

Chapter 1

GENERAL PROVISIONS

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ARTICLE I

Adoption of Code

[At the 5-6-2000 ATM, Art. 21, the Town voted to accept and approve the recodification of the bylaws and regulations of the Town of Pelham in the format presented in the volume entitled and to be known as the "Code of the Town of Pelham," which is on file in the office of the Town Clerk, said recodification containing only a renumbering, recaptioning and repositioning of the present bylaws and regulations, with no substantive changes having been made to any of the legislation included therein. In his approval of this Article 21, the Attorney General stated that said approval does not include approving Part II, Regulations, as part of the Town's bylaws.]

ARTICLE II

Penalties and Enforcement

[Adopted 10-21-2019 STM by Art. 1]

§ 1-1. Noncriminal disposition.

Any bylaw of the Town of Pelham or rule or regulation of its officers, boards or departments, the violation of which is subject to a specific penalty, may, in the discretion of the Town official who is the appropriate enforcing person, be enforced in the noncriminal disposition method provided in Section 21D of Chapter 40 of the Massachusetts General Laws. The noncriminal penalty for each violation, if not otherwise specified in such bylaw, rule or regulation, shall be \$75 for the first violation, \$125 for the second violation, and \$175 for the third and subsequent violations. Each day that a violation exists shall

constitute a separate offense.

§ 1-2. Definitions.

ENFORCING PERSON — As used in this bylaw shall mean: the Town of Pelham Police and Fire Chiefs or their designees; the Building Inspector and his/her designee; the members of the Board of Health, its Health Agent or other designee; the Conservation Commission; the Planning Board; the Zoning Board of Appeals; the Select Board or its designee; each with respect to the violation of bylaws, rules and regulations within their respective jurisdictions. If more than one official has jurisdiction in a given case, any such official may be the enforcing person with respect thereto. **[Amended 5-14-2022 ATM by Art. 18]**

ARTICLE III

Select Board

[Adopted 6-27-2020 ATM by Art. 17¹]

§ 1-3. Nomenclature change; powers and duties.

For the purposes of these bylaws and otherwise, the Board of Selectmen shall be referred to as the Select Board and members of the Board shall be referred to as "Select Board Members." The Select Board shall have all the powers and duties of a board of selectmen under the General Laws and any special laws applicable to the Town of Pelham, as well as such other powers and duties as are provided in the Town's bylaws.

¹1.

Editor's Note: This article originally added this new material as Art. II of this chapter. As there was already an Art. II in the chapter, this material was added as Art. III.
