

AMENDMENTS FILED WITH THE TOWN CLERK BY 4/30/14 DEADLINE FOR ANNUAL TOWN MEETING SESSION OF MAY 5, 2014

Article 4 Use of Public Land -Lone Tree Hill Conservation Land General Bylaw
Submitted by Roy Epstein , Precinct 6 Town Meeting Member

Motion to Amend:

Amendment # 1

§ 60-1000 B. (2) — delete " measuring 6 feet or less"

Amendment # 2

§ 60-1000 D. — change "by a fine of \$50 for each offense" to "by a written warning and by a fine of \$50 for each subsequent offense".

Article 7 Yard Sales General Bylaw
Submitted by Christine W. Kochem, Precinct 8 Town Meeting Member

Motion to Amend:

Moved, that under Article 7, Section B-1, amend the second sentence by inserting the words '**two-day**' after the word 'three' so that the new, amended Section B-1 reads:

A. Any person or group intending to hold a Private Sale shall obtain a permit therefor from the Town Clerk. No more than three **two-day** permits per calendar year may be issued for Private Sales at a single address. Copies of the issued permit shall be sent by the Town Clerk to the Police Department.

Reason for Amendment

The purpose of this amendment is to clarify the number of days for which a person or group may obtain a permit for a Private Sale under this warrant article.

Article 8 General Bylaw “ ANIMALS”, §60-200
Amendment #1 to Submitted by David Alper, Precinct 6 Town Meeting Member

Motion to Amend:

MOVED: That Article 8 be amended in §60-205, Kennels, B. (5):

1. In the first sentence by inserting after the word ‘Kennel’ the phrase “, which provides overnight boarding of dogs,”;
2. In the second sentence by inserting after the word ‘dogs’ the phrase “for overnight stays”,
3. In the second sentence delete the phrase ‘at any time’, and
4. In the third sentence after the word ‘for’ insert the phrase “dog daycare or”

so that the amended Subsection reads as follows:

§ 60-205. Kennels.

B. Licenses; Fees; Requirements; Violations.

- (5) No Kennel, which provides overnight boarding of dogs, may keep more than 25 dogs for overnight stays on the premises ~~at any time~~. Dogs that are on the premises for dog daycare or grooming, but not for overnight boarding, or, for medical or surgical treatment or observation, shall not be counted in this number.

Reason for Amendment:

This amendment is offered by David Alper, Town Meeting Member, in order to better recognize the difference in activities associated with overnight boarding of dogs and dog daycare.

Article 8 General Bylaw “ ANIMALS”, §60-200
Amendment #2 to Submitted by David Alper, Precinct 6 Town Meeting Member

Motion to Amend

MOVED: That Article 8 be amended in §60-200, Pets and Other Animals, A. in the second to last sentence by deleting the phrase ‘Not more than three dogs over three months of age shall be kept in any household without complying’ and replacing it with ‘A pack or collection of more than four dogs, three months old or older, owned or kept under single ownership, for private personal use shall comply’ so that the amended Subsection reads as follows:

§60-200. Pets and other animals.

- A. Licensing of dogs and cats. No person shall own or keep a dog or cat, six months of age or older, within the Town unless a license for such dog or cat is obtained from the Town Clerk. The license period shall be from January 1 through December 31; provided, however, that all applications for license renewals shall be submitted by March 15 of each year, or the licensee may be subject to late fees. Non-refundable license and late fees shall be established from time to time by the Town Clerk, unless Town Meeting approval is required pursuant to MGL c.

140, §139 or other applicable law. License fees for dogs and cats owned or kept by residents who are age 60 or older shall be at a discounted rate of at least 25% less than the established fee. All license fees shall be waived for dogs and cats that serve as service animals as defined by the Americans with Disabilities Act or regulations promulgated thereunder. A pack or collection of more than four dogs, three months old or older, owned or kept under single ownership, for private personal use shall comply with the kennel licensing provisions set forth in §60-205. All dogs and cats are required to wear their license tags at all times.

Reason for Amendment:

This amendment is offered by David Alper, Town Meeting Member, to be consistent with state law.

TOWN OF BELMONT

2014 ANNUAL TOWN MEETING

AMENDMENT 1 TO ARTICLE 9

ALLOW KENNELS BY SPECIAL PERMIT IN CERTAIN DISTRICTS

MOVED: That Article 9 be amended in Section 3.3, Schedule of Use Regulations, Kennels:

1. In the first bulleted use by replacing 'Day Care' with 'Daycare',
2. In the first bulleted use by inserting at the end of the description of 'Daycare' the phrase 'provided that a minimum of 60 square feet of play area is available per dog.', and
3. After all of the bulleted items by inserting the sentence 'The Planning Board shall be the SPGA for Kennels.'

so that the amended Section reads as follows:

3.3 Schedule of Use Regulations

USES	DISTRICTS							
	SR-A,B,C,D	GR	AH	LB I	LB II	LB III	GB	PL
<i>[solar uses line omitted]</i>								
Kennels (Commercial or Nonprofit):								
➤ <u>Daycare</u> - the provision of day time services for the care of animals that does not include overnight boarding <u>provided that a minimum of 60 square feet of play area is available per dog.</u>	N	N	N	N	SP	SP	SP	N
➤ Boarding	N	N	N	N	N	N	SP	N
➤ Commercial Breeder	N	N	N	N	N	N	N	N
➤ Veterinary (<i>well dog boarding</i>)	N	N	N	N	N	N	N	N
<u>The Planning Board shall be the SPGA for Kennels.</u>								

REASON FOR AMENDMENT:

This amendment is offered by the Planning Board to insure that dogs are provided the best practices for animal welfare and safety as recommended by various humane societies. Note that many humane organizations do not specify standards because "best practice" is sensitive to the size of the dog (for example, Bullmastiff versus Chihuahua). The minimum standard for canine play area is 60 square feet.

Article 9 Kennels Zoning Bylaw
Allowing Kennels by Special Permit in Certain Districts
Submitted by Town Meeting Members Judith Ananian Sarno (3),
Michael Sullivan (3), Raffi Manjikian (3) & Don Becker (5)

Motion to Amend

Moved: To amend Article 9, **ALLOW KENNELS BY SPECIAL PERMIT IN CERTAIN DISTRICTS**, Section 2, “**3.3 Schedule of Use Regulations**, for Kennels (Commercial or Nonprofit): Day Care – the provision of day time services for the care of animals that does not include overnight boarding” by changing the designation “SP” (special permit) within District LB II, to “N” (not allowed).

Reason for Amendment

To avoid disturbance to a region in town that has raised this issue with both Town Meeting and in a town-wide ballot vote that received overwhelming support in 2003. Residents have sought to preserve the quality of life within their neighborhood by putting forth this (simple) amendment.

So. Pleasant St. is the only LB II District in Belmont, and this amendment would not impact any existing businesses as all dog day care kennel businesses are in GB (General Business) and in LB III (Local business III).

Article 9 Kennels Zoning Bylaw
Allowing Kennels by Special Permit in Certain Districts
Submitted by Benjamin Bauer, Precinct 6 Town Meeting Member

Motion to Amend:

Section 1.4 Definitions and Abbreviations

Current wording:

Kennel, Personal – A pack or collection of more than 4 dogs, 3 months old...

As amended:

Kennel, Personal – A pack or collection of more than 4 **but no greater than 8** dogs, 3 months old...