

Article X

Miscellaneous Provisions

Article X: Miscellaneous Provisions

Section 1. Penalties for Ordinance Violations

Except as otherwise provided in these General Ordinances, the penalty for the violation of any provision of these Ordinances, or any rule or regulation of the City, shall be as follows:

- First offense: \$25.00
- Second offense: \$100.00
- Third offense: \$200.00
- Each subsequent offense: \$300.00

Each violation shall be considered a separate offense. Each day that any such violation continues, shall be considered a separate offense.

Any Ordinance or rule or regulation of the City of Framingham, or of any board, commission or other regulatory agency of the City of Framingham, the violation of which is subject to a specific penalty, may in the discretion of the City official who is the appropriate enforcing person, be enforced in the method provided in, M.G.L., Ch. 40, s. 21D, said section being incorporated herein by reference.

The following table provides a reference to fines specified elsewhere in the Ordinances. The City Clerk shall update this table as necessary to correctly reference all fines specified elsewhere in the Ordinances. Any error or omission in this list does not invalidate the fine specified elsewhere.

City of Framingham Ordinance Fines

Article	Section	Description	Fine (\$)
I	4.4.2.3	Contractor Not in Compliance	50
II	14.7	Order of Animal Control Officer	<u>Warning, 50, 60, 100</u>
II	14.8	Unlicensed Dog	10, 15
II	14.9	Late Dog License	50
V	3	Erection of Barriers	Not more than 200
V	9.1.1	Accessible Parking	50
V	9.1.2	Accessible Parking	50
V	9.2	Accessible Parking	300
V	9.3.1	Handicapped Parking Area	50
V	9.3.2	Handicapped Curb Ramp	200
V	10.6	Hunting Bylaw	Not to exceed 300
V	12.2	Motor Boat Ordinance	Not more than 100
V	13.1	Retail Food Sales Hours	50
V	13.2	Retail Food Business Hours	50
V	14.1	Sale of Indecent Publications	Not exceeding 200
V	15.5.2	Snow Removal Residential (less than 6 dwellings)	25, 50, 100
V	15.5.2	Snow Removal Commercial and 6 or more residential units	50, 100, 300
V	16.3	Vinyl Chloride Ordinance	200

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Article	Section	Description	Fine (\$)
V	17	Golfing Activities on City Property	50
V	18.11	Wetlands Protection Ordinance	300
V	19	Pedestrian Use of Ways	25
V	22.3.1	Nuisance Ordinance	Not more than 300
V	24.31	Lodging Houses	300
V	26.16	Storm Sewer Discharges	100, 200, 300
V	26.17	Illicit Discharges to Municipal Storm Sewer System	300
V	27.7	Prohibition of Floor Drains	300
V	29.3.2	School Safety Zone	Up to 300
V	29.3.3	School Safety Zone	300
V	30.6	Failure to register, properly designate person/entity responsible for maintenance and security, or maintain/secure foreclosed property	300
VI	3.2	Unregistered Cars	Not more than 100
VI	4.6	Rubbish and Refuse	Not exceeding 200
VI	4.7	Trash Regulations	10% of charge or 5 whichever is greater
VI	10.10.3	Scenic Roads	300
VII	1.13	Sign Ordinance Temporary signs	300
VII	1.13.c.3	Sign Ordinance Permanent Signs	300
VII	2	City Signs	50
VII	3.2	Sign and Zoning Ordinance	Fixed by the council
VIII	2	Display of Cash Totals	Not exceeding 50
VIII	4.11	Transient Vendors, Hawkers and Peddlers	Not exceeding 300
VIII	7.6.1	Donation Collection Bins	Minimum of 50, maximum of 100
IX	3.2.5	Fire Alarm Systems	50
IX	3.3.4	Fire Alarm Connections	50
IX	3.4	Updated Fire Alarm Information	50
IX	3.5.1	Fire Alarm System Malfunctions	100, 200, 300
IX	3.6	Fire Alarm Telephone (Dialer) Device	50
IX	7.6.1	False Alarm User Penalty	50, 100, 200
IX	7.7	False Alarm Penalty for Act of Omission	100

Section 2. Inconsistency of Ordinances

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So far as the former bylaws of the Town or ordinances of the City are inconsistent with these Ordinances, they are hereby repealed. In the event of a conflict between any of the City Ordinances and the City Charter, the Charter shall prevail.

Section 3. Amendments

Amendments to these Ordinances may be made pursuant to the procedures set forth in Article II of the Framingham Home Rule Charter, by a majority vote of all members of the council, subject to any further rules of procedure that may be adopted by the council, except footnoted provisions that are taken verbatim from the text of the Charter which require the additional steps to be amended as required by the Charter.

Section 4. Severability

If any provision(s) of the Ordinances of the City or the application of such provision(s) to any person(s) or circumstance(s) is(are) held invalid or unenforceable, the validity of the remainder of these Ordinances and all its provisions and the applicability of a provision(s) to another person(s) or circumstance(s) shall not be affected thereby.

Section 5. Non-Criminal Disposition of Certain Violations.

Whoever violates any provisions of these Ordinances, notwithstanding any penalty provided in Section 1, may be penalized by a non-criminal disposition as provided in M.G.L., Ch. 40, s. 21D. and enforced by the mayor or his/her designee.

A violation of any provisions of the Rules and Regulation of the Board of Health may be dealt with as a non-criminal offense in accordance with the provision of M.G.L. Ch. 40, s. 21D.

Whoever violates any rule and/or regulation of the Department of Public Works, in lieu of any other penalty provided therefore, may be penalized by a non-criminal disposition as provided in M.G.L., Ch. 40, s. 21D. The Director of Public Works or his designee, shall have the authority to enforce the above sections and issue the non-criminal dispositions.

Section 6. Framingham Special Acts of the Great and General Court

The Special Acts of the Great and General Court relative to Framingham shall be appended to these Ordinances as Appendix C within 30 days of their passage.

Section 7. Massachusetts General Laws adopted by Framingham

The Massachusetts General Laws adopted by Framingham shall be appended to these Ordinances as Appendix D within 30 days of their adoption.

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Appendix A: Classification Plans of positions in the service of the City

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Appendix B: Pay Plan

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Appendix C: Framingham Special Acts of the Great and General Court (last updated Dec. 8, 2020)

Chapter 190 of the Acts of 2020, An Act Authorizing the City of Framingham to Amend the Income Qualifications for a Certain Tax Deferral Program;

Chapter 3 of the Acts of 2018, An Act Clarifying the Applicability of the Civil Service Laws to Employee Positions in the City of Framingham;

Chapter 410 of the Acts of 2014; An Act Relative to the Procedure for Municipal Acceptance of Subdivision Roads in the Town of Framingham;

Chapter 19 of the Acts of 2013, An Act Authorizing the Town of Framingham to Place Municipal Charge Liens on Certain Properties in the Town of Framingham for Nonpayment of Any Local Charges, Fee or Fine;

Chapter 147 of the Acts of 1997, An Act Exempting the Position of Deputy Police Chief in the Town of Framingham from the Provisions of the Civil Service Law;

Chapter 124 of the Acts of 1995, An Act Establishing An Economic Development Industrial Corporation in the Town of Framingham;

Chapter 590 of the Acts of 1987, An Act Exempting the Position of Chief of Police in the Town of Framingham from the Provisions of the Civil Service Law;

Chapter 10 of the Acts of 1987, An Act Authorizing the Town of Framingham to Appoint Non-Resident Assessors;

Chapter 126 of the Acts of 1986, An Act Exempting the Offices of Sealers and Deputy Sealers of Weights and Measures of the Town of Framingham from the Civil Service Law and Providing for the Appointment of the Sealers and Deputy Sealers of Weights and Measures by the Selectmen of Said Town;

Chapter 339 of the Acts of 1983, An Act Exempting the Office of Town Accountant of the Town of Framingham from the Civil Service Law and Providing for the Appointment of the Town Accountant by the Selectmen of Said Town;

Chapter 235 of the Acts of 1924, An Act to Annex Part of the Town of Sherborn to the Town of Framingham;

Chapter 273 of the Acts of 1890, An Act to Annex A Part of the Town of Sherborn to the Town of Framingham;

Chapter 216 of the Acts of 1871, An Act to Annex A Part of the Town of Natick to the Town of Framingham;

Chapter 26 of the Acts of 1833, An Act to Set Off A Part of Holliston, and Annex the Same to the Town of Framingham;

Chapter 21 of the Acts of 1790, An Act to Set Off the Northwestwardly Corner of Framingham in the County of Middlesex, and to Annex the Same to the Town of Marlborough in the Same County;

Chapter 60 of the Acts of 1785, An Act to Set Off Daniel Fay, Elisha Bemis, Phineas Bemis, John Leonard and Lydia Peirce, from the Town of Framingham, in the County of Middlesex, and to Annex Them to the Town of Southborough in the County of Worcester;

Chapter 133 of the Resolves of 1781, Resolve on the Petition of David Fay, Elisha Bemis and Others;

Chapter 33 of the Resolves of 1719-20, Order of Savil Simpsons Petition, Annexing His Land to Framingham;

Chapter 44 of the Acts of 1702, Order for Settling the Bounds Between the Town of Sudbury and the Farms Annexed to Framingham;

Chapter 38 of the Acts of 1700, Order for Annexing to the Town of Framingham the Farms of David Rice, Thomas Drury, and Others, adjacent to the Town of Sudbury;

Chapter 51 of the Resolves of 1700, Resolve and Order for an Explanation of a Former Order Relating to Framingham and Annexing Thereto All the Lands in Sherburne Which, in 1679, Belonged to Thomas Danforth and Were Excepted into Confirmation of the Township of Sherburne by the Grand Ct.; and,

Chapter 32 of the Acts of 1700, Order for Erecting the Plantation called Framingham into a Township by the Same Name.

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Appendix D: Massachusetts General Laws adopted by Framingham

General/Session Law	Description
G.L. c. 39, §20 (accepted 4/2/1921)	Precinct voting
G.L. c. 82, §37 (accepted 4/6/1922)	Building lines
G.L. c. 44, §35 (accepted 1/20/1923)	Accounting system
G.L. c. 54, §7 (accepted 6/19/1922)	Change in voting precincts of town by BOS on own initiative or at direction of Town Meeting
G.L. c. 136, §§7-8 (accepted 9/17/1925)	Permits for Sunday work / execution of civil process on Sundays
G.L. c. 82, §25 (accepted 3/22/1926)	Sewer & Water Plan
G.L. c. 32, §85 (accepted 3/26/1931)	Pensions for police and fire
G.L. c. 139, §§1-3 (accepted 3/16/1934)	Burnt & dangerous buildings
G.L. c. 143, §§6-10 (accepted 3/26/1934)	Burnt & dangerous buildings
G.L. c. 40, §6A (accepted 5/8/1940)	Municipal advertising
Chapter 638 of the Acts of 1941 (accepted 3/27/1945) (G.L. c. 48, §58A)	70 hour Firemen's Law
Chapter 156 of the Acts of 1945 (accepted 12/26/1945) (G.L. c. 41, §111B)	Sick leave for laborers
Chapter 635 of the Acts of 1945 (accepted 6/21/1946) (G.L. c. 44, §65)	Advance payments of vacation pay to employees
Chapter 657 of the Acts of 1948 (accepted 4/4/1951)	40 hour work week
G.L. c. 32, §89A (accepted 4/2/1952)	Annuities to dependents of public employees killed or dying from injuries in performance of duties
Chapter 388 of the Acts of 1950 (accepted 4/2/1952) (G.L. c. 41,	Tenure of office for clerks

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General/Session Law	Description
§§19B-19E)	
Chapter 293 of the Acts of 1953 (accepted 3/29/1955) (G.L. c. 41, §111H)	Police officers, overtime
G.L. c. 152, §69 (accepted 11/10/1955)	Workers compensation
G.L. c. 40, §8A (accepted 3/29/1956)	Industrial Development Committee
Chapter 674 of the Acts of 1953 (accepted 3/29/1956)	Municipal planning and subdivision control law
G.L. c. 40, §§42A-42F (accepted 7/3/1956)	Water rates
G.L. c. 32B (accepted March 11, 1957)	Contributory group insurance (health insurance)
G.L. c. 41, §100B (accepted 3/29/1957)	Reimbursement of medical expenses for retired police officers and firefighters retired for accidental disability reasons
Chapter 733 of the Acts of 1956 (accepted 3/29/1957) (G.L. c. 32, §89B)	Annuities to dependents of police and fire killed in the line of duty
G.L. c. 32, §77A (accepted 3/24/1958)	Pensions for widows of laborers
G.L. c. 32, §85J (accepted 3/24/1958)	Pensions of for widows of police and fire
G.L. c. 40, §8C (accepted 4/11/1961)	Establishing Conservation Commission
G.L. c. 32, §95A (accepted 12/26/1961)	Annuities to widows and children of retired employees
G.L. c. 90, §18A (accepted 11/21/1962)	Rules regulating use of ways by pedestrians
G.L. c. 41, §103 (accepted 4/11/1963)	Establishment of purchasing department
G.L. 54, §16A (accepted 6/18/1969)	Temporary election officers
G.L. c. 40, §60J (accepted 9/8/1969)	Appropriate funds for stormy weather work clothes
G.L. c. 71, §§16-16I (accepted	Establishment of regional school district

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General/Session Law	Description
9/8/1969)	
G.L. c. 41, §99A (accepted 9/8/1969)	Police residency requirement within 15 miles of town border limits
G.L. c. 40, §8D (accepted 9/8/1969)	Establishing Historical Commission
G.L. c. 48, §58D (accepted 9/8/1969)	Hours of duty of permanent firefighters
G.L. c. 180, §17G (accepted 3/1/1972)	Payroll deductions for union service fees
G.L. c. 40, §22D (accepted 4/27/1973)	Traffic regulations / towing of vehicles parked in violation of law
G.L. c. 32, §99 (accepted 11/17/1981)	Advanced payments of retirement allowances during processing of application for retirement
Chapter 665 of the Acts of 1977 (accepted 7/29/1981) G.L. c. 44, §53D)	Self-supporting revolving fund for Parks & Recreation
G.L. c. 258, §13 (accepted 4/24/1981)	Indemnification of public employees for tort claims arising from acts or omissions in scope of employment
G.L. c. 90, §20A1/2 (accepted 6/10/1982)	Parking violations, regulations, etc.
G.L. c. 60A, §1 (accepted 1/1/1984)	Motor vehicle excise tax exemptions
Chapter 545 of the Acts of 1982 (accepted 6/7/1983) (G.L. c. 148, §26G)	Automatic sprinklers in buildings/additions greater than 7,500 sq ft
Chapter 339 of the Acts of 1981 (accepted 6/7/1983) (G.L. c. 44, §53E)	Offset appropriations by estimated receipts
G.L. c. 59, §5, cl. 41B (accepted 1982)	Elderly property tax exemption
G.L. c. 59, §5, cl. 37A (accepted 1982)	Property tax exemption for blind persons
G.L. c. 59, § 5, cl. 17C (accepted 1983)	Property tax exemption, surviving spouse/children domicile / elderly person
G.L. c. 64G, §3A (accepted 6/24/1988)	Local room tax

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General/Session Law	Description
G.L. c. 148, §26H (accepted 6/24/1988)	Automatic sprinklers in boarding houses
G.L. c. 59, §5, cl. 17D (accepted 6/24/1988)	Property tax exemption for widows
G.L. c. 59, §5, cl. 41C (accepted 6/24/1988)	Property tax exemption for elderly
G.L. c. 32, §22D (accepted 6/19/1989)	Establishment of retirement system funding schedule
G.L. c. 40, §8G (accepted 6/19/1989)	Authorizing mutual police aid agreements with other cities and towns
G.L. c. 71, §71F (accepted 6/7/1990)	Tuition for foster care children and nonresident students
Chapter 653, §41 of the Acts of 1989 (accepted 6/7/1990) (G.L. c. 59, §57C)	Quarterly tax payments
G.L. c. 40, §57 (accepted 7/18/1991)	Denial, revocation or suspension of local licenses/permits for failure to pay municipal taxes or charges
G.L. c. 140, §147 (accepted 7/18/1991)	Dog licenses
Chapter 254, §3 of the Acts of 1990 (accepted 7/18/1991) (G.L. c. 32, §90G3/4)	Worker over age 70 accruing service
G.L. c. 148, §26I (accepted 7/18/1991)	Automatic sprinkler systems, buildings with 4 or more dwelling units
Chapter 291 of the Acts of 1990 (accepted 11/13/1991) (G.L. c. 6A, §§ 18A-18F)	Enhanced 911 service capability
G.L. c. 40, §22F (accepted 12/16/1991)	Establishing fees for permits, licenses or certificates
G.L. c. 40, §21D (accepted 3/9/1992)	Non-criminal disposition of violations of municipal bylaws, rules or regulations
Chapter 653, §40 of the Acts of 1989 (accepted 12/10/1992) (G.L. c. 59,	Buildings constructed between January 2 and June 30 deemed part of real

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General/Session Law	Description
§2A(a))	property as of January 1
G.L. c. 147, §10F (accepted 12/10/1992)	Appointment of parking control officers
G.L. c. 44, §53F½ (Article 14, 5/20/1993 ATM) (amended by Article 14, 2016 ATM)	Authorization to establish water and sewer enterprise funds, later amended to establish a single utility enterprise fund (in 2016)
G.L. c. 270, §16 (Article 24, 4/29/1993 ATM)	Authorization for health agents, officers, etc. to enforcement of littering statute
G.L. c. 44, §53F (Article 13, 10/5/1994 STM)	Authorization for deposit of public funds in banking institutions in return for banking services
G.L. c. 40, §§4A, 8H (Article 11, 11/29/1994 STM)	Joint government operations/intermunicipal agreements (Section 4A) / municipal recycling program (Section 8H)
G.L. c. 40, §13 (Article 29, 4/17/1996 ATM)	Authorization for municipal buildings insurance fund
Chapter 71 of the Acts of 1996 (Article 12, 12/12/1996 STM)	Creditable retirement service for active service in armed forces
G.L. c. 32, §20A (Article 14, 4/16/1997 ATM)	Indemnification of retirement board members
G.L. c. 41, §97A (Article 15, 4/16/1997 ATM)	“Strong” police chief statute
G.L. c. 48, §§ 42-44 (Article 16, 4/16/1997 ATM)	“Strong” fire chief statute
Chapter 194, §288 of the Acts of 1998 (Article 8, 4/28/1999 ATM)	Change in eligibility for retirement benefits (joint and last survivor allowance)
Chapter 456 of the Acts of 1998 (Article 9, 4/28/1999 ATM)	Retirement cost of living adjustments for noncontributory retirees
G.L. c. 59, §59A (Article 12, 4/27/1999 ATM)	Tax abatement agreements for Brownfields sites
Chapter 166 of the Acts of 1998 (Article 13, 4/28/1999 ATM)	Tax aid funds for elderly/disabled persons

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General/Session Law	Description
G.L. c. 83, §§16A-16F (Article 4, 12/4/1999 STM)	Sewer charges/assessments
G.L. c. 40, §§42G-42K (Article 30, 5/9/2000 ATM)	Water charges/assessments
G.L. c. 40, §8J (Article 28, 5/8/2002 ATM)	Establishment of disability commission
Chapter 137, §1 of the Acts of 2003 (Article 2, 3/17/2005 STM)	Compensation for public employees on military leave of absence
G.L. c. 32B, §9I (Article 3, 3/17/2005 STM)	Health insurance premiums for public employees on military leave of absence
G.L. c. 40, §60 (Article 35, 5/5/2005 ATM)	Urban center housing tax increment financing zone
Chapter 411 of the Acts of 2000 (Article 4, 10/26/2005 STM)	Retirement options for certain retirees
G.L. c. 32B, §18 (Article 10, 10/29/2008 STM)	Transfer of retirees to Medicare health plan
G.L. c. 41, §100G ¼ (Article 18, 10/30/2008 STM)	Funeral/burial expenses of up to \$15,000 of firefighters and police officers killed in line of duty
G.L. c. 71, §37M (Article 1, 4/28/2009 ATM)	Consolidation of school and city/town administrative functions
G.L. c. 64L, §2(a) (Article 19, 10/28/2009 STM)	Local meals tax
G.L. c. 138, §33B (Article 3, 10/19/2010 STM)	Authorization by LLA of alcohol sales on Sundays and certain legal holidays
G.L. c. 32B, §20 (Article 18, 4/26/2012 ATM)	Establishment of OPEB Liability Trust Fund
G.L. c. 59, §5N (Article 37, 5/22/2013 ATM)	Property tax reduction work program for veterans
G.L. c. 43D, §1 et seq (Article 38, 5/23/2013 ATM)	Expedited permitting
G.L. c. 39, §23D (Article 41, 5/23/2013 ATM) (amended by City	Adjudicatory hearings; voter disqualification due to absences for Planning Board members (amended in 2019 to extend to the Board of License

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General/Session Law	Description
Council Order No. 2019-105, 12/6/2019)	Commissioners, Board of Health, Conservation Commission, and the Zoning Board of Appeals)
G.L. c. 90I, §1 et seq (Article 29, 5/19/2015 ATM)	Complete streets program
G.L. c. 44, §53F¾ (Article 14, 10/20/2015 STM)	Establish PEG Account and Cable Related Fund
G.L. c. 40, §13E (Article 5, 4/25/2017 ATM)	Establish reserve fund for out of district tuition or transportation
G.L. c. 64N, §3(a) (Article 1, 10/18/2017 STM)	Authorizing local sales tax upon sale or transfer of marijuana products
G.L. c. 44, §64 (City Council Order No. 2018-015, 2/26/2018)	Payment of Bills in Excess of Appropriations
G.L. c. 59, §5(k) (City Council Order No. 2018-016, 2/26/2018)	Property Tax Liability Reduction for Volunteer Services for Persons Over Age 60
G.L. c. 41, §91 (City Council Order No. 2018-057, 6/1/2018)	Appointment and removal of constables
G.L. c. 90, §17C (City Council Order No. 2019-019, 3/5/2019)	City-wide default statutory speed limit of 25 mph on roadways not state highways that are located in a thickly settled or business district
Chapter 329 of the Acts of 1987 (City Council Order No. 2019-052, 5/21/2019)	Acceptance of local option in G.L. c. 44, §32 permitting increase in School Department appropriation by City Council, upon recommendation of School Committee, beyond amount requested by Mayor in annual budget
G.L. c. 44B, §§3-7 (adopted via ballot question passage by voters at 11/3/2020 election)	<p>Community Preservation Act Ballot Question:</p> <p>Funding source = surcharge of 1% on the annual property tax assessed on real property beginning in Fiscal Year 2022 (July 1, 2021) and by annual distributions made by the state from a trust fund created by the Act. The following will be exempt from the surcharge: (1) property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the City, as defined in Section 2 of said Act; (2) \$100,000 of the value of each taxable parcel of residential real property; and (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59. A taxpayer receiving a</p>

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General/Session Law	Description
	<p>regular property tax abatement or exemption will also receive a pro rata reduction in surcharge.</p> <p>At least 10% of the funds for each fiscal year will be spent or reserved for later spending on each of the Act's three community preservation purposes: (1) open space, (2) historic resources and (3) affordable housing.</p>

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Appendix E: Organizational Chart