

BY-LAWS OF THE TOWN OF PERU GENERAL BYLAWS
As Amended through September 14, 2018

***Articles 1-16: Found in FY 1988 Town report, with a note at the end stating "These represent all the by-laws that were found in Town Reports since 1969. We shall *forward them to* Boston for certification by the Secretary of State to ensure that the Town has a complete listing of its By-Laws."

Article 1. All Town Meetings shall be notified by the officer or other persons to whom the warrant thereof shall be directed by posting an attested copy at the Town Hall.

Article 2. The Selectmen at every Annual Town Meeting for the choice of town officers shall make a full report of their proceedings relative to the municipal affairs of the Town, with an estimate of the sums necessary to be raised for the ensuing year.

Article 3. The Selectmen shall cause their own annual report, together with the reports of the Treasurer, Collector, Clerk, Assessors, Overseers of the Poor, School Committee, the Auditing Committee, the By-Laws of the Town, the Articles contained in the Warrant for the Annual Town Meeting, and the valuation list and Town By-Laws to be printed every three years and bound in a convenient form and sufficient number for the use of the voters of the Town, and shall provide for the free distribution of the same at least six days before the Annual Town Meeting, and the officers above named shall prepare their reports and present them to the Selectmen in season for publication as required above.

Article 4. The Assessors shall complete the assessment of taxes and commit the same with their warrant, to the Collector, on or before the fifteenth day of July in each year, provided the Collector shall have given a bond as required by law.

Article 5. If the Collector shall be unable to collect any taxes assessed after full exercise of the powers conferred upon him as collector he shall report same to the Assessors with his request for an abatement, before the first annual town meeting, following his election.

Article 6. The Assessors shall annually recommend to the Town at the Annual Town Meeting, such taxes as they may determine, ought to be abated, which the Collector has reported to them as uncollectible; in no case shall the Assessors abate a tax unless it shall be found by them to have been wrongly assessed.

Article 7. The Treasurer shall pay no warrants unless drawn on the regular printed forms furnished by the Town for the use of the Selectmen and the School Committee, and signed by the majority of the Selectmen or to the extent of the State and Town appropriation, for the school purposes by the School Committee. The Treasurer shall keep an accurate account of all receipts and payments and exhibit the same with his vouchers to the Auditing Committee or the Selectmen when required to do so, and shall

annually make a full and detailed report as before provided, he shall give a bond with good and sufficient sureties for the faithful discharge of his duties, for such an amount as the Selectmen may require, and said bond shall be approved in writing by the Selectmen.

Article 8. The Town shall choose at its Annual Town Meeting one or more Auditors whose duty it shall be to audit the accounts of the Treasurer and Collector, said Auditor or Auditors shall annually report to the Selectmen as provided in Section 3.

Article 9. No Person shall be allowed to pasture cattle or other animals upon any of the highways in town either with or without a keeper, provided that this By-Law shall not affect the right of a person to use the land within the limit of such highway adjoining his own land.

Article 10. Two Constables shall annually be chosen

Article 11. The By-Laws of the Town shall be altered only at the Annual Town Meeting, and a notice of any alteration proposed shall be given in a warrant calling said meeting.

Article 12. No person shall distribute, drop, place or suffer to remain in or upon any street or highway, any vegetable matter, or animal matter, ashes, waste, rubbish, or garbage of any kind whatsoever. Whoever violates this By-Law shall forfeit and pay to the Town of Peru a sum of not more than (\$20.00) Twenty Dollars.

Article 13. JUNKED MOTOR VEHICLE BY-LAW:

1. Any motor vehicle which must be registered with the Registry of Motor Vehicles of the Commonwealth of Massachusetts prior to being operated on a public ways (excepting only farming and construction equipment such as tractors, bulldozers, backhoes, and similar equipment), which is not so registered for a period of six (6) consecutive months is a junked or abandoned motor vehicle for the purpose of the By-Law.
2. There shall be only one junked or abandoned motor vehicle permitted at any on residence or property.
3. The Board of Selectmen, upon application of a property owner and after inspection of the applicant's premises, may permit the storage of more than one junked or abandoned motor vehicle on such property, provided the Selectmen find such junked or abandoned motor vehicle(s) can be screened from public view. In determining whether such vehicle(s) can be screened from public view, the Selectmen shall consider: the situs of the applicant's land in the Town; the lot size of the land owned by the applicant; the natural cover and terrain available to the applicant for screening purposes; whether a barn, garage or other man-made structure is available to the applicant for screening purposes; the location of the proposed junked or abandoned motor vehicle storage place in relation to public ways and property lines.
4. The Board of Selectmen or Chief of Police may order the removal of any junked or abandoned motor vehicle(s) by certified mail notice addressed to the property owner and said property owner shall have thirty (30) days from the date of such notice to remove said vehicles(s). After such notice and the expiration of thirty (30) days the property owner shall be

fined ten dollars (\$10.00) per day for each day the junked or abandoned motor vehicle(s) remains on his property, each day constituting a separate offense under this By-Law.

5. This By-Law shall not apply to persons licensed by the Board of Selectmen under M.G.L. Chapter 40, Section 57 et seq., except that such licenses shall screen their junked or abandoned motor vehicles from public view in accordance with standards set by the Selectmen in Section 3 alone.

~~Article 14. Special Town Meetings requiring a vote by the Town's people on any By-Laws or changes in town policy shall be held on a Saturday night.~~

Adopted at the Annual Town Meeting on June 4, 2016

Approved by the Attorney General on July 21st 2016

Amended August 1, 2017

Article 15. No person shall plow snow into a public way and permit it to remain in the public way. There shall be a fine of twenty-five dollars (\$25.00) for each violation.

Article 16. No person shall dump, or cause to be dumped any trash, litter, rubbish, paper, waste, or garbage, in any form at any time on Town property and without limiting the generality of the foregoing, specifically including the area of the Town refuse compactor. Any person violating this By-Law shall be fined not more than Fifty dollars (\$50.00).

Article 17. (6/6/1992)

The Board of Selectmen shall maintain an appropriations account ledger, detailing Annual Town Meeting appropriations, Special Town Meeting appropriations and/or transfers, Finance Committee transfers from the Reserve Fund and all expenses thereto. This account ledger is to be maintained in a prescribed form that shows all debits, credits and balances.

Article 18. (6/25/1994)

Section 1: Uniform Numbering System.

A uniform system of numbering dwellings and principal buildings as shown on maps prepared by James W. Sewell, Co. to be on file in the Assessor's Office, Town Hall, Peru, Massachusetts, are hereby adopted and incorporated herein by reference and made part of this By-Law.

Section 2: Assignment of Numbers.

A. All properties or parcels of land within the corporate limits of Peru shall hereafter be identified by reference to the uniform numbering system adopted herein and such conversion to the numbering system must be completed within (90) ninety days from the effective date of this By-Law or as soon thereafter as possible.

B. A Separate number shall be assigned for each (150) on hundred and fifty feet of frontage.

C. Each principal building shall bear the number assigned to the frontage on which the front entrance is located. In case a principal building is occupied by more than one business or family dwelling unit, each separate front entrance of such building shall bear a separate number.

D. Numerals indicating the official numbers for each principal building or each front entrance to such building shall be placed immediately above, on or at the side of the main entrance of each building so that the number can be seen plainly from the street line. Whenever any building is situated more than (50) fifty feet from the street line, the number should be placed near the walk, driveway or common entrance to such building, or upon a gatepost, fence, tree, post or other appropriate place so as to be clearly discernible from the sidewalk or street line. Such numerals shall be not less than (3) three inches in height and made of a durable and clearly visible material.

Section 3: Administration

A. The Town Assessors shall be responsible for maintaining the numbering system. In the performance of this responsibility, they shall be guided by the provisions of Section 2 of this By-Law.

B. The Town Assessors shall keep a record of all numbers assigned under this By-Law and shall enforce the provisions of this By-Law.

C. The Town Assessors shall, at the request of a property owner, assign numbers for any new buildings constructed in the Town.

Section 4: Violation of this By-Law shall be a misdemeanor and may be punished by a fine of \$1.00 per day. Each separate day such violation is continued shall constitute a separate offense.

Article 19. ANIMAL CONTROL BY-LAW (06/25/1994)

Section 1: DEFINITIONS

A. "ANIMALS" - All animals of any species, both male and female including but not limited to dogs and cats

B. "OWNER OR KEEPER" - Any person or persons, firm, association or corporation owning, keeping, or who has in his possession, for eleven (11) consecutive days in any Calendar year, a dog or any other animal, licensed or unlicensed; and cannot show to the satisfaction of the animal control officer that such animal was sold, had died, was given away or otherwise disposed of. Further, if the owner or keeper of a dog or other animal be a minor, the parent or guardian of such minor, shall be held liable for any violations of this by-law.

C. "RUN-AT LARGE" - Free of restraint and permitted to wander on private or public ways at will.

- D. "COMMERCIAL KENNEL" - A kennel maintained as a business for or to include either boarding or grooming of dogs.
- E. "MULTIPLE PET HOUSEHOLD" - More than three (3) dogs over the age of six (6) months of age in a single private residence.
- F. "LICENSE PERIOD" - The time between January 1 and December 31, both dates inclusive.
- G. "LIVESTOCK OR FOWL" - Animals or fowl kept or propagated by the owner for food or as a means of livelihood, kept in proper houses or suitably enclosed yards. Such phrase shall not include dog, cats or other animals.
- H. "ANIMAL CONTROL OFFICER" - Any officer appointed by the Board of Selectmen to enforce the laws relating to animals.

Section 2: DOGS REQUIRED TO BE LEASHED

- A. No owner or keeper of a dog shall permit such dog, whether licensed or unlicensed to run-at-large within the Town of Peru. No person shall permit a dog owned or kept by him beyond the confines of the property of the owner or keeper unless the dog is physically restrained by a leash.
- B. No person shall permit a dog owned or kept by him to run freely within the confines of the property of the owner or keeper unless leashed so as to restrain the dog in such manner that the dog will not go beyond the property of the owner or keeper, or unless the dog is securely confined to the premises by the owner or keeper by fencing or appropriate barriers., or unless the dog is under direct voice control of the owner or keeper.
- C. This action shall not apply to property owned and/or controlled by the Commonwealth of Massachusetts where a separate set of rules and regulations apply.
- D. A dog may for the purpose of events such as working, hunting, field trails or training purposes be exempt for the restraining order during such period of time as the dog is actually engaged in the event or sport, provided the dog is under the direct supervision of a person of adequate age and discretion to properly control its actions.

Section 3: LICENSE REQUIREMENTS, FEES, EXCEPTIONS

- A. Any owner or keeper of a dog (6) six months of age or older in the Town of Peru shall cause the dog to be licensed as required by the MGL., Chapter 140 commencing on January 1st of each year.
- B. Any owner or keeper of more than three dogs must acquire a multiple pet permit.
- C. Each multiple pet household and commercial kennel shall be available to inspection by the Animal Control Officer, a Natural Resource Officer, Fish and Game Warden, Police Officer or the Board of Health.
- D. All dogs and cats (6) six months of age or older must be currently vaccinated against rabies as per MGL., Chapter 140, Section 145B.
- E. The annual fee for every animal license, multiple permit, and commercial kennel license and all fines relevant to animal control shall be established by the Board of Selectmen. No fee shall be charged for a license for a dog specifically trained to lead or

serve a blind or deaf person provided that the division of the Blind or Deaf certifies that such dog is so trained and actually in the service of a blind or deaf person.

F. The registering, numbering, describing and licensing of animals shall be performed in the Office of the Town Clerk on a form prescribed by the Town, and shall be subject to the condition expressed therein that the dog so licensed shall be controlled and restrained from killing, chasing or harassing livestock or fowls.

G. No license fee shall be refunded in whole or in part for any reason.

H. Should any owner or keeper of an animal fail to license that animal as required by MGL., Chapter 140 before April 1, the owner or keeper shall pay a late fee as established by the Board of Selectmen before obtaining said license, except a dog brought into the Town as provided by MGL., Chapter 140 Section 138. This late fee shall be applicable from the 61st day after arrival of such dog. Any person maintaining a commercial kennel in the Town of Peru who fails to license as prescribed by this section and the laws of the Commonwealth, shall pay a late fee as established by the Board of Selectmen, commencing April 1st.

I. The owner or keeper of a licensed animal shall cause it to wear around its neck or body a collar or harness to which shall be securely attached a tag issued by the Town Clerk at the time of licensing.

J. In addition to all other sums due and owing for any license fee hereunder, a person for license hereunder shall be obligated to pay all prior amount of license fees determined to be due and owing by the Town Clerk pursuant to this By-Law, for past periods in which said person was obligated to obtain license. It shall be a violation of the By-Law, to fail to pay any said sum due hereunder; this remedy shall be cumulative.

Section 4: RESTRICTIONS ON NUMBER OF DOGS

No more than (6) six dogs may be kept at any private residence. Persons owning more than (6) six dogs prior to the passage of this By-Law are permitted to keep such dogs, but may not replace them in excess of the permitted total. This section shall not be applicable to dogs under the age of (6) six months.

Section 5: MUZZLING DOGS

Any owner or keeper of a dog may be ordered to muzzle said dog by a duly appointed Animal Control Officer and in his absence, by a police officer for either of the following reasons:

1. For having bitten, injured or physically molested any person,
2. For having physically injured any dog or other animal.

Section 6: IMPOUNDING, RELEASE AND DISPOSITION OF ANIMAL

A. Animal Control Officer or, in their absence, police officers may cause an animal to be impounded for any of the following causes:

1. If found without a license when a license is required
2. If found unrestrained as set forth in Section 2 of this By-Law
3. For violation of a muzzling order as provided for in Section5 of this By-Law; or as provided under MGL Chapter 140, Section 167, as amended

4. For have bitten, injured or physically molested any person
 5. For having physically injured any dog or other animal
 6. To restore peace when the owner or keeper of an animal is otherwise unavailable, unwilling, or physically unable to restrain his/her animal from causing a nuisance by continuous barking or howling
 7. To ensure the safety and well-being of the particular animal
 8. For any violation of this By-Law
- B. No later than 2 days after the impounding of any animal, the owner or keeper shall be notified, or if the owner or keeper is unknown, or, after reasonable efforts, is not contacted, written notice shall then be posted for (10) ten consecutive days in the location for posting notices in the Town Hall, which notice shall describe the animal and the place and time of taking. Animals impounded and unclaimed by the owner or keeper after such ten day period shall be disposed of in accordance with the provisions of MGL, Chapter 140, Section 151A. Prior to the end of said ten day period, the owner or keeper may obtain the release of such dog or other animal upon the payment of all pound fees, fines and notification costs, if any and in the case of violation of A(1) of this Section, upon obtaining a license as required by law.
- C. No animal shall be turned over or sold in any manner inconsistent with MGL Chapter 140, Section 152, or disposed of inconsistent with the provisions of Section 151A.

Section 7: PERSON CONVICTED OF CRUELTY TO ANIMALS

Any person or persons found guilty of a violation of any provisions of Section 77, 80A, 94 or 95 of MGL Chapter 272 will forfeit the right to own or keep any animal within the Town of Peru and must immediately, upon conviction surrender all animals in his/her possession to the Animal Control Officer.

Section 8: COMPLAINT OF DANGEROUS DOGS/EXCESSIVE BARKING

If written complaint is made to the Board of Selectmen or Chief of Police regarding a vicious or dangerous dog or excessive barking or other disturbance, such complaint shall be acted upon in conformance with MGL Chapter 140, Section 157 and Section 158

Section 9: WARRANT TO ANIMAL CONTROL OFFICERS

The provisions of MGL Chapter 140, Section 153 are incorporated herein.

Section 10: LIABILITY OF OWNER

- A. The owner or keeper of a dog which has done damage to livestock or fowl shall be liable for such damage, and the Selectmen may order the owner or keeper to pay such damages after an investigation as set forth in MGL Chapter 140.
- B. In the event that the owner or keeper of such dog known to have done damage to livestock or fowl refuses to pay upon the order of the Selectmen, the Selectmen shall enter or cause to be entered a complaint in the District Court for enforcement of the order.
- C. In addition, the Board of Selectmen or their agents thereto authorized in writing, may after written notice to the owner or keeper, enter upon the premises

of the owner or keeper of any dog known to them to have killed livestock or fowls, and then and there kill such dog, unless such owner or keeper whose premises are thus entered for the said purpose shall give a bond in the sum of (\$200.00) two hundred dollars with sufficient sureties approved by the Board of Selectmen, conditioned that the dog is continually restrained. If the owner or keeper of the dog declares his intention to give such bond, the Selectmen or their agents shall allow him (7) seven days, exclusive of Sundays and holidays, in which to procure, prepare the same and to present it to them, or file it with the Town Clerk.

D. If a dog which has previously been ordered restrained by the Selectmen, or upon review by the District Court, wounds any persons or shall maim or kill any livestock or fowls, the owner or keeper of such dog will be liable to the person injured thereby in treble the amount of damages sustained by him.

E. The owner or keeper of any animal injured or killed by a motor vehicle shall be responsible for the cost of all rescue response, emergency care, treatment and/or disposal of said animal.

Section 11: ENFORCEMENT/PENALTIES

A. The Animal Control Officer(s) duly appointed or, in their absence, police officers shall enforce the provisions of this Animal Control By-Law, and shall attend to all complaints or other matters pertaining to animals in the Town of Peru.

B. Notwithstanding any provisions of the General Laws to the contrary, any person(s) who:

1. refuse to answer or answers falsely questions of an Animal Control Officer or,
2. is found guilty of cruelty to animals, or
3. refuses to turn over any animal to the Animal Control Officer upon demand as authorized in Section 6 and 7 of this By-Law or
4. violates a Selectman order

shall be punished by a fine of not less than (\$100.00) one hundred dollars nor more than (\$300.00) three hundred dollars.

C. Any keeper who:

1. violates the provision of the By-Law; or
2. is the owner/keeper of an animal who shall be found by an Animal Control Officer to have defecated on private property other than that of its owner/keeper, or on a public sidewalk,
3. or is the owner/keeper of any animal who intentionally allows any such animal to cause a nuisance by barking, howling or otherwise disturb another person's right to peace, or

4. is the owner/keeper of an animal found to have bitten or injured any person, dog or other animal, may be penalized by noncriminal disposition as provided in MGL Chapter 40, Section 21D, and shall be punished by a fine not to exceed (300.00) three hundred dollars.

D. Where applicable, each day shall constitute a separate offense.

Section 12: ALTERNATE PROCEDURE UNDER MGL, CHAPTER 140 SECTION 173A

A. Notwithstanding any provisions of the General Laws to the contrary, any Animal Control Officer who takes cognizance of a violation of:

1. this By-Law, or
2. failure to license animals pursuant to MGL Chapter 140, and this By-Law; or
3. failure to obtain multiple pet permit or commercial kennel license; or
4. failure to vaccinate against rabies pursuant to MGL Chapter 140, Section 145B,

may issue or mail a Notice of Complaint of Violation of Municipal Animal Control By-Law to the owner or keeper of such animal.

B. Any owner or keeper found in violation of the above mentioned procedure shall be subject to a fine of not more than (\$50.00) fifty dollars.

Section 13: DISCLAIMER/SEVERABILITY CLAUSE

A. Nothing contained within the By-Law shall limit or restrict any enforcement officer's authority to seek criminal prosecution of any violation of State or Federal Law.

B. If any part, section or provisions of this By-Law is found to be invalid, the remainder of this By-Law will not be effected thereby.

Article 20. RIGHT TO FARM BYLAW

Section 1 Legislative Purpose and Intent

The purpose and intent of this Bylaw is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97, of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A. We, the citizens of Peru, restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This General Bylaw encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Peru by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This Bylaw shall apply to all jurisdictional areas within the Town.

Section 2 Definitions

The word “farm” shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words “farming” or “agriculture” or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, sheep, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organisms of plants and animals;

- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;

- processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

Section 3 Right-To-Farm Declaration

The Right-to-Farm is hereby recognized to exist within the Town of Peru. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this Bylaw are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with

generally accepted agricultural practices. Moreover, nothing in this Right-To-Farm Bylaw shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4 Resolution of Disputes

Any person who seeks to complain about the operation a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Board of Selectmen, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or the Board of Selectmen may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame. The Board of Health, except in cease of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 5 Severability Clause

If any part of this Bylaw is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this Bylaw. The Town of Peru hereby declares the provisions of this Bylaw to be severable.

Adopted at the Annual Town Meeting on June 4, 2016

Approved by the Attorney General on July 21st 2016

Amended August 1, 2017

ARTICLE 21

1. The Town has established a “No Dig” policy. Once a Town road or State road is paved, no contractor will be allowed to excavate in the roadway for a period of five years from the time of the initial paving.

Adopted at the Annual Town Meeting on June 4, 2016

Approved by the Attorney General on July 21st 2016

Amended August 1, 2017

Article 37: To see if the Town will vote pursuant to G.L. c.44, sec. 53E1/2 to amend the General Bylaws by inserting a new bylaw establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows:

There is hereby established in the Town of Peru, pursuant to the provisions of G.L. c.44, sec. 53E1/2, the following Revolving fund: Inspectional Services by the Building Inspection Department, Electrical Inspection Department, Gas/Plumbing Inspection Department, and Fire Inspection Department.

Authorized to spend Funds: The Town of Peru Treasurer

Revenue Source: Fees and Charges by inspectors listed under this Bylaw.

Use of Funds: To pay Inspectors ninety per cent of fees and charges collected under this Bylaw, and the Town of Peru ten per cent under this Bylaw.

Expenditures from each revolving fund set forth herein shall be subject to the limitation established by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, sec 53E1/2.

And, further, to set FY2019 spending limits for such revolving funds as follows: Program or Purpose is Inspectional Services; FY 2019 spending limit is \$14, 413.00, or take any other action relative thereto.

Adopted at the Annual Town Meeting on May 12, 2018

Approved by the Attorney General on September 14, 2018

Article 38: To see if the Town will adopt as a General By-Law, entitled “Stretch Energy Code” 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 July 1, 2019, to provide as follows:

Section 1: Definitions

International Energy Code (IECC) – The International Energy Conservation Code (IECC) is a building energy 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, and is updated on a three-year cycle. The baseline energy conservation requirements of the Massachusetts State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts Building Code, the Stretch Energy Code is an appendix to the Massachusetts Building Code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

Section 2: Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

Section 3: Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as indicated.

Section 4: Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Peru General By-Laws.

The Stretch Code shall be enforceable by the Building Inspector and effective with a concurrency start date of July 1, 2018, and a sole effective date of January 1, 2019

or take any other action relative thereto.

Adopted at the Annual Town Meeting on May 12, 2018

Approved by the Attorney General on September 14, 2018

