



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

August 10, 2026

Lisa A. Davis, Town Clerk
Town of Sudbury
322 Concord Road
Sudbury, MA 01776

**Re: Sudbury Annual Town Meeting of May 4, 2026 – Case # 12239
Warrant Articles # 15, 20, 21, and 23 (General)**

Dear Ms. Davis:

Articles 15, 20, 21, and 23 - We approve Articles 15, 20, 21, and 23 from the May 4, 2026 Sudbury Annual Town Meeting. Our comments on Article 23 are below.

Article 23 - Under Article 23, the Town voted to amend its general by-laws, Chapter 117, “Animals,” to make specific changes regulating kennel licenses.

Section 117-12 (D) establishes a local appeal process for citations issued by an Animal Control Officer for failure to maintain a kennel in a sanitary and humane manner. Section 117-12 (D) provides that a person may appeal the issuance of a citation that requires the kennel owner to bring the kennel “into compliance within a reasonable time frame, or, if the infraction so warrants, suspend the license until such time the infraction is corrected.” The local appeal process provides as follows:

Any Licensee aggrieved by an order of the Animal Control Officer may request a hearing before the Select Board. Any such request shall be in writing and shall be received by the Office of the Select Board within seven (7) days of issuance of the Order. Upon receipt of a timely request, the Select Board shall conduct a public hearing and render a decision prior to the twenty-first (21st) day after issuance of the order. The Select Board may, affirm the order, vacate the order, or modify the order or license to remediate the conditions that led to the order.

General Laws Chapter 140, Section 174G, allows municipalities to inspect commercial boarding and training kennels to ensure sanitary and humane conditions and issue citations requiring compliance or suspension of a license. Section 174G (c) (3) also provides a process for appealing a citation as follows:

Enforcement under paragraph (2) by an animal control officer or authorized inspector

may be appealed within 21 days to the district court in the judicial district in which the kennel is maintained. Enforcement under said paragraph (2) by the commissioner may be appealed within 21 days to the division of administrative law appeals pursuant to chapter 30A.

The local appeal process provided in Section 117-12 (D) of the by-law cannot take away the appeal rights provided in G.L. c. 140, § 174G (c) (3). We suggest that the Town discuss the application of Section 117-12 (D) with Town Counsel to ensure it is applied in a manner consistent with G.L. c. 140, § 174G.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute.

Very truly yours,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

Tasheena M. Davis

By: Tasheena M. Davis
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
Tasheena.davis@mass.gov
413-523-7704

cc: Town Counsel Lee S. Smith