



## TOWN OF ASHFIELD

OFFICE OF THE  
TOWN CLERK

412 Main Street  
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Ashfield, MA 01330  
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May 23, 2024

File Memo:

I hereby certify that the following General Bylaw Amendments approved at the May 4, 2024 Annual Town Meeting were posted at the locations below on May 23, 2024.

### **May 4, 2024 - ANNUAL TOWN MEETING:**

General Bylaw:

Article 8 to amend the Revolving Fund bylaw by increasing the spending limit to \$5,000 for the Park Commission (effective immediately)

Article 32 to repeal the "Stretch Energy Code" and enact a "Specialized Energy Code" as of January 1, 2025



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Alexis Fedorjaczenko

Town Clerk

### **LOCATIONS:**

Location 1: Ashfield Post Office – 258 Main Street, Ashfield, MA 01330

Location 2: Ashfield Town Hall – 412 Main Street, Ashfield, MA 01330

Location 3: Country Pie – 343 Main Street, Ashfield, MA 01330

Location 4: Neighbors – 244 Main Street, Ashfield, MA 01330

Location 5: Belding Memorial Library – 344 Main Street, Ashfield, MA 01330



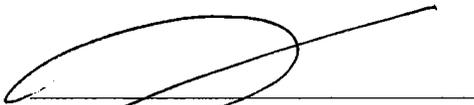
# PUBLIC NOTICE

**DATE OF POSTING:** May 23, 2024

The attached General Bylaws approved at Ashfield's May 4, 2024, Annual Town Meeting **have been approved by the Office of the Attorney General and are now in effect** (except if a different date is provided in the bylaw).

Claims of invalidity by reason of any defect in the procedure of adoption or amendment may only be made within 90 days of the above posting date.

Copies of the attached bylaws may be obtained from the Town Clerk's office at Town Hall or by visiting [Ashfield.org/bylaws](http://Ashfield.org/bylaws).



Alexis Fedorjaczenko  
Town Clerk

**May 4, 2024 - ANNUAL TOWN MEETING:**

General Bylaw:

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IX. Costs – In every case the owner shall assume responsibility for costs incurred necessary to comply with this by-law. The Owner shall be responsible for all costs of recovering and properly disposing of any hazardous material that has discharges and for all costs of restoring the environment, including ground water and surface water to an acceptable condition.

X. Severability – In the event that any provision of this by-law shall be deemed invalid, unreasonable or unenforceable by any court of competent jurisdiction, such provision shall be stricken from the by-law or modified so as to render it reasonable, and the remaining provisions shall continue in full force and effect and be binding so long as such remaining or modified provisions reflect the intent of the parties and are valid under existing law.

STRIPPING LAND OF SOIL AND LOAM

12/12/1967 SECTION 1. No person, firm or corporation shall strip, sever, remove or convey away any soil, loam, sand or gravel from any land in the Town not in public use, unless and until such stripping, severance, removal or conveyance away, is first authorized by a permit issued by the Selectmen of Ashfield, except in conjunction with construction or a building on the parcel or except in conjunction with the development, improvement or landscaping of said land, or except for the continued operation of an existing sand and gravel pit. No such permit shall be issued unless and until an application therefore has been filed with the Board. Said Board shall then hold a public hearing on the application, and notice of the filing of the application and the date and time of the holding of the public hearing thereon, shall be advertised, forthwith, at the expense of the applicant, in a newspaper published in the County, seven days, at least, before the meeting.

SECTION 2. The penalty for violation of this By-Law shall be as follows; for the first offense, fifty dollars (\$50.00); for the second offense one hundred dollars (\$100.00) and for each subsequent offense, two hundred dollars (\$200.00).

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STRETCH ENERGY CODE

*9/29/2011 passed Town Meeting - 3/26/24 AG Approved - 3/27/24 Posted & Effective  
In effect until January 1, 2025 – see “Specialized Energy Code” in following section*

**Section 1 Definitions**

**International Energy Conservation 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 efficiency, and is updated on a three-year cycle. Since July 1, 2010, the baseline energy conservation requirements of the MA State Building Code defaulted to the latest published edition, currently the IECC 2009, 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 8th edition 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 both new construction and existing buildings.

### **Section 3 Applicability**

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with CMR 780 13,34,51, as applicable.

### **Section 4 Authority**

A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR may mandate adherence to this appendix. 780 CMR 115.AA may be adopted or rescinded by any municipality in the commonwealth in the manner prescribed by law.

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### **Section 5 Stretch Energy Code**

The Stretch Energy 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 Ashfield General Bylaws.

The Stretch Energy Code is enforceable by the inspector of buildings or building commissioner.

## **SPECIALIZED ENERGY CODE**

*Approved at Annual Town Meeting on May 4, 2024 by declared majority vote – May 23, 2024  
AG Approved – Effective as of January 1, 2025*

### **A. Purpose**

1. The purpose of the Specialized Energy Code shall be to provide a more energy efficient and low greenhouse gas emissions alternative to the Stretch Energy Code and the baseline Massachusetts Energy Code, applicable to the relevant sections of the building code for both new construction and existing buildings to further reduce the climate impacts of buildings, with the goal of achieving net-zero greenhouse gas emissions from the buildings sector no later than 2050.

### **B. Definitions**

1. International Energy Conservation Code (IECC): The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. The baseline energy conservation requirements of the MA State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards and published in state regulations as part of 780 CMR.
2. Specialized Energy Code: Codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC. The Specialized Energy Code adds residential and commercial appendices to the Massachusetts Stretch Energy Code, based on amendments to the respective net-zero appendices of the International Energy Conservation Code (IECC).
3. Stretch Energy Code: Codified by the combination of 225 CMR 22 and 23, not including Appendices RC and CC. The Stretch Energy Code is a comprehensive set of amendments to the International Energy Conservation Code (IECC) seeking to achieve all lifecycle cost-effective energy efficiency in accordance with the Green Communities Act of 2008, as well as to reduce the climate impacts of buildings built to this code. The Stretch energy code was previously codified in 780 CMR appendix 115.aa, prior to the passage of the 2021 Act Creating a Next- generation Roadmap for Massachusetts Climate Policy (2021 Climate Act).

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### **C. Applicability**

1. The Town adopts the Specialized Energy Code, as codified by the entirety of 225 CMR 22 and 23 including Appendices RC and CC, including any future editions, amendments, or modifications, in place of the applicable provisions of the Massachusetts State Building Code and the Stretch Energy Code, for all commercial and residential buildings.
2. The Specialized Code is enforceable by the Building Commissioner or Inspector of Buildings.



## REVOLVING FUNDS

05/06/2017 Voted to establish department revolving funds bylaw as presented below:

### Article 34 DEPARTMENTAL REVOLVING FUNDS

1. Purpose. This by-law establishes and authorizes revolving funds for use by town departments, boards, committees, agencies or officers in connection with the operation of programs or activities that generate fees, charges or other receipts to support all or some of the expenses of those programs or activities. These revolving funds are established under and governed by General Laws Chapter 44 § 53E1/2;
2. Expenditure Limitations. An authorized department or agency head, board, committee or officer may incur liabilities against and spend monies from a revolving fund established and authorized by this by-law without appropriation subject to the following limitations:
  - A. Fringe benefits of full-time employees whose salaries or wages are paid from the fund shall also be paid from the fund (except for those employed as school bus drivers),
  - B. No liability shall be incurred in excess of the available balance of the fund, and
  - C. The total amount spent during a fiscal year shall not exceed the amount authorized by this by-law, or town meeting on or before July 1 of that fiscal year, or any increased amount of that authorization that is later approved during that fiscal year by the Select Board and Finance Committee;
3. Interest. Interest earned on monies credited to a revolving fund established by this by-law shall be credited to the general fund; 27
4. Procedures and reports. Except as provided in General Laws Chapter 44 §53E½ and this by-law, the laws, by-laws, rules, regulations, policies or procedures that govern the receipt and custody of town monies and the expenditure and payment of town funds shall apply to the use of a revolving fund established and authorized by this by-law. The town accountant shall include a statement on the collections credited to each fund, the encumbrances and expenditures charged to the fund and the balance available for expenditure in the regular report the town accountant provides the department, board, committee, agency or officer on appropriations made for its use;
5. Authorized Revolving Funds. The Table establishes:
  - A. Each revolving fund authorized for use by a town department, board, committee, agency or officer,
  - B. The department or agency head, board, committee or officer authorized to spend from each fund,
  - C. The fees, charges and other monies charged and received by the department, board, committee, agency or officer in connection with the program or activity for which the fund is established that shall be credited to each fund by the Town Accountant,
  - D. The expenses of the program or activity for which each fund may be used,
  - E. Any restrictions or conditions on expenditures from each fund,
  - F. Any reporting or other requirements that apply to each fund; and
  - G. The fiscal years each fund shall operate under this by-law.

Revolving Fund	Authorized to Spend	Revenue Source	Use of funds	Spending Limit
Dog License and Control	Town Clerk	Licenses, fines, and donations	Supplies, animal care, bylaw permitted expenses	\$5,000
Park	Park Commission	Program fees, donations	Park Expenses	\$5,000
Library	Library Board of Trustees	Fees, rental	Library Expenses	\$2,500
Police Cruiser Revolving fund	Police Chief or Designated Officer	Detail fees	Cruiser repair, Maintenance, and Fuel	\$3,000
Conservation Commission	Conservation Commission	Fees	Legal Advertisements	\$3,000
Fire Department Fees	Fire Chief, Select Board	Fire Department Fees	Fire Education and Prevention Services	\$3,000
Town Hall	Select Board, Town Administrator, Town Hall Steward	Rental Fees	Building Repairs, Maintenance, Upgrades, Utility Bills, Employee Wages	\$5,000

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*Passed by a Declared Unanimous Vote / Approved by Attorney General on August 10, 2017  
 Amendment approved at Annual Town Meeting on May 7, 2022 by unanimous vote  
 Amendment approved by Attorney General on September 1, 2022  
 Amendment approved at Annual Town Meeting on May 6, 2023 by unanimous vote  
 Amendment approved by Attorney General on August 7, 2023  
 Amendment approved at Special Town Meeting on December 5, 2023 by unanimous vote  
 Amendment approved by Attorney General on March 13, 2024  
 Amendment approved at Annual Town Meeting on May 4, 2024 by unanimous vote  
 Amendment approved by Attorney General on May 23, 2024*

**SOLICITATION BYLAW:**

05.04.2019 Vote to establish a Solicitation Bylaw, as presented below:

Article 10

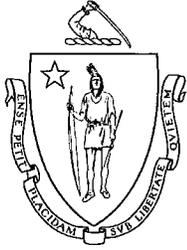
**SOLICITATION BYLAW**

**1. Purpose**

This bylaw establishes registration requirements and specific operational requirements for persons intending to engage in door-to-door canvassing or solicitation in the Town of Ashfield in order to protect its citizens from disruption of the peaceful enjoyment of their residences and from the perpetration of fraud or other crimes; and to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.

**2. Definitions**

For the purpose of this Bylaw, the following definitions shall apply:



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION  
10 MECHANIC STREET, SUITE 301  
WORCESTER, MA 01608

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

(508) 792-7600  
(508) 795-1991 fax  
[www.mass.gov/ago](http://www.mass.gov/ago)

May 23, 2024

Alexis Fedorjaczenko, Town Clerk  
Town of Ashfield  
P.O. Box 560  
412 Main Street  
Ashfield, MA 01330

**Re: Ashfield Annual Town Meeting of May 4, 2024 -- Case # 11367  
Warrant Articles # 8 and 32 (General)**

Dear Ms. Fedorjaczenko:

**Articles 8 and 32** – We approve Articles 8 and 32 adopted at the Ashfield May 4, 2024 Annual Town Meeting.

**Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the town has first satisfied the posting/publishing requirements of that statute.**

Very truly yours,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

*Kelli E. Gunagan*

By: Kelli E. Gunagan  
Assistant Attorney General  
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cc: Town Counsel Donna L. MacNicol