

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

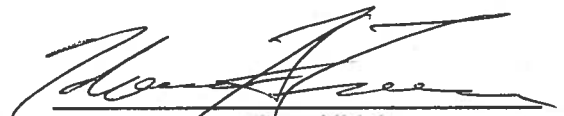
By virtue of this Warrant, I, on March 13, 2013 notified and warned the inhabitants of the Town of Reading, qualified to vote on Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

Precinct 1 J. Warren Killam School, 333 Charles Street
Precinct 2 Reading Police Station, 15 Union Street
Precinct 3 Reading Municipal Light Department, 230 Ash Street
Precinct 4 Joshua Eaton School, 365 Summer Avenue
Precinct 5 Reading Library, Local History Room, 64 Middlesex Avenue
Precinct 6 Barrows School, 16 Edgemont Avenue
Precinct 7 Birch Meadow School, 27 Arthur B Lord Drive
Precinct 8 Wood End School, 85 Sunset Rock Lane


Town Hall, 16 Lowell Street

The date of posting being not less than fourteen (14) days prior to April 2, 2013, the date set for Town Meeting in this Warrant.

I also caused a posting of this Warrant to be published on the Town of Reading website on March 13, 2013.


Thomas H Freeman Jr, Constable

A true copy Attest:


Laura Gemme, Town Clerk

**TOWN WARRANT
(SEAL)
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Reading, qualified to vote in elections and Town affairs, to meet at the Reading Memorial High School Performing Arts Center, 62 Oakland Road, in said Reading, on Monday, April 22, 2013, at seven-thirty o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter

ARTICLE 1 To elect by ballot the following Town Officers:

A Moderator for one year;
Two members of the Board of Selectmen for three years;
One member of the Board of Assessors for three years;
Two members of the Board of Library Trustees for three years;
Two members of the Municipal Light Board for three years;
One member of the Municipal Light Board for two years;
Two members of the School Committee for three years; and
Town Meeting Members shall be elected to represent each of the following precincts:

Precinct 1 Eight members for three years;
Precinct 2 Eight members for three years;
Precinct 3 Eight members for three years;
Precinct 4 Eight members for three years;
Precinct 5 Eight members for three years;
Precinct 6 Eight members for three years;
Precinct 7 Eight members for three years;
Precinct 8 Eight members for three years;

To vote on the following questions:

Question 1:

Shall the Town of Reading be allowed to exempt from the provisions of proposition two and one-half, so called, the amounts required to pay for the bonds issued in order to renovate and expand the Reading Public Library?

Yes _____ No _____

and to meet at the Reading Memorial High School, 62 Oakland Road, in said Reading on

MONDAY, the TWENTY-SECOND DAY OF APRIL A.D., 2013

at seven-thirty o'clock in the evening, at which time and place the following Articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter.

ARTICLE 2 To hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning & Development Commission, Town Manager and any other Official, Board or Special Committee.

Board of Selectmen

ARTICLE 3 To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 4 To see if the Town will vote to amend the FY 2013 - FY 2022 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 5 To see if the Town will vote to transfer funds into the Sick Leave Stabilization Fund, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 6 To see if the Town will vote to amend one or more of the votes taken under Article 13 of the Warrant of the Annual Town Meeting of April 23, 2012 as amended under Article 4 of the Warrant of the Subsequent Town Meeting of November 13, 2012 and under Article 4 of the January 28, 2013 Special Town Meeting; and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, as the result of any such amended votes for the operation of the Town and its government, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 7 To see if the Town will vote to authorize the payment during Fiscal Year 2013 of bills remaining unpaid for previous fiscal years for goods and services actually rendered to the Town, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 8

To see if the Town will vote to approve the FY 2014 – FY 2023 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 9

To see if the Town will vote to authorize revolving funds for certain Town Departments under Massachusetts General Laws, Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2013 with the receipts, as specified, credited to each fund, the purposes, as listed, for which each fund may be spent, the maximum amount that may be spent from each fund for the fiscal year, and the disposition of the balance of each fund at fiscal year end.

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Consulting Fees	Conservation Commission	Fees as provided for in Reading General Bylaws Section 5.7, Wetlands Protection	Consulting and engineering services for the review of designs and engineering work for the protection of wetlands.	\$25,000	Available for expenditure next year
Inspection Revolving Fund	Town Manager	Building, Plumbing, Wiring, Gas and other permits for the Oaktree, Addison-Wesley/Pearson and Johnson Woods developments	Legal, oversight and inspection, plan review, initial property appraisals and appeals, Community Services general management, curb sidewalks and pedestrian safety improvements, records archiving and other project related costs.	\$200,000	Available for expenditure next year
Public Health Clinics and Services	Board of Health	Clinic Fees and third party reimbursements	Vaccines, materials for screening clinics and clinical supply costs, medical equipment and supplies, immunizations, educational materials	\$25,000	Available for expenditure next year
Library Materials Replacement	Library Director and Trustees	Charges for lost or damaged Library materials	Acquire Library materials to replace lost or damaged items	\$15,000	Available for expenditure next year
Mattera Cabin Operating	Recreation Administrator	Rental Fees	Utilities and all other maintenance and operating expenses	\$10,000	Available for expenditure next year
Town Forest	Director of Public Works upon the recommendation of the Town Forest Committee	Sale of timber; fees for use of the Town Forest	Planning and Improvements to the Town Forest	\$10,000	Available for expenditure next year

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 10 To see if the Town will vote to authorize the Board of Selectmen to sell, or exchange, or dispose of, upon such terms and conditions as they may determine, various items of Town tangible property, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 11 To see if the Town will vote to determine how much money the Town will appropriate by borrowing, or from the tax levy, or transfer from available funds, or otherwise, for the operation of the Town and its government for Fiscal Year 2014 - beginning July 1, 2013, or take any other action with respect thereto.

Finance Committee

ARTICLE 12 To see what sum the Town will appropriate to the irrevocable trust for "Other Post Employment Benefits Liabilities" or take any action with respect thereto.

Board of Selectmen

ARTICLE 13 To see if the Town will vote, pursuant to Section 5.2 of the Reading General Bylaws, to approve and authorize a settlement of a pending litigation matter involving the construction of the Reading High School, entitled TLT Construction Corporation v. Harleysville Worcester Insurance Company v. Town of Reading, Middlesex Superior Court, Docket No. MICV2007-05072-B, involving the payment of a sum of more than Fifty Thousand (\$50,000) Dollars, or take any other action relating thereto.

School Committee

ARTICLE 14 To see what sum the Town will vote to appropriate by borrowing, whether in anticipation of reimbursement from the State under Chapter 44, Section 6, Massachusetts General Laws, or pursuant to any other enabling authority or from the tax levy, or transfer from available funds, or otherwise, for highway projects in accordance with Chapter 90, Massachusetts General Laws, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 15 To see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of making extraordinary repairs and/or replacement of sanitary sewer collection systems on all or portions of Howard Street, Lewis Street, and Charles Street, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and to see if the Town will authorize the Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part

of, said sanitary sewer improvements; and to authorize the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article, or take any other action with respect thereto

Board of Selectmen

ARTICLE 16 To see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of making extraordinary repairs and/or replacement of water distribution mains on the following streets or portions of the following streets: Main Street, Mill Street, Locust Street, Bear Hill Road, Linden Street, Minot Street, Summer Avenue, Libby Avenue, cross-country from Belmont Street to Libby Avenue, Chute Street, Haven Street, Sanborn Street, High Street and Washington Street; including the costs of consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, , to be used to defray the cost of all, or any part of, said water distribution system improvements; and to authorize the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article, or take any other action with respect thereto

Board of Selectmen

ARTICLE 17 To see if the Town will vote to authorize the Board of Selectmen to accept the conveyance of permanent roadway easement adjacent to Pierce Street in Reading, Middlesex County, MA located on Lot 273 of Map 22 which easement is shown on a plan entitled: "Easement Plan of Land located in Reading, MA. prepared for Anne Marie & Associates LLC.", prepared by Sullivan Engineering Group, LLC and dated October 3, 2012 ; upon such terms and conditions as the Board of Selectmen shall consider proper; or take any other action with respect thereto.

Board of Selectmen

ARTICLE 18 To see if the Town will vote to authorize the Board of Selectmen to accept the conveyance of permanent drainage easements in Reading, Middlesex County, MA located on Lot 177 of Map 11 which easement is shown on a plan entitled: "Drainage Easement located at 44 Victoria Avenue, Reading, MA" dated February 25, 2013, prepared by Bay State Surveying Associates; upon such terms and conditions as the Board of Selectmen shall consider proper; or take any other action with respect thereto.

Board of Selectmen

ARTICLE 19 To see if the Town will vote to approve the adjustments in School, Town, and Town parkland property boundaries in the Birch Meadow Area as recommended by the Board of Selectman and School Committee as shown on a plan entitled: "Plan of Town Owned Property located at Birch Meadow Drive", in Reading, MA" dated March 4, 2013, prepared by Bay State Surveying Associates; or take any other action with respect thereto.

Board of Selectmen and School Committee

ARTICLE 20 To see if the Town will vote to approve an Affordable Housing Trust Fund Allocation Plan pursuant to Chapter 140 of the Acts of 2001 entitled "AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH AN AFFORDABLE HOUSING TRUST FUND", or take any other action with respect thereto.

Board of Selectmen

ARTICLE 21 To see if the Town will vote to amend Section 1.8 of the General Bylaw by adding to the chart the following lines:

Following Section 8.10:

Bylaw Section	Bylaw Title	Enforcing Person	Penalty – First Offense	Penalty – Second Offense	Penalty – Additional Offences
8.11	Trash Collection	Board of Health and Public Health Administrator	\$100	\$100	\$100

At the end of the chart:

Bylaw Section	Bylaw Title	Enforcing Person	Penalty – First Offense	Penalty – Second Offense	Penalty – Additional Offences
	Board of Health Regulations	Board of Health and Public Health Administrator	\$100	\$100	\$100

Or take any other action with respect thereto.

Board of Health

ARTICLE 22 To see if the Town will vote to rescind section 8.8 of the Reading General Bylaw and substitute therefore the following:

8.8 Animal Control

Pursuant to the authority set forth in M.G.L. Chapter 140 Section 147A, the following bylaw is enacted for the regulation of dogs in the Town of Reading.

8.8.1 Definitions

As used in this bylaw, the following words and terms have the following meanings:

8.8.1.1 Animal Control Officer (ACO)

A person designated by the Town Manager.

8.8.1.2 Dangerous Dog

A dog that either; (a) without justification, attacks a person or domestic animal causing physical injury or death; or (b) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.

8.8.1.3 Effective Voice Control

To be under effective voice control, the animal must be within the keeper's sight and the keeper must be carrying a leash and the animal must refrain from illegal activities.

8.8.1.4 Euthanize

An order by the Animal Control Appeals Committee (ACAC) that a dangerous dog be euthanized in accordance with M.G.L. Chapter 140 and the American Veterinary Medical Association Guidelines on Euthanasia.

8.8.1.5 Keeper

Any person having charge of an animal within the Town of Reading, including but not limited to the animal's owner, dog walkers, dog sitters, members of the animal owner's household or family.

8.8.1.6 Kennel

Four or more dogs, six months of age or older, kept on a single property, whether for breeding, boarding, sale, training, hunting, companionship or any other purpose. "Kennel" includes commercial boarding or training kennel, commercial breeder kennel, domestic charitable corporation kennel, personal kennel or veterinary kennel.

8.8.1.7 Kennel License

A special license issued to a kennel, which allows payment of a single fee covering all dogs in the kennel; with the kennel license, the kennel owner receives a special kennel tag for each dog in the kennel.

8.8.1.8 License

A dog's registration, evidenced by a tag issued annually by the Town Clerk to the owner of each dog residing in Reading and worn by the dog securely fixed to its collar or harness.

8.8.1.9 License Transfer

The registration issued to a dog already licensed in another U.S. jurisdiction, after the dog moves into the Town of Reading.

8.8.1.10 License Period

An annual period, from January 1 through December 31.

8.8.1.11 Muzzling

Using a device that fits over a dog's mouth and prevents it from biting, but that does not cause any injury or interfere with the vision or respiration of the dog that wears it.

8.8.1.12 Nuisance Dog

An animal that repeatedly violates Section 8.8.3 of this bylaw.

8.8.1.13 Permanent Restraint

An order issued by the Animal Control Appeals Committee under Section 8.8.5.3 requiring a dangerous dog's keeper to restrain it.

8.8.1.14 Restraint

Limiting, restricting, or keeping an animal under control by means of a physical barrier (e.g., a leash, substantial chain or line, visible or invisible fence).

8.8.1.15 Running at Large

A dog is running at large if it is not on the private property of its keeper, or on private property with the express permission of that property's owner, or on a leash, or under effective voice control (i.e., within the keeper's sight and the keeper is carrying a leash).

8.8.1.16 Temporary Restraint

An order issued by the ACO under Section 8.8.3.2 requiring the dog's keeper to restrain a nuisance dog or suspected dangerous dog for thirty (30) days. An invisible fence will not be considered a temporary restraint for a suspected dangerous dog.

8.8.1.17 Other Meanings

Any word or term defined in M.G.L. Chapter 140 Section 136A and not otherwise defined here, is incorporated by reference.

8.8.2 Vaccination, Licensing and Fees

8.8.2.1 Three or fewer dogs

License and vaccination requirements

All dogs six months and older, while residing in the Town of Reading, must have a license from the Town Clerk. To obtain or renew the license, each dog owner must annually present proof of a current rabies vaccination. When a veterinarian determines that vaccination is inadvisable, the owner may present a veterinarian's certificate exempting an old or sick dog from vaccination for a stated period of time.

New Dogs

Within thirty (30) days of acquiring a dog six (6) months of age or older, each dog owner in Reading must present proof of that dog's current rabies vaccination and obtain a license and dog tag from the Town Clerk.

New Puppies

Within six (6) months of a puppy being born, each dog owner in Reading must present proof of that puppy's current rabies vaccination and obtain a license and dog tag from the Town Clerk.

New Residents

A new resident who owns a dog six (6) months of age or older must license it within thirty (30) days after moving into Reading. The Town Clerk will issue each dog a transfer license upon the owner's surrender of a current license from another U.S. jurisdiction and proof of current rabies vaccination. The transfer license is valid until the next regular licensing period.

Lost Tags and Replacement Tags

Dog owners must replace a lost tag within three (3) business days of the loss, by obtaining a replacement tag from the Town Clerk.

Tag exemptions for dog events and medical reasons:

- A dog while actually participating in an official dog sporting or dog fancy event (if the event sponsors do not allow participants to wear tags) is exempt from the requirement that its license tag be affixed to its collar, provided its keeper has the tag at the event and available for inspection by the ACO.
- When a veterinarian determines that a dog cannot wear a collar for medical reasons, the dog is exempt from wearing a tag until it recovers, from the requirement that its license tag be affixed to its collar, provided its keeper has the tag in his or her possession and available for inspection by the ACO.

Annual Renewal

Dog owners must renew each dog license annually. The annual licensing period runs from January 1 through December 31.

License due Date and Late Fee

The application form for obtaining, renewing or transferring a license shall be available to each household no later than December 31 each year. Dog owners must return forms and fees to the Clerk by March 31 (or the first business day thereafter, if March 31 falls on Friday, Saturday, Sunday or legal holiday). Any license renewed after this date is overdue, and the owner must pay a late fee as determined by the Board of Selectmen in addition to the license renewal fee. The overdue license fee and the late fee may be added to the owner's tax bill or may be recovered through the imposition of a municipal charges lien on any property standing in the name of the dog owner, pursuant to M.G.L. Chapter 40 Section 58.

License Fees

The fees for licensing each dog shall be determined by the Board of Selectmen. The fees shall differentiate between neutered or spayed dogs, and non-neutered or non-spayed dogs. The fee for neutered or spayed dogs shall be less than the fee for non-neutered or non-spayed dogs. There is no fee for a dog license for service dogs as defined by the Americans with Disabilities Act or regulations promulgated thereunder. No fee shall be charged for a license for a dog owned by a person aged 70 years or over.

8.8.2.2 Four or more dogs**License and Vaccination Requirements**

Anyone who owns or boards four or more dogs within the Town of Reading must apply for and obtain a kennel license from the Town Clerk. (This requirement shall not apply to medical boarding by any licensed veterinarian practicing in the Town of Reading.) To obtain or renew the license, the kennel licensee who is also the owner of the dogs must present proof of current rabies vaccinations for each dog older than six months in the kennel. When it is off the kennel property, each dog in the kennel must wear a kennel tag, issued by the Town Clerk, affixed to its collar or harness. Kennel licensees who offer temporary boarding services must obtain valid proof that each dog in the kennel that is older than 6 months has received a current rabies vaccination which proof must be maintained in accordance with 8.8.2.1 bullet one herein.

New Dogs and New Puppies

The kennel licensee who is also the owner of the dogs must report to the Town Clerk each new dog in the kennel within thirty (30) days of its acquisition, show proof of current vaccination, and obtain a kennel tag

for that dog. The kennel licensee must show proof of current vaccination and obtain a tag for each puppy when it reaches six months old.

Inspection Process

Before the Town Clerk can issue the kennel license, the Health Division Animal Inspector must inspect the proposed kennel, file a report on the inspection, and favorably recommend that the kennel meets all the following requirements:

- The location of the kennel is appropriate for housing multiple dogs.
- The location of the kennel on the property will have no significant adverse effect on the peace and quiet or sanitary conditions of the neighborhood.
- The area provided for housing, feeding, and exercising dogs is no closer than twenty (20) feet to any lot line.
- The area provided for housing, feeding, and exercising dogs is no closer than fifty (50) feet to any existing dwelling on an abutting lot.
- The kennel will be operated in a safe, sanitary and humane condition.
- Records of the numbers and identities of the dogs are properly kept.
- The operation of the kennel will be consistent with the health and safety of the dogs and of the neighbors.

Periodic Inspections

Before a kennel license is renewed, and at any time they believe it necessary, the ACO and/or the Health Division may inspect any kennel. If the ACO or the Health Division determine that the kennel is not being maintained in a safe, sanitary and humane condition, or if the kennel records on the numbers and identities of the dogs are not properly kept, the ACO will report the violations to the Animal Control Appeals Committee (ACAC) for a hearing on whether to impose fines or revoke the kennel license.

Kennel Review Hearings

Within seven (7) business days after receiving the ACO's report of violations, the ACAC will notify all interested parties of a public hearing to be held within fourteen (14) days after the notice date. Within seven (7) business days after the public hearing, the ACAC shall either revoke the kennel license, suspend the kennel license, order compliance, or otherwise regulate the kennel.

Penalties

Any person maintaining a kennel after the kennel license has been denied revoked or suspended will be subject to the penalties in Section 8.8.7 of this bylaw.

Annual Renewal

Each kennel licensee must renew the license annually at the Town Clerk's Office. The annual licensing period runs from January 1 to December 31.

License Due Date

Kennel license renewal forms will be sent to each licensed kennel no later than December 1 each year. Kennel licensees must return forms and fees to the Town Clerk by January 15 (or the first business day thereafter, if the 15th falls on Friday, Saturday, Sunday or legal holiday). Failure to pay on time will result in a late fee, due in addition to the license fee. The overdue license fee and the late fee may be added to the licensee's tax bill or may be recovered through the imposition of a municipal charges lien on any property standing in the name of the kennel licensee, pursuant to M.G.L. Chapter 40 Section 58. Nothing in this bylaw shall prevent or abrogate the Board of Health's authority to license and inspect kennels in the Town of Reading.

Fees

The fees for licensing each kennel shall be established by the Board of Selectmen.

Incorporation

The following provisions of M.G.L. Chapter 140 are expressly incorporated herein: Section 137B - Sale or other delivery of unlicensed dog by kennel licensee; Section 137D - Licensee convicted of violation of statutes relating to offenses against animals; and Section 138A - Importation of dogs and cats for commercial resale, etc.

8.8.3 Conduct of Animals

8.8.3.1 Endangering Safety

No animal keeper shall allow its animal to bite, menace or threaten, all without provocation, so as to endanger the safety of any person, domestic animal or livestock provided such threat or attack was not a grossly disproportionate reaction under all the circumstances. This section is not meant to preclude an animal from acting as a watchdog on its keeper's property.

8.8.3.2 Disturbing the Peace

No animal keeper shall allow the animal to disturb the peace of any neighborhood by making excessive noise without provocation. Noise is excessive if it is uninterrupted barking, yelping, whining, or howling, causing damage or other interference that a reasonable person would find disruptive to one's quiet and peaceful enjoyment for a period of time exceeding 15 minutes. Or, by excessive barking or other disturbance, which is a source of annoyance to a sick person residing in the vicinity. This section is not meant to preclude a dog from acting as a watchdog on its keeper's property.

8.8.3.3 Damaging Property

No animal keeper shall allow the animal to damage public or private property or realty.

8.8.3.4 Running at Large

When not on the private property of its keeper, or on private property with the express permission of that property's owner, an animal must be on a leash or may be under effective voice control in locations noted below. To be under effective voice control, the animal must be within the keeper's sight and the keeper must be carrying a leash.

8.8.3.5 Voice Control in Place of Leash Control Allowed

A dog may be under voice control when within the Town Forest or on Conservation lands.

8.8.3.6 Public Gatherings - Leash Control Only

An animal may be at any public gathering not otherwise specified in this bylaw only if it is on a six-foot or shorter leash and the animal must refrain from illegal activities.

8.8.3.7 School Grounds

Animals are not allowed during school - leash control only at other times. Unless the school Principal gives permission in advance, no animal may be on school grounds from thirty (30) minutes before classes begin until thirty (30) minutes after classes end. At all other times, the animal may be on school grounds only if it is on a six-foot or shorter leash. An animal is not violating this prohibition if it remains within a vehicle.

8.8.3.8 Exception for Assistance Animals (service animals)

Section 8.8.3.4 does not apply to any properly trained assistance animal or service animal while performing its duties.

8.8.3.9 Chasing

No animal keeper shall allow the animal to chase a person, motor-powered vehicle, human-powered vehicle, or animal drawing or carrying a person.

8.8.3.10 Dog Litter

Every dog keeper is responsible for expeditiously removing any dog feces the dog deposits anywhere except on its keeper's private property, on other private property with the property owner's permission. This provision does not apply to any assistance dog or service dog while it is performing its duties.

8.8.4 Animal Control Officer

8.8.4.1 Appointment

The Town Manager shall appoint an Animal Control Officer (ACO) under the provisions of M.G.L. Chapter 140 Sections 151 and 151A to carry out the provisions of this bylaw and to perform such other duties and responsibilities as the Town Manager or his designee may determine.

8.8.4.2 Duties

The ACO's duties shall include but not be limited to the following:

- Enforcement of the Town of Reading Animal Control bylaw and relevant State regulations.
- Explanation of bylaw violations.
- Notification to the owner of unlicensed dogs.

8.8.4.3 Issuance of Temporary Restraint Orders

The ACO shall issue an order of temporary restraint to the keeper of any animal that is a nuisance or that is awaiting a decision under Section 8.8.6 as to whether it is dangerous. An order of temporary restraint is an order that the animal must be confined to its keeper's property when not on a six (6) foot or shorter leash or may be ordered to be sheltered at a local kennel or veterinarian facility at the animal owner's expense; muzzling will be at the ACO's discretion. It shall be in force for no more than thirty (30) days unless the ACO renews it in writing for subsequent thirty (30) day periods. The ACO shall rescind or stop renewing the order when, in the ACO's judgment, restraint is no longer required. The animal's keeper can petition the Animal Control Appeals Committee (ACAC) under Section 8.8.5.2 to rescind the order of Temporary Restraint.

8.8.4.4 Issuance of an Order of Confinement

The ACO may make arrangements for the temporary housing of any animal that is to be confined under the provisions of this bylaw. The housing may be at local veterinary clinics, or at dog kennels within the Town or neighboring towns, and shall be at the animal owner's expense.

8.8.4.5 Complaint Resolution

The ACO shall investigate all written complaints arising within the Town pertaining to violations of this bylaw and try to mediate disputes between Town residents complaining that a dog owned or kept in Town is a nuisance dog or a dangerous dog. If the mediation fails, the ACO will decide on a solution and inform the animal owner and any resident that brought a complaint or problem to the ACO's attention. Any party aggrieved by or disagreeing with the ACO's decision may appeal that decision to the Animal Control Appeals Committee; the ACO shall attend the meetings of the ACAC on the matter.

8.8.4.6 Recordkeeping

The ACO shall keep accurate, detailed records of the confinement and disposition of all animals held in custody and of all bite cases reported, and the results of investigations of the same. The ACO shall maintain a telephone log of all calls regarding animals and submit a monthly report summarizing the log to the ACAC.

8.8.5 Animal Control Appeals Committee (ACAC)

8.8.5.1 Composition of the ACAC

The Animal Control Appeals Committee is comprised of three Reading residents, none of whom can be employees of the Town, appointed to three-year overlapping terms by the Board of Selectmen. The ACAC will annually select a member to serve as the Chair. At least one of the three members must be a dog owner.

8.8.5.2 Right to Appeal

When the ACO has investigated a complaint regarding an animal's behavior and has issued a finding or an order of Temporary Restraint with which either the animal's keeper or the complainant disagrees, then either party may appeal by sending a written request to the Town Clerk within ten (10) business days after issuance of the ACO's decision. Following the Clerk's receipt of a written appeal, the ACAC shall hold a public hearing on the appeal within fourteen (14) days, at which the dog owner, the complainant, and the ACO must appear.

8.8.5.3 Findings and Further Appeals

The ACAC shall vote at the public hearing on whether to uphold, reverse, or modify the ACO's decision and shall mail its ruling to the animal owner, complainant, and ACO within three (3) business days after the public hearing.

8.8.5.4 Hearings

The ACAC shall hold public hearings and make decisions on any dangerous dog declaration under Section 8.8.6 or a nuisance dog declaration under Section 8.8.7.

8.8.5.5 Further Appeals

An appeal from an order or decision of the ACAC may be made by either the Owner or Complainant within 10 days at the Woburn District Court.

8.8.6 Dangerous Dogs

8.8.6.1 Declaring a Dog Dangerous

A dog that either;

- without justification, attacks a person or domestic animal causing physical injury or death; or
- behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal may be declared dangerous by the ACAC. An exception may be made for a puppy (animal under six (6) months old) that draws blood, or for a dog that attacks or bites an unaccompanied domestic animal on the dog keeper's property.

8.8.6.2 Procedure for Declaring a Dangerous Dog

Upon the written complaint of the ACO, any other public safety agent, or upon the petition of not less than five (5) individuals from five (5) separate households the Animal Control Appeals Committee (ACAC) shall hold a public hearing, after which it will determine whether it should declare a dog dangerous and, if so declared, what remedy is appropriate.

8.8.6.3 Exceptions

No dog shall be deemed dangerous:

- Solely based upon growling or barking or solely growling and barking;
- Based upon the breed of such dog; or
- If such dog was reacting to another animal or to a person and such dog's reaction was not grossly disproportionate to any of the following circumstances:
 - Such dog was protecting or defending itself, its offspring, another domestic animal or a person from attack or assault;
 - The person who was attacked or threatened by the dog was committing a crime upon the person or property of the owner or keeper of such dog;
 - The person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking such dog; or
 - At the time of such attack or threat, the person or animal that was attacked or threatened by such dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to a gated, fenced in area if the gate was closed, whether locked or unlocked; provided, however, that if a person is under the age of 7, it shall be a rebuttable presumption that such person was not committing a crime, provoking the dog or trespassing.

8.8.6.4 Remedies

Upon its finding that the dog is dangerous, the ACAC shall order one of the following remedies: permanent restraint or n euthanasia in accordance with the American Veterinary Medical Association Guidelines on Euthanasia.

- Permanent Restraint Order is an order that the dog must at all times while on its keeper's property be kept within the keeper's house or a secure enclosure. The secure enclosure shall be a minimum of five (5) feet wide, 10 feet long, and five (5) feet in height, with a horizontal top covering the entire enclosure; shall be constructed of not less than nine (9) gauge chain link fencing; the floor shall be not less than three (3) inches of poured concrete; with the bottom edge of fencing embedded in the concrete; shall be posted with a clearly visible warning sign including a warning symbol; must contain and provide protection from the elements; and shall comply with all applicable building codes and with the Zoning Bylaws of the Town of Reading. In addition, the keeper of the dog shall annually provide proof to the Town Clerk of a liability insurance policy of at least One Hundred Thousand (\$100,000) Dollars for the benefit of the public safety; and whenever removed from the premises of the owner or the premises of the person keeping the dog, the dog shall be securely and humanely muzzled and restrained with a chain or other tethering device having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length.
- Euthanasia is an order to take the life of the dog by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Medical Association Guidelines on Euthanasia.

8.8.7 Nuisance Animal

8.8.7.1 Declaring a Dog to be a Nuisance

An animal that repeatedly violates Section 8.8.3 of this bylaw may be declared a nuisance dog by the ACAC.

8.8.7.2 Procedure for Declaring a Dog to be a Nuisance

Upon the written complaint of the ACO, any other public safety agent, or upon the petition of not less than five (5) individuals from five (5) separate households the Animal Control Appeals Committee (ACAC) shall hold a public hearing, after which it will determine whether it should declare a dog to be a nuisance dog. The ACAC may further order that the owner or keeper of such dog take remedial action to ameliorate the cause of the nuisance behavior.

8.8.8 Penalties

8.8.8.1 Fines

Any animal keeper who maintains a kennel after the kennel license has been denied, revoked or suspended, or who fails to obtain a kennel license; and any animal keeper who fails to comply with Section 8.8.3 Conduct of Animals shall be subject to penalties as determined by the Animal Control Appeals Committee, not exceeding Three Hundred (\$300) Dollars per day for every day of the violation.

8.8.8.2 Reimbursement of Costs

If the Animal Control Officer confines a dog and the animal owner does not pay all fees directly to the kennel or veterinary clinic, then the dog's keeper must reimburse the Town of Reading for any expenses incurred in boarding that dog. If the dog has not been licensed, the keeper must obtain a license and pay any applicable late fee before the dog can be released.

8.8.8.3 Penalties for Violating Restraint Orders

The ACAC shall determine a schedule of penalties not exceeding Three Hundred (\$300) Dollars per day for each and every violation of restraint orders.

8.8.9 Miscellaneous

8.8.9.1 Enforcement

In addition to any other means of enforcement, the provisions of this bylaw and the regulations adopted pursuant thereto may be enforced by non-criminal disposition in accordance with the provisions of Section 1.8 of this bylaw, and M.G.L. Chapter 40 Section 21D.

8.8.9.2 Incorporation of State Law

The provisions of M.G.L. Chapter 140 Sections 136A through 156 and 158 through 174D, inclusive, as may be amended from time to time and except as modified herein, are hereby incorporated into this bylaw.

Or take any other action with respect thereto.

Board of Selectmen

ARTICLE 23 To see if the Town will vote to rescind the previous Zoning Map and its amendments, and approve a new Zoning Map; and amend portions of Section 3.2 of the Zoning Bylaw of the Town of Reading as follows (cross out represents language to be deleted, **bold** represents language to be added)

3.2 Zoning Map

Districts are shown, defined and bounded on the map **dated April 8, 2013** entitled "Reading Zoning Map", dated November 1, 1986 as amended, consisting of an index map and **61 detailed maps**, 35 sheets containing 39 detailed maps, prepared and signed **approved** by the Community Planning and Development Commission, which constitutes a part of these **Zoning Bylaw**.

The "**Reading Zoning Map**" map shall be kept on file and current by the **Town Engineer** ~~Community Planning and Development Commission~~ who shall supply copies to the Town Clerk, **the Town Planner**, the Building Inspector, ~~the~~ and the Board of Appeals, **and the CPDC**. The "**Flood Insurance Rate Map, Town of Reading, Massachusetts Middlesex County**" **consisting of 7 panels, dated June 4, 2012 and** They are to be appended to the "Reading Zoning Map" as Exhibits 1, 2, 3 and 4 the maps entitled "Flood Insurance Rate Map, Town of Reading, Massachusetts Middlesex County" with an effective date of July 2, 1981 consisting of Panel 1 of 4, Panel 2 of 4, Panel 3 of 4 and Panel 4 of 4; and Exhibit 5 the map entitled "Aquifer Protection

Overlay District Map, Town of Reading" dated September, 1985 consisting of 1 panel are incorporated into and made a part of the "Reading Zoning Map".

Community Planning and Development Commission

ARTICLE 24 To see if the Town will vote to amend Article 2-15 of the Reading Home Rule Charter as follows (language with ~~strikethrough~~ shows deletions/words in **bold** denotes new language):

No final affirmative vote of a Town Meeting on any Warrant Article shall be operative until after the expiration of seven (7) days following the dissolution of the Town Meeting except the following: (a) a vote to adjourn or dissolve, (b) votes appropriating money for the payment of notes or bonds of the Town and interest becoming due within the then current fiscal year, (c) votes for the temporary borrowing of money in anticipation of revenue, or (d) a vote declared by preamble by a two-thirds vote of Town Meeting to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the Town. If a referendum petition is not filed within the said seven (7) days, the votes of the Town Meeting shall then become operative.

(a) Referendum Petition – If, within said seven (7) days, a referendum petition signed by not less than three (3) percent of the voters certified by the Registrars of Voters containing their names and addresses is filed with the Board of Selectmen requesting that any question affirmative vote of Town Meeting be submitted to the voters in the form of a ballot question, such ballot question to be in the form required in (b) herein, to the voters, then the operation of the Town Meeting vote shall be further suspended pending its determination as provided below. The Board of Selectmen shall, within ten (10) days after the filing of such referendum petition, call a Special Election that shall be held within thirty (30) days or such longer period as may be required by law after issuing the call, for the purpose of presenting to the voters any such ballot question.

If, however, a regular or Special Election is to be held not more than sixty (60) days following the date the referendum petition is filed, the Board of Selectmen may provide that any such ballot question be presented to the voters at that Election.

(b) Form of Referendum Petition/Ballot Question - Each ballot question submitted shall appear at the top of each referendum petition and shall be presented in the following form which shall be placed on the official ballot: - "Shall the Town vote to approve the action of the representative Town Meeting whereby it was voted on (insert date of town meeting) to (insert complete language of the vote in the same form in which it was stated when presented by the Moderator to the Town Meeting, and as it appears in the records of the Clerk of the meeting)?"

The form of the referendum petition shall in conformance with this section.

The circulator(s) of the referendum petition may make additional copies of the petition form, but such copies must be an exact duplicate thereof. The petition form may not be altered in any way. No extraneous markings, such as underlines, highlighting, erasures, marking out or insertion of words, or other information, are allowed on any area of the petition form. Any such extraneous markings on, or alterations of the petition form, or copies of the petition form that are not exact duplicates, will result in the invalidation of all signatures contained on that petition form. Extraneous markings do not include signatures or addresses.

Each petition form shall include language informing voters that additional markings will disqualify the signatures on the petition form; that for their signature to be valid, they must be a registered voter of the Town of Reading; that their signature shall be written as they are registered; that they should not sign the petition more than once; and that if they are prevented by physical disability from writing, that they may authorize some person to write their name and residence in their presence. The back of each petition form where signature lines appear, shall include the following instruction: "ATTENTION VOTERS: Before signing, read signer information on the other side".

Upon request, the Town Clerk shall provide a Town referendum petition/ballot question form with the final article language voted at Town Meeting. The Town Clerk shall deliver A) 5 paper copies or B) an electronic version by email at the requestor's option. Provided forms shall be deemed compliant with form conformance requirements.

In computing time (days) following the dissolution of the Town Meeting, only days when the Town Hall is open for business shall be counted.

In addition to the certification of signatures on the petition form, the Board of Registrars of Voters shall examine the petition forms for extraneous markings, and determine whether they are exact copies;

or take any other action in respect thereto.

Board of Selectmen

ARTICLE 25 To see if the Town will vote, pursuant to Section 2-6 of the Reading Home Rule Charter, to declare the seats of certain Town Meeting Members to be vacant and remove certain described persons from their position as Town Meeting Members for failure to take the oath of office within 30 days following the notice of election or for failure to attend one half or more of the Town Meeting sessions during the previous year, or take any other action with respect thereto:

Precinct 1 Marc Pinette
Thomas J Ryan

Precinct 2 Walter Carroll
David Wayne Decker
Christine Ford
Priscilla Ryan
William C Ryan
George Snow

Precinct 3 Michael A Bertone
Norman W Blanchard
Rachelle Garcia
Lawrence A Hurley
Michael J McDade
Sheila C Spinney
John P Tuttle

Precinct 4 None

Precinct 5 Megan Boissonneau

Precinct 6 Christopher R Campbell
Donna L Dudley
Frank Kyle
Valarie Perry

Precinct 7 Darlene C Porter


Precinct 8 Kevin Walsh

Board of Selectmen

and you are directed to serve this Warrant by posting an attested copy thereof in at least one (1) public place in each precinct of the Town not less than fourteen (14) days prior to April 2, 2013, or providing in a manner such as electronic submission, holding for pickup or mailing, an attested copy of said Warrant to each Town Meeting Member.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for said meeting.

Given under our hands this 13th day of March, 2013.



Stephen A. Goldy, Chairman

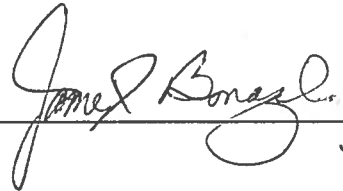


Ben Tafoya, Vice Chairman

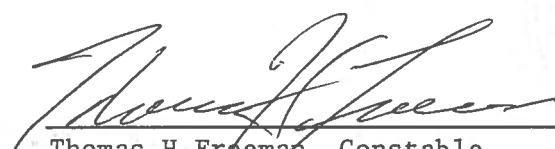


Richard W. Schubert, Secretary

John Arena



James Bonazoli



Thomas H. Freeman, Constable

SELECTMEN OF READING