

**WARRANT**  
**SPECIAL TOWN MEETING**  
**Town of Sheffield**  
**Commonwealth of Massachusetts**

Berkshire, ss.

To the Constables of the Town of Sheffield in said County, Greeting:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of the Town of Sheffield qualified to vote in Town affairs to meet in the auditorium of the Mount Everett Regional High School, 489 Berkshire School Road in Sheffield on Monday, December 4, 2023, at 6:00 P.M. then and there to act upon the following Articles:

**ARTICLE 1:** To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, or eminent domain and upon such terms and conditions as the Select Board deems appropriate, for general municipal purposes, the fee or lesser interest in all or a portion of the land and improvements thereon located at 1739 Hewins Street identified as Assessor's Parcel Map 8, Block 4, Lot 17, and believed to be described in the deed recorded with the Southern Berkshire District Registry of Deeds in Book 1245, Page 329, and to authorize the Select Board to enter into all agreements, execute any and all instruments, and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes, or take any other action relative thereto:

**ARTICLE 2:** To see if the Town will vote to delete Chapter 215 – Flood Hazard Zone - from the General By-Laws, or take any other action relative thereto:

**ARTICLE 3:** To see if the Town will vote to delete Chapter 126 – Hunting - from the General By-Laws, or take any other action relative thereto:

**ARTICLE 4:** To see if the Town will vote to delete Chapter 89 – Community Residences - from the General By-Laws, or take any other action relative thereto:

**ARTICLE 5:** To see if the Town will vote to amend the General Bylaws by adding Chapter 72 Artificial Light Pollution as follows, or take any other action relative thereto:

**§72-1. Purpose**

**§72-2. Definitions**

**§72-3. Application**

**§72-4. Filing a Complaint and Decision Process**

**§72-5. Enforcement and Fines**

**§72-1. Purposes.**

The purposes of this Chapter are to regulate artificial light pollution caused by outdoor lighting installed after the adoption of this Chapter and to establish a process to review and resolve complaints of outdoor lighting impacting the use and enjoyment of individual property.

**§72-2. Definitions.**

For the purpose of this Chapter, the following definitions apply:

**Light Pollution:** Light pollution is the presence of unwanted, inappropriate, or excessive artificial lighting. This term refers to the effects of any poorly implemented lighting, during the day or at night.

**Fully Shielded Outdoor Electric Light Unit:** An electric light unit, or fixture, constructed so that when installed outside, all artificial light emitted from the unit shines below the full shield and completely downward toward the ground. A document showing such a unit is available from the Building Commissioner.

**Dark Sky Compliant Fully Shielding Outdoor lighting fixtures:** Any outdoor lighting fixture which meets the standards set by this organization for fully shielded outdoor lighting fixtures.

**§72-3. Application.**

- 1) Any outdoor electric light unit, or fixture, installed after the effective date of this Chapter shall be a fully shielded outdoor electric light unit, as defined in §72-2.
- 2) The provisions of this Chapter shall apply to all new construction for which a building permit is required as well as the renovation of an existing building or structure for which a building permit is required. Compliance is required only with respect to the outdoor electrical light unit installed in the new construction or renovated portion of the existing building or structure.

**§72-4. Filing a Complaint and Decision Process.**

- 1) Any person who lives in Sheffield may bring a written and signed complaint to the attention of the Select Board. A written complaint will be specific, include a statement of impact, and where possible include recent images of the alleged light pollution. The complainant will also specify the requested action sought from the Select Board. No anonymous complaints will be accepted.
- 2) The Select Board shall hold a public hearing to address the complaint and invite all impacted parties to attend. A site visit may be conducted. The hearing will be conducted at a time the Board feels is reasonable for all parties and if a party is not available to attend, they may have a representative or submit written comments.
- 3) Following the close of the public hearing, the Select Board will issue a written decision determining if a violation of this Chapter has occurred, and in the event of such violation may issue an order to compel compliance and remedy the violation, which order may set a time for compliance of no less than 60 days.

**§72-5. Enforcement and Fines.**

- 1) See §140 of these By-laws, except as otherwise provided herein.
- 2) For this Chapter, the "Enforcing Person" is the Select Board.
- 3) Fines. First Violation shall be a written notification from the Select Board ordering compliance within 60 days or such additional time as the Select Board may determine. Further violations will result in fines as stated in §140-3 of these by-laws, or such other action in law or equity as the Select Board may determine.

**ARTICLE 6:** To see if the Town will vote to amend the General Bylaws by amending Chapter 63 Animals as follows, or take any other action relative thereto:

Delete the current 63.2 in its entirety and insert in its place the following:

**§63-2. Enforcement.**

The Animal Control Officer shall enforce the provisions of §63-1 and all applicable provisions of MGL c. 140, §§151-174F, as may be amended. In a situation where there is conflict between Section 63-1 and referenced MA General Laws, provisions of the General Laws shall prevail.

**§63-3. Enforcement; violations and penalties**

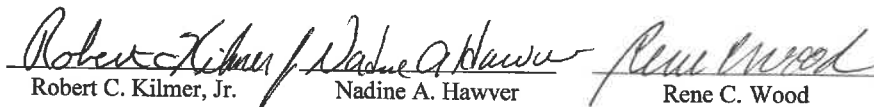
See MGL c. 140 §173A for violations and penalties.

**ARTICLE 7:** To see if the Town will vote to amend the General Bylaws by adding Section 55.3 to Chapter 55, Treasurer-Collector as follows, or take any other action relative thereto:

**§55-3. Installment Payment Agreements By-Law**

- A. The Treasurer shall have the authority to enter into a written installment payment agreement with persons entitled to redeem parcels in tax title on such terms and conditions as the Treasurer may determine in the Treasurer's reasonable discretion and in accordance with MGL c. 60 and 62A. This bylaw shall apply to all taxpayers with parcels held in tax title with the Town of Sheffield.
- B. All installment payment agreements shall comply with the following minimum requirements:
  - 1) The payment agreement shall have a maximum term of five years.
  - 2) The payment agreement may include a waiver of up to 50% of the Treasurer's interest that has accrued in the tax title account, but only if the taxpayer complies with the terms of the agreement. However, no taxes, collector's interest or fees may be waived in any payment agreement.
  - 3) The payment due from the taxpayer at the time of inception of the agreement shall be at least 25% of the amount needed to redeem the parcel.

**BOARD OF SELECTMEN:**

  
Robert C. Kilmer, Jr.      Nadine A. Hawver      Rene C. Wood

DATE: 11/16/2023

In obedience to the within Warrant, I have notified and warned the inhabitants of the Town of Sheffield qualified to vote in Town or State Elections and Primaries by posting seven attested copies of said warrant in seven public places at least fourteen days prior to said election.

ATTEST:

  
TOWN CLERK

  
CONSTABLE

11.17.2023  
DATE