

# Town of Franklin

355 East Central Street  
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Phone: (508) 520-4949  
[www.franklinma.gov](http://www.franklinma.gov)

OFFICE OF THE TOWN ADMINISTRATOR

## Memorandum

December 15, 2023

To: Town Council  
From: Jamie Hellen, Town Administrator  
Amy Frigulietti, Deputy Town Administrator

**Re: Bylaw Amendment 23-902: A Bylaw to Amend the Code of the Town of Franklin by Inserting Chapter 147, Snow and Ice, Removal Of - Second Reading**

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This is a second reading and final vote of Bylaw Amendment 23-902, which if approved, will insert Chapter 147 "Snow and Ice, Removal Of", into Town Code.

A first reading of a previous iteration of this bylaw was held on October 11th, and after careful discussion and deliberation the Town Council ultimately voted not to move it to a second reading. General consensus among the Councilors who opposed the bylaw was that they would like to see a few changes to the language and map, and then vote on a revised bylaw. Bylaw Amendment 23-902 was then updated to reflect the Councilors' feedback, which includes:

- Removal of residential feeder streets from the requirement (except the few residences that are on 140, Franklin Crossing or around the college perimeter); and
- Removal/clarification that roofs are not required to be cleared.

A first reading of the revised bylaw was held on November 15, 2023 and the Town Council voted unanimously (8-0) to move it to a second reading.

The proposed bylaw and map are included in the agenda packet, as well as the legal ad for the second reading and final vote. Please let us know if you have any questions.

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**LEGAL NOTICE  
FRANKLIN, MA**

The Franklin Town Council will hold a second reading and final vote on the adoption of two Town Code Bylaw Amendments as follows:

**23-902: Chapter 147, Snow and Ice, Removal Of** - Adds a new bylaw which imposes requirements upon abutting property owners to remove snow and ice from public sidewalks as indicated in the proposed map titled "Sidewalk Snow Removal Required By Property Owner"

**23-903: Chapter 82, Fees, Municipal Service, § 82-6 Schedule of Service Fees, Subsection L. Public Works** - Revises the fee schedule to increase the cost to recycle a mattress and/or box spring from \$10 to \$65

The second reading and final votes on adoption of each of these bylaw amendments will take place during the Town Council Public Meeting beginning at 7:00 pm on December 20, 2023; there will be an opportunity for public input during the process. Location: Municipal Building, 2nd Floor Council Chambers, 355 E. Central Street, Franklin, and also via the "ZOOM" platform. Residents can visit the Town website (Franklinma.gov) town calendar to review the agenda including full text of proposed bylaw amendments, including the proposed map, and for up to date meeting information, on and after December 15, 2023. Please call the Town Administrator's Office at (508) 520-4949 if you require further information.

*Submitted by,*

*Julie McCann*

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**TOWN OF FRANKLIN  
BYLAW AMENDMENT 23-902  
CHAPTER 147, SNOW AND ICE, REMOVAL OF**

**A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN  
BY INSERTING CHAPTER 147, SNOW AND ICE, REMOVAL OF**

**BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL** that the Code of the Town of Franklin is amended by the insertion of a new Chapter 147, Snow and Ice, Removal of, as follows:

**Chapter 147: Snow and Ice, Removal of**

**§147-1 Time limit for removal from sidewalks and footways.** The owner, agent, or occupant of private property bordering a street in the town where there is a sidewalk or footway duly established and defined and delineated on attached map "Sidewalk Snow Removal Required By Property Owner" shall cause all snow and ice to be removed within twelve (12) hours after snow ceases to fall and shall maintain said sidewalk in a non-slippery condition suitable for pedestrian travel at least thirty-six (36) inches in width along the length of said sidewalk. Whenever any sidewalk or footway shall be encumbered with ice, the owner or occupant of such private property shall remove the ice therefrom, or so treat it that it shall be safe and convenient for travel in a non-slippery condition. In the event of an unusually heavy snowfall, the time limit shall be extended at the discretion of the Town Administrator. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

**§147-2. Awnings and signs.** The owner, agent, or occupant of private property bordering a street in the town where there is a sidewalk or footway duly established and defined and delineated on map "Sidewalk Snow Removal Required By Property Owner" where the awning or signage of such building slopes towards such street so as to cause snow and/or ice to accumulate on the sidewalk or footway, shall cause all snow and ice to be removed from below such awning and sign within twelve (12) hours after the same has fallen or formed.

**§147-3 Placement.** The prohibition contained in Chapter 155 Section 21 that no person(s) shall place, or cause to be placed, ice or snow upon any public way of the Town, unless exempted by the Director of Public Works, applies to this Chapter.

**§147-4 Penalties.** If any person(s) subject to the provisions of this ordinance neglects or fails to comply with the provisions of sections 147.1, 147.2, or 147.3 then the Franklin Police, the DPW Director or their designee, and/or the Building Commissioner or their designee shall make reasonable attempts to notify such person/s of their neglect or failure and obligate them to do so, and, if the person(s) does/do not comply forthwith, the person(s) shall be fined \$50.00 for each offense, by any of the Town officials designated herein to enforce this bylaw.

This By-Law amendment shall become effective according to the provisions of the Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2023

**VOTED:**

**UNANIMOUS:** \_\_\_\_\_

**A True Record Attest:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_









**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**Nancy Danello, CMC  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Franklin Town Council**

# SIDEWALK SNOW REMOVAL BY PROPERTY OWNER

-  Train Station
-  School
-  Commercial Sidewalk
-  Residential Sidewalk
-  Railroad
-  Street
-  Structure
-  Municipal Boundary



In maintaining its GIS Data, the Town of Franklin has made every effort to ensure the accuracy, currency and reliability of the content thereof, however, errors can occur. It is expressly understood and agreed that in producing this information, the Town of Franklin, its officials, agents, servants and employees does not warrant or guarantee the information it has provided, nor does it accept responsibility for any errors contained therein. In no event will the Town of Franklin, its officials, agents, servants and employees be deemed or held obligated, liable, or accountable for any loss or damage incurred or resulting from the use of the information provided.

