

ANNUAL TOWN MEETING MAY 1, 2023  
BELMONT, MASSACHUSETTS  
CERTIFICATION OF VOTES

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**ARTICLE 6 CITIZEN PETITION: Sidewalk Safety – Amend General Bylaws: §60-800.  
D(2) and D(3) Public Ways, Sidewalks and Rights-Of-Way. Obstructions**

**SUBSTITUTE MAIN MOTION BY GI YOON-HUANG, PRECINCT 8**

**MOVED:** That § 60-800(D) "Obstructions," of the General Bylaws be amended by inserting into § 60-800(D)(2) the words "(including, without limitation, the parking of vehicles of any type)" after the words "man-made materials," and by inserting the following sentence at the beginning of § 60-800.D(3): "The Town will communicate at least annually to the residents of the Town the requirements of this §60-800.D, but failure to do so shall not affect its enforceability."

**The Motion:** Was approved utilizing electronic voting devices, by roll call vote: Yes 176; No 41; Abstain 6 at the Annual Town Meeting session held May 3, 2023 at the Belmont High School Auditorium.

A True Copy, Attest: Ellen O'Brien Cushman, Town Clerk

Belmont, Massachusetts

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**TEXT OF WARRANT ARTICLE**

**ARTICLE 6    CITIZEN PETITION: Sidewalk Safety – Amend General Bylaws: §60-800. D(2) and D(3) Public Ways, Sidewalks and Rights-Of-Way. Obstructions**

To see if the Town will vote to amend the General Bylaws with a goal of calling specific attention to the problem of obstruction of sidewalks especially by the parking of vehicles on sidewalks that interfere with the safe use of sidewalks by pedestrians, persons using wheelchairs, persons using carriages to transport children, elderly persons, and students walking to school, by amending § 60-800.D(2) "Obstructions," by inserting the words "(including, without limitation, the parking of vehicles of any type)" after the words "man-made materials" and by inserting the following words at the beginning of § 60-800.D(3) "Fines for violations of subsections D(1) and D(2) shall be on the following schedule: first offense: written warning; second offense: \$50; third and successive offenses: \$100 each. The Town will communicate at least annually to the residents of the Town the requirements of this §60-800.D, but failure to do so shall not affect its enforceability." so that it reads:

§ 60-800. Public ways, sidewalks and rights-of-way.

D.     Obstructions.

1.     No person shall permit a tree, branch thereof, hedge, bush or shrubbery growing on his/her land to extend over or overhang any street, sidewalk or highway so as to interfere with the free and full use of such street, sidewalk or highway.
2.     No person, other than an authorized agent of the Town, may place or cause to be placed or maintained any permanent or temporary structure or any natural or man-made materials (including, without limitation, the parking of vehicles of any type) on any public street, sidewalk or highway in such a manner as to obstruct or otherwise interfere with the free and full use of such public street, sidewalk or highway for the passage of vehicles or pedestrians, except upon written permit or authorization from the Select Board or its designee, which the Board or its designee may in its discretion issue subject to such terms and conditions, including a bond, as may be deemed necessary and appropriate to protect the public safety.
3.     Fines for violations of subsections D(1) and D(2) shall be on the following schedule: first offense: written warning; second offense: \$50; third and successive offenses: \$100 each. The Town will communicate at least annually to the residents of the Town the requirements of this §60-800.D, but failure to do so shall not affect its enforceability. In addition to other penalties applicable to violation of these bylaws, in the event the Town undertakes to remove any obstructions described in Subsection D(1) and (2) , the Town may charge the landowner for the reasonable cost thereof.

or in any way act thereon.

A True Copy, Attest:     Ellen O'Brien Cushman, Town Clerk  
Belmont, Massachusetts