

Section 3. Exceptions 15-3

Section 3. Exceptions 15-3 The permit and application required by this by-law shall not be required for maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, drainage, sanitary sewer, telephone, telegraph or other telecommunication services, provided that the structure or facility is not substantially changed or enlarged, and provided that written notice has been given to the Commission fourteen (14) days prior to commencement of work. The Commission may after reviewing the proposed work require that a permit application be filed with the Commission as provided in this by-law.

The permit and application required by this Wetlands Protection By-law shall not be required for vista pruning, provided the activity occurs more than 50 feet from the mean annual high water line within a Riverfront Area or from Bordering Vegetated Wetland, whichever is farther, or for vegetation cutting for public safety limited to the removal of diseased or damaged trees or branches that pose an immediate and substantial threat". (Pruning of landscape areas is not subject to jurisdiction under this Article XV).

15 A Wetlands protection by-law was first inserted under article 95, ATM 1980. Under article 26, ATM 1986 a more comprehensive by-law was substituted for the 1980 version. 15-2 As amended under article 38, ATM May 19, 1997. 15-3 As amended under article 11, STM April 29, 1989. As amended under article 34, ATM May 10, 2017. 80

The permit and application required by this by-law shall not apply to emergency projects necessary for the protection of the health or safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof, provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement, provided that the Conservation Commission or it's agent certifies the work as an emergency project, provided that the work is performed only for the time & place certified by the Conservation Commission for the limited purposes necessary to abate the emergency, and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the commission for review as provided in this by-law. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this section, the exceptions provided in the Wetlands Protection Act shall not apply.

Independent reference excerpt. Consult the official town PDF for authoritative formatting and subsequent amendments.

Source: <https://www.town.canton.ma.us/DocumentCenter/View/13507/GENERAL-BY-LAWS-2025#page=80>