

Town of Ayer



SPECIAL FALL TOWN MEETING WARRANT

Ayer/Shirley High School Laura S. Leavitt Auditorium, Washington St. Ayer, MA
Monday, October 24, 2011 @ 7:00 p.m.

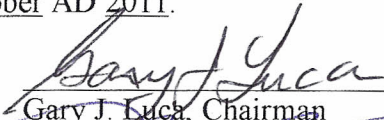
Commonwealth of Massachusetts
Middlesex, ss.

GREETINGS:

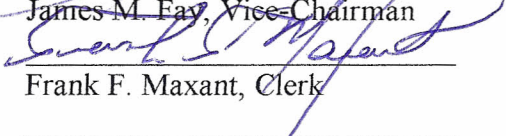
In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Ayer qualified to vote in Town Elections and Affairs to meet at the Laura S. Leavitt Auditorium in the Ayer/Shirley High School on Monday, the Twenty-Fourth day of October, 2011, at seven o'clock in the evening (7:00 p.m.) then and there to act on the following articles:

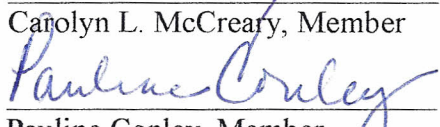
Hereof fail not and make due return of this warrant with your doings thereof to the Town Clerk before the date appointed for said meeting.


Given under our hands this 7th day of October AD 2011.


Gary J. Luca, Chairman


James M. Fay, Vice-Chairman


Frank F. Maxant, Clerk


Carolyn L. McCreary, Member


Pauline Conley, Member

AYER BOARD OF SELECTMEN

Any persons needing disability related assistance (such as signing, etc.) at the town meeting please contact the Selectmen's Office at 978-772-8220 before October 17, 2011. We shall make every reasonable effort to assist you.

Large print version of the text of this warrant is available upon request.

ARTICLE 1: SCHOOL DEPARTMENT

Amendment to Section XV, Subsection B of the Regional School Agreement

To see if the Town will vote to amend Section XV, subsection B of the Ayer Shirley Regional School District Agreement by deleting language shown as struck through and inserting language shown as underlined as follows, to require a public hearing in each member town before an amendment to the Regional Agreement is proposed to the Towns by the Regional School Committee, or to take any action thereon or in relation thereto:

B. Procedure: Any proposal for amendment, except a proposal for amendment providing for the withdrawal of a member town (which shall be acted upon as provided in Section XII), and except for a proposal for amendment providing for the admittance of a new member (which shall be acted on as provided in Section XIII), may be initiated by a two-thirds vote of all members of the Committee or by a petition signed by 10 percent of the registered voters of any one of the member towns. If the amendment is proposed by a two-thirds vote of the Committee, a public hearing must be held in each of the member towns before the proposal is advanced to the boards of selectmen consistent with the later language in this paragraph. A notice of the time and place of the public hearing, as well as a description of the subject matter of the proposed amendment, must be published in newspapers of general circulation in each of the member towns, with the first publication occurring not less than fourteen (14) days before the date of the hearing, and such notice must also be posted in each town hall in the same fashion as other public meetings for a period of not less than fourteen (14) days before the date of the hearing. Changes to the proposed amendment that occur as a byproduct of the public hearings will be made if the changes are approved by a two-thirds vote of all members of the Committee. In the case of a petition signed by 10 percent of the registered voters of any one of the member towns, ~~In the latter case,~~ said petition shall contain at the end thereof a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which are the signatures of registered voters of said town, and said petition shall be presented to the secretary of the Committee. In either case, the secretary of the Committee shall mail or deliver a notice in writing to the board of selectmen of each of the member towns that a proposal to amend this Agreement has been made and shall enclose a copy of such proposal (without the signatures in the case of a proposal by petition). The selectmen of each member town shall include in the warrant for the next annual town meeting, or a special town meeting called for this and/or other purposes, an article which states the proposed amendment or the substance thereof. Such amendment shall take effect upon its acceptance by all of the member towns, acceptance by each town to be by a majority vote at a town meeting as aforesaid

Explanation

It is the view of the Regional School Committee that public input from the member towns via public hearings should be sought before the Regional School Committee proposes to the respective Town Meetings an amendment to the Regional School Agreement. This change would not obligate a public hearing if the proposed amendment was initiated by a petition of registered voters, which is an option under the Agreement.

Sponsor: Ayer-Shirley Regional School Committee
Board of Selectmen: Recommends
Finance Committee:

Simple Majority Vote Required

ARTICLE 2: SCHOOL DEPARTMENT

Amendment to Section VI, Subsection C.1.c of Regional School Agreement

To see if the Town will vote to amend the current Section VI, subsection C.1.c. of the Ayer Shirley Regional School District Agreement, which pertains to the assessment of principal and interest debt service costs to the member towns, by deleting the language of this section in its entirety and inserting in place thereof the following, or to take any action thereon or in relation thereto:

c. Assessment of Principal and Interest Debt Service. Debt service payments (both principal and interest) which are attributable to facilities that are under the custody and control of the District, regardless of whether they are owned by the District or leased to the District, will be assessed to the member towns using one of the following approaches, the first being used for debt service payments attributable to elementary schools, and the second being used for debt service payments attributable to secondary schools:

(1) Debt service payments that are attributable to an elementary school will be assessed as follows, using the October 1 enrollment figures from the year in which the budget is developed. First, the number of students attending that school who reside in either of the member towns will be identified (this total will be referred to as "the total resident enrollment."). The debt service payments attributable to that school will be assessed entirely to the town in which the school is located (referred to as the "host town") so long as less than 15% of the total resident enrollment resides in the non-host town. In the event that 15% or more of the students who are enrolled in that school reside in the non-host town in the year in which the budget is developed, each member town will be assessed a percentage of the debt service payments attributable to that facility. This percentage will be the same as the percentage of students from that town who are enrolled in the facility in question bears to the total resident enrollment in that facility.

(2) Debt service payments that are attributable to the secondary schools of the District will be assessed to the member towns based upon a "foundation enrollment/total resident enrollment average." To arrive at this average, each town's percentage of the District's "foundation enrollment" as defined in G.L. chapter 70, section 2 (using October 1 enrollment figures from the year in which the budget is developed) will be computed. Then each town's percentage of the total resident enrollment (as defined in the preceding paragraph and using October 1 enrollment figures from the year in which the budget is developed) in the particular school will be computed. These two percentages for each of the towns will then be averaged. For example, if a town's percentage of the District's foundation enrollment were 55%, and if that same town's percentage of the total resident enrollment in the particular school were 65%, then that town's "foundation enrollment/ total resident enrollment average" for that school would be 60%, and, for purposes of the budget that is being developed, this town would be assessed 60% of the debt service payments attributable to that secondary school. For the FY 2013 budget, the District's enrollment data from FY 2012 will be utilized. For the FY 2014 budget, the District's enrollment data from FY 2012 and FY 2013 will be averaged for purposes of these calculations. That is, the foundation enrollment data from these two years will be averaged, and the total resident enrollment data from these two years will be averaged. For the FY 2015 budget, the District's enrollment data from FY 2012, FY 2013, and FY 2014 will be averaged for purposes of these calculations. For the FY 2016 budget, the District's enrollment data from FY 2012, FY 2013, FY 2014, and FY 2015 will be averaged for purposes of these calculations. For the FY 2017 budget, and for each year thereafter, a rolling average based on the District's enrollment data for the five most recent years (including the year in which the budget is developed) will be used for purposes of these calculations.

Explanation

The vast majority of the students who attend each of the District's elementary schools reside in the town in which the school is located. Thus, it is the view of the Regional School Committee that debt service payments

attributable to the elementary schools should be assessed entirely to the host town unless and until the number of students enrolled in that school who reside in the non-host town equals or exceeds 15% of the resident enrollment of that school, at which time the non-host town will be assessed a corresponding percentage of the debt service payments attributable to that school. By contrast, the enrollment of the secondary schools of the district is much more of a "blend" from each member town. Thus, the Regional School Committee feels that debt service payments attributable to these schools should be assessed based on a combination of "foundation enrollment" data and building enrollment data as set out in the amendment language.

Sponsor: Ayer Shirley Regional School Committee
Board of Selectmen: Recommends
Finance Committee: Recommends

Simple Majority Vote Required

ARTICLE 3: COMMUNITY PRESERVATION ACT

To see if the Town will vote to appropriate or transfer from the Community Preservation Fund FY2012 estimated annual revenues, reserve funds, or undesignated fund balance the sum of \$69,430.00, more or less, for the acquisition of a generator for the preservation of the Historic Town Hall to protect the historic building from catastrophic damage in the event of a power outage, or take action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Board of Selectmen: Recommends
Finance Committee: Recommends

Simple Majority Vote Required

ARTICLE 4: COMMUNITY PRESERVATION ACT

To see if the Town will vote to appropriate or transfer from the Community Preservation Fund FY2012 estimated annual revenues, reserve funds, or undesignated fund balance the sum of \$35,000.00, more or less, for invasive vegetative control at Flannagan's Pond (aka Fletcher's Pond), located in the Town, and \$10,000 for a study of the various dams and ponds in the Town to be administered by the Ayer Dam and Pond Management Committee; and further, to authorize the Board of Selectmen to enter into any agreements, execute any documents, or accept a deed restriction in said property, as may be necessary to effectuate the vote taken hereunder, or take any action thereon or in relation thereto.

Sponsor: Community Preservation Committee
Board of Selectmen: Recommends
Finance Committee: Recommends

Simple Majority Vote Required

ARTICLE 5: STABILIZATION FUND

To see if the Town will vote to amend the vote taken under Article 15 of the May 9, 2011, Annual Town Meeting by reducing the amount raised and appropriated to the Stabilization Fund from \$96,327.31 to \$61,327.31 or take any action thereon or in relation thereto.

Board of Selectmen: Recommends
Finance Committee: Recommends

Two-Thirds Vote Required

Explanation

In the event that Article 4 passes, Article 5 may be passed over.

ARTICLE 6. MEDIA FILTER REPLACEMENT – SPECTACLE POND

To see if the Town will vote to borrow the sum of One Hundred Thousand Dollars (\$100,000.00) or other sum or sums of money, to supplement the appropriation made under Article 16 of the May 11, 2009 Annual Town Meeting, for the purpose of replacing the media filters at the Spectacle Pond treatment facility, or take any action thereon or in relation thereto.

Sponsor: Board of Selectmen
Finance Committee: Recommends

Simple Majority Vote Required

Explanation

The contract for Media Replacement allowed inspection of the vessels, gravel and screens upon removal of the media above. Test result of the gravel found it laden with iron and manganese. The screens and hardware separating the media were also found to be in poor condition. The gravel, screens and hardware are all original to the plant construction in 1985. In the interest of water quality, additional funding is necessary to replace the gravel, screens and required hardware.

ARTICLE 7. STREET ACCEPTANCE:

To see if the Town will vote to accept the layouts of the following streets as public ways, the metes and bounds of which are on file in the office of the Town Clerk and to authorize the Board of selectmen to acquire by gift, purchase or eminent domain fee , interest or easement in such public ways and any and all easements related thereto, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of selectmen deems appropriate or take any action thereon or in relation thereto.

1. Loon Hill Road
2. Orchid Lane
3. Lilac Lane
4. Iris Avenue
5. Rose Lane

Sponsor: Board of Selectmen
Planning Board: Recommends
Finance Committee

Simple Majority Vote Required

ARTICLE 8. GRANT OF PERMANENT EASEMENT TO BONNET REALTY, LLC

To see if the Town will vote to authorize the Board of Selectmen to grant to Bonnet Realty, LLC a non-exclusive, permanent easement to install, maintain, operate, repair and replace a handicap ramp on a parcel identified as "Proposed Construction & Ramp Easement Area – 94 +/- S.F.," located on the sidewalk on the westerly side of Pleasant Street, at or near where it intersects with Main Street, as shown on a plan entitled "49 Main Street Ayer, Massachusetts Easement Exhibit Plan," dated November 18, 2010, prepared by GPR Engineering Solutions for Land & Structures, as on file with the Town Clerk; and a temporary construction easement, within an area of five (5) feet surrounding the permanent easement, for a period of twelve (12) months from the recording of the permanent easement, on such terms and conditions as the Board of Selectmen may determine; or take any action thereon or in relation thereto.

ARTICLE 9. SEX OFFENDER RESIDENCY BY-LAW

To see if the Town will vote to amend the By-laws of the Town of Ayer by adding a new chapter, sequentially numbered, as follows, or take any action thereon or in relation thereto.

SEX OFFENDER RESIDENCY AND SAFETY ZONE BY-LAW

SECTION 1. Findings and Intent

(1). It is the intent of this by-law to serve and to protect the Town's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the Town by creating areas around locations where children, or the elderly regularly congregate in concentrated numbers wherein certain sex offenders are prohibited from loitering and establishing temporary or permanent residence.

(2) After careful consideration, the Town finds that this by-law is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for certain ex offenders to approach or otherwise come in contact with children or the elderly in places where children or the elderly would naturally congregate, and that the protection of the health and safety of our children and elderly is a compelling governmental interest.

(3) By the enactment of this or any other by-law, the Town understands that it cannot remove the threat posed to or guarantee the safety of children or the elderly or assure the public that sex offenders will comply with the mandates of this by-law. This legislation is intended to create a civil, non-punitive regulatory scheme in order to protect children and the elderly to the extent possible under the circumstances and not as a punitive measure of any kind.

(4) Certain sex offenders pose a clear threat to the children and the elderly residing or visiting in the community. Because certain sex offenders are more likely than any other type of offender to reoffend by another sexual offense, the Town desires to impose safety precautions in furtherance of the goal of protecting the children and elderly. The purpose of this by-law is to reduce the potential risk of harm to children and the elderly in the community by limiting the ability of certain classified levels of sex offenders to be in contact with unsuspecting children and the elderly in locations that are primarily designed for use by or are primarily used by children and the elderly, the grounds of a public or private school for children, a center or facility that provides day care or children's services, a park, other public recreational facility, elderly housing facilities or the Senior Citizens Center. The Town desires to add location restrictions to such offenders to the extent state law is silent.

SECTION 2. Definitions

- (1) "Day Care Center" means an establishment, whether public or private, which provides care for children and is registered with and licensed pursuant to the laws of the Commonwealth of Massachusetts by the Department of Early Education and Care.
- (2) "Elder" or "Elderly" means a person or persons over 60 years of age. "Elderly Housing Facility" or "Senior Citizens Center" or "Over 55 Community" means any building or buildings which provide a group residence for the elderly or a location where the elderly gather and/or reside that is located within the Town of Ayer

- (3) "Establishing a Residence" means to set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property
- (4) "Loitering" means to remain for more than fifteen (15) minutes within a five hundred (500) foot distance of the location in question.
- (5) "Park" means active and passive public land designated for recreational or athletic use by the Town of Ayer and located within the Town of Ayer.
- (6) "Permanent Residence" means a place where a person lives, abides, lodges, or resides for five (5) or more consecutive days or fourteen (14) or more days in the aggregate during any calendar year.
- (7) "Recreational Facility" means a playground, a forest preserve, conservation area, jogging trail or running track, hiking or biking trail, beach, water park, swimming pool, wading pool, soccer field, baseball field, football field, basketball court or hockey rink, whether publicly or privately owned, to which the public has a right of access as an invitee and which is located within the Town of Ayer.
- (8) "School" means any public or private educational facility that provides services to children in grades kindergarten - 12, or anyone or more of such grades.
- (9) "School Bus Stop" means any area designated by the public school district or by a private or parochial school within the Town of Ayer as a school bus stop, which school bus stop has been designated in a list maintained by the Town and available to the public.
- (10) "Sex Offender" and "Sex offense" shall have the same meaning for purposes of this by-law as provided for in G.L. c. 6, § 178C.
- (11) "Sex Offense Involving a Child" shall have the same meaning for purposes of this by-law as provided for in G.L. c. 6, § 178C.
- (12) "Temporary Residence" means a place where a person lives, abides, lodges or resides for a period of less than five (5) consecutive days or fourteen (14) days in the aggregate during any calendar year.

SECTION 3. Sex Offender Residence Prohibition

It is unlawful for any sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board, for as long as so classified, to establish a permanent residence or temporary residence in the Town of Ayer within one thousand (1,000) feet of the property on which any public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center is located.

SECTION 4. Evidentiary Matters; Measurements

For purposes of determining the minimum distance requirement, the separation shall be measured by following a straight line from the outer property line of the permanent residence to the nearest outer property line of any public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center

SECTION 5. Notice to Move

Any sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board, for as long as so classified, who establishes a permanent residence or temporary residence in the Town of Ayer within one thousand (1,000) feet of any public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center shall be in violation of this by-law and shall, within thirty (30) days of receipt of written notice of the sex offender's noncompliance with this by-law, move from said location to a new location, but said location may not be within one thousand (1,000) feet of any public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center within the Town of Ayer. Furthermore it shall be a separate violation each day that a sex offender shall move from one location in the Town of Ayer to another that is within one thousand (1,000) feet of any public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center.

SECTION 6. Exceptions

A person residing within 1,000 feet of any public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 communities, senior citizens center, or licensed day-care center does not commit a violation of this by-law if any of the following apply:

- (1) The person established the permanent residence and reported and registered the residence, as required by the Sex offender Registry Law and any applicable regulations of the Massachusetts Sex offender Registry Board, prior to the effective date of this by-law, and:
 - (a) Permanent residence was established by purchasing the real property where the residence is established, as long as the registered sex offender continues to reside in and does not move to another restricted location in Ayer different from the permanent residence established prior to the effective date of this by-law;
 - (b) Permanent residence was established through a valid, fixed-term, written and/or oral lease or rental agreement, executed prior to the effective date of this by-law, as long as the registered sex offender continues to reside within and does not move to another restricted location in Ayer different from the permanent residence established prior to the effective date of this by-law; or
 - (c) Permanent residence was established through a written and/or oral lease or rental agreement at the will of the landlord, as long as the registered sex offender continues to reside within and does not move to another restricted location in Ayer different from the permanent residence established prior to the effective date of this by-law.

- (2) The person was a minor when the relevant crime was committed and was not convicted as an adult.
- (3) The person is a minor.
- (4) The public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center was established after such person established the permanent residence and reported and registered the residence pursuant to the Sex Offender Registry Law and any applicable regulations of the Massachusetts Sex Offender Registry Board.
- (5) The person is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility located within the aforementioned 1,000 foot area.
- (6) The person is admitted to and/or subject to an order of commitment at a public or private facility for the care and treatment of mentally ill persons pursuant to G.L. c. 123 located within the aforementioned 1,000 foot area.
- (7) The person is a mentally ill person subject to guardianship pursuant to order or supervision of the Probate and Family Court or a mentally retarded person subject to guardianship pursuant to G.L. c. 201 §6A, residing with his or her guardian or residing within a group residence that is professionally staffed and supervised 24 hours a day and located within the aforementioned 1,000 foot area.

SECTION 7. Forfeiture of Exception

If, either after the effective date of this by-law or after a new public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center opens, an indictment or conviction of another sex offense is issued by a court against a Level 2 or 3 Sex Offender otherwise enjoying an exception under this by-law, he or she shall immediately forfeit that exception and be required to comply with this by-law.

SECTION 8. Penalties

(1) **Criminal Complaint.** Violation of the residency provisions of this by-law may be enforced by criminal complaint filed by any police officer of the Town of Ayer. Each day a violation exists shall constitute a separate violation. The fine for each violation, upon conviction, shall be \$300.

(2) **Noncriminal Disposition.** In addition to enforcement by criminal complaint, violation of the residency provisions of this by-law may be enforced through any lawful means in law or in equity by any police officer of the Town of Ayer including, but not limited to, enforcement by non-criminal disposition pursuant to G.L. c. 40, § 21D. Each day a violation exists shall constitute a separate violation. The penalties for noncriminal disposition shall be as follows:

- (a) First offense: Notification to offender that he/she has thirty (30) days to move.
- (b) Subsequent offense: noncriminal fine of \$300, enforceable by a police officer, and written notification to the property owner, if other than the offender, the offender's landlord, parole officer and/or probation officer, and

the Commonwealth's Sex Offender Registry Board that the sex offender has violated a Town By-Law.

SECTION 9. Safety Zone

A. Prohibitions.

(1) A sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex offender Registry Board, and for as long as so classified, is prohibited from entering upon the premises of a school or day-care center unless previously authorized specifically in writing by the school administration or day-care center owner.

(2) A sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex offender Registry Board, and for as long as so classified, is prohibited from entering upon the premises of an elderly housing facility, over 55 Community or Senior Citizens Center, unless previously authorized in writing by the on-site manager of the elderly housing facility, over 55 Community or Senior Citizen Center.

(3) A sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex offender Registry Board, and for as long as so classified, is prohibited from entering upon the premises of a park or any recreational facility.

(4) A sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex offender Registry Board, and for as long as so classified,, after having received notice from the Ayer Police Department that he/she is loitering by having remained for more than fifteen (15) minutes within five hundred (500) feet of a public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center, is prohibited from continuing to so loiter. For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the registered sex offender to the outer property line of the public or private school, park, playground, beach, biking/hiking trail, other recreational facility, elderly housing facility, over 55 community, senior citizens center, or licensed day-care center.

(5) A sex offender who has been finally classified as a Level 2 or 3 offender pursuant to the guidelines of the Sex offender Registry Board, and for as long as so classified,, after having received notice from the Ayer Police Department that he/she is loitering by having remained for more than fifteen (15) minutes within five hundred (500) feet of a school bus stop which has been designated in a list maintained by the Town and available to the public is prohibited from continuing to so loiter; provided, however, that this prohibition shall not apply on days when the schools within the Town of Ayer are not in session.

B. Exceptions

(1) The prohibitions defined in this By-Law shall not be construed or enforced so as to prohibit a sex offender from exercising his or her right to vote in any federal, state or municipal election, conducting town and/or police business or from attending any religious service.

(2) The prohibitions defined in this By-Law do not apply to a sex offender's place of residence when such residence is excepted under this By-Law.

C. Penalties.

(1) Criminal Complaint. Violation of the safety zone provisions of this by-law may be enforced by criminal complaint filed by any police officer of the Town of Ayer. Each day a violation exists shall constitute a separate violation. The fine for each violation, upon conviction, shall be \$300.

(2) Noncriminal Disposition. In addition to enforcement by criminal complaint, violation of the safety zone provisions of this by-law may be enforced through any lawful means in law or in equity by any police officer of the Town of Ayer including, but not limited to, enforcement by non-criminal disposition pursuant to G.L. c. 40, § 21D. Each day a violation exists shall constitute a separate violation. The penalties for noncriminal disposition shall be as follows:

- (a) First offense: noncriminal fine of \$ 150, enforceable by an Ayer police officer.
- (b) Subsequent offense: noncriminal fine of \$300, enforceable by an Ayer police officer, and written notification to the offender's parole officer and/or probation officer, and the Commonwealth's Sex Offender Registry Board that the sex offender has violated a Town By-Law.

SECTION 10. Maps and List of Safety Zones.

One or more maps depicting the prohibited residency restriction areas defined by this by-law and depicting the safety zone areas defined by this by-law shall be created by the Town and maintained by the Ayer Police Department. A written list describing the prohibited areas defined by this by-law, including school bus stops, shall be created by the Town and maintained by the Ayer Police Department. As to school bus stops, the list shall govern over the maps. The list, maps and a copy of this by-law shall be available to the public at the Ayer Police Department, the Ayer Town Clerk's office and on the Town of Ayer web site. The Town shall review the list and maps annually for changes.

SECTION 11. Severability.

If any portion of this by-law is deemed by a court of competent jurisdiction to be unconstitutional or otherwise invalid or unenforceable, such judgment shall not impair or invalidate or render unenforceable the remaining portions of this by-law.

Sponsor: Board of Selectmen
Police Chief: Recommends
Finance Committee

A True Copy Attest:

John C. Canney, II Date October 7, 2011
John C. Canney, II
Town Clerk/Tax Collector

As directed in the foregoing warrant, I have this day posted three attested copies in three public places, one of which was the Town Hall at least fourteen days before said meeting, all as herein directed.

Robert D. Friedrich Date: OCT 7, 2011
Robert D. Friedrich, Constable