Developed Property

- a. For a new or re-developed property, building or structure, the Town Engineer, shall upon approval of the project by the Planning Board or ZBA, assign a valid address for each proposed parcel, building or structure. The applicant shall submit all necessary information, including but not limited to site plans, subdivision plans, proposed building location plans, floor layout plans for multiple unit buildings etc., to the Town Engineer for use in determining addresses according to these regulations.
- b. Once an address for a new or re-developed property, building or structure has been assigned by the Town Engineer, the applicant or owner shall update the proposed final plans and/or drawings to clearly show the address or addresses assigned, including road name(s) if applicable.
- c. A hard copy and electronic ACAD format of the final approved plans showing assigned addresses shall be forwarded to the Town Engineer for approval. Upon approval by the Town Engineer, the final plans will be integrated into the Town of Reading's GIS system, according to Town of Reading's GIS Plan Integration Policy. The GIS Coordinator will make any necessary updates to the MAT and notify all caretakers, of databases containing addresses, of the new address and/or road assignments, upon notification from the Town Engineer.

3. Tax Map Identification

- a. Upon approval of new or re-developed property or re-subdivision of existing properties, the GIS Coordinator shall assign temporary parcel identification numbers, after consulting the Assessor for the Town of Reading, as necessary. A temporary parcel identification number, associated to an address, will be updated,

once a permanent parcel identification number has been assigned to the address by the Assessor for the Town of Reading.

4. Notification

- a. Once an address is assigned or modified, the Town Engineer will notify the GIS Coordinator, Town Departments, the Towns 9-1-1 Operations Manager, The Commonwealth of Massachusetts 911 system, Public Utilities and the US Postal Service.

4.15.5 Master Address Table (MAT)

1. The GIS Coordinator shall maintain and incorporate all known existing and newly assigned addresses into a comprehensive Master Address Table.
2. The GIS Coordinator shall maintain and update the MAT in a digital format. Updates to the MAT will be distributed to the caretakers of all address related databases, with the latest information to ensure that all permits and licenses are uniformly addressed, and, therefore, may be readily located.
3. The GIS Coordinator shall maintain an Address Point layer in the Town's GIS containing a point for every address in the MAT.
4. The GIS Coordinator shall coordinate with the Towns 9-1-1 Operations Manager, or their designee, to ensure that the statewide E911 system is as up to date as is practical.
5. The Towns 9-1-1 Operations Manager, or his/her designee, shall notify the GIS Coordinator and/or provide a copy to the GIS Coordinator of any correspondence with the State E911 regarding Reading addresses.

4.15.6 Road Naming System

1. All roads that provide legal access to a structure shall be named regardless of whether the ownership is public or private. All road names shall be as approved or assigned by the Town.
2. For purposes relative to addressing standards a "road" refers to any public highway, road, street, avenue or lane; all private ways; and any private access roadways or driveways servicing multiple buildings or structures when it is determined to be in the public interest when considering emergency response.
3. A road name assigned or approved by the municipality for the purposes of addressing standards shall not constitute or imply acceptance of the road as a public way.
4. The naming of roads where no legal road or right-of-way exists shall be avoided to the extent practical. In general naming of driveways or access roads shall be reserved for

complex campus style developments which have one or more distinct roads which are significantly separated from the adjacent road network. The use of vanity road names for convenience or marketing is strictly prohibited.

5. Roads within large multi-structure complexes (e.g. business campus, multi-unit apartment complex) should be named and each structure individually addressed.
6. The following criteria shall govern the naming system.
 - a. All road names shall be approved by the Town Engineer. The Town Engineer shall consult with the Towns 9-1-1 Dispatch Manager prior to acceptance of any road name.
 - b. No two roads shall be given the same name (e.g. Pine Rd and Pine Ln).
 - c. No two roads shall have similar sounding names (e.g. Beech Ln and Peach Ln, Beach Ave and Beech Ave, Main St and Maine St, or Apple Hill Rd and Apple Rd).
 - d. Each road shall have the same name throughout its entire length.
 - e. Road names shall not use words that are also street suffixes such as Circle or Terrace (e.g. Terrace Park would not be allowed since Terrace is a common street suffix).
 - f. Each road should have one - and only one - correct name. A named road should be essentially continuous, without gaps. Road names should only change when there is a substantial intersection, or at municipal boundaries.
 - g. Special characters, such as hyphens, apostrophes, periods, or decimals are prohibited in road names.

4.15.7 Numbering System

1. The following criteria, as determined by the Town Engineer, shall govern the address numbering system:
2. For new roads, numbers shall be assigned every thirty-five (35) feet along both sides of the centerline of the road beginning at the right of way line of the intersecting roadway. No allowances are to be made for entering or intersecting streets, parks, cemeteries, or other areas.
3. For the downtown business district or other high density nonresidential areas, numbers shall be assigned every 12 (twelve) feet along both sides of the centerline of the road beginning at the right of way line of the intersecting roadway. No allowances are to be made for entering or intersecting streets, parks, cemeteries, or other areas.

4. On all roadways the numbering shall run in consecutive order, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, as the numbers ascend.
5. The numbering should originate from the roadway with the highest traffic volume or the intersection which is located closest to the “Center of Town” as determined by the Town Engineer. For dead end roads, numbering shall terminate at the dead end.
6. The number assigned to each structure shall be that of the numbered interval falling closest to the front door or the driveway of said structure if the front door cannot be seen from the main road
7. Addresses should be assigned to each habitable or substantial structure. Addresses should not be assigned to structures that are simply accessory to another building or insubstantial in nature. For example, a detached garage for a single-family residence does not need an address, but a commercial parking garage should have an address.
8. Where a single building, (or multiple buildings on one lot,) has multiple exterior entrances, for separate tenant spaces or separate residential units, a separate address number shall be assigned to each such exterior door. If the multiple entrances do not face the street or if there are not enough address numbers available, then the assigned number shall be that of the numbered interval falling closest to the driveway of the said structure(s). Where the driveway is used for the assignment of an address, then the structure(s) shall be assigned a secondary location indicator in accordance with 4.15.7.12 through 4.15.7.14.
9. Where a single building has multiple doors leading to a shared hallway or lobby, only one address shall be assigned to the main exterior entrance. Each tenant space or individual residential unit shall be distinguished by a unit, suite, or apartment number conforming to sections 4.15.7.12 through 4.15.7.14.
10. Structures with more than one principle use or occupancy shall have a separate unit number for each use or occupancy, i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Maple Rd. Apt 2. If a second structure on a single lot has been designated as an “Accessory Apartment”, then that structure will be given the address of the main structure, but with the added secondary location indicator of “Apartment A”.
11. The following types of addresses are prohibited: fractional addresses (34½ Ash St); alphanumeric address numbers (123A Main St); or hyphenated address numbers 941-656 Bell St).
12. Multi-level apartments should be assigned a primary road address, with numbers (not letters) and a secondary location indicator consisting of four (4) digits, e.g., 111 Main St Apt 1001. The first digit shall indicate the floor location and the remaining three (3) digits shall indicate the apartment number, e.g. Apt 3003 is the third apartment on the third floor.

13. Condominiums shall be addressed as though they were apartments with the exception that “Unit” shall be substituted in place of the “Apt” designation.
14. Office suites should be assigned numbers with a primary road address, followed by a numbered (not lettered) secondary location indicator, e.g., 325 Memorial Dr. Suite 3012. Suite numbers should be assigned to indicate the floor location as indicated in 4.15.7.12.
15. Corner lots shall be assigned a number according to where the front door faces the road.
16. Vacant lots shall be given “0” as the address until a site plan has been approved and/or an application for a building permit is received, e.g. 0 Main St.

4.15.8 Addressing Standards

1. Subject to the approval of the Town Engineer the following are the accepted components of new or existing addresses in the Town of Reading. All displayed street signs shall be compliant per MUTCD specifications.
 - a. Street number – (300 EAST STREET) The street number should be an integer value.
 - b. Prefix direction – (7 S STONEMILL DRIVE) Acceptable street direction standard abbreviations are: N, S, E, W, NE, SE, NW, and SW.
 - c. Street name – (269 COMMON STREET) Streets should be referred to by their official name.
 - d. Street Suffix – (28 BERKELEY ROAD) Street suffixes shall be spelled out in their entirety; abbreviated suffixes shall not be permitted.
 - e. Suffix qualifier – (150 MILTON STREET REAR) Suffix qualifiers will be added after street types only in special cases for additional clarification when no other alternative exists.
 - f. Secondary unit designator – (400 HIGH STREET UNIT 3001) Secondary unit designators are used to designate apartments, suites, and condominium units which share the same street number address. Acceptable secondary unit designations include: UNIT, APT, BLDG, and SUITE.
2. *MGL 148, Section 59* requires that every building in the Commonwealth, including, but not limited to, dwellings, apartment buildings, condominiums, and business establishments shall have affixed thereto a number representing the address of such building.

3. The size of the numbers for dwellings and building structures should be large enough so it may be clearly viewed from the roadway in either direction. These numbers should be no less than 4” in height. In the case of a house or building offset from the street and either out of sight from the roadway or a good distance from the access roadway, the numbers should be permanently affixed to either a post or other fixed structure so the assigned address can be easily located from either direction, thusly indicating that a particular number is assigned to that particular building, structure, or dwelling. These numbers should be numerical for ease of viewing and not in script.

Adopted 7-13-2020

Section 4.16 - Appeals

1. Any person aggrieved by a decision of the Director of Public Works or that person’s designee made pursuant to this Article 4 may appeal that decision to the Select Board.
2. Such an appeal shall be filed by submitting a written request for an appeal to the Select Board and a copy of such a written request to the Director of Public Works no later than seven (7) days after the aggrieved person receives notification of the decision. The written request shall state with particularity all asserted bases for the appeal.
3. The Select Board shall hear and consider appeals at a public meeting. The Select Board may decline to consider any appeal for which a written request was not timely filed or that otherwise fails to conform to the requirements of this Section.
4. All decisions by the Select Board shall be final and shall not be subject to further review or appeal, unless otherwise specifically provided for by law.

Adopted 1-4-05, Revised 7-13-2020

Section 4.17 – Traffic Signage or Mechanisms Prohibited

1. All traffic signage and mechanisms shall follow MUTCD guidelines. Any traffic signage or mechanism which is not expressly recommended by the MUTCD or in the opinion of the Chief of Police and/or Public Works Director, shall either not perform as intended or would have the potential to impair public safety, including but not limited to animal crossings, blind driveways, or dead-end roads, shall in general be prohibited from within the Town of Reading.

Adopted 7-13-2020

Section 4.18 - Consideration of Multi-way Stop Intersections

1. This policy establishes the process for consideration by the Select Board of multi-way stop intersections in the Town of Reading. This process shall be used whether by citizen request, staff request, or on the initiative of the Select Board.
2. To consider multi-way stop regulations to improve the safety of intersections, there are (2) possible scenarios, both being contingent upon an engineering study of the intersection:
 - a. The proposed location meets the standards and warrants as outlined in the Federal Manual for Uniform Traffic Control Devices and, to the extent applicable, the Massachusetts Amendments to the Manual for Uniform Traffic Control Devices (collectively MUTCD) for multi-way stops, or:
 - b. The proposed location does not meet the standards and warrants as outlined in the MUTCD.
3. Upon a request for a multi-way stop, the Town Engineer in conjunction with other staff, including a designee from the Police Department, will determine whether the location meets the standards and warrants for a multi-way stop under MUTCD, based on an engineering study.
4. If the location does meet the standards for a multi-way stop under MUTCD, the Town Engineer will forward to the Select Board a memo outlining which standards and/or warrants have been satisfied, and the Select Board may then schedule a hearing on the establishment of the multi-way stop regulation.
5. If the location does not meet the standards and warrants for a multi-way stop under MUTCD, the Town Engineer shall forward to the Select Board a memo outlining that fact.
6. The Engineering study shall, at a minimum include data and information on:
 - a. Number and severity of reported accidents;
 - b. Speed study;
 - c. Traffic Counts including turning movements;
 - d. Adverse roadway geometry;
 - e. Sight distances based on speed limit (and actual speeds);
 - f. Volumes of pedestrian traffic;
 - g. Whether the location is within a School zone;
 - h. Traffic operational characteristics of the intersection; and
 - i. Other data relevant to the location.
7. The Town Engineer shall forward a copy of the engineering study to the Select Board along with an analysis of possible remediation techniques, or other actions such as removing vision obstructions, which would address the issues identified in the engineering study.

8. The Select Board shall consider the following issues to determine the merit of a multi-way stop:
 - a. The need to control left turn conflicts;
 - b. The need to control vehicle/pedestrian conflicts near intersections with high pedestrian volumes;
 - c. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to safely negotiate the intersection unless cross traffic is required to stop.
 - d. An intersection of two residential neighborhood collector streets of similar design where multi-way stops would improve traffic operational characteristics of the intersection.

9. If the Select Board feels that, after receiving the above material the multi-way stop has merit, then the Select Board will schedule a hearing on the establishment of the multi-way stop regulation at that location.

Adopted April 15, 2008, Revised 7-13-2020

Section 4.97 - Rules and Regulations Relating to Parks, Playgrounds and Recreation Areas

The Select Board of the Town of Reading hereby adopts the following Rules and Regulations governing conduct in Public Parks, including the enforcement of the Rules and Regulations and penalties for their violation:

This policy shall be known and may be cited as the "Reading Park Rules and Regulations."

4.97.1 Definitions.

For the purposes of this policy, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. "Amplified sound" is defined as voice, music or any sound extended above and beyond its normal range by an electronic device or secondary means such as a radio, megaphone or non-electric equipment
2. "Town" is the Town of Reading.
3. "Park" is a park, reservation, playground, recreation center, field, playing court, pool, or any other area in the Town owned and/or used by the Town and devoted to active or passive recreation.
4. "Person" is any person, firm, partnership, association, corporation, company, or organization of any kind.
5. "Vehicle" is any wheeled conveyance, whether motor powered, animal-drawn, or self-propelled. The term shall include any trailer in tow of any size, kind or description. Exception is made for baby carriages, bicycles, wheel chairs, and vehicles in the service of the Town parks.

4.97.2 - General Regulations

1. Facilities under the jurisdiction of the Reading Recreation Committee are for use by Reading residents only unless specifically authorized, in writing by the Recreation Committee or their designee, to the contrary.
2. Industries and businesses using recreation facilities must be located within the Town of Reading unless specifically authorized, in writing by the Recreation Committee or their designee, to the contrary.
3. Other than business and industrial groups, all groups using outdoor facilities must be made up of Reading residents only, except as specified by the Recreation Committee.
4. No person or business may use any public field, tennis court, basketball court or playing area to derive compensation without the consent from the Recreation Committee or their designee.
5. All Parks and Playgrounds under the jurisdiction of the Recreation Committee shall open at 8:00 a.m. However, no sport or team shall begin **any** activities before noon on Sundays. An exception may be granted one time per year per organization by the Recreation Committee.
6. All Parks and Playgrounds under the jurisdiction of the Recreation Committee shall close at sunset except for the lighted facilities which shall close at 10:00 p.m. However, a game in progress on a lighted facility will be allowed to finish, with no inning, period, or game of tennis starting after 10:00 p.m. No game or match on a lighted facility will be started after 9:00 p.m. A scheduled game in progress will be allowed to be completed past the closing time, and the park must be vacated within ten minutes of the completion of the game. The Board of Selectmen may, from time to time, establish other specific closing hours.
7. Hockey playing is permitted in a public skating area in that section of the public skating area designated by sign for that purpose only.
8. Reservations for outdoor facilities must be requested at the Recreation Division office. Permits for authorized use will be issued by the Recreation Committee or its designee.
9. User fees for outdoor facilities will be charged as listed in current fee schedules. Fees must generally be paid before permits will be issued.
10. The Recreation Committee will rule on situations not specifically covered in the policy, and the Recreation Committee may amend the policy at any time.

4.97.3 - Rules

RULE 1. No person shall damage or break or cause to be broken any windows, doors or other appurtenances of any buildings or structures on any public park, playground or recreation area, or mark upon deface or disfigure any such buildings appurtenances or structure.

RULE 2. No person shall, in any public park, playground or recreation area in the Town of Reading throw any stone or other missile; or have possession of or discharge any destructive weapon, bow and arrow, firearm, firecracker, torpedo or fireworks; or make a fire; or post, paint, affix or display any sign, notice, placard or advertising device; or engage in business, sell or expose for sale, or give away any goods, wares or circulars; or drop or place and leave in place any piece of paper or other refuse, except in the receptacles designated; except with the

written authority of the Recreation Committee or their designee and/or other permit granting authority.

RULE 3. No person shall, on any public park, playground, recreation or other area under the jurisdiction of the Recreation Committee in the Town of Reading, solicit the acquaintance of or annoy another person or utter any profane, threatening abusive or indecent language or loud outcry; or solicit any subscription or contribution; or have possession of, or drink any alcoholic beverages as defined by Chapter 138, Section 1, of the General Laws; or play any game of chance, or have possession of any instrument of gambling; or make an oration or harangue or any political or other canvass; or preach or pray aloud; or do any obscene or indecent act; except by written authority from the Recreation Committee or their designee.

RULE 4. Amplified Sound - Users of public property and abutting residents should have an expectation of quiet enjoyment of the Town's public parks, playgrounds, recreation and other open space areas. This rule recognizes that these properties are the site of some activities which inherently create levels of noise due to customary and usual uses such as fans cheering, referee and coach's whistles, and bands playing during football games. There is also recognition that as a community the public parks, playgrounds, recreation and other open space areas are the site of occasional community events which use amplified sound such as school field days, community fairs, and fireworks displays, etc.

The use of amplified sound in public parks, playgrounds, recreation and other open space areas is not permitted without a permit to be granted by the Recreation Committee or other agency which has jurisdiction over said public property.

When permitted, the use of amplified sound shall be controlled by the permit holder such that the volume, direction, and duration of the sound is the minimum needed to meet the purpose of the use of the sound, and which will minimize the impact of the sound on other users of the park, playground, or other public property and its abutters. Unreasonable sound shall be sound plainly audible at a distance of 100 feet from its source by a person of normal hearing.

The intent of this rule is to allow, with a permit from the Recreation Committee or other agency which has jurisdiction over said public property, reasonable and occasional playing of music or use of amplified sound while considering location, time, duration and frequency such as an annual fair, or once a year all-star sports games. The use of amplified sound is not intended to be a routine for recurring events such as play by play announcements for sporting events and other repeated use of music and amplified sound. The permitting authority should consider the frequency of amplified permits per park or recreation site and afford significant consideration to the neighbors abutting the permitted areas as regards to their inconvenience created by said permit.

When a permit is granted, a copy of the permit shall be transmitted to the Select Board at least 3 days before the event at which the music or amplified sound is to be used. Additionally, all permitted dates of amplified sound will be posted in a conspicuous place on the Town's website as well as available by contacting the Recreation Division or head of any other agency having jurisdiction over the public property for which a permit has been granted.

Any variance from this rule will require the permitted applicant to petition the Select Board for such variance at which time a public hearing will be held on the matter.

RULE 5. No person shall, in any public park, playground or recreation area in the Town of Reading, bathe except in proper costume and at places designated therefor; nor shall any

person loiter or run about or lie upon the areas around pools in bathing costume in a manner deemed inappropriate by community standards.

RULE 6. No person in any public park, playground or recreation area in the Town of Reading shall refuse or neglect to obey any reasonable direction of a police officer.

RULE 7. No person shall, in any public park, playground or recreation area in the Town of Reading promote, or engage in any game of ball or other sport; except within the areas especially provided therefor, or by written authority of the Recreation Committee or their designee. No person shall use or exhibit golf clubs in any public park, playground, or recreation area.

RULE 8. No person shall, in any public park, playground or recreation area in the Town of Reading, undress or dress put on or take off a bathing suit, except in buildings designated for such use for the purpose of undressing or dressing or putting on or taking off a bathing suit.

RULE 9. No person shall operate, drive, or ride an animal, vehicle or motor vehicle upon or over any part of a playground recreation area or any public park in the Town of Reading except where specifically allowed.

RULE 10. No person shall, in any public park, playground or recreation area in the Town of Reading stop, stand or park any automobile or other vehicle except in such manner and in such areas as may be designated by signs or by a police officer.

RULE 11. No person shall permit a dog under their control to enter upon an artificial turf field or within any fenced area that includes any artificial turf field within the Town of Reading. Artificial turf fields include: the RMHS stadium, Collins Field at Parker Middle School, and the so called Lacrosse field also known as the practice field at RMHS.

4.97.4 - Enforcement

These regulations shall be enforced by the Reading Police Department who shall cause the immediate termination of any activity that violates these rules and regulations. Violators may be subject to fine, arrest or summons.

Compliance with these rules and regulations as established by the Recreation Committee is a condition for the use of all facilities.

4.97.5 - Penalty

Any person violating any of the above rules shall for each offense be punished by a fine of not more than twenty dollars, as provided in General Laws, Chapter 45, Section 24.

Adopted: 10-8-91, Revised 12-13-94-; revised 1-14-03; revised 2-7-06, revised 11-25-08, revised 2-28-12, Revised 7-13-2020

Section 4.98 - Use, Operation and Maintenance of the Common

1. The Select Board recognizes that the Town Common in Reading is a focal point for the community, and a symbol of the very essence of the Town. It is the Select Board's intent to preserve and enhance the Common at every opportunity.
2. Recognizing that by Charter the Town Manager has authority over the use, operation and maintenance of the Common, the Board directs the Town Manager to evaluate any changes to the Common in light of the "Guidelines for Evaluating Changes to the Common" submitted by the Reading Historical Commission in May, 1990 and revised January, 1991, as these guidelines included in the Appendix may be changed from time

to time; and that any major changes to the Common should be evaluated in terms of this document.

3. Further, the Select Board asks that the Town Manager and/or appropriate staff meet periodically with the Historical Commission with regard to issues related to the Common.

Adopted 10-20-92, Revised 12-13-94, Revised 7-13-2020

Section 4.99 - Custodian of Soldiers' and Sailors' Graves

1. Pursuant to Chapter 279 of the Acts of the Commonwealth of Massachusetts 1996, the term of the Custodian of Soldiers' and Sailors' Graves, also known as the Veterans' Graves Officer, is hereby established as a three (3) year term to begin on July 1st and expire June 30th of the appropriate year.

Adopted 6-10-97, Revised 7-13-2020