

BY-LAWS  
TOWN OF WESTPORT



Adopted at Annual Meeting  
March 12, 1929



At the Annual Meeting of the Town of Westport, Massachusetts, held March 12, 1929, the following By-laws were adopted, viz:

#### ARTICLE I.

Section 1. The annual meeting for the election of officers and the determination of such matters as shall properly be placed upon the official ballot shall be held on the second Monday of March in the several precincts.

Section 2. The annual meeting for the consideration of all matters not covered by Section 1 shall be held in the town hall on the day following the second Monday in March.

Section 3. Notice of every town meeting shall be given by posting an attested copy of the warrant calling the same in as many public places in the town as the Selectmen may direct not less than seven days before said meeting; and return of the officer, stating the manner of the notice, shall be indorsed on the warrant.

Section 4. A motion, if required by the Moderator, shall be reduced to writing before being submitted to the meeting.

Section 5. The polls at all town elections shall be opened not later than 6:00 a. m. and shall close not earlier than 2:00 p. m.

#### ARTICLE II.

##### Procedure at Town Meetings

Section 1. The procedure at Town Meetings shall be governed by the rules of practice contained in Cushing's Manual of Parliamentary Practice, except as modified by law or by these by-laws.



Section 2. When a question is under debate no motion shall be entertained except to fix a time to which an adjournment may be made; or motions to lay on the table, for the previous question, to postpone, to commit, to amend, or to postpone indefinitely; which several motions shall have precedence in the order in which they are herein named.

Section 3. All articles in the warrant shall be taken up in the order of their arrangement, unless otherwise ordered by a two-thirds vote.

Section 4. A motion, if required by the Moderator, shall be reduced to writing before being submitted to the meeting.

Section 5. On proposed amendments involving sums of money, the largest amount shall be put to the question first, and an affirmative vote thereon shall be a negative vote on any smaller amount.

Section 6. No motion to adjourn without day shall be in order until all articles in the warrant have been acted upon.

Section 7. If an article in the warrant is before the meeting and before any motion is offered in relation thereto it is moved "to pass over the article" no other motion shall be in order until action is taken thereon, and an affirmative vote shall preclude further action unless the vote is reconsidered.

Section 8. No vote shall be reconsidered unless ordered by a two-thirds vote.

## ARTICLE III.

### Finance Committee.

Section 1. The moderator, elected at the annual town meeting, shall seasonably appoint a finance committee of seven voters, none of whom shall be Town Officers or receive a salary from the Town. They shall hold office until their successors are appointed.

Section 2. Whenever the warrant for any town meeting contains an article or articles under which an appropriation or expenditure of money or the disposal of any property of the town may be made, the finance committee shall consider said articles after giving one or more public hearings thereon and shall report its recommendations to the town meeting.

## ARTICLE IV.

### Legal Affairs.

Section 1. The board of selectmen shall have authority to prosecute, defend and compromise all litigation to which the Town is a party, and to appoint an attorney-at-law as Town Counsel. The Town counsel shall draft all bonds, deeds, leases, obligations, conveyances and other legal instruments, and do every professional act which may be required of him, by vote of the Town or any board of Town officers.

Section 2. Whenever it shall be necessary to execute any deed conveying land, or any other instrument required to carry into effect any vote of the Town, the same shall be executed by the treasurer in behalf of the Town, unless otherwise provided by law or by vote of the Town.



## ARTICLE V.

### Town Contracts.

Section 1. No officer or board of the Town shall make any contract on behalf of the Town in which such officer or any member of such board is directly or indirectly financially interested, except when authorized in writing by the selectmen, and said writing shall be entered upon their records.

Section 2. No Town officer or board of Town officers having the power or authority to appoint any Town officer or agent shall appoint himself or any member of such board to any salaried office or position, but this shall not prohibit any Town officer from being chairman or clerk of the board of which he may be a member.

Section 3. No personal property of the Town shall be sold by any officer or board unless by vote of the Town, except as herein provided: (a) if its initial cost or value was five hundred dollars or less, it may be sold by the joint authorization of the Board of Selectmen and of the Chairman of the Finance Committee; (b) if two hundred dollars or less, by the authorization of the board of selectmen; such authorization shall, in each case, (a) be in writing, (b) certify that the proposed selling price is fair, and (c) be filed with the Town Accountant.

## ARTICLE VI.

### Town Reports.

Section 1. In addition to the annual report of the selectmen and school committee as required by law, there

shall be included the report of the treasurer who shall set forth a statement of all moneys received and expended with schedules of all funds in the treasury; a report of the collector who shall set forth a detailed statement of uncollected taxes, of all receipts from the various sources of revenue, and of all sums paid to the Town treasurer; a report by the assessors, Town clerk, Board of Public Welfare, Board of Government of Beech Grove Cemetery, Commissioners of Public and Town Landings, Board of Health, Trustees of Public Library and Public Accountant, and such other officers as the Selectmen may determine.

Section 2. All town officers receiving fees by virtue of their office shall report to the selectmen the amount thereof on or before February first for the preceding calendar year, and the same shall be included in the annual report.

## ARTICLE VII.

### Ways.

Section 1. No person shall throw, place, or cause to be thrown or placed upon any street or sidewalk in the Town, any dirt, ashes, stones, hoops, boards or other wood with nails, projecting therefrom, shavings, sawdust, manure, nails, spikes, screws, glass, tin cans, filth, rubbish or any noxious or refuse liquid or solid matter or substance.

Section 2. No person shall tie a horse or other animal to any tree, nor to any structure protecting such tree, in the public streets of the Town, nor shall any person suffer any horse or grazing beasts or swine to run at large in the Town or feed within the limits of any highway, either with or without a keeper.



Section 3. No person except officers of the Town in the lawful performance of their duties, and those acting under their order, shall obstruct any sidewalk or street or any part thereof, or break or dig the ground of the same, without first obtaining a written permit from the selectmen therefor. Every person receiving such permit shall execute a written agreement to indemnify and save harmless the Town against all loss, damage or cost suffered or claimed on account of the existence of such obstruction or excavation, and shall leave the street or way at the completion of the work in as good condition as the same was before the work was commenced.

Section 4. No person shall loaf or loiter upon any public way after having been requested by a constable or police officer to move.

#### ARTICLE VIII.

##### Junk Dealers.

Section 1. No person shall be a collector of or a dealer in junk, old metals, or second-hand articles, or a keeper of a shop for the purchase, sale or barter of junk, old metals, or second-hand articles, unless licensed therefor by the Selectmen. The Board of Selectmen shall receive at least five dollars for each license so granted.

#### ARTICLE IX.

##### Penalties

Section 1. Any person who shall violate any of the provisions of these by-laws, as set forth in Articles VII and VIII shall be subject to a penalty of not more than \$20.00

for each offense, except as otherwise provided by law, and all such money so collected shall be paid into the treasury of the Town.

#### ARTICLE X.

Section 1. All by-laws in force, except the by-laws for the Government of Public and Town Landings, approved in June, 1848 and on June 28, 1889, are hereby repealed.

I hereby certify that the foregoing is a true copy of the By-laws adopted as aforesaid.

Attest:

EDWARD L. MACOMBER,  
Town Clerk.

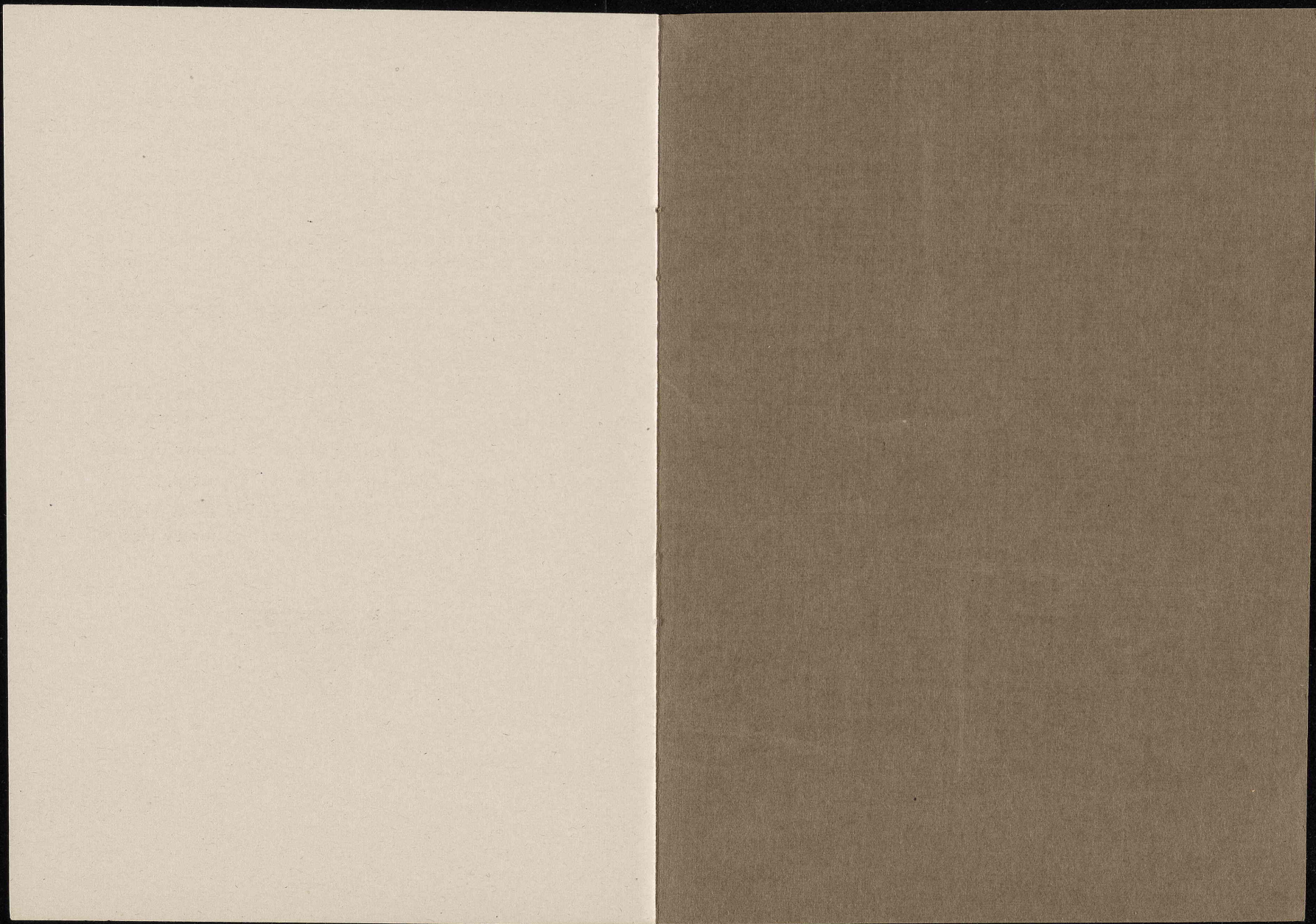
Boston, Mass., September 26, 1929.

The foregoing by-laws are hereby approved.

JOSEPH E. WARNER,  
Attorney General.









Reynolds Printing, New Bedford, Mass.