



TOWN OF FRANKLIN

BYLAW AMENDMENT 18-798R

CHAPTER 155, STREETS AND SIDEWALKS

A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN AT CHAPTER 155, ARTICLE II

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL that Chapter 155, Article II of the Code of the Town of Franklin is amended by amending Article II as follows:

Article II: Snow and Ice, Leaves and Yard Waste, **Soil, Gravel, or Debris**, or Water Discharge in Public Way

~~Violations of any section or provision of this chapter shall be enforced by the Franklin Police Department or the Director of Public Works or his designee.~~

§ 155-21 Deposit of snow and ice.

No person shall plow, push, deposit, throw or pile snow or ice into or across any public street, sidewalk or property nor direct nor cause the same to be done unless in the employ of the Town.

§ 155-22 Deposit of leaves and yard waste.

No person shall rake, blow, deposit throw or pile leaves or yard waste into or across any public street, sidewalk or property nor cause the same to be done unless in the employ of the Town.

§155-23 Deposit of soil, gravel, or debris.

No person shall cause or permit any truck, or other vehicle or equipment to push, drop, track, or otherwise deposit any soil, gravel or other debris into any public roadway or onto any public roadway surface from a construction or other worksite, unless in the employ of the Town. If a prohibited deposit occurs, the person causing or otherwise responsible for it shall immediately report same to the Franklin Public Works Director and shall conduct a clean-up under the Director's supervision and to the Director's satisfaction, at no expense to the Town; if the person fails to do so, the Department of Public Works may do so and recover all costs from the person causing or otherwise responsible for the prohibited deposit. "Otherwise responsible" person shall include owner(s) and/or developer(s) of the property which the Town determines to be the source of the prohibited deposit of soil, gravel or debris.

§ 155-~~23~~24 Discharge of storm- or groundwater.

No person shall discharge or direct stormwater surface run-off or groundwater by means of a pipe, pump, trench, or other means into or across any public street, sidewalk or property nor cause the same to be done unless in the employ of the Town or prior written permission has been received from the Director of Public Works or his designee.

§ 155-~~24~~²⁵ **Violations and penalties.**

A violation of § 155-21, 155-22, ~~or 155-23~~ or 155-24 may be punished by a fine of up to \$300; ~~in the case of a violation of § 155-23, each day shall constitute a separate violation for purposes of noncriminal disposition, fines for violations shall be assessed as follows:~~

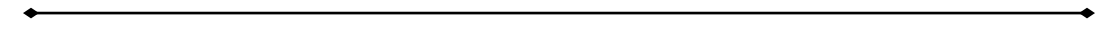
- First Offense: _____ \$100
- Second Offense: _____ \$200
- Third and Subsequent Offense(s): \$300

Each day that any prohibited deposit remains shall be considered a separate offense. In addition, if a prohibited deposit occurs, in violation of Section 155.23, failure to report and/or clean-up as provided shall each be considered an additional and separate offense from the prohibited deposit; Town may impose a fine or fines in addition to recovering its clean-up costs.

§ 155-~~25~~²⁶ **Enforcement.**

Violations of ~~this~~any section contained in this Article shall be enforced by the Franklin Police Department or the Director of Public Works or his designee.

This bylaw amendment shall become effective upon passage in accordance with the provisions of the Franklin Home Rule Charter.



DATED: _____, 2018

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Glenn Jones, Clerk
Franklin Town Council

Memo

To: Town Council
From: Jeffrey Nutting
cc: DPW, Police
Date: January 18, 2018
Re: Bylaw Amendment 18-798

I am proposing to add language to the current bylaw to give the town enforcement language when folks leave large amounts of dirt and debris on the road. I went down Maple Street several times when they were cutting trees for the 10 lot subdivision and there was mud and dirt all over the road. This additional language would allow us to tell them to clean up their mess.

It is one of those laws that would be used rarely but needed when folks create problems on our public ways.

I am happy to answer any questions.