

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO.

June , 2022

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON That the Revised Ordinances of Newton, Massachusetts, 2017, as amended, be and are hereby further amended with respect to **Section 20-13 of Article II of Chapter 20** and with respect to **Section 17-23 of Article III of Chapter 17** as follows:

1. **DELETE** Sec. 20-13 (h) (6) in its entirety and **INSERT** in its place the following language:

(6) Any violation of the restrictions contained in this section 20-13 (h) shall be subject to the penalties set forth in sections 20-13 (k) and (m) below, provided that the first offense by any person subject to this section, including a property owner, shall be subject to a warning only, and provided further that a violation committed by a commercial operator holding a valid permit and in good standing on the public list provided for in section (7) A, shall be enforced against the commercial operator only, and not against the property owner, manager or person in control of the property upon which the violation has occurred.

2. **DELETE** the reference to “subsection (j)” in the first clause of the first sentence of Sec. 20-13 (m) and **INSERT** in its place “subsection (k)” to correct a scrivener’s error.
3. **DELETE** in paragraph (c) INSPECTIONAL SERVICES DEPARTMENT of Sec. 17-23 the entries pertaining to Sec. 20-13, *Noise Control, any section except Sec. 20-13(h)(7)* and Sec. 20-13 (h) (7) and **INSERT** in their place the following language:

Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)

- ( ) First offense in calendar year ..... Warning
- ( ) Second offense in calendar year .....\$100.00
- ( ) Third offense in calendar year.....\$200.00
- ( ) Fourth or subsequent offense in calendar year..... \$300.00

Sec. 20-13 (h) Restrictions on use of Leaf Blowers - Any violation

- ( ) First offense ..... Warning
- ( ) Second and subsequent offenses ..... \$300.00

4. **DELETE** in paragraph (d) POLICE DEPARTMENT of Sec. 17-23 the entries pertaining to Sec. 20-13, *Noise Control*, any section except Sec. 20-13(h)(7) **and** Sec. 20-13 (h) (7) and **INSERT** in their place the following language:

Sec. 20-13. Noise Control, any section except Sec. 20-13 (h)

- ( ) First offense in calendar year ..... Warning
- ( ) Second offense in calendar year .....\$100.00
- ( ) Third offense in calendar year.....\$200.00
- ( ) Fourth or subsequent offense in calendar year..... \$300.00

Sec. 20-13 (h) Restrictions on use of Leaf Blowers - Any violation

- ( ) First offense ..... Warning
- ( ) Second and subsequent offenses ..... \$300.00

Approved as to legal form and character:

ALISSA O. GIULIANI  
City Solicitor

Under Suspension of Rules  
Readings Waived and Adopted

EXECUTIVE DEPARTMENT  
Approved:

(SGD) CAROL MOORE  
City Clerk

(SGD) RUTHANNE FULLER  
Mayor