

Chapter 24

WEIGHTS AND MEASURES*

Sec. 24-1. Sealer of weights and measures generally.

(a) The sealer of weights and measures shall enforce all laws relating to the use of weights and measures and the giving or use of false weights or measures.

(b) The sealer of weights and measures shall annually, between the first and tenth day of January, report to the director of standards and necessities of life of the department of labor and industries all the weighing and measuring devices tested, sealed or condemned by him in accordance with the provisions of section 37 of Chapter 9 of the General Laws.

(Code 1965, §§ 26-3, 26-4)

State law reference—Sealer of weights and measures, G.L. c. 98, § 34 et seq.

Sec. 24-2. Certificate of date of sealing.

The sealer of weights and measures at the time of sealing shall furnish the keeper or owner of the weights and measures sealed with a certificate of the date of sealing.

(Code 1965, § 26-1)

Sec. 24-3. Collection of fees; monthly return to treasurer; report to auditor.

The sealer of weights and measures shall collect and be responsible for all fees and charges which, by law, he is allowed to receive, and shall remit to the city treasurer-collector, monthly, all sums so received and at the same time furnish the city auditor with a duplicate statement of such accounts.

(Code 1965, § 26-2; Ord. No. D319, 6-25-92)

Sec. 24-4. Measurers of lumber.

The mayor shall annually appoint, subject to confirmation by the city council, one or more measurers of lumber.

(Code 1965, § 26-5)

State law reference—Measurers of lumber, G.L. c. 96, § 7.

*State law reference—Weights and measures, G.L. c. 98.

Sec. 24-5. Measurers of wood and bark.

The city council shall annually choose one or more measurers of wood and bark.

(Code 1965, § 26-6)

State law reference—Measurers of wood and bark, G.L. c. 94, § 296.

Sec. 24-6. Fees.

[The following fees shall be charged by the sealer of weights and measures:]

<i>Device</i>	<i>Legal Sealing Fees</i>
(a) Scales:	
(1) Over 10,000 pounds	\$100.00
(2) 5,000 to 10,000 pounds	60.00
(3) 100 to 5,000 pounds	50.00
(4) Less than 100 pounds	15.00
(b) Weights:	
(1) Avoirdupois, each.....	1.50
(2) Metric.....	1.50
(3) Apothecary	1.50
(4) Troy.....	1.50
(c) Capacity Measures:	
(1) Vehicle tanks:	
a. Each indicator.....	12.00
b. Each 100 gallons or fraction thereof	8.00
(2) Liquid:	
a. 1 gallon or less	1.50
b. More than 1 gallon	3.00
(d) Liquid Measures Meters:	
(1) Inlet:	
a. 0.5-inch or less (oil, grease).....	8.00
b. More than 0.5-inch, to 1-inch (gasoline).....	18.00

<i>Device</i>	<i>Legal Sealing Fees</i>
c. More than 1-inch:	
1. Vehicle tank pump.....	50.00
2. Vehicle tank gravity	60.00
3. Bulk storage	75.00
(2) Company supplies prover	65.00
(e) Pumps, each stop on pump.....	5.00
(f) Other Devices:	
(1) Taxi meters.....	20.00
(2) Odometer-hubodometer	20.00
(3) Leather measure (semiannual)	18.00
(4) Fabric measuring	12.00
(5) Wire-rope-cordage	12.00
(g) Line Measures:	
(1) Yard sticks.....	2.25
(2) Tapes.....	2.25
(h) Miscellaneous:	
(1) Milk jars (per gross).....	20.00
(2) Dry measures	2.00

The sealer or deputy sealer of weights and measures shall charge an adjustment fee of one-half ($\frac{1}{2}$) the legal sealing fee for the particular device being inspected when that device needs adjustment to meet the required tolerances as set forth in the most recently adopted publication of Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices."

(Ord. No. D149, 10-15-82; Ord. No. D244, 1-4-88; Ord. No. D305, 7-30-91; Ord. No. D405, 1-16-97)

Editor's note—Ordinance No. D149, enacted Oct. 15, 1982, did not specifically amend this Code; hence, codification of the substantive provisions of said ordinance as § 24-6 is at the discretion of the editor.

Sec. 24-7. Unsealed weighing or measuring device.

The owner of an unsealed weighing or measuring device used commercially for determining the size, quantity, extent, area, or

measurement of quantities, things, produce, or articles for distribution or consumption, purchased, offered, or submitted for sale, hire or award, or in computing any basic charge or payment of services rendered on the basis of weight or measure and all accessory equipment attached to or used in connection with a commercial weighing or measuring device as outlined in Chapter 98 of the General Laws of Massachusetts relating to weights and measures shall be subject to a fine of one hundred dollars (\$100.00) per day.
(Ord. No. D354, 11-18-94)

Sec. 24-8. Maintenance of weighing or measuring device.

The owner of any weighing or measuring device used for commercial trade that does not meet the specified section codes as outlined in the current state-adopted edition of "NIST Handbook 44, Specifications, Tolerances and other Technical Requirements for Weighing and Measuring Devices", shall be subject to a fine of fifty dollars (\$50.00) per section violation.
(Ord. No. D354, 11-18-94)

Sec. 24-9. Posting gasoline unit prices.

Any retail gasoline station that does not maintain the correct price per gallon sign for each unit of gasoline as outlined in the General Laws of Massachusetts relating to the "Advertising and Sale of Motor Fuel and Lubricating Oil at Retail and Rules and Regulations Pertaining Thereto", shall be subject to a fine of seventy-five dollars (\$75.00) for each such violation.
(Ord. No. D354, 11-18-94)

Sec. 24-10. Net weight violation.

Any packaged commodity put up in advance of sale that contains less than the stated net quantity [shall] be fined twenty-five dollars (\$25.00) per package. The term "net weight" means the weight of a commodity excluding any materials, substances, or items not considered to be part of the commodity. Materials, substances, or items not considered to be a part of the commodity include, but are not limited to, containers, conveyances, bags, wrappers, packaging materials, labels, individual piece cover-

ings, decorative accompaniments, and coupons, except that, depending on the type of service rendered, packaging materials may be considered to be part of the service. For example, the service of shipping includes the weight of packing materials.

(Ord. No. D354, 11-18-94)