



TOWN OF DOVER

5 Springdale Avenue
P.O. Box 250
Dover, MA 02030-0250

Felicia S. Hoffman, CMMC
Town Clerk

Tel: (508) 785-0032 x 226
Fax: (508) 785-2341
email: fhoffman@doverma.gov

CERTIFICATE OF VOTE

This is to certify that the 2024 Annual Town Meeting of the Town of Dover was held at the Lindquist Commons Building at the Dover-Sherborn Regional High School in Dover on May 6, 2024. The meeting was duly called to order by the Moderator on the 6th day of May, 2024 at 7:16 PM and held pursuant to the warrant therefore issued by the Selectmen on the 21st day of March, 2024 and duly served in accordance with Town bylaws, at which meeting a quorum was present and voting.

The following action was taken with respect to this article of the Warrant. The article reads as follows:

Article 18. Amend General Bylaws – Construction Hours Bylaw (Planning Board)

To see if the Town will vote to amend the General Bylaws by adding Chapter 93 entitled "Construction Hours", the complete text of which is on file in the Offices of the Town Clerk and the Planning Board, and further, that non-substantive changes in the numbering and heading of this bylaw be permitted in order that it be in compliance with the format of the Dover Town Code: or take any other action relative thereto.

It was moved by Mr. Chen and seconded by Mr. Howard that the Town amend the General Bylaws by adding Chapter 93 entitled "Construction Hours", the complete text of which is on file in the Offices of the Town Clerk and the Planning Board, and further, that non-substantive changes in the numbering and heading of this bylaw be permitted in order that it be in compliance with the format of the Dover Town Code.

The motion was put to an electronic vote and passed 135 (yes) to 38 (no).

Felicia S. Hoffman, CMMC
Town Clerk
May 16, 2024

A TRUE COPY
ATTEST:

TOWN CLERK OF DOVER

Article 18 Construction Hours Bylaw

PROPOSED GENERAL BYLAW Part II, General Bylaws – Regulatory – Chapter 93

§ 93-1 Definitions

Construction - Any site or building preparation, erection, grading, excavation, demolition, substantial repair, alteration, or assembly, preparation, or mobilization for any such activity on public or private property, structures, or utilities for compensation. "Construction" shall not include work performed by a property owner on his or her own residence. It is the intention of this bylaw to place the responsibility of using reasonable estimations of noise in consideration of your neighbors on the owner of the property.

§ 93-2 Regulation of certain types of activities.

- A. Use of construction equipment, including, but not limited to, idling trucks, heavy earthmoving equipment, materials handling equipment, logging and land clearing equipment, pumps, generators, and air compressors, powered by any internal combustion or diesel engine, air-actuated nailing guns, circular saws, drills and the like, that are utilized for the purpose of building or assembling construction materials shall only be allowed outside of any structures on Monday through Friday from 7AM to 6PM and Saturdays from 9AM to 1PM. The outdoor use of this equipment during all other hours shall be prohibited.
- B. Persons engaged in construction work in residential neighborhoods shall not employ the use of radios or other noise-producing entertainment devices in such a manner so as to disturb the reasonable quiet, comfort or enjoyment of persons in neighboring property.
- C. Exemptions
 1. Noise associated with Emergency Work or Emergency Vehicles is exempt from the provisions of this Bylaw, provided such work is permitted by the Town. Emergency Work shall mean any work performed in an effort to protect, provide or restore public safety, or work by private or public utilities when restoring utility service. Emergency Vehicles shall mean any vehicle operated in an effort to protect, provide or restore public safety including, but not limited to, utility trucks, ambulances, police vehicles and fire vehicles.
 2. Nothing in this Bylaw should be construed to limit the ability to use construction equipment as described above when wholly contained within a structure.
 3. Noise associated with Municipal work or construction activities is exempt from this Bylaw, including, but not limited to, road work, milling, paving, tree removal, snow removal, and plowing. Noise associated with construction activities undertaken with authorization of the Town Administrator, Department of Public Works, or Board of Selectmen to complete a project in the public interest, in a timely and expeditious manner is exempt from this Bylaw.

§ 93-3 Procedure

- A. Upon application of a building permit, Site Plan Review, or Special Permit application, the applicant shall be provided with a copy of the construction hours bylaw.
- B. The Building Inspector or any police officer of this Town shall have the authority to enforce this Bylaw.
- C. Any person(s) acting in violation of this Bylaw shall be ordered to immediately cease the prohibited activities and may be subject to the Penalties listed in § 185-56-4 below.

§ 93-4 Penalties

- A. Violations of this regulation and penalties listed in this subsection may be subject to non-criminal disposition, M.G.L. c. 40, § 21D, and Town of Dover General By-Laws Chapter 20, Article I.
- B. Each violation of this Bylaw is subject to penalties as set forth in Dover General Bylaw Chapter 20-4. Each such act that continues or is repeated more than 1/2 hour after the issuance of a cessation order shall be considered a separate offense.

- C. The owner of any property on which a violation of this Bylaw occurs shall be responsible for any penalties imposed pursuant to this Bylaw.