

Commonwealth of Massachusetts,
County of Essex, ss
to Any Constable in the Town of Marblehead
Greeting:

You are hereby required and directed in the name of the Commonwealth of Massachusetts to warn and give notice to the inhabitants of Marblehead, qualified to vote in elections and in town affairs, to meet at the Marblehead Veterans Middle School Auditorium, Duncan Sleigh Square, 217 Pleasant Street, Marblehead, MA, on Monday, the seventh day of May next A. D. 2018 (it being the first Monday in May) at 7:00 o'clock in the afternoon to act on the following articles in the Warrant for said meeting as follows:

Article 1 Articles in Numerical Order

To see if the Town will vote to adopt an order requiring articles in the Warrant to be taken up in their numerical order, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 2 Reports of Town Officers and Committees

To receive the report of the Town Accountant, the reports of the Town Officers, and special Committees, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 3 Assume Liability

To see if the Town will assume liability in the manner provided by Section 29 of Chapter 91 of the General Laws, for all damages that may be incurred by work to be performed by the Massachusetts Highway Department for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewaters, foreshores and shores along a public beach in accordance with Section 11 of Chapter 91 of the General Laws and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 4 Accept Trust Property

To see if the Town will vote to accept certain trust property, gifts or grants to be administered by the Town or

modify the terms thereof, or take any other action relative thereto. Sponsored by Town Counsel.

Article 5 Lease Town Property

To see if the Town will vote to authorize the appropriate Town Officers to let or lease such land, buildings or structures owned by the Town on such terms as they may determine, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 6 Unpaid Accounts

To see if the Town will vote to appropriate or transfer from available funds a sum of money to provide for the payment of any unpaid accounts brought forward from previous years, or take any other action relative thereto. Sponsored by the Finance Director.

Article 7 Departmental Revolving Funds

To see if the Town will vote to fix the maximum amount that may be spent during FY 2019 beginning July 1, 2018 for the revolving funds established in the town bylaws for certain departments, boards, committees, agencies or officers in accordance with G.L. c. 44 §53E 1/2, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 8 Purchase of Equipment of Several Departments

To see if the Town will raise and appropriate any sums of money for the purchase of equipment for the several departments of the Town, to authorize the Board of Selectmen to trade old equipment as part of the purchase price and to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 9 Capital Improvements for Public Buildings

To see if the Town will vote to raise and appropriate a sum of money for remodeling, reconstructing and making extraordinary repairs to existing Town or School buildings and the purchase of necessary equipment including computer hardware and software to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 10 Walls and Fences

To see if the Town will vote to raise and appropriate a sum of money for the construction and reconstruction of walls and fences for the protection of highways and property, including engineering services in connection therewith; to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefore; to determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 11 Application of Bond Premium

To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, or take any other action relative thereto. Sponsored by the Finance Director.

Article 12 Rescinding Unused Debt Authorizations

To see if the Town will vote to rescind the authorized, but unissued balances of various borrowing authorizations approved by the Town from time to time, which amounts are no longer needed to pay costs of completing the projects for which they were originally approved, or to take any other action relative thereto. Sponsored by the Finance Director.

Article 13 Cable Franchise Fees

To see if the Town will vote to accept G.L. c. 44, § 53F¾, in order that the Town may establish a separate revenue account to be known as the PEG [Public, Educational and Government] Access and Cable Related Fund, into which may be deposited cable franchise fees and other cable-related revenues for appropriation for cable-related purposes consistent with cable franchise (license) agreements, including support of PEG access television services and cable licensing and administration, and further vote regarding such financial funding provisions and other details as may be required to effectuate this vote and task,

including the transfer (and authorization thereof) of any balance of cable-related funds from any existing revolving fund or other town account into this new fund, or take any other action relative thereto. Sponsored by the Finance Director.

Article 14 Water Department Construction

To see if the Town will vote to appropriate a sum of money to be expended by the Water and Sewer Commission for the construction, reconstruction and extending of water mains, replacement of water meters, appurtenances, engineering, consultants, surveys including revenue studies and other general Water Department purposes, and to authorize the Board of Water and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 15 Sewer Department Construction

To see if the Town will vote to appropriate a sum of money to be expended by the Water and Sewer Commission for the construction or reconstruction of sewers for sanitary purposes and for sewerage disposal, pump stations, original pumping equipment, metering equipment, safety equipment, replacement of said equipment, engineering, consultants, surveys, including revenue studies and other general Sewer Department purposes, and to authorize the Board of Water and Sewer Commissioners to acquire by purchase, eminent domain or otherwise any lands or easements necessary, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 16 Storm Drainage Construction

To see if the Town will vote to appropriate a sum of money for the construction, reconstruction, permitting and maintenance of storm sewers for surface drainage, including engineering services in connection therewith, and for general Drain Department purposes, including the purchase or lease of equipment, and to authorize the appropriate Town Officers to acquire by purchase, eminent domain or otherwise, any land or easements necessary therefore, and to raise the money for such purposes by the issue of bonds or notes or in any other manner, to be expended by the Water and Sewer Commission; or to take

any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 17 Water and Sewer Commission Claims

To see if the Town will vote to authorize the Water and Sewer Commission and the Board of Selectmen acting jointly to compromise any claims for damages or suits pending against the Town of Marblehead on account of acts which may have occurred during the construction of the water, sewer and storm water system, or take any other action relative thereto. Sponsored by the Board of Water and Sewer Commissioners.

Article 18 Financial Assistance for Conservation

To see if the Town will vote to authorize the Conservation Commission and other proper officers of the Town to apply for financial assistance from public and private sources to be expended by the Conservation Commission for the purchase of vacant land and any other purpose, authorized by Section 8C of Chapter 40 of the General Laws as amended, or to reimburse the Town for sums of money expended for such purposes, or both, or take any other action relative thereto. Sponsored by the Conservation Commission.

Article 19 Collective Bargaining (Fire)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2019 with the International Association of Firefighters AFL/CIO CLC Local 2043, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 20 Collective Bargaining (Police)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2019 with MASS C.O.P., AFL-CIO, Local 437, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 21 Collective Bargaining (IUE/CWA – Local 1776)

To see if the Town will, pursuant to G.L. c. 150E §7, vote to appropriate the sums of money sufficient to fund the collective bargaining agreement for fiscal year 2019 with

Local 1776 of the IUE/CWA, AFL-CIO, or take any action relative thereto. Sponsored by the Board of Selectmen.

Article 22 Proposed Reclassification and Pay Schedule (Administrative)

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Administrative Pay Schedule; to strike out the pay schedule as it relates to Administrative personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 23 Proposed Pay Schedule and Reclassification (Traffic Supervisors)

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Traffic Supervisors Pay Schedule; to waive the pay schedule as it relates to Traffic Supervisor personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 24 Proposed Reclassification and Pay Schedule (Seasonal and Temporary Personnel)

To see if the Town will vote to amend Chapter 121 of the Bylaws, Classification and Wage Salary Plan, by changing certain job titles where indicated and reclassify certain positions in the Seasonal and Temporary Personnel Pay Schedules; strike out the pay schedules as they relate to seasonal and temporary personnel, substitute in place thereof the new pay schedules and to transfer from available funds and/or appropriate a sum of money to make said new pay schedules effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 25 Compensation - Town Officers

To see if the Town will vote to revise the compensation of the Town Clerk as the Town by vote may determine and to transfer from available funds and/or appropriate a sum of

money to make said revision effective, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 26 Ratification of Salary Bylaw

To see if the Town will vote to ratify certain actions taken by the Compensation Committee under Chapter 43 Section 3(e) as last amended and amend the classification table by reclassifying certain positions, or take any other action relative thereto. Sponsored by the Compensation Committee.

Article 27 Essex North Shore Agricultural and Technical School District

To see if the Town will vote to approve the gross operating and maintenance budget of the Essex North Shore Agricultural and Technical School District for the fiscal year commencing July 1, 2018 and appropriate a sum of money for the Town's assessment of the same, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 28 Establishment of Special Education Stabilization Account

To see if the Town will accept the provisions of Chapter 40, Section 13E of the Massachusetts General Laws permitting the School District to establish a Special Education Reserve Fund; or take any other action relative thereto. Sponsored by the School Committee.

Article 29 Mooring Fees in Marblehead Waters.

To see if the Town will vote to amend Chapter 190, Section 190-5 (C) of the Town of Marblehead General Bylaws as follows (~~Strikeout~~ text represents deleted language and **bold** and underline font represents proposed amendment.):

The Harbormaster shall collect from the applicant a mooring permit fee of ~~\$6.50~~ **\$8.00** per foot for Marblehead Harbor, Little Harbor, and Dolibers Cove. All other locations in Marblehead anchorage shall be assessed ~~\$5.50~~ **\$7.00** per foot. Working commercial fishermen shall have their permit fee abated to a rate of ~~\$3.00~~ **\$3.50** per foot upon approval of the Harbormaster. Such fee shall be assessed on a per-foot basis, measured from the stem in a straight line aft to the stem of the vessel. Booms, boomkins or pulpits are exempt from the measurement. The minimum mooring permit fee shall be \$10. The mooring permit fee

for a float shall also be assessed on \$6.50 per lineal foot basis of the overall length. Said fee shall be collected before a mooring permit is issued. All fees collected by the Harbormaster shall be paid to the Town of Marblehead. All permits shall expire on the first day of February following the year of issue, or take any action relative thereto. Sponsored by the Harbors and Waters Board.

Article 30 Available Funds Appropriate to Reduce Tax Rate

To see if the Town will vote to appropriate free cash balance in the hands of the Town Treasurer, including any surplus or part of surplus in the Electric Light Department for use of the Assessors in making the tax rate, or take any other action relative thereto. Sponsored by the Finance Director.

Article 31 Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, including appropriations from Federal Revenue Sharing moneys, to defray the necessary and usual expenses of the several departments of the Town for the fiscal year beginning July 1, 2018, or take any other action relative thereto. Sponsored by the Finance Director.

Article 32 Supplemental Expenses of Several Departments

To see what sums of money the Town will raise and appropriate, including appropriations from Federal Revenue Sharing moneys, to defray the supplemental expenses of the several departments of the Town for the fiscal year beginning July 1, 2018, or take any other action relative thereto. Sponsored by the Finance Director.

Article 33 Public Access over Railroad Right of Way

To see if the Town will vote to change the purpose of the use of the top twelve inches to the surface of the following parcels of land by adding an additional use, that is the purpose of multi-model bike and walking path to be under the care custody and control of the Board of Selectmen:

Swampscott Branch: Book 4885 Page 310 as depicted in Plan Book 97 Plan 99 on file in the office of the Town Clerk.

Salem Branch: Book 4954 Plan 112 as depicted in Plan Book 98 Plan 72 on file in the office of the Town Clerk.

Lead Mills Branch: Book 5537 Page 60 (parcel 2) Book 5763 Page 720 (parcel 1 and 3) as depicted in Plan Book 1968 Page 249 on file in the office of the Town Clerk, or take any other actions relative to. Sponsored by Board of Selectmen and Water and Sewer Commission.

Article 34 Transfer of Care Custody and Control of Cressy Street Property

To see if the Town will vote to change the use of the property located at Town of Marblehead Assessor's Map 135 Lot 54 located on Cressy Street consisting of 13,664 square feet +/- from fire station purposes to cemetery purposes and transfer the care, custody and control from the Board of Selectmen to the Cemetery Commission, or take any other actions relative thereto. Sponsored by the Board of Selectmen and Cemetery Commission.

Article 35 Acceptance of Public Way

To see if the Town will vote to accept Barry Road as a public way as more fully set forth on a plan entitled "Barry Road" by Map 162, Block 59, Lot 0, or take any other actions relative thereto. Sponsored by the Board of Selectmen.

Article 36 Repairs to Abbot Hall

To see if the Town will vote to appropriate, borrow or otherwise raise sufficient funds for the renovation, repair and restoration of Abbot Hall, 188 Washington Street, in accordance with the report prepared by McGinley Kalsow & Associates, Inc., which said report is available in the office of the Board of Selectmen, or take any other actions relative thereto. Sponsored by the Board of Selectmen.

Article 37 Change of Use and Transfer of Public Property / Orne Playground

To see if the Town will vote to change the use of the "Bud Orne Playground" so called as shown on the Town of Marblehead Assessor's Map 138 and Lot 38 containing about 6.023 acres +/- of land located on Evans Road and West Shore Drive and Shepard Street, from Playground purposes to school purposes and that said care custody and control shall be transferred from the Recreation and Parks Commission to the School Committee, and further, that said transfer and change of use shall only occur if the Town of Marblehead School Building Committee selects the "Bud Orne Playground" as the next elementary school, or

take any other actions relative thereto. Sponsored by the Recreation and Parks Commission and School Committee.

Article 38 Change of Use and Transfer of Public Property / Eveleth School and Property

To see if the Town will vote to change the use of the Dr. Samuel C. Eveleth School and related property as shown on Marblehead Assessor's Map 25 and Lot 21 containing about 3.417 acres +/- of land located on 3 Brook Road, from school purposes to playground purposes and that said care custody and control shall be transferred from the School Committee to the Recreation and Parks Commission and, that said transfer and change of use shall only occur if the Town of Marblehead School Building Committee selects the "Bud Orne Playground" as the next elementary school location, and further that the Town appropriate, borrow or otherwise raise funds sufficient to demolish and remove the existing structure, undertake site preparations and all related work including engineering and associated legal fees and costs or take any other actions relative thereto. Sponsored by the Recreation and Parks Commission and the School Committee.

Article 39 Change of Use - Portion of Ware Lane

To see if the Town will vote to change the use of that portion of Ware Lane, so called, as shown on a plan dated February 7, 2018 entitled Ware Lane Section Change of Use, including 3,820 square feet +/- and which said plan is on file in the office of the Town Clerk and further, that once the use is changed the area changed will be put under the care custody and control of the Recreation and Parks Commission for playground purposes but said change of use shall only occur if the Town of Marblehead School Building Committee selects the "Bud Orne Playground" as the next elementary school location and the Eveleth School and Property are transferred to the care custody and control of the Recreation and Parks Commission for playground purposes; or take any other action relative thereto. Sponsored by the Board of Selectmen and Recreation and Parks Commission.

Article 40 Hobbs Playground

To see if the Town will vote to change the care custody and control of that portion of the Hobbs Playground, so called, including 45,810 square feet +/- and as shown on a plan dated February 7, 2018 entitled Article 40 Hobbs

Playground, on file in the office of the Town Clerk, which is a portion of that parcel of land shown as Map 25 Lot 22 on the Town of Marblehead Assessor's Map from the Board of Selectmen to the Recreation and Parks Commission continuing for playground purposes and that said change of control shall only occur if the Town of Marblehead School Building Committee selects the "Bud Orne Playground" as the next elementary school location; or take any other actions relative thereto. Sponsored by the Recreation and Parks Commission and the Board of Selectmen.

Article 41 Adopt Chapter 39 Section 23D

To see if the town will adopt Chapter 39 Section 23D of the Massachusetts General Laws allowing that a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting on the matter solely due to that members absence from no more than a single session of the hearing at which testimony or other evidence is received, or take any other action relative thereto. Sponsored by the Board of Selectmen.

Article 42 Zoning Bylaw Recodification, Technical Corrections and Revisions

To see if the town will vote to recodify, amend, revise, delete, and renumber provisions of the Town of Marblehead Zoning Bylaw, sections 200-1 through 200-49, and accompanying tables as follows:

Article I Administration

200-1 Zoning Authority

200-2 Enforcement

200-3 Certificate of Occupancy

200-4A Board of Appeals

200-4B Planning Board

200-5 Variance

200-6 Amendments

Article II Definitions

200-7 Meaning of Words

Article III Zoning Districts

200-8 Establishment of districts

200-9 Interpretation of zone district boundaries

Article IV Use Regulations

200-10 District Allowed Uses

200-11 Classification of Uses

200-12 Additional Use Provisions
200-13 Accessory Uses
200-14 Auxiliary Uses
Article V Dimensional Regulations
200-15 District Regulations
200-16 Additional dimensional provisions
Article VI Parking
200-17 Parking requirements
200-18 Parking Requirements for expansions
200-19 Parking requirements for elderly and low-income housing
200-20 Location of required parking spaces
200-21 Parking space requirements
200-22 Parking impact on open area
200-24 Parking requirements for wireless communication facilities (WCF)
Article VII
200-25 Nuisances
200-26 Earth removal
200-27 Equipment noise
200-28 Temporary trailers
200-29 Exterior mechanical equipment
Article VIII Nonconforming Building, Lot or Use
200-30 Existing nonconformance
200-31 Rebuilding after catastrophe
200-32 Discontinued nonconforming use of building
200-33 Demolished nonconforming building
Article IX Special Permits
200-34 Types of Special Permits
200-35 Process for special permits
200-36 Special permit for use and dimension
200-37 Special permit for site plan approval
200-38 Special permit for incentive zoning
200-39 Special permit for wireless communications facilities (WCF)
200-40 Special permit for nursing homes and assisted living facilities
Article X Validity
200-41 Prior law
200-42 Severability
200-43 Penalty for violation
Article XI Smart Growth Overlay District
200-44 Smart Growth Overlay District
Article XII Design Review
200-45 Design Review
Article XIII Floodplain District

200-46 Floodplain District
200-47 Purpose
200-48 Development regulations
200-49 Definitions
Table 1, Land Use Regulations
Table 2 Dimensional Regulations

~~striketroughs~~ (indicating deletion) and underlines (indicating additions), all as set forth in the document entitled “FINAL DRAFT (RED-LINE VERSION) – January 25, 2018,” all as on file in the office of the Town Clerk, and further to authorize the Town Clerk and the Town Planner to make any adjustments thereafter in the numbering and organization as appropriate to remedy any deficiencies within the Final Draft (Red-Line Version), or take any other action relative thereto. Sponsored by the Planning Board

Article 43 Amend Chapter 70 – Fire Prevention, of the Town of Marblehead General Bylaws

To see if the Town will vote to amend the Town of Marblehead General Bylaws, Chapter 70, Fire Prevention, Article III, Fire Lanes, Section 70-13 through 70-15 which currently reads:

§70-13. Obstruction of private way, private property or fire lane.

A. It shall be unlawful to obstruct or park a vehicle to block a private way or private property from access for fire apparatus to any building.

B. It shall be unlawful to obstruct or park a vehicle in any fire lane hereby established under Section 28.16 of the Fire Prevention Code of the Town of Marblehead (adopted in 1977) to be a distance of 10 feet from the curbing of a sidewalk in a shopping center, business area, private way, private property and similar locations, said lane to be marked at said locations.

§70-14. Violations and penalties.

Any person who shall violate any of the provisions of the code hereby adopted, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail

to comply with such an order as affirmed or modified by the court of jurisdiction, within the time fixed herein shall severally for each and every such violation and noncompliance respectively be guilty of a misdemeanor, punishable by a fine of not less than \$15 nor more than \$50. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each 10 days that prohibited conditions are maintained shall constitute a separate offense.

§70-15. Removal of vehicles or other obstructions.

Any object or vehicle blocking or parked to obstruct any fire lane, private way or private property in violation of § 70-13 of this Bylaw may be removed or towed by the Town at the expense of the owner and without liability to the Fire Department, employees of the Town, or the Town.

by deleting the foregoing in its entirety and in place thereof add the following:

Article III - FIRE LANES

§70-13. Definitions.

Fire Lane – Area designated by the Fire Chief for exclusive use by fire apparatus and/or emergency equipment access for the purpose of protecting public safety.

§70 -14. Authority.

A. The Fire Chief or his designated representative is hereby authorized to establish Fire Lanes to be located wherever necessary to allow access of fire apparatus or emergency equipment for the protection of public safety, as determined by the Fire Chief or his designee.

B. The Fire Chief or his designee shall establish the specific locations and dimensions of all Fire Lanes after consideration of the following factors:

- i. The nature of the use of the premises;
- ii. The volume of motor vehicle traffic on or about or near the designated premises;

- iii. The size and type of fire apparatus and emergency equipment available and necessary for the protection of the premises;
- iv. The area of the land and the size of the building or buildings to be protected.

§70-15. Location of Fire Lanes.

Fire Lanes established pursuant to this Bylaw may be located at entrances and exits from parking areas, driveways, and buildings, other areas of public ingress and egress, in or within areas surrounding post indicator valves, hydrants and Fire Department connections and at other locations determined by the Fire Chief or his designated representative.

§70-16. Notice of Fire Lanes.

The Fire Chief or his designee shall give written notice of the establishment of a Fire Lane to the owner of the property on which the Fire Lane will be located, and direct the owner to post signs at the owner's expense. The property owner shall erect signs within (60) sixty days of receipt of said notice. The signs shall be erected at the location and shall conform to the specifications designated by the Fire Chief. Said signs shall be no less than eighteen inches by twelve inches and shall read:

“Fire Lane
No Parking at Any Time
Violators Subject to Fine
Vehicles May Be Towed at Owner's Expense”

§70-17. Obstruction of Fire Lanes.

It shall be unlawful to obstruct or park a vehicle in any Fire Lane.

§70-18. Removal of vehicles or other obstructions.

Any object or vehicle blocking or parked to obstruct any fire lane, private way or private property in violation of this Bylaw may be removed or towed by the Town at the expense of the owner and without liability to the Fire Department, employees of the Town, or the Town.

§70-19. Violations and penalties.

Any person violating any of the foregoing sections shall, for each offense be punished by a fine of fifty (\$50.00)

dollars. Each day that such violation continues shall constitute a separate offense.

§70-20. Enforcement.

The Fire Chief or his designee shall enforce the provisions of this Bylaw.

Or take any action relative thereto. Sponsored by the Fire Chief.

Article 44 Stretch Code Adoption for Green Communities Designation.

To see if the Town will adopt the Stretch Code, so called, by amending Chapter 30 of the Town of Marblehead General Bylaws, Building Construction, by adding the following new Article V as follows:

Article V
Stretch Energy Code

§30-40. Purpose.

This provision is adopted for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of January 1, 2019 and which will provide a more energy efficient alternative to the base energy code applicable to the relevant sections of the building code for both new construction and existing buildings.

§30-41. Definitions.

- A. International Energy Conservation Code (IECC) 2009 – The International Energy Conservation Code (IECC) is a building code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency. Commencing July 1, 2010, the baseline energy conservation requirements of the MA State Building Code will default to IECC 2009 and MA amendments.

- B. Stretch Energy Code – Codified by the Board of the Building Regulations and Standards as 780 CMR Appendix 115 AA, the Stretch Energy Code is the International Energy Conservation Code (IECC) 2009 with amendments contained herein.

§30-41. Applicability.

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 61 or 93 as applicable.

§30-42. Authority.

The Town of Marblehead, seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR, mandates adherence to Appendix 115 AA.

§30-43. Stretch Code.

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115 AA, including any amendments or modifications, is herein incorporated by reference into the Town of Marblehead General Bylaws, Chapter 98.

§30-34. Enforcement.

The Stretch Code is enforceable by the Building Inspector official.

Or take any action relative thereto. Sponsored by Petra Langer and others.

Article 45 100% Renewable Energy Goal

To see if the Town will go on record supporting a goal of using 100% clean, renewable energy in Marblehead, including in electricity production, building energy use and transportation, and moving as quickly as possible to achieve this goal. Sponsored by John Livermore and others.

Article 46 Overnight Parking Ban

Be it resolved that the Town of Marblehead shall institute on or before November 15, 2018 an alternative to the annual Winter Parking Ban which allows for on street parking all winter EXCEPT for specific limited snow or other public emergency situations (e.g. the “Blue Light” Parking Systems implemented in most of the surrounding

communities.) Such a plan shall also include a provision for the Selectmen to impose a Regular Parking Ban on those streets and byways that they determine must remain parking free all winter. This system shall be funded out of the available town budget. Sponsored by John O. Liming and others.

You are hereby further required and directed to notify and warn the Inhabitants of the Town of Marblehead aforesaid who are qualified to vote in elections and in Town affairs to subsequently meet at the several designated polling places in their respective precincts in said Marblehead to wit:

In Precinct 1 - Polling Place –

OLD TOWN HOUSE

1 Market Square

In Precinct 2 - Polling Place –

MASONIC TEMPLE

62 Pleasant Street

In Precinct 3 - Polling Place –

MASONIC TEMPLE

62 Pleasant Street

In Precinct 4 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

10 Humphrey Street

In Precinct 5 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

10 Humphrey Street

In Precinct 6 - Polling Place –

MARBLEHEAD COMMUNITY CENTER

10 Humphrey Street

on Tuesday, the 15th day of May next A.D. 2018 (it being the second Tuesday after the first Monday in May) at 7 o'clock in the forenoon then and there to bring into the precinct officers of their respective precincts their votes on one ballot for the following-named Town Officers to wit:

Selectmen 5 for 1 year term

Moderator 1 for 1 year term

Assessor 1 for 3 year term

Cemetery Commission 1 for 3 year term

Board of Health 1 for 3 year term

Housing Authority 1 for 5 year term

Library Trustee 2 for 3 year term

Municipal Light Commission 2 for 3 year term

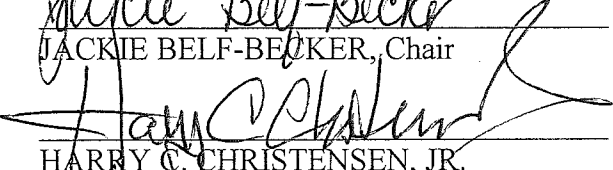
Planning Board 2 for 3 year term
Recreation and Park Commission 5 for 1 year term
School Committee 1 for 3 year term
School Committee 1 for a 2 year un-expired term
Water & Sewer Commission 1 for 3 year term

For these purposes the polls will be open at each and all of said precincts at 7 o'clock in the forenoon and will be closed at 8 o'clock in the afternoon at each and all of said precincts and you are directed to serve this Warrant by posting attested copies thereof at Abbot Hall and ten (10) other conspicuous places in Town as required by the Bylaws not later than thirty (30) days after being closed.

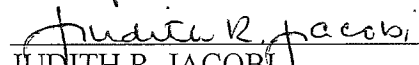
Hereof fail not and make due return of this Warrant or a certified copy thereof with our doings thereon, to each of the several precinct wardens at the time and place of meetings aforesaid and to the Town Clerk as soon as may be before the said meetings.

Given under our hands at Marblehead aforesaid this 14th
day of February 2018.


JACKIE BELF-BECKER, Chair


HARRY C. CHRISTENSEN, JR.


M. C. MOSES GRADER


JUDITH R. JACOBI


JAMES E. NYE

Selectmen of Marblehead



A True Copy

Attest:

, Constable