

2.2.4.4 Interest Charges - Past Due Bills. The due dates for the payment of all municipal charges and bills shall be 30 days after the charge or bill is issued by the Town, unless otherwise specified by a general law or special act of the Commonwealth. Interest accrues at the same rate as charged on tax bills under the provisions of M.G.L. Chapter 59, Section 57. The Board of Selectmen shall have the authority to abate any such interest charges, in whole or in part.

2.2.4.5 Municipal/Changes Lien. The Town, acting through its Board of Selectmen, shall impose a lien on real property located within the Town for any solid waste disposal fee or charge which has not been paid by its due date, in accordance with the provisions of MGL Chapter 40 Section 58.

2.2.4.6 Tax Collector. The Collector of Taxes shall collect, under the title of Town Collector, all accounts due the Town.


2.2.5 Public Works Department

2.2.5.1 Highways


2.2.5.1.1 Assignment of Street Numbers. All buildings on or near the line of public or private ways shall be assigned a number or numbers by the Board of Selectmen, who shall assign odd numbers for one side of a way and even numbers for the opposite side of such way. Said assigned numbers, shall not be less than 4 inches high with ½ inch stroke, shall be placed in a conspicuous place on said building or buildings by the owner or occupant within thirty days from the time that notice is given by the Board to the owner or occupant of the number or numbers assigned to said building or buildings. On any building constructed or renovated after July 1, 2002 that is located so that it is more than 100 feet from the line of a public or private way to the building, a post or suitable marker bearing the assigned street number or numbers that conforms to this by-law shall be installed and maintained within ten feet of the line of the way near the entrance to the property thereof. Street numbers in existence as of the effective date of the By-law are not required to be replaced by the owner or occupant unless notified by said Board.

The owner and occupant of each building in the Town to which a number has been thus assigned shall maintain said number on said building at all times in such a manner that the number will be clear and conspicuous and the view of said number is not obstructed. Whoever violates the provisions of this subsection 2.2.5.2.1 shall be subject to a fine of not exceeding twenty dollars (\$20.00) for each offense under the non-criminal process authorized by MGL Chapter 40, Section 21D. Each day on which the violation continues shall be considered a separate offense.

2.2.5.1.2 Acceptance of New Streets. In connection with specifications for new streets and ways through private property:

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- (a) A plan and profile of every such street or way shall be filed in the office of the Director of Public Works, who shall approve or establish the grade thereof.
 - (b) Every street or way shall be at least forty feet in width and have a road bed not less than twenty feet in width.
 - (c) All loam shall be removed from the road bed to a depth of twelve inches below finished grade and from the sidewalk to a depth of six inches, or such greater depth as may be required by the Director of Public Works.
 - (d) The entire area of every new street shall be first cleared of all stumps, brush, roots, and like material and all trees not intended for preservation.
 - (e) All excavation or embankment work shall be brought accurately to a subgrade of not less than eight inches for the roadway and four inches for the sidewalk below finished grade, or such greater depth as the nature of the subsoil, in the opinion of the Director of Public Works, may require.
 - (f) All corners of intersecting streets or ways shall be rounded as approved by the Director of Public Works.
 - (g) The bottom of the excavation and the top of the fill when completed, hereinafter known as the subgrade, shall be true to the lines, grades and cross-sections given by the Director of Public Works. After all drains have been laid and the subgrade has been shaped correctly, it shall be brought to a firm, unyielding surface by rolling the entire area with an approved three (3) wheeled roller, weighing not less than ten (10) tons. Any portion of the subgrade

which is not accessible to a roller shall be thoroughly tamped by hand. All soft and yielding material and other portions of the subgrade which will not compact readily when rolled or tamped shall be removed and replaced with suitable material. All rock or boulders found in the excavation shall be taken away or broken off to a depth of not less than six (6) inches below the surface of the subgrade. The bottom of the base course shall be spread with dry, clean 1 1/4-inch to 2 1/2-inch stone over the bottom course, in such a quantity that after being rolled there will be a depth of not less than 2 1/2 inches and not more than 3 inches, and then shall be rolled until the stone does not creep under action of the roller. One and three-fourth gallons of tar or asphalt binder shall then be applied to each square yard of road surface. Dry, clean 3/4-inch stone shall be spread evenly over the surface, rolled thoroughly; and there shall then be applied to this surface 1/2 gallon of asphalt binder per square yard, which shall be covered with dry, clean pea stone and rolled until a smooth, unyielding surface results.

 **2.2.5.1.3 Petition for Acceptance of New Streets.** All streets to be accepted by the Town must be petitioned for not later than six months prior to the start of the Town Meeting at which such petition is to be acted upon. No streets shall be accepted by the Town unless constructed in compliance with the foregoing specifications.

2.2.5.1.4 Street Occupancy Permit. Except as herein provided, a Street Occupancy Permit, issued by the Director of Public Works, in such form and content as said Director may require, must be obtained before undertaking any work, including, without limitation, construction, repair, maintenance or reconstruction work, in, within or affecting a public way. The person responsible for such work or in charge of those performing such work shall review such work with the Director of Public Works and the Police Chief, or their designees, to determine whether or not such work will result in the disruption of the normal flow of traffic or cause a safety hazard to pedestrian or vehicular traffic. If the Director of Public Works and the Police Chief, or their designees, determine that such work will result in the disruption of a normal flow of traffic, or will create a safety hazard to pedestrian or vehicular traffic, the person responsible for such work, or in charge of those performing such work, shall follow the safety precautions ordered by the Director of Public Works and the Police Chief, or their designees, including but not limited to, the hiring of a Needham Police Officer, under the existing regulations governing privately paid police details, to direct traffic and minimize the vehicle safety hazards connected with such work.

No work shall be commenced in, within or affecting a public way until those persons responsible for such work comply with the requirements of Sub-section 2.2.5.1.4. The Town of Needham is exempt from the requirements of this sub-section. Whoever violates the provisions of Sub-section 2.2.5.1.4 shall be subject to a fine not exceeding one hundred dollars (\$100.00) each day being a separate offense.

The Chief of Police or Director of Public Works, or their respective designees, are hereby authorized to stop any work on any way conducted in violation of any provision of this sub-section.

2.2.5.1.5 Removal of Snow and Ice. The Director of Public works may, for the purpose of removing or plowing snow, or removing ice from any way, remove, or cause, to be removed to some convenient place, including a public garage, any vehicle interfering with such work, and impose liability for the cost of such removal and of resulting storage charges, if any, upon the owner of such vehicle.

2.2.5.1.6 Street Intersections. At each intersection of public or private streets or ways in the Town, there shall be a clearance area consisting of the triangular area formed by the side lines of the intersecting streets or ways and a line joining each side line at a point twenty-five (25) feet distant from the point of intersection or, in case of rounded corners, from the point at which the side lines would intersect if projected. In case of uncertainty as to the point of intersection of such projected side line, the Town Engineer shall certify the clearance area drawn in accordance with the foregoing provisions. No fence or other structure, shrubbery, foliage, hedge, tree or the like which interferes with sight lines across such clearance area and thereby limits or obstructs the view of vehicular traffic entering such intersection shall be erected, planted, maintained or allow to exist, provided, however, that Sub-section 2.2.5.12.6 shall not apply to buildings in violation of the Town Zoning By-Law.

2.2.5.1.7 Construction and Maintenance of Overhead Poles

Any person, firm, corporation or partnership, or their agents and employees, granted any license, permission or other authority to construct or maintain poles and overhead wires and associated overhead structures upon, along, under or across any public way or ways, is forbidden from installing or constructing, and shall remove immediately, any poles,

overhead wires and associated overhead structures which are located on, along or across Chestnut street between its intersection with School Street and the railroad bridge at Needham Junction.

2.2.5.2 Sewers

2.2.5.2.1 The Department of Public Works may require house connections to sewer mains within five years after the laying of such mains. This provision shall apply only to mains laid after March 18, 1940.

2.2.5.2.2 Plans and descriptions of all common sewers belonging to the Town, with a true record of the charges of making and repairing said sewers and all assessments therefor, shall be kept in the Department of Public Works.

2.2.5.3 Miscellaneous

2.2.5.3.1 Wells, Cisterns and Cesspool Protection. The owner of any premises within the Town on which a well, cistern or cesspool is located, or, if the premises are in the exclusive possession of a person other than the owner, such person having possession of said premises, shall cause each such well, cistern or cesspool to be protected at ground level by masonry and a metal cover, or by such other substantial protective materials as may be approved by the Town's Director of Public Works.

The owner of premises within the Town on which a well, cistern or cesspool is located, or, if the premises are in the exclusive possession of a person other than the owner, such person having possession of said premises, shall cause each such well, cistern or cesspool, the use of which has been discontinued, to be filled in to ground level with material commonly used as fill, or, in the case of a well or cistern, with the approval of the Town's Director of Public Works, covered with masonry in a substantial and safe manner. Such filling or masonry work, as the case may be, shall be performed as to wells, cisterns, and cesspools, the use of which has been discontinued prior to the effective date of Sub-section 2.2.5.3.1, immediately following said effective date, and as to wells, cisterns, and cesspools, the use of which shall be discontinued subsequent to the effective date of Sub-section 2.2.5.3.1, immediately following such discontinuance of use.

2.2.5.4 Trench Safety

2.2.5.4.1 The Town Manager is authorized to designate a local permitting authority for issuing trench permits and/or licenses under the regulations promulgated by the Commonwealth of Massachusetts Department of Public Safety and Division of Occupational Safety in accordance with Chapter 82A of the General Laws relative to excavation and trench safety.

2.2.5.4.2 A trench is defined as a subsurface excavation greater than three feet in depth, and is fifteen feet or less between the soil walls as measured from the bottom.

2.2.5.4.3 The Board of Selectmen may, from time to time enact fees to cover the costs of processing said permits and for enforcement thereof.

2.2.5.4.4 The Board of Selectmen may, from time to time, and after a public hearing, enact local rules and regulations consistent with Chapter 82A relative to the trench permitting process, the standard and special conditions for issued permits, and the enforcement of issued permits.

2.2.5.4.5 The Town may perform temporary repairs to private property if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations issue by the Board of Selectmen in accordance with Section 2.2.5.4.4. Said repairs shall be considered necessary to abate an immediate hazard.

2.2.5.5 Municipal Water Supply

2.2.5.5.1 Applicability

This section pertains to residences and commercial property and industry served by the Town's water system.

2.2.5.5.2 Implementation of a Mandatory Non-essential Outdoor Water Use Restriction The Board of Selectmen or its designee shall have authority to implement a mandatory non-essential outdoor water use restriction in an effort to promote water conservation and to ensure compliance with the Water Management Act.

2.2.5.5.3 Backflow Prevention on Automatic Irrigation Systems All automatic irrigation systems connected to the municipal water system in the Town shall be protected from backflow events by the installation of a backflow prevention device approved by the Director of Public Works.

2.2.5.6 Private Ways

2.2.5.6.1 Snow and Ice Removal. The Town may remove snow and ice from such private ways within its limits for emergency vehicle access in accordance with Massachusetts General Laws and in accordance with regulations or policies issued by the Board of Selectmen. Such snow and ice removal may be limited to those private ways maintained in an acceptable condition and in accordance with standards determined by the Director of Public Works.

2.2.5.6.2 Barricades. Barricades installed on private ways that serve to deter prompt and appropriate emergency access shall be removed on order of the Fire Chief.

2.2.5.6.3 Temporary Repairs. The Town may perform temporary repairs to private ways if such repairs are determined by the Director of Public Works to be required for public necessity, in accordance with regulations or policies issued by the Board of Selectmen.

Said repairs shall be considered necessary to abate the immediate hazard caused by the defect and shall not be considered as maintenance of the private way nor shall the way be considered a public way. Drainage shall not be included as part of any such repairs, and the private way need not have been open to public use prior to the repairs being made.

Abutters to the private way may petition the Town to perform temporary repairs. In such cases, fifty one percent of the abutters to the private way must petition the Director of Public Works for the repairs to be made by the Town. Upon receipt of a petition and a determination of the necessity of such repairs, the Town shall provide the petitioners with a statement of the cost of such repairs. Within seven (7) days of receipt of the statement of cost, the petitioners shall be entitled to withdraw the petition. Unless the petition is withdrawn, the Town shall promptly make the repairs and the petitioners shall thereafter reimburse the Town for the cost of the repairs, if the repairs exceed \$300. The reimbursement amount shall be equal to the petitioner's pro rata share of the cost of repairs based on the ratio that each petitioner's frontage bears to the total frontage of the petitioners on the private way. Betterment charges will not be assessed for such repairs.

If the cost of repairs does not exceed \$300, no reimbursement will be required.

The Town shall not be liable for any damage to private property caused by such repairs, except as otherwise provided by law.

2.2.6 Information Technology

2.2.6.1 Purpose. It is hereby declared to be the policy of the Town of Needham that there shall be an Information Technology Center (within the Department of Finance) that shall be responsible for providing services and systems to all Town offices and departments. It is further declared that, subject to statutory provisions to the contrary, and insofar as practical, all data processing services and systems shall be centralized in the Information Technology Center.

2.2.6.2 Organization. There is hereby created a department of the Town government to be known as the Information Technology Center which shall be part of the Department of Finance of the Town. In addition, there shall be an advisory board as described below. The Center's operations shall be under the management and control of the Director of Finance. The Advisory Board shall serve in an advisory capacity for all long-range planning and capital acquisition functions.

2.2.6.3 Technology Advisory Board

- (a) There shall be a Technology Advisory Board (hereinafter called the Board) consisting of five (5) regular members and four (4) ex officio members. The ex officio members shall be non-voting members.