



Programs & Services Committee Report

City of Newton In City Council

Wednesday, March 20, 2024

Present: Councilors Krintzman (Chair), Oliver, Malakie, Humphrey, Baker, and Farrell

Absent: Councilors Micley, and Lobovits

Also Present: Councilors Albright and Wright

City Staff: Carol Moore, City Clerk/Clerk of the Council; Anthony Ciccarello, Commissioner of Inspectional Services; Deb Finamore, Administrative Assistant; Jennifer Wilson, Assistant City Solicitor; Jonathan Yeo, Chief Operating Officer; and Jaclyn Norton, Committee Clerk

For more information regarding this meeting, a video recording can be found at the following link: [Programs and Services Committee - March 20, 2024 \(youtube.com\)](https://www.youtube.com/watch?v=...)

#26-24 Discussion and possible Home Rule Petition regarding moving Newton's municipal elections to even years along with federal and state elections
COUNCILOR ALBRIGHT requests discussion, development of a home rule petition, and amendments to the mechanics described in the charter and/or ordinances to implement a change in Newton's municipal elections to the even years, in concert with federal and state elections to improve voter turnout in local elections.

Action: [Programs & Services Held 6-0](#)

Note: The docketing Councilor noted an editorial in the Boston Globe that was published following the 2023 Municipal Election. This editorial is attached and urges Massachusetts to change municipal elections to commence on even years instead of odd years. In speaking with the UMass Boston Collins Center, she also found out that several other communities are exploring this option and that the Secretary of the Commonwealth is not in favor of this. Other locations to enact a similar provision include New York, California, Oregon, and Boulder, Colorado. There was also a similar provision in the state of Washington that failed. City Clerk Carol Moore presented the attached slides which described voter turnout along with the cost that the city incurs when conducting a citywide municipal election.

In response to a Councilors question, Ms. Moore noted that local races would be on a separate ballot but could be included in the same envelope as vote-by-mail ballots for state and federal elections. She also described that if adopted this would require the term of the city council and mayor at the time to be extended by one year. A Councilor asked if this would also be true for

the Neighborhood Area Council elections. Ms. Moore responded that the term for them would also be extended by one year to bring it in line with the other municipal elections. The Chair noted that this would result in a change to the charter which requires a home rule petition with 2/3rds approval by the City Council and Mayoral approval. This petition would then be submitted to the state legislature and be subject to their approval.

Multiple Councilors noted opposition to the proposal citing that this could decrease visibility of local elections along with inhibiting new candidates from running for local office. A Councilor did note previous times that the state has changed the time when elections are held. This Councilor also looked at the results of the 2020 Presidential Primary which also had a separate ballot for a municipal issue and stated that the number of blank votes is consistent between the state and municipal elections.

The Committee asked the docketing Councilor and Ms. Moore to do more research into the other communities that have enacted these measures. Committee members voted 6-0 on a motion to hold from Councilor Oliver.

#90-24 Requesting update on leaf-blower landscaper registration and enforcement ordinance

COUNCILORS BAKER, MALAKIE, LOBOVITS, WRIGHT, BLOCK, AND FARRELL requesting a discussion with the Commissioner of Inspectional Services and the Chief of Police, and responsible members of their Departments as to the progress in securing compliance with the leaf-blower provisions of Newton's noise ordinance requiring landscaper registration and lawful operation of noise-compliant equipment, including the reporting and enforcement work by those Departments.

Action: **Programs & Services Held 6-0**

Note: The docketing Councilor described the current state of the ordinance along with noting that this ordinance has been reviewed by the Committee multiple times. The Inspectional Services Department to enforce this ordinance has hired an individual on a part-time basis, and they have been successful in enforcing the ordinance. When they are not working, the police department handles this enforcement. This enforcement is also against the company and not the employee. The Chair added that the homeowner however does become responsible if the landscaper is not registered with the City. Anthony Ciccarello, Commissioner of Inspectional Services; and Deb Finamore, Administrative Assistant, handed out the attached backup material that provided an update on registration along with a copy of the brochure and violation doorknocker. Due to these items not being submitted 48 hours in advance of the meeting (Article 1 Section 5(C)(1) of Council Rules), Committee members voted 6-0 on a motion to suspend the rules from Councilor Baker.

Ms. Finamore provided the Committee with an overview of the public NewGov portal on the City's website which can provide up-to-date reports on both registration and violations issued. A

link to the portal can be found [here](#). A Councilor asked how issues are handled if a city contractor is found to be violating the ordinance. Jonathan Yeo, Chief Operating Officer, responded that in those cases individuals can contact the City and the City will work to make sure that no further violations occur. Regarding the timeline to pay a fine when incurred, Ms. Finamore noted that the recipient has 21 days to pay the fine and during the discussion stated that multiple fines can be incurred at the same time if multiple provisions are violated. Mr. Yeo also stated the importance of leaving a voicemail for the leaf blower enforcement officer as those help provide intel for future patrols. A Councilor noted a desire to have the police chief present at a future conversation due to the off-hour enforcement duty of that department. Councilors also proposed potentially looking at extending the prohibition on gas leaf-blowers.

Councilors voted 6-0 on a motion to hold from Councilor Baker.

#134-24 Reappointment of Matthew Volpi to the Commission on Disability

HER HONOR THE MAYOR reappointing Matthew Volpi, 44 Oakmont Road, Newton Centre as a member of the Commission on Disability for a term of office set to expire on April 30, 2027. (60 Days: 05/03/2024)

Action: **Programs & Services Approved 6-0**

Note: The Chair read the item into the record. Councilors citing no objections voted 6-0 on a motion to approve from Councilor Baker.

#135-24 Reappointment of Sandra Lingley to the Commission on Disability

HER HONOR THE MAYOR reappointing Sandra Lingley, 1938 Washington Street, Newton as a member of the Commission on Disability for a term of office set to expire on December 31, 2026. (60 Days: 05/03/2024)

Action: **Programs & Services Approved 6-0**

Note: The Chair read the item into the record. Councilors citing no objections voted 6-0 on a motion to approve from Councilor Krintzman.

The meeting adjourned at 8:39 pm.

Respectfully Submitted,
Josh Krintzman, Chair

Massachusetts should move local elections to even-numbered years

Holding local elections in odd-numbered years instead of aligning them with even-year federal and state elections effectively cuts voter turnout in half.



Shifting to even-year local elections could improve representation both in the electorate and among elected officials. David Goldman/Associated Press

Seemingly every week, a new poll reaffirms the dismal state of US politics and low levels of trust in the political system. Recently, [Pew Research Center](#) reported that just 4 percent of Americans surveyed say that the US political system is working very well. In a Tufts Tisch College poll, [more than half](#) of young Americans — ages 18 to 29 — surveyed think the country is headed in the wrong direction. Restoring faith in democracy will require action at all levels of government to bring a broader spectrum of people into the process.

A simple cost-saving step would ensure more voices in Massachusetts are heard: Move local elections to even years.

Holding local elections in odd-numbered years instead of aligning them with even-year federal and state elections effectively cuts voter turnout in half. Younger voters and voters of color are especially impacted. [Research](#) focused on local elections in California, which has moved to even-year local elections, shows that when local elections coincided with higher-visibility federal elections, turnout among younger voters nearly doubled. Turnout by Latinx and Asian American voters also increased significantly, and city voters looked more like the city's residents overall.

In the current system, turnout in local elections is low. Despite a hotly contested open mayoral race in 2021, turnout in Boston was [28.9](#) percent. In New Bedford that same year, it was [just 11](#) percent. Moving city elections to federal election years, when media attention, campaign outreach, and resources dedicated to voter engagement are far greater, would provide the impetus for more voters to participate in local decisions.

In addition, the voting population is often [poorly representative](#) of our communities as a whole. Shifting to even-year elections could improve representation both in the electorate and among elected officials. Research shows that this change improves turnout among demographic groups that are currently less well represented in local elections in Massachusetts, and according to one nationwide [study](#), jurisdictions with higher turnout have a higher share of racial and ethnic minorities on their city councils, even after controlling for factors like city demographics.

Moreover, moving to even-year elections may save cities and municipalities money. Election administration is costly. The [budget for Boston's election department](#) this fiscal year is nearly \$7.8 million. That figure includes a 13 percent increase over last fiscal year to account for the fact that voters in Boston will head to the polls three times in the current fiscal year: for a municipal preliminary, a municipal general election, and a presidential primary. Reducing the number of elections the department must administer could result in substantial savings for local taxpayers.

Moving to even-year elections is doable. In Massachusetts, municipal election dates are set by each city's charter. Currently, the charter of every city in the Commonwealth provides for elections to take place in November of the odd year. Many local officials operate under a misperception that this arrangement cannot be altered, in part because Massachusetts law on the subject can seem convoluted. However, election timing can be changed with legislative approval through a process known as a "home-rule petition." Massachusetts cities should undertake this process, and the Legislature should approve these efforts. The Legislature could also facilitate such changes by amending state law to give cities the ability to align local and state election dates by right.

On Tuesday, voters throughout Massachusetts will go to the polls. They will select local officials to oversee a range of decisions impacting day-to-day life: the education of our children, the condition of our roads, and much more. These local elections are important and should not be happening this year. To support robust democratic citizenship and responsive government, local and federal elections should align in the same calendar year.

Kei Kawashima-Ginsberg is director of the Center for Information & Research on Civic Learning and Engagement at Tufts University Tisch College. Peter Levine is a professor of citizenship and public affairs at Tufts Tisch College. Jessica S. Lieberman is a program officer at the American Academy of Arts & Sciences.

Inspectional Services Department

City of Newton
Massachusetts

Inter-Office Correspondence

TO: Programs & Services
FROM: Anthony Ciccarello, Deb Finamore
DATE: March 20, 2024
RE: Leaf Blower Update

New Leaf Blower Brochure – added information for property owners to know that they will be notified of warnings, and they will be fined if they continue to hire nonregistered landscapers.

New Leaf Blower Doorknockers for property owners – notifies them of what their landscaper is not complying with in the Ordinance.

Registration landscape company – newtonma.viewpointcloud.com – select Inspectional Services Department – scroll to Leaf Blower Registration – complete registration.

Complaint – newtonma.viewpointcloud.com – select Inspectional Services Department – scroll to Leaf Blower Complaint – complete the form.

Check to see if Landscape company is registered or has violations go to: newtonma.gov – Government – Inspectional Services – scroll left side and select Leaf Blower Information:

1. Check registration and suspension:
under Annual List of Registered Leaf Blower Operators select 2024 – interactive NewGov report.

Suspensions issued in 2023 – 9 landscape companies received a 60-day suspension in 2023 for being either over 65 dB or use of gas leaf blower during the summer months.

No 1-year suspensions were issued in 2023.

Any landscaper who owes violations from 2023 will not be able to register in 2024.

We have filed 7 cases in Newton District Court this week for Companies that owe over \$1,000.

2. Check for violations/compliant:

Third paragraph down is Click here to view the current leaf blower violators and/or compliant users – interactive NewGov report.

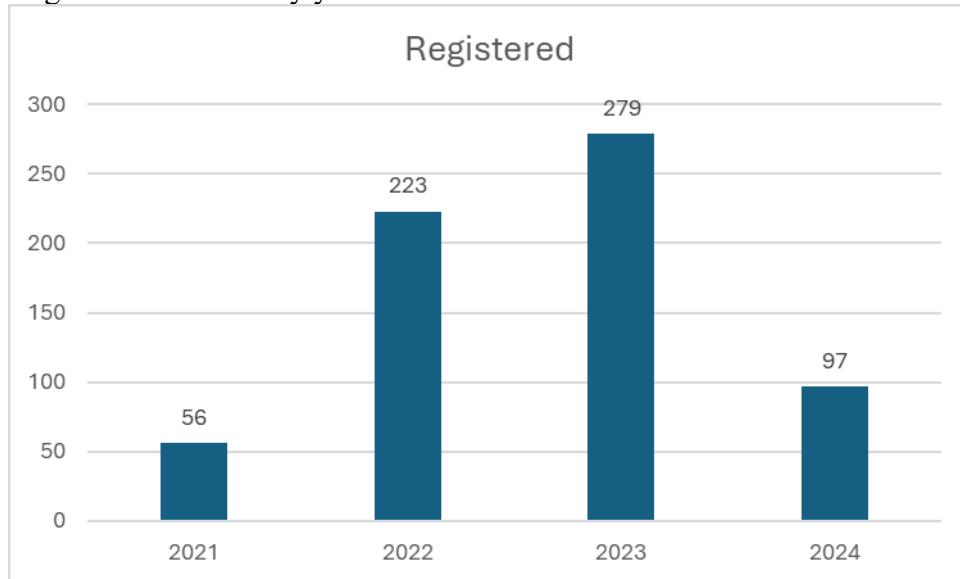
Ordinance enforcement:

During 2023 we were lenient with landscapers and allowed 4 violations before issuing a 60-day suspension and allowed 8 violations before we were going to enforce the 1-year suspension.

This year, we will be going by the Ordinance: first violation will be a warning **IF** the landscaper never received a violation in the past; if landscaper received a prior violation, then they will receive another violation and after two violations in a year, they will be suspended for 60days. If after coming off suspension they receive two more violations, they will be suspended for 1 year.

We will be notifying the property owners of the violations via a doorknocker. Property owners will get a warning first if their landscaper is not registered and if found a second time the property owner will also receive a violation ticket of \$300.

Registrations issued by year:



PROPERTY OWNERS

Property owners should only hire registered landscapers, check city website for listing. Property owners will receive one warning via green door knocker notifications for first offense, second offense will be a violation of \$300.

DATES OF ALLOWED USE

 Gas, electric or battery-powered leaf blowers labeled at or below 65 decibels are allowed for nine months a year from the day after Labor Day to the day before Memorial Day.



SEASONAL BAN FOR ALL GAS-POWERED LEAF BLOWERS

Dates Prohibited: The Summer Months Memorial Day through Labor Day.

Only one electric or battery-powered leaf blower per lot is allowed to be used between Memorial Day and Labor Day. Gas-powered leaf blowers, regardless of decibel levels, are prohibited during the summer.

REGISTRATION

All leaf blower companies are required to be registered with the City of Newton.

Registration fee is \$50 plus \$2 per sticker for vehicle.

KEY PROVISIONS OF THE LAW

The use of all leaf blowers above **65 decibels** is prohibited in the City of Newton. There are no exceptions.



PENALTIES

VIOLATIONS: Written warning will be given to the person or company violating the Ordinance if they did not receive a previous violation otherwise violation will be \$300 and all subsequent violations will be \$300. Property owners may also be fined.

See City Ordinance Chapter 20 Miscellaneous Ordinances — Article II Noise §§20-13

ENFORCEMENT

Primary enforcement of leaf blower violations will be done by Inspectional Services and should be reported online newtonma.viewpointcloud.com -Leaf Blower Complaint.

Newton Police Department at (617)796-2100. Wait for the prompt for dispatch. If unable to respond will pass information along to ISD for enforcement.

CONTACT US

Questions about the Leaf Blower Ordinance please call 617-796-1126.

LEAF BLOWER BEST PRACTICES

- Landscapers REGISTER Online (newtonma.viewpointcloud.com).
- Do not use leaf blowers 65 db or above.
- Do not point a blower towards people, property, or pets.
- Make sure bystanders are at least 50 feet away.
- Work carefully. Be safe, courteous, and responsible.
- Check newtonma.gov—inspectional services for reports on leaf blowers violations and registration.



Ordenanza de sopladores de hojas - Por favor, lea atentamente para saber cómo afectan las regulaciones a los propietarios y paisajistas y cómo se manejarán las infracciones.

Horas de uso permitidas Lunes a viernes: 7:00 a.m. a 5:00 p.m.

Sábados: 8:00 a.m. a 5:00 p.m.

Domingos y feriados legales: Prohibido excepto para los residentes en su propia propiedad entre las 9:30 a.m. y las 5:00 p.m., y para los propietarios de 30 o más acres contiguos de propiedad entre las 9:30 a.m. y el mediodía.

Propietarios—Los propietarios solo deben contratar paisajistas registrados, consulte el sitio web de la ciudad para ver la lista. Los propietarios recibirán una advertencia a través de notificaciones de alabadas verdes para la primera infracción, la segunda infracción será una violación de \$ 300.

Fechas de uso permitido -Los sopladores de hojas de gas, eléctricos o de batería etiquetados a 65 decibeles o menos están permitidos durante nueve meses al año desde el día después del Día del Trabajo hasta el día antes del Día de los Caídos

Prohibición estacional para todos los sopladores de hojas a gas—Fechas prohibidas: desde el Día de los Caídos hasta el Día del Trabajo de los meses de verano.

Solo se permite el uso de un soplador de hojas eléctrico o a batería por lote entre el Día de los Caídos y el Día del Trabajo. Los sopladores de hojas a gasolina, independientemente de los niveles de decibelios, están prohibidos durante el verano.

REGISTRO—Todas las empresas sopladoras de hojas deben estar registradas en la ciudad de Newton. De lo contrario, serán multados

Todas las empresas sopladoras de hojas deben estar registradas en la ciudad de Newton. La cuota de inscripción es de \$50 más \$2 por calcomanía para el vehículo.

Disposiciones clave de la ley—El uso de todos los sopladores de hojas por encima de los 65 decibelios está prohibido en la ciudad de Newton. No hay excepciones.

Penas—Infracciones: Se dará una advertencia por escrito a la persona o empresa que utiliza el soplador de hojas si no recibió una infracción el año pasado, de lo contrario, la infracción será de \$300 y todas las infracciones posteriores serán de \$300. Los propietarios también pueden ser multados.

Véase el Capítulo 20 de la Ordenanza Municipal Miscelánea - Artículo II Ruido §§20-13

Aplicación—La aplicación primaria de las infracciones de los sopladores de hojas será realizada por los Servicios de Inspección y debe informarse en línea newtonma.viewpointcloud.com -Queja del soplador de hojas.

Departamento de Policía de Newton al (617)796-2100. Espere el mensaje de envío. Si no puede responder, pasará la información a ISD para su cumplimiento.

Contáctenos—Si tiene preguntas sobre la Ordenanza de Sopladores de Hojas, llame al 617-796-1126.

Mejores prácticas de sopladores de hojas—Paisajistas REGISTRESE en línea (newtonma.viewpointcloud.com); · No utilice sopladores de hojas de 65 db o más; · No apunte un soplador hacia personas, propiedades o mascotas.; · Asegúrese de que los transeúntes estén al menos a 50 pies de distancia; · Trabaja con cuidado. Sé seguro, cortés y responsable.; · Consulte los servicios de inspección newtonma.gov para obtener informes sobre infracciones y registros de sopladores de hojas.

CITY OF NEWTON

LEAF BLOWER ORDINANCE

Please read carefully to find out how the regulations affect property owners and landscapers and how violations will be handled.

HOURS OF ALLOWED USE

Mon - Fri: 7:00 a.m. to 5:00 p.m.



Saturdays: 8:00 a.m. to 5:00 p.m.

Sundays and Legal Holidays: Prohibited except by residents on their own property between 9:30 a.m. and 5:00 p.m., and by owners of 30 or more contiguous acres of property between 9:30 a.m. and noon.





City of Newton
1000 Commonwealth Avenue
Newton, MA 02459
617-796-1126

Inspectional Services Department
Anthony Ciccarello, Commissioner
Chuck Edrehi, Leaf Blower Agent

NOTICE – LEAF BLOWER ENFORCEMENT WARNING

Property Address

Property Owner is hereby notified that the Landscaper that you have contracted with is not in compliance with the City of Newton Ordinance Chapter 20 – Miscellaneous Ordinances – Article II Noise – Section 20-13(h) Restrictions on use of Leaf Blowers.

Specific non-compliance is/are checked below:

- Non-registered Over 65 dB
 Summer Ban Hours of Use

Date of Notice: _____

Time of Notice: _____

Please review the City of Newton Ordinance to be sure your Landscaper gets in compliance with Section 20-13(h). If your landscaper is found not in compliance again you may also receive a ticket.

Commissioner of Health and Human services and/or his or her designee(s) shall enforce this section in accordance with Sec. 20-7(c). (Rev. Ords. 2012, Ord. A-42, 06-16-14)

Secs. 20-9—Sec. 20-12. Reserved.

**ARTICLE II.
NOISE**

Sec. 20-13. Noise control.

(a) This ordinance may be cited as the "Noise Control Ordinance of the City of Newton."

(b) *Declaration of findings and policy.* Whereas excessive sound is a serious hazard to the public health and welfare, safety, and the quality of life; and whereas a substantial body of science and technology exists by which excessive sound may be substantially abated; and, whereas the people have a right to and should be ensured an environment free from excessive sound that may jeopardize their health or welfare or safety or degrade the quality of life; now therefore it is the policy of the City of Newton to prevent excessive sound which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

(c) *Scope.* This ordinance shall apply to the control of all sound originating within the limits of the City of Newton except as follows:

- (1) the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work or in training exercises related to emergency activities; and
- (2) all snow clearance activities; and
- (3) any program or activity supervised by the parks, recreation and culture department of the city in effect and as it exists on June 1, 1983.

(d) *Definitions.* For the purposes of this ordinance the following words and phrases shall have the meanings respectively ascribed to them by this section:

Construction and demolition: Any excavation, highway construction, land development or land clearing work, or the erection, demolition, alteration, repair, or relocation of any building or structure, which uses powered equipment such as backhoes, trucks, tractors, excavators, earth moving equipment, compressors, motorized, or power hand tools, manual tools, or equipment of a similar nature as well as two-way radios or other communication equipment; or use of any equipment for recycling, screening, separating, or any other processing of soil , rocks, concrete, asphalt or other raw material.

Electronic devices: any radio, tape recorder or player, television, phonograph, public address system, loudspeaker, amplified musical instrument or any other similar device, except two-way communication radios.

Emergency: any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work: any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Gross vehicle weight rating (GVWR): the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating

(GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

Motorcycle: any unenclosed motor vehicle having two or three wheels in contact with the ground, including, but not limited to, motor scooters, minibikes, and mopeds.

Motor vehicles: any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, go-carts, snowmobiles, dune buggies, or racing vehicles, but not including motorcycles.

Noise pollution: a condition caused by a noise source that increases noise levels 10dB(A) or more above background noise level, except that if the noise source produces a tonal sound, an increase at 5dB(A) or more above background noise level is sufficient to cause noise pollution.

Tonal sound: any sound that is judged by a listener to have the characteristics of a pure tone, whine, hum or buzz.

(e) *Noise Pollution prohibited.*

- (1) No person shall willfully, negligently, or through failure to provide necessary equipment or facilities or to take necessary precautions permit the establishment or continuation of a condition of noise pollution caused by a noise source (other than a dog or bird) owned, leased, kept, or controlled by such person, or caused by any activity of such person.
- (2) When the offending noise source is located in public spaces, noise measurements shall be made at, and noise pollution determinations made in relation to, any location a passerby might reasonably occupy. When the offending noise source is located on private property, noise measurements shall be made at, and noise pollution determinations made in relation to, the boundary line of the property within which the offending source is located, or as close thereto as feasible.
- (3) All noise level measurements made pursuant to subsection (e) shall be made with a Type I or II A-weighted sound level meter as specified under the American National Standards Institute (ANSI) standards.

(f) *Time Restrictions.*

- (1) Notwithstanding the provisions of subsection (e) and subject to the maximum noise levels listed in subsection (g), the generation of any noise from all electric motors and/or internal combustion engines employed in yard, garden, or grounds maintenance is prohibited except during the following time periods:
 - (A) Between 7:00 a.m. and 8:00 p.m. on weekdays; or
 - (B) Between 9:30 a.m. and 8:00 p.m. on Saturdays, Sundays and legal holidays as established in section 2-26 of these revised ordinances.
- (2) Notwithstanding the provisions of subsection (e) and subject to the maximum noise levels listed in subsection (g), the generation of any noise from construction and demolition activity is prohibited except during the following time periods:
 - (A) Between 7:00 a.m. and 7:00 p.m. on weekdays; or
 - (B) Between 8:00 a.m. and 7:00 p.m. on Saturdays;

- (C) Generation of any noise from construction and demolition activity is prohibited at any hour on Sundays and legal holidays as established in section 2-26 of these revised ordinances, except by permit issued in accordance with subsection (i).
- (3) All public address loudspeakers, either mobile or stationary, shall be prohibited from operating every evening from 9:00 p.m. until 7:00 a.m. the following morning.
- (4) No automobile, motorcycle, truck or vehicle-mounted refrigeration equipment or other motorized vehicle shall be left running when not in traffic, within three hundred (300) feet of any dwelling, hotel or residence, for a period of greater than five (5) minutes.
- (5) Between the hours of midnight and 6:00 a.m. deliveries and pick-ups for commercial or business purposes are prohibited within 300 feet of any dwelling within a residential zone excepting deliveries to such dwellings, deliveries of gasoline to gasoline stations, deliveries or pick-ups at state or federal governmental offices and any other commercial or business delivery or pick-up operation that does not increase noise levels 5dB(A) or more above background noise level. For purposes of this subsection, "deliveries" and "pick-ups" shall include the loading and unloading of a vehicle.
- (6) Between the hours of 7:00 p.m. and 7:00 a.m. trash collection shall be prohibited within five hundred (500) feet of any dwelling.
- (7) Between the hours of 11:00 p.m. and 7:00 a.m. no person or persons shall disturb the peace by causing or allowing to be made any unreasonable or excessive noise, including but not limited to such noise resulting from the operation of any electronic device, or from the playing of any band or orchestra, or from the making of excessive outcries, exclamations, or loud singing or any other excessive noise by a person or group of persons, provided however, that any performance, concert, establishment, band group or person who has received and maintains a valid license or permit from any department, board, or commission of the City of Newton authorized to issue such license or permit shall be exempt from the provisions of this section. Unreasonable or excessive noise for the purposes of this section shall be defined as 5dB(A) or more above background level when measured not closer than the lot line of a residential lot or from the nearest affected dwelling unit.

(g) *Maximum Noise Levels.* Notwithstanding the provisions of subsections (e)(1) and (e)(2), the following are the maximum noise levels that are permitted for the specified purposes:

Maximum noise level dB(A) permitted:

(1) *Vehicles*

Vehicle Class.....	Stationary or Moving
All vehicles over 10,000 lbs. GVW or GCWR	86
All Motorcycles.....	82
Automobiles and light trucks.....	75

Noise measurements shall be made at a distance of fifty (50) feet from the closest point of pass-by of a source or fifty (50) feet from a stationary vehicle.

(2) *Construction and demolition.*

The cumulative noise level of all construction and demolition on one site at any one time shall not exceed 90dB(A). No individual piece of equipment shall exceed a maximum noise level of 90 dB(A). If noise barriers are used that effectively shield nearby areas from a condition of noise pollution, the following devices shall be exempt from the maximum noise level limitations: jackhammers; pavement breakers; pile drivers; and rock drills.

Maximum noise level dB(A) permitted:

Backhoe, bulldozer, concrete mixer, dump truck, loader, paver, pneumatic tools, roller, scraper	90
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Air compressor	85
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Generator	90
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Electric drills, sanders, saws (except chainsaws) or other power tools of all types, whether hand held or otherwise	75
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Noise measurements shall be made at a distance of fifty (50) feet from the source, or from the nearest lot line, whichever distance is less.

(3) *Yard, Garden, or Grounds Maintenance Equipment*

Maximum noise level dB(A) permitted:

Commercial Chipper, 3 1/2 inch or greater limb capacity (running at full speed but not chipping)	90
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Commercial truck-mounted leaf vacuum	90
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All other equipment, including home tractor, lawn mower or trimmer	65
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Noise measurements shall be made at a distance of fifty (50) feet from the source, or from the nearest lot line, whichever distance is less.

(4) *Tonal Sound Corrections.* When a tonal sound is emitted by a noise source specified in subsections (g)(1), (g)(2) and (g)(3) herein, the limit on maximum noise levels shall be 5dB(A) lower than as specified in subsections (g)(1), (g)(2) and (g)(3).

(5) *Maximum Noise Levels for HVAC systems.* No person shall operate any air conditioning, refrigeration or heating equipment for any residence or other structure or operate any pumping, filtering or heating equipment for any pool or reservoir in such manner as to create any noise which would cause the noise level on the premises of any other occupied property or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the background noise level by more than 5 dB(A). This provision shall not apply, however, to periodic or emergency maintenance or testing of such equipment reasonably necessary to maintain such equipment in good working order. Noise measurements and noise pollution determinations shall be taken in accordance with subsections (e)(2) and (e)(3).

(6) *Alternative Measurement Procedures.* If it is not possible to make a good noise level measurement at the

distance specified in subsections (g)(1), (g)(2) and (g)(3), measurement may be made at an alternate distance and the noise level subsequently calculated for the specified distance. Calculations shall be made in accordance with established engineering procedures.

- (7) All noise-level measurements made pursuant to subsection (g) shall be made with a Type I or II A-weighted sound level meter as specified under the American National Standards Institute (ANSI) standards.

(h) Restrictions on use of leaf blowers.

Notwithstanding the provisions of sections 20-13 (f) and (g), no property owner or property manager or other person in control of a property shall authorize or permit the operation of leaf blowers on property under their control; no contractor or commercial landscaper, including a City contractor or employee, shall use or operate or authorize or permit any agent or employee to use or operate a leaf blower; nor shall any person use or operate a leaf blower within the City unless they do so in compliance with the provisions of this section. The following definitions shall apply to this section:

Leaf blower: any portable motorized device, whether carried or pushed, whether powered by gasoline or other fuel, electricity or battery, used in any landscape or property construction or maintenance activity, for the purpose of blowing, dispersing, redistributing, or removing dust, dirt, leaves, grass or plant clippings, litter or other debris.

Commercial leaf blower operator: any individual, entity or organization, including a contractor or commercial landscaper, that receives compensation for services that include operation of a leaf blower.

- (1) *Summer Ban.* No leaf blower may be operated from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower per lot may be used during this period subject to the permitted hours of use specified in Subsection (2) below. At all other times leaf blowers may be operated subject to the following provisions:
- (2) *Permitted hours of use.* Leaf blowers may be operated only during the following times:

Monday - Friday: 7:00 a.m. - 5:00 p.m., except that the City of Newton, through its parks, recreation and culture department, shall be allowed to use leaf blowers prior to 7:00 a.m. for the sole purpose of maintaining city village centers.

Saturday: 8:00 a.m. - 5:00 p.m.

Sundays and legal holidays: prohibited except for operation by a resident of the property on which the leaf blower is operated between 9:30 a.m. and 5:00 p.m.; and except for operation of leaf blowers on contiguous lots under single ownership that total a minimum of thirty acres used for institutional or recreational purposes between 9:30 a.m. and 12:00 p.m.

- (3) Only leaf blowers meeting the following criteria are permitted for use:
 - A. Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;
 - B. Leaf blowers must bear an affixed manufacturer's label indicating the model number of the leaf blower; such label must not be altered or concealed;

- C. Leaf blowers must bear an affixed manufacturer's label documenting a noise rating of 65 dB(A) or less; such label must not be altered or concealed; and
 - D. Leaf blowers must only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower. Non-factory modifications are not permitted.
- (4) During times of emergency caused by a storm or other special circumstance, the Mayor or his designee may temporarily suspend application of all or a portion of this section for purposes of cleaning up from such storm or other special circumstance.
- (5) The provisions of section 20-13 (i) shall not apply to leaf blower operation.
- (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 occurred.
- (7) Commercial Leaf Blower Operators - permit required.
- A. No commercial leaf blower operator may operate a leaf blower or permit or authorize an agent or employee to operate a leaf blower in the City of Newton without an annual permit from the commissioner of inspectional services, who shall provide application forms; who may establish rules governing the display of permits on permittee's vehicles; and who shall maintain a public list of commercial leaf blower operators who hold a valid permit under this section. The commissioner may set a reasonable fee for such permit. Such application form shall require the name and telephone number of a contact and shall require the applicant to certify under pains and penalties of perjury that they have read and understand this ordinance pertaining to leaf blower restrictions, and that they will inform all employees of the restrictions. If a violation of any leaf blower restriction under this ordinance is committed by an employee or agent of and while performing work for said commercial leaf blower operator, the commercial leaf blower operator shall be responsible for the violation and the employee or agent shall not be individually liable.
 - B. A commercial leaf blower operator shall ensure that its name, address, telephone number and its commercial leaf blower permit number are clearly visible on any vehicle it uses to conduct business in Newton.
 - C. In addition to the penalties set forth in sections (k) and (m) below, the permit of any commercial leaf blower operator who has received two or more notices of violation of leaf blower restrictions by it or its employees or agents in a 12-month period shall be suspended for a period of sixty days. The permit of any commercial leaf blower operator whose permit has been suspended two times shall be revoked, and the operator shall be ineligible for a permit for a period of one year. The operator's name shall be removed from the public list during any period of suspension or revocation. The penalty for operating a leaf blower without a commercial operator permit shall be \$300.00.
 - D. The commissioner of inspectional services may promulgate rules and regulations to

implement this section.

(i) *Permits for exemptions from this ordinance and for extensions of time to comply with this ordinance.*

- (1) The mayor or his designee may grant a permit for any activity otherwise forbidden by the provisions of this ordinance upon a determination by the mayor or his designee that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account: (i) the extent of noise pollution caused by not requiring such compliance; and (ii) whether reasonable efforts have been made to abate the noise. The mayor or his designee shall establish appropriate procedures for the processing of requests for such permits, including such hearings as the mayor or his designee deems appropriate. In granting any such permit, the mayor or his designee may impose such appropriate conditions as he deems necessary pursuant to this section. Copies of all such permits shall be filed with the clerk of the city council promptly after issuance. Promptly after issuance, copies of all such permits shall be filed with the clerk of the city council and to each ward city councilor for the affected ward.
- (2) The mayor or his designee may extend to a specified date the time for compliance with this ordinance in the case of any particular activity with respect to which a determination is made that such extension is necessary to provide a reasonable opportunity for such activity to be brought into compliance. No such extension shall be granted which has the effect of exempting such activity from compliance with this ordinance. The mayor or his designee shall establish appropriate procedures for the processing of requests for such extensions of time, including such hearings as the mayor or his designee deems appropriate.

(j) *Judicial Review.* Any person aggrieved by the grant of denial of a permit pursuant to subsection (i)(1) or an extension of time pursuant to subsection (i)(2), or a suspension or revocation of a commercial leaf blower operator permit pursuant to subsection (h)(7) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

(k) *Penalties.* Violation of any of the provisions of this section shall constitute a misdemeanor and any person, upon conviction of such violation, shall be fined an amount not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall be considered to be a separate offense.

(l) *Enforcement.* The Newton Police Department and the Inspectional Services Department shall be responsible for enforcement of this ordinance. Each department shall document the disposition of all complaints by written report available to the public. The written report shall clearly indicate whether the complaint resulted in a warning or fine. If a warning or fine was not issued for a complaint, the responding city employee shall clearly indicate the reason.

(m) *Non-criminal disposition.* In addition to the penalties set forth in subsection (k), where non-criminal disposition of specified sections of this ordinance by civil fine has been provided for in sections 17-22 and 17-23 of the Revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, sec. 21D, said violations may be enforced in the manner provided in such statute. The civil penalty for each such violation is set out in Sections 17-23(c) and 17-23(d).

(n) In the event the person in violation of section 20-13(h) pertaining to leaf blower use is a commercial leaf blower operator, the property owner shall be notified of the violation and of any warning or other enforcement issued to the operator.

(o) *Severability.* If any provision(s) of this ordinance or the application of such provision(s) to any person or circumstances shall be held invalid, the validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby. (Ord. No. R-331, 6-20-83; Ord. No. T-62, 12-4-89; Ord. No. T-200, 12-16-91; Ord. No. V-286, 3-6-00; Ord. Z-32, 7-14-08; Ord. No. Z-78, 02-22-11; Ord. No. Z-104, 04-02-12; Ord. No. A-100, 01-17-17; Ord. No. B-53, 03-02-20; Ord. No. B-74, 05-17-21)

Cross reference—Sounding warning devices on motor vehicles, § 19-72; noise by hawkers and peddlers, § 20-75.

Record No	Date Paid	Name of Company	Doing Business As (DBA)	Company address	Company City	Amount	Suspension No 1 (60 days)	Suspension No 2 (one year)
LBR-24-83	3/18/2024	Newton Wellesley Landscaping		90 Rice Street	Wellesley	56	FALSE	FALSE
LBR-24-82	3/18/2024	Martinez Landscaping & Design LLC		302 Eustis Street	Roxbury	56	FALSE	FALSE
LBR-24-81	3/18/2024	AC Landscaping		108B Prospect Hill Road	Waltham	54	FALSE	FALSE
LBR-24-80	3/18/2024	The Narrow Lane Company LLC		78 Fremont Street	Needham	74	FALSE	FALSE
LBR-24-78	3/18/2024	Frank Decastro's Landscaping		319 Maple Ave	Swansea	58	FALSE	FALSE
LBR-24-77	3/18/2024	Espindola Landscape		18 Stearns Street	Waltham	60	FALSE	FALSE
LBR-24-75	3/18/2024	Twinbrook Landscaping		286 River Street	West Newton	62	FALSE	FALSE
LBR-24-74	3/18/2024	Green Landscape Services LLC		121 Rockland Street, #3	Dedham	56	FALSE	FALSE
LBR-24-72	3/18/2024	C-R Landscaping LLC		23 Underwood Park	Waltham	58	FALSE	FALSE
LBR-24-71	3/18/2024	J Luna Landscaping Services		13 Williams Street	Waltham	56	FALSE	FALSE
LBR-24-68	3/15/2024	Venuto Landscaping Inc.	Nick's Landscaping	66 Spring Valley Road	Belmont	66	FALSE	FALSE
LBR-24-67	3/18/2024	Phil Mastroianni Corp		17 Fountain Street	Waltham	62	FALSE	FALSE
LBR-24-66	3/15/2024	Iemmello LLC		141 Webster Street	Newton	62	FALSE	FALSE
LBR-24-65	3/17/2024	Crispin's Landscaping Inc.		171 Prospect Street	Ashland	54	FALSE	FALSE
LBR-24-64	3/14/2024	Greenstamp co.	Greenstamp co.	184 Riverview Ave	Waltham	56	FALSE	FALSE
LBR-24-62	3/15/2024	Presidents Landscape & Design, Inc.		62 Arrowwood Drive	Scituate	62	FALSE	FALSE
LBR-24-61	3/14/2024	Horgan Enterprises		10 S. Waverly Street	Brighton	60	FALSE	FALSE
LBR-24-60	3/14/2024	Tony Landscaping	Tony Landscaping	31 Fountain Street	Framingham	56	FALSE	FALSE
LBR-24-58	3/15/2024	Salvucci Landscape and Construction and son	Salvucci Landscape and Construction and son	PO Box 600-233	Newtonville	56	FALSE	FALSE
LBR-24-57	3/14/2024	Greenspan Landscaping, LLC		393 Fuller Street	Newton	56	FALSE	FALSE
LBR-24-56	3/14/2024	Nicolazzo Bros Landscape Corp		P.O. Box 650205	Newton	58	FALSE	FALSE
LBR-24-55	3/13/2024	Tony Mastroianni Landscaping		36 Adams Ave	Newton	60	FALSE	FALSE
LBR-24-54	3/14/2024	hp landscape	hp landscape	10 Hawthorne Street	Everett	54	FALSE	FALSE
LBR-24-53	3/13/2024	John Nicolazzo and Son Landscaping LLC		39 Emerson Road, Unit 160	Waltham	54	FALSE	FALSE
LBR-24-52	3/13/2024	Gladstone Landscaping Inc	Jim's Landscaping	1150 Great Plain Ave #920814	Needham	68	FALSE	FALSE
LBR-24-59	3/14/2024	E & V Landscape Construction		21 Walnut Street	Hudson	54	FALSE	FALSE
LBR-24-51	3/15/2024	GCC Landscaping & Masonry LLC		36 Greenbriar Road	Brockton	52	FALSE	FALSE
LBR-24-50	3/13/2024	E. Reyes Landscape and Construction		123 Prospect Street	Waltham	54	FALSE	FALSE
LBR-24-49	3/16/2024	Sherzi & Company, LLC		1 Cottage Road	Andover	52	FALSE	FALSE
LBR-24-48	3/13/2024	Cedrone Landscape Co.		215 Pearl Street	Newton	54	FALSE	FALSE
LBR-24-47	3/12/2024	Sudbury Design Group		740 Boston Post Road	Sudbury	56	FALSE	FALSE
LBR-24-46	3/12/2024	RZ Landscape Gardener Corp		241 Waverley Ave	Watertown	60	FALSE	FALSE
LBR-24-45	3/11/2024	Rubino Landscaping		14 Mague Place	Newton	60	FALSE	FALSE
LBR-24-44	3/14/2024	Mariani Enterprises	NatureWorks Landscape Services	1660 Main Street	Walpole	70	FALSE	FALSE
LBR-24-43	3/11/2024	Angelo Caruso Landscape		49 Old Marlboro Road	Maynard	56	FALSE	FALSE
LBR-24-42	3/11/2024	Luis Moniz Landscaping LLC		35 Kilronan Park	Walpole	60	FALSE	FALSE
LBR-24-41	3/11/2024	Michael S. Coffin LLC		85 Main Street	Hopkinton	100	FALSE	FALSE
LBR-24-40	3/8/2024	a Blade of Grass Inc		9 Old County Road	Sudbury	190	FALSE	FALSE
LBR-24-39	3/8/2024	YP Landscape and Construction Corporation		P.O. Box 541026	Waltham	64	FALSE	FALSE
LBR-24-38	3/8/2024	Butera Nicholas J General Part	Leo Butera and Sons	126 Adams Ave	Newton	62	FALSE	FALSE
LBR-24-37	3/8/2024	Jewett Landscape Corp		17 Shamrock Street	Newton	70	FALSE	FALSE
LBR-24-35	3/8/2024	LeBrun & Sons Landscape Construction		4 Glendale Road	Hudson	54	FALSE	FALSE
LBR-24-34	3/9/2024	Bruno Paola Landscaping	Bruno Paola Landscaping	62 Stuart Street	Watertown	52	FALSE	FALSE
LBR-24-33	3/8/2024	Nguyen Ho		10 Briarwood Road	Framingham	54	FALSE	FALSE
LBR-24-30	3/7/2024	Leone Landscape Contractors Corp		18 Eliot Ave	Newton	70	FALSE	FALSE
LBR-24-29	3/7/2024	Belmont Landscape LLC		43 Charles Street, Ste 4	Needham Heights	78	FALSE	FALSE
LBR-24-28	3/7/2024	Boteo Landscaping Corp.		23 Lohnes Road	Framingham	56	FALSE	FALSE
LBR-24-27	3/12/2024	Cosco Landscape LLC		16 Cottage Street	Watertown	54	FALSE	FALSE
LBR-24-26	3/13/2024	Stoneforms		41 Richwood Street	Framingham	68	FALSE	FALSE
LBR-24-25	3/6/2024	Ciro Carbone and Sons Inc		12 Anthony Circle	Newtonville	84	FALSE	FALSE
LBR-24-24	3/6/2024	Desou Landscaping Inc		145 Ridge Road	Revere	54	FALSE	FALSE
LBR-24-23	3/5/2024	Fiorentino's Cheapscapes	Landscaper	4 Morse Street	Watertown	54	FALSE	FALSE
LBR-24-22	3/5/2024	Victor Lopez Landscape		153 Calvary Street	Waltham	56	FALSE	FALSE
LBR-24-21	3/5/2024	Guerra Landscaping LLC	Guerra Landscaping LLC	43 Loomis Ave	Watertown	54	FALSE	FALSE
LBR-24-20	3/7/2024	Lamacchia Landscape Construction		97 Adams Street	Newton	74	FALSE	FALSE
LBR-24-19	3/12/2024	Moises Ramirez Landscaping Inc	Landscaping	9 Fiske Street,#1	Waltham	56	FALSE	FALSE

LBR-24-18	3/5/2024 J&L Greenscaping Inc.		275 Dean Street	Raynham	60	FALSE	FALSE
LBR-24-17	3/5/2024 SEL Landscaping	Landscaping	85 Overland Road, #1	Waltham	56	FALSE	FALSE
LBR-24-16	3/12/2024 D&S Landscaping & Excavating, Inc.		498 Pleasant Street	Watertown	60	FALSE	FALSE
LBR-24-14	3/4/2024 Lenny Deluca's Landscaping		92 Albert Road	Newton	56	FALSE	FALSE
LBR-24-13	3/6/2024 Lopez Landscape	Corporation	12 Cutting Lane	Waltham	58	FALSE	FALSE
LBR-24-15	3/11/2024 Cairra Landscaping Corp		37 Whitcomb Street	Waltham	56	FALSE	FALSE
LBR-24-12	3/6/2024 ZEN Associates Inc.		10 Micro Drive	Woburn	70	FALSE	FALSE
LBR-24-11	3/4/2024 Tony Perri Landscaping Co. Inc.		309 Cherry Street	West Newton	58	FALSE	FALSE
LBR-24-10	3/5/2024 Mike Butera Landscape, LLC.	Mike Butera Landscape, LLC.	534 South Ave	Weston	62	FALSE	FALSE
LBR-24-9	3/4/2024 Jon Sneider Corporation		18 Sevland Road	Newton	52	FALSE	FALSE
LBR-24-8	3/4/2024 Sunscapes Landscaping Inc.		22 Spring Street	Dartmouth	54	FALSE	FALSE
LBR-24-7	3/4/2024 E. Recinos Landscape & Masonry Inc.		1 Coolidge Place, #803	Clinton	54	FALSE	FALSE
LBR-24-6	3/4/2024 Chea's Landscaping		30 Swanson Road	Framingham	54	FALSE	FALSE
LBR-24-5	3/4/2024 Greener Gardens Landscaping Inc		162 Summer Street, Apt. 5	Waltham	54	FALSE	FALSE
LBR-24-4	3/1/2024 BP Landscaping Corp.		246 Calvary Street	Waltham	56	FALSE	FALSE
LBR-24-3	3/15/2024 Edvin's Landscaping Inc		7 Cuba Street	Watertown	58	FALSE	FALSE
LBR-24-2	3/1/2024 North East Gardening		1094 Main Street	Waltham	66	FALSE	FALSE

LBV-23-193	6/26/2023 29 LOVETT RD, NEWTON CENTRE, MA 02459	Gigliotti Landscaping	Jon Sneider Corporation	Yes
LBV-23-192	6/26/2023 15 VINE ST, CHESTNUT HILL, MA 02467	Molina		Yes
LBV-23-191	6/24/2023 55 STANIFORD ST, AUBURNDALE, MA 02466	Iodice Landscaping		Yes
LBV-23-190	6/24/2023 103 RANDLETT PK, WEST NEWTON, MA 02465	N.D. Landscaping, Inc.		Yes
LBV-23-189	6/24/2023 173 OAK ST, Unit 205W, NEWTON UPPER FALLS, MA 02464	R Z Landscape Gardener	ND Landscape Services	Yes
LBV-23-188	6/21/2023 52 PURITAN RD, NEWTON HIGHLANDS, MA 02461	Roger Landscape		Yes
LBV-23-187	6/21/2023 34 SOMERSET RD, WEST NEWTON, MA 02465	Pecorella Landscaping		No
LBV-23-186	6/21/2023 114 TEMPLE ST, WEST NEWTON, MA 02465	Dominic Butera landscaping		No
LBV-23-185	6/21/2023 76 GARLAND RD, NEWTON CENTRE, MA 02459	J&E Landscape		Yes
LBV-23-184	6/21/2023 63 GARLAND RD, NEWTON CENTRE, MA 02459	Iodice Landscaping		300 No
LBV-23-183	6/21/2023 390 DEDHAM ST, NEWTON CENTRE, MA 02459	StoneServices Inc.		Yes
LBV-23-182	6/21/2023 83 OAK HILL ST, NEWTON CENTRE, MA 02459	Victor Boteo	Victor's Landscaping	600 No
LBV-23-181	6/21/2023 77 DORCAR RD, NEWTON CENTRE, MA 02459	Cheas' Landscaping		600 No
LBV-23-180	6/21/2023 52 AUDUBON DR, CHESTNUT HILL, MA 02467	GV Landscaping and Construction		Yes
LBV-23-179	6/20/2023 2 ST MARY'S ST, NEWTON LOWER FALLS, MA 02462	Flores Landscaping Cooperation		No
LBV-23-178	6/20/2023 14-16 CARTHAY CIR, Unit 14, NEWTON HIGHLANDS, MA 02461	Post Road Landscape Inc.		No
LBV-23-177	6/20/2023 17 PAUL ST, NEWTON CENTRE, MA 02459	Organic Soil Solutions		300 No
LBV-23-176	6/20/2023 450 WAVERLEY AVE, NEWTON CENTRE, MA 02459	Bilotta Landscape, Inc.		Yes
LBV-23-175	6/20/2023 39 CLEMENTS RD, NEWTON, MA 02458	Briamonte Landscaping		Yes
LBV-23-174	6/20/2023 55 OAK HILL ST, NEWTON CENTRE, MA 02459	J Luna Landscaping Services		300 No
LBV-23-173	6/16/2023 37 DORCAR RD, CHESTNUT HILL, MA 02467	A&L Landscaping Inc		300 No
LBV-23-172	6/16/2023 710 COMMONWEALTH AVE, NEWTON CENTRE, MA 02459	D. MUZZIOLI Associates Landscaping		No
LBV-23-171	6/15/2023 374 HOMER ST, NEWTON CENTRE, MA 02459	A. Bonadio & Sons Inc.		0 No
LBV-23-170	6/14/2023 276 HIGHLAND ST, WEST NEWTON, MA 02465	Crispin Landscaping Inc.		300 No
LBV-23-169	6/14/2023 103 JACKSON ST, NEWTON CENTRE, MA 02459	Crispin Landscaping Inc.		Yes
LBV-23-168	6/14/2023 74 BROKEN TREE RD, NEWTON CENTRE, MA 02459	Thomas Proia Landscape		300 No
LBV-23-167	6/14/2023 1958 BEACON ST, WABAN, MA 02468	Corrado Landscaping CO		300 No
LBV-23-166	6/12/2023 208-210 EVELYN RD, Unit 208, WABAN, MA 02468	Tony Perri Landscaping Co. Inc.		Yes
LBV-23-165	6/12/2023 229 WOODCLIFF RD, NEWTON HIGHLANDS, MA 02461	New England Landscape		No
LBV-23-164	6/12/2023 66 BERKELEY ST, WEST NEWTON, MA 02465	Mike Butera Landscape, LLC.		Yes
LBV-23-163	6/12/2023 273 OTIS ST, WEST NEWTON, MA 02465	Domingo Niclazzzo		Yes
LBV-23-162	6/8/2023 76 COTTON ST, NEWTON, MA 02458	Yerardi Landscaping		300 No
LBV-23-161	6/8/2023 40 HAMPSHIRE ST, WEST NEWTON, MA 02465	Jewett Landscape Corporation	4 Seasons Services	Yes
LBV-23-160	6/6/2023 63 AVONDALE RD, NEWTON CENTRE, MA 02459	Vincent Mastroianni Landscaping LLC		600 No
LBV-23-159	6/6/2023 11 MOSLEY RD, NEWTON CENTRE, MA 02459	Outdoor Maintenance Company		Yes
LBV-23-158	6/6/2023 15 MALIBAR LN, NEWTON CENTRE, MA 02459	Rahalls Landscaping		300 No
LBV-23-157	6/6/2023 20 OLD FARM RD, NEWTON CENTRE, MA 02459	Rahalls Landscaping		900 No
LBV-23-156	6/6/2023 20 OLD FARM RD, NEWTON CENTRE, MA 02459	Jason Albano Lawn Care		300 No
LBV-23-155	6/5/2023 148 BELLEVUE ST, NEWTON, MA 02458	Lima Landscaping Inc.		600 No
LBV-23-154	6/5/2023 69-71 WABAN PK, Unit MAIN, NEWTON, MA 02458	Riverside Services		600 No
LBV-23-153	6/5/2023 210 NAFANTON ST, Unit 210, NEWTON CENTRE, MA 02459	Mariano Landscaping		600 No
LBV-23-152	6/5/2023 15 FARLOW RD, NEWTON, MA 02458	Leoni Landscape Contractors Corp.		Yes
LBV-23-151	6/5/2023 115-117 FARWELL ST, NEWTONVILLE, MA 02460	J. Mosca Landscaping & Design		Yes
LBV-23-150	6/5/2023 159 NEHOIEND RD, WABAN, MA 02468	Phillip Jepsen & Sons Inc.		Yes
LBV-23-149	6/5/2023 47 WAYNE RD, NEWTON CENTRE, MA 02459	Oscorio Brothers Landscaping		Yes
LBV-23-148	6/2/2023 1684 COMMONWEALTH AVE, WEST NEWTON, MA 02465	Oscorio Brothers Landscaping		300 No
LBV-23-147	6/2/2023 1684 COMMONWEALTH AVE, WEST NEWTON, MA 02465	Butera Nicholas J Gen PTR	Leo Butera and Sons	600 No
LBV-23-146	6/2/2023 111 ADAMS AVE, WEST NEWTON, MA 02465	Martinez Landscaping & Design LLC.		600 No
LBV-23-145	5/31/2023 149 UPLAND AVE, NEWTON HIGHLANDS, MA 02461	Boston's Landscaping and Lawn Specialists		No
LBV-23-144	5/31/2023 29 SPAULDING LN, NEWTON CENTRE, MA 02459	Frank DiMuro Landscaping		900 No
LBV-23-143	5/31/2023 17 HARRIS CREEK ST, CHESTNUT HILL, MA 02467	Organic Soil Solutions		Yes
LBV-23-142	5/31/2023 450 WAVERLEY AVE, NEWTON CENTRE, MA 02459	Espinolda Landscape		No
LBV-23-141	5/31/2023 22 CABOT ST, NEWTON, MA 02458	Rubinos Landscaping		300 No
LBV-23-140	5/31/2023 36 BRACKETT RD, NEWTON, MA 02458	Lamachia Landscape Construction		600 No
LBV-23-139	5/30/2023 52 CLYDE ST, NEWTONVILLE, MA 02460	Osorio Landscaping Corp.		0 No
LBV-23-138	5/30/2023 11 MOSLEY RD, NEWTON CENTRE, MA 02459	SI Landscape		600 No
LBV-23-137	5/30/2023 1188 CENTER ST, NEWTON CENTRE, MA 02459	Butera Nicholas J Gen PTR	Leo Butera and Sons	600 No
LBV-23-136	5/30/2023 21 PARK AVE, NEWTON, MA 02458	Gigliotti Landscaping		Yes
LBV-23-135	5/30/2023 21 LOVETT RD, NEWTON CENTRE, MA 02459	Raso Landscape Construction		Yes
LBV-23-134	5/26/2023 29 WABAN AVE, WABAN, MA 02468	Joseph Raso		Yes
LBV-23-133	5/26/2023 212-214 DERBY ST, WEST NEWTON, MA 02465	Rafael Landscaping Inc.		No
LBV-23-132	5/26/2023 5 BENCLIFFE CIR, AUBURNDALE, MA 02466	ES Landscaping LLC		300 No
LBV-23-130	5/24/2023 185 PRINCE ST, WEST NEWTON, MA 02465	RP Marzilli		Yes
LBV-23-129	5/24/2023 142 HOMER ST, NEWTON CENTRE, MA 02459	North Landscaping Corp.		Yes
LBV-23-128	5/24/2023 81 SHEFFIELD RD, NEWTONVILLE, MA 02460	Maya Landscape		600 No
LBV-23-127	5/24/2023 25 BYRD AVE, WEST NEWTON, MA 02465	Pat Torcasio Contractors LLC		300 No
LBV-23-126	5/24/2023 49 ST MARY'S ST, NEWTON LOWER FALLS, MA 02462	Butera Nicholas J Gen PTR	Leo Butera and Sons	Yes
LBV-23-125	5/24/2023 48 MARSHALL ST, NEWTON CENTRE, MA 02459	Greenspan Landscaping LLC		Yes
LBV-23-124	5/24/2023 216 HIGHLAND ST, WEST NEWTON, MA 02465	Tony Mastroianni Landscaping		300 No
LBV-23-123	5/24/2023 167 NEHOIEND RD, WABAN, MA 02468	J. Mosca Landscaping & Design		Yes
LBV-23-122	5/24/2023 68 OLD FARM RD, NEWTON CENTRE, MA 02459	PD Gardening Inc.		300 No
LBV-23-121	5/24/2023 4 HIGH ROCK TER, CHESTNUT HILL, MA 02467	Ches'a Landscaping		Yes
LBV-23-120	5/22/2023 532 PARKER ST, NEWTON CENTRE, MA 02459	K&S Landscape Co.		600 No
LBV-23-119	5/22/2023 291 OTIS ST, WEST NEWTON, MA 02458	Vincent Mastroianni Landscaping LLC		Yes
LBV-23-118	5/22/2023 239 WALTHAM ST, WEST NEWTON, MA 02465	JLM Landscape Design, LLC		No
LBV-23-117	5/22/2023 215 FARLOW RD, NEWTON, MA 02458	Mariano Landscaping		Yes
LBV-23-116	5/22/2023 346 CABOT ST, NEWTONVILLE, MA 02460	Newton Landscape Inc.		600 No
LBV-23-115	5/22/2023 458 CHESTNUT ST, WABAN, MA 02468	Mike Butera Landscape, LLC.	Leo Butera and Sons	Yes
LBV-23-114	5/22/2023 100 VINE ST, CHESTNUT HILL, MA 02467	Butera Nicholas J Gen PTR		Yes
LBV-23-113	5/22/2023 300 NEEDHAM ST, NEWTON UPPER FALLS, MA 02464	Bay State Lawn & Landscape Company, Inc.		Yes
LBV-23-112	5/19/2023 131 OLD FARM RD, NEWTON CENTRE, MA 02459	Twins Landscaping		Yes
LBV-23-111	5/19/2023 71 SHARPE RD, NEWTON CENTRE, MA 02459	Star Grounds		No
LBV-23-110	5/19/2023 64 EVELYN RD, WABAN, MA 02468	E Recinos Landscape and Masonry Inc.		Yes
LBV-23-109	5/19/2023 62 PRINCE ST, WEST NEWTON, MA 02465	Nicola Paola	NP Landscaping	Yes
LBV-23-108	5/19/2023 44 SYLVAN AVE, WEST NEWTON, MA 02465	Phil Mastroianni Corp.		300 No
LBV-23-107	5/16/2023 1917-1919 COMMONWEALTH AVE, AUBURNDALE, MA 02466	Luis Moniz Landscaping LLC		Yes
LBV-23-106	5/16/2023 1701 COMMONWEALTH AVE, WEST NEWTON, MA 02465	Souza Landscape and Irrigation		No
LBV-23-105	5/16/2023 774 COMMONWEALTH AVE, NEWTON CENTRE, MA 02459	Tony Mastroianni Landscaping		300 No
LBV-23-104	5/16/2023 19 HOWARD ST NWC, NEWTON, MA 02458	CH Landscaping INC		Yes
LBV-23-103	5/16/2023 23 SYLVESTER RD, WEST NEWTON, MA 02465	Nicolazzo & Sons Landscape LLC		300 No
		Cheas' Landscaping		Yes

LBV-23-9	3/29/2023 301 HOMER ST, NEWTON CENTRE, MA 02459	Cullins Service Landscaping	Unregistered 20-13(h)(7)	Warning	Over 65 db 20-13(h)(3)(c)	Warning	0 No
LBV-23-8	3/29/2023 363 HIGHLAND ST, WEST NEWTON, MA 02465	Ieraci Landscaping Inc.	Unregistered 20-13(h)(7)	\$300	Over 65 db 20-13(h)(3)(c)	\$300	600 No
LBV-23-6	3/29/2023 21-23 WINCHESTER RD, NEWTON, MA 02458	Tony Perri Landscaping Co. Inc.					Yes
LBV-23-5	3/29/2023 151 BEAUMONT AVE, NEWTONVILLE, MA 02460	Espinola Landscape					0 Yes
LBV-23-7	3/29/2023 102 WABAN AVE, WABAN, MA 02468	Cedrone Landscape	Over 65 db 20-13(h)(3)(c)	\$300			300 No
LBV-23-4	3/27/2023 88 WISWALL RD, NEWTON CENTRE, MA 02459	Iodice Landscaping	Unregistered 20-13(h)(7)	\$300			300 No
LBV-23-3	3/27/2023 399 HAMMOND ST, CHESTNUT HILL, MA 02467	Michael Coffin LLC	Over 65 db 20-13(h)(3)(c)	\$300			300 No
LBV-23-2	3/27/2023 1897 BEACON ST, WABAN, MA 02468	Molina	Unregistered 20-13(h)(7)	Warning	Over 65 db 20-13(h)(3)(c)	Warning	0 No
LBV-23-1	3/27/2023 120 SUMNER ST, NEWTON CENTRE, MA 02459	Brothers Landscaping Ltd	Unregistered 20-13(h)(7)	Warning	Over 65 db 20-13(h)(3)(c)	Warning	0 No

Company Name	Total Violation Fee
3 Brothers Landscaping	
365 Landscaping	400
A Blade of Grass	1000
A GARCIA LANDSCAPING LLC	
A Merida Landscaping Inc.	
A Yard And A Half Landscape Cooperative Inc	
A Yard And A Half Landscaping	
A&D Landscape Corp.	300
A&L Landscaping Inc	
A. Bonadio & Sons Inc.	300
A. Bonadio and Sons Inc.	
A.Caruso & sons landscaping	300
AC Landscaping	300
AcuriX Landscape Construction	
AD & Nelson Landscaping Services	
Albertos Landscape Inc.	
Albino Carouso Garden	
Albino Caruso Garden	
ANGEL LANDSCAPING TREE SERVICE	
Angelo Caruso Landscape	
Antonio Bianchi Landscaping	0
ATL Contractors LLC	1200
Atlantic Construction and Property Management	
Bay State Lawn & Landscape Company, Inc.	900
BeautyScapes of New England	300
Belmont Landscape LLC	
Berti Landscape & Construction	
Bilotta Landscape, Inc	300
Boston's Landscaping and Lawn Specialists	900
Boteo Landscaping Corp	
BP LANDSCAPING	300
BP Landscaping	
Briamonte Landscaping	
Brothers Landscaping Ltd	0
Bruno Paola Landscaping	
Butera Nicholas J Gen PTR	600
Cade Hamburger Landscaping	300
Caira Landscaping Corp.	300
Cardona Brothers Landscaping Inc	300
Cardona Landscaping & Construction Services	
Carlos Caruso Landscaping	
Cataldo Landscape	300
Cedrone Landscape	1200
Cerra Landscaping	
CH Landscaping INC	
Chea's Landscaping	

Cinto Landscaping and Construction LLC	300
Ciro Carbone and Sons Inc.	400
Coakley Landscape Co.	400
Cobb Landscaping	
Corrado Landscaping CO	1200
C-R landscaping LLC	
Crispen Landscaping Inc.	
Crispin Landscaping Inc.	600
Cullins Service Landscaping	300
D SCHUMACHER LANDSCAPING INC.	
D&S Landscaping & Excavating, Inc.	600
D. Muzzioli Associates	300
D. MUZZIOLI Associates Landscaping	0
Danny's Landscaping	0
David Sauro Landscaping Inc.	
David Sauro landscaping Inc.	300
DESOU Landscaping Inc.	
DGS landscape	
DiMatteo Landscaping Inc.	300
DLCF LLC	
DMR Landscaping	
Domingo Nicolazzo	
Domingo Nicolazzo Landscape	
Dominic Butera Landscaping	300
Dominic Butera landscaping	
Dr. Green Thumb	300
Dr. Green Thumb Landscaping	300
DS WERKS INC	
E Godoy landscaping	0
E Recinos landscape and Masonary Inc.	
E S Landscaping LLC	300
E&M Landscape and Construction	
E. Recinos Landscape & Masonry Inc.	300
E. Reyes Landscape & Construction	
Earthworx	
Eaton Horticultural Landscape Inc.	300
Echo Bridge Landscaping	
Edilberto Guevara DePaz	
Edvin's Landscaping Inc	
Edvin's Landscaping INC	
EL ALAMO LANDSCAPING	
EM Landscaping Service	300
ES Landscaping LLC	300
Espindola Landscape	300
F & R Leone Inc.	300
Fajardo Landscaping & Construction	
Faria Landscaping, Inc.	

Flores Landscaping Cooperation	
Fragale & Sons Landscaping	600
Fragale and Sons Landscaping	1200
Francisco Caruso Landscaping	
Frank Albano Lawn Care Service	1200
Frank DeCastro Landscaping	
Frank Decastro's Landscaping	
Frank Graziano Landscaping	300
fresh start landscaping	
Fuerte Landscaping and Stone Work	
GARDENS BY THE YARD	
Garrick Santo Landscaping	
GCC Landscaping and Masonry LLC	300
Gigliotti Landscaping	
Gilliam and Sons Landscaping	300
Glenn A. Pacheco Landscaping, Inc.	
Gold Landscaping Service	
GREEN GARDNER INC	300
Green Landscape Services LLC	
Green Landscaping Corp	600
Green Landscaping Corporation	
Greener Gardens Landscaping Inc.	600
Greenspan Landscaping LLC	
Guerra Landscaping	
Guerrera Landscaping	0
GV Landscaping and Construction	
Hector Coscione Landscape	300
Hector's Landscape	
Herrera Landscape	
Ieraci Landscaping Inc.	4200
Indorato Property Services	
Iodice Landscaping	
Iodice Landscaping	300
J Luna Landscaping Services	600
J Rubino Landscaping	300
J&E Landscape	600
J&L Greenscaping Inc	300
J&L Greenscaping Inc.	600
J. Mosca Landscaping & Design	600
Jason Albano Lawn Care	900
Jesse C Caruso Landscaping LLC	
Jesse Smolak Landscape	
Jewett Landscape Corporation	300
JLM Landscape Design, LLC	1200
JO Landscaping	
Jon Sneider Corporation	
Joseph Raso	900

Joshua Landscaping	
Juan Carlos Caruso Landscaping	300
K&S Landscape Co.	1800
Keep It Green	
KEI Keating, Enterprises, Inc.	300
Kelstrom Inc.	300
KRC	0
L & L landscaping	
L&J Landscaping and Maintenance Inc.	300
Labate Landscaping	600
Laliberte Landscape	2100
Lamacchia Landscape Construction	0
Lammello LLC	
Land Design Associates	
Landscape Collaborative, Inc.	
LeBrun & Sons Landscape Construction	900
Leo Butera	900
Leo Butera & Son Landscaping, Inc.	
Leonard Deluca Landscaping	
Leonard DeLuca Landscaping	
Leone Landscape Contractors Corp.	1200
Lima Landscaping Inc.	900
Lopez Landscaping Services Corp.	300
Luis Moniz Landscaping LLC	2100
Luis Pineda Landscaping	300
Lynch Landscape & Tree Service, Inc.	0
M&G Lawn and Landscaping	
Mariani Enterprise	900
Mariano Landscaping	900
Mario Carbone Landscaping, Inc.	
Mario Landscaping Corp.	
Martinez Landscaping & Design LLC.	
Maya Landscape	600
MCO Landscaping & Construction Corp.	300
Medina Tree Services	
Metro West Landscape and Design Co.	
Michael Coffin LLC	300
Mike Butera Landscape, LLC.	
Millstone Landscaping	
Molina	0
Monroy Brothers	0
MV and Sons Enterprises	
N Caruso Landscaping	
N.D. Landscaping, Inc.	300
Natural Lawn of America	
Nature Bound Landscaping	
NatureWorks Landscape	

Nazario's Landscaping and Construction	
New England Landscape	
Newton Landscape Co	300
newton landscape co	900
Newton Landscape Inc.	1200
Newton Wellesley Landscaping	600
Nicola Paola	300
Nicolazzo & Sons Landscape LLC	1200
Nicolazzo Bros Landscape Corp	
North East Gardening	300
North Landscaping Corp.	900
O & A Mariano Landscaping, Inc.	
OAC LANDSCAPING, LLC	300
Oak Landscaping	
Omar F Landscaping	600
Organic Soil Solutions	
Orrego Landscape	300
Oscars Landscaping	300
Oscar's Landscaping	1800
Osorio and Son Landscape Corp.	1200
Osorio Brothers Landscaping	1500
Osorio Landscaping Corp.	1200
Outdoor Maintenance Co	400
Outdoor Maintenance Company	900
Padilla Landscape & Construction	300
Paradise Landscaping	600
Pat Torcasio Contractors LLC	300
Patrick Thynne Landscaping	
PD Gardening Inc.	600
Pecorella Landscaping	
Petra Landscape	
Phil Mastroianni Corp.	1500
PHILIP JEPSEN & SONS INC	400
Philip Jepsen & Sons Inc	
Philip Jepson & Sons Inc.	
Phillip Jepsen & Sons Inc.	
Post Road Landscape Inc.	1500
Professional Service	400
R & D landscaping Inc.	
R Antonio Acuri & Sons	
R Z Landscape Gardener	300
R&S Landscaping	
R&V General Landscaping	
R. Pellegrine & Son Landscaping Co.	300
R. Pellegrine and Son Landscaping Co.	0
Rafael Landscaping Inc.	
Rahalls Landscaping	2400

Ramos Landscaping	
Raso Landscape Construction	
Reliable Landscaping	
Renovo's Landscape and Construction INC.	300
Reyes Landscaping Corp.	600
Riverside Services	1200
RM Landscaping	
Rob Cerra Landscape Construction, LLC	
Rob Cerra ILandscape onstruction, LLC	
Robert Rizzo	300
Roger Landscape	
RP Marzilli	
Rubinos Landscaping	1800
Rudy landscaping LLC	
RZ Landscape Gardener	900
S & J Landscape	
S & M Landscaping and Construction Corp	
Saavedra & Sons Landscaping	
Safety Landscaping And Construction Inc	300
Salvucci Landscape Co	1800
Santangelo Landscaping	300
Sasha Landscaping	900
SEL landscaping	600
Sel Landscaping	
SJ Landscape	600
SMS Landscaping Inc.	
Soldevilla Lawn & Landscaping, Inc.	0
Soriano Tree Service	
Souza Landscape and Irrigation	
Star Grounds	
Stefano Torcasio	
Stephen Albano	600
Steve Blair Landscaping	
Stone Ground Landscaping	
Stoneforms Inc.	600
Summerfield	600
Sunscapes Landscaping Inc	900
T T Landscaping	
Tapia Landscaping & Construction	400
Tavarez Landscaping	
TC PRO Cleaning INC	600
The Narrow Lane Company, LLC	600
Thomas Proia Landscape	600
TJ Collins Landscaping	300
TM Doherty	
Tongs Pro Gardening and Landscaping	600
Tony Mastroianni Landscaping	1200

Tony Perri Landscaping Co. Inc.	
Twinbrook Landscaping	600
Twins Landscaping	
Two Brothers Landscaping	0
Unisource Commercial Landscaping	
VÃ-ctor Gonzalez Landscaping Inc.	
Valentin Landscaping and Construction	300
Vanaria Landscaping	
Victor Boteo	900
Victor Lopez Landscaping Inc	
Vincent Mastroianni Landscaping LLC	300
Watertown Landscaping, Inc.	
Yerardi Landscaping	1500
YP Landscape and Construction Corp.	
ZEN Associates	600