

1. Purpose.

This bylaw is adopted under General Laws Chapter 44, § 53E½, and establishes and authorizes revolving funds for use by Town departments, boards, and 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.

2. Expenditure Limitations.

A department head, board, or officer may incur liabilities against and spend monies from a revolving fund established under this bylaw 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.
- b. No liability shall be incurred in excess of the available balance of the fund.
- c. The total amount spent during a fiscal year shall not exceed the amount authorized by vote of the Annual Town Meeting, or any increased amount that is later approved during that fiscal year by the Selectboard and Finance and Advisory Committee.

3. Reporting Requirements

The officer or board authorized to expend shall detail expenditures from the revolving fund in the Town's Annual Report each year.

4. Interest.

Interest earned on monies credited to a revolving fund established by this bylaw shall be credited to the general fund.

5. Authorized Revolving Funds.

Revolving Fund	Officer or Board Authorized to Expend	Fees and Receipts Credited to Fund	Program or Purpose
Tashmoo Spring Building	Board of Selectmen	Building Use Charges and Fees	Maintenance and improvements to the Tashmoo Spring Building
Dog Licensing	Town Clerk, Animal Control Officer	Dog license fees, penalties and late charges	Dog Licensing and operation and Animal Control Operations, including maintenance and improvements
Park and Ride Facility	Director of Public Works	Parking fees and permit fees	Operation, maintenance and upkeep of the Park and Ride Lot

Submitted: Select Board

The Finance and Advisory Committee Does Not Recommend Passage of this Article. (0-0-6)

ARTICLE 10 TO ADOPT A LEAF BLOWER BYLAW

To see if the Town will vote to adopt a leaf blower bylaw as follows, or take any action relative thereto:

1. Findings and Purpose.

- 1. Combustion-powered leaf blowers, in particular, emit noxious particulates during operation, and can cause hearing loss, posing a health hazard to operators. Combustion-powered leaf blowers also emit carbon dioxide, known to be a primary cause of global warming and climate change.

2. The Town is committed to protecting the public health, welfare, and safety of its residents and visitors and to protecting the environment. The goal of this bylaw is to reduce harmful noise pollution, reduce public health risks associated with particulate emissions and excessive noise, and reduce the level of CO2 emissions into the environment.

2. Permitted Activity

1. Leaf blowers (combustion-powered) may only be operated as follows:
 - a. between the hours of 8:00 AM and 5:00 PM Monday through Friday;
 - b. between the hours of 10:00 AM and 5:00 PM on Saturday; and
 - c. no more than 2 leaf blowers may be used simultaneously on the same property.
2. Effective 15 March 2028, no combustion-powered leaf blower may be used on any property in the Town. Until that date, combustion-powered leaf blowers may only be operated from:
 - a. 15 March through 31 May; and
 - b. 15 October through 15 January

3. Definition

Leaf blower means any handheld or backpack-mounted device that uses forced air to move leaves, grass, and/or other matter.

4. Responsible parties:

- 4.1 The following parties are the responsible parties for purposes of determining any violation of this bylaw:
- a. the party who employed the person operating the leaf blower (or the person operating the leaf blower, if self-employed); and
 - b. the party who owns the property where the violation occurs.

5. Enforcement

- 5.1 Violations of this bylaw may be enforced by the Police Department.
- 5.2 A person, individually or by his servant or agent, who violates any provision of this bylaw may be penalized by the non-criminal disposition method pursuant to G.L. Chapter 40, Section 21D and the Town’s non-criminal disposition bylaw. The following penalties shall apply:
- a. first violation: written warning
 - b. second violation: \$100
 - c. third and subsequent violations: \$300 penalty/violation
- Each day the violation continues constitutes a separate violation.

6. Exemption

6.1 The Town shall not be subject to the provisions in section 2.1, nor to the seasonal restrictions in section 2.2 for the operation of leaf blowers to remediate the impacts of a severe weather event or accident.

7. Severability

If any provision of this bylaw is held to be invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

Submitted: Select Board

ARTICLE 11 TO AMEND THE TISBURY BYLAWS REGARDING DUTIES OF THE TOWN ADMINISTRATOR AND RELATED MATTERS

To see if the Town will vote to adopt the following amendments to the identified sections of the current Tisbury General Bylaws to provide consistency with the current job description of the Town Administrator, and proposed “Town Administrator” bylaw (additions are shown with underline and deletions are shown with ~~striketrough~~), or take any action relative thereto:

1. Council on Aging Bylaw

Delete in its entirety Section 5, as follows: ~~The Council may appoint such clerks and other employees as it may require.~~

2. Data Processing Department Bylaw

1. amend Section 2 as follows: The Department shall be administered by a coordinator, who shall be appointed ~~by and responsible to the Board of Selectmen~~ in a manner consistent with the authority delegated to the Town Administrator in the Town Administrator job description or bylaw.