

CITY OF NEWTON
IN BOARD OF ALDERMEN
PROGRAMS AND SERVICES COMMITTEE AGENDA

REVISED

WEDNESDAY, JUNE 17, 2015

7:00 PM – Note Early Start Time
Room 211

ITEMS SCHEDULED FOR DISCUSSION:

Chairman’s Note: *Fred Lebow, who served as the Noise Bylaw Committee Chairman for the Town of Brookline, will join the Committee to discuss the process of crafting Brookline’s leaf blower ordinance.*

#31-15 PROGRAMS & SERVICES COMMITTEE proposing an ordinance to limit the use of leafblowers. [01/26/15 @ 2:20PM]

Appointment by His Honor the Mayor

#136-15 SETH BAI, appointed as the Veterans Service Officer, effective May 18, 2015, pursuant to Section 3-3 of the City of Newton Charter. [05/27/15 @ 4:08PM]

Appointment by His Honor the Mayor

#135-15 LISA DADY, appointed as the Director of Historic Newton, effective February 25, 2015, pursuant to Section 3-3 of the City of Newton Charter. [05/27/15 @ 4:08PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#162-15 HIS HONOR THE MAYOR requesting authorization to transfer fifty-nine thousand thirty-two dollars (\$59,032) from Free Cash to the following account in the Parks and Recreation Department to cover costs associated with water, electricity, and repairs to fences damaged in winter storms:

Public Property Repair and Maintenance (0160210-52409).....	\$20,000
Electricity (0160209-5210).....	\$10,000
Water (0160209-5230.....	\$29,032

[06/15/15 @ 3:30 PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a special accommodation, please contact John Lojek, at least two days in advance of the meeting: jlojek@newtonma.gov, or 617-796-1064. For Telecommunications Relay Service dial 711.

A public hearing will be held on the following item:

#9-15(2) WABAN AREA COUNCIL petitioning the Board of Aldermen pursuant to Article 9, Section 9-3 and 9-4, of the City of Newton Charter, to expand the area represented by the Waban Area Council to include:

1. Warren Road (both sides), Kippy Drive (both sides) and 1238-1299 Beacon Street;
2. 75-149 Winslow Road and 73-89 Puritan Road;
3. The portion of the Newton Cemetery Corporation within the area council's catchment area boundaries and the portion of Cold Spring Park that abuts the Newton Highlands Neighborhood Council portion of the Park. [04/24/15@ 12:54PM]

#126-15 ALD. JOHNSON, ALBRIGHT, NORTON AND SCHOOL COMMITTEE MEMBER ALBRIGHT requesting a discussion with the Newton School Department, Newton North High School principal, and the Newton Police Department regarding ways to address the student smoking issue at Newton North High School. [05/11/15 @ 9:30AM]

The Chair will be taking public comment on the following item:

#34-13 ALD. DANBERG, ALBRIGHT, BLAZAR, RICE, LINSKY AND CROSSLEY requesting a prohibition on polystyrene-based disposable food or beverage containers in the City of Newton if that packaging takes place on the premises of food establishments within the City. [01/03/13 @ 11:01 AM]

ITEMS NOT SCHEDULED FOR DISCUSSION:**REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES**

- #140-15 PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or the Executive Department provide updates on the progress of the potential purchase of the Aquinas site as well as short and long term plans for uses and operations at the site. [05/20/15 @8:53 PM]

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

- #141-15 ALD. BROUSAL-GLASER, SANGIOLO, HESS-MAHAN, COTE, NORTON AND ALBRIGHT requesting a discussion with *the Director of Urban Forestry*, a representative of the Department of Public Works and a representative of the Law Department about tracking and improving the condition of the gas utility infrastructure in Newton, new state statutes governing infrastructure repairs, coordination of increased repair work with city operations, the status of negotiations with National Grid to compensate for tree deaths resulting from gas leaks, and the possibility of creating a utilities working group to monitor progress on these and related issues. [05/26/15 @ 2:52 PM]

REFERRED TO PROG. & SERVICES AND ZONING & PLANNING COMMITTEES

- #127-15 ALD. SANGIOLO requesting discussion with Health Department, Inspectional Services Department and the Economic Development Commission regarding the policy of food truck operations in the City of Newton. [05/11/15 @ 10:22AM]
- #31-15(2) THE PROGRAMS & SERVICES COMMITTEE requesting to amend *Chapter 20-13, Noise Control*, relative to time restrictions on the use of yard, garden or grounds maintenance equipment. [03/19/15 @ 12:14PM]

REFERRED TO ZAP, PROG & SERV AND FINANCE COMMITTEES

- #397-13(3) ALD. SANGIOLO AND DANBERG requesting creation of an ordinance to protect trees deemed ~~historie~~ significant by the ~~Historical Commission and the~~ City's Tree Warden with the advice and counsel of the Urban Tree Commission. [05/05/14 @ 4:32 PM]

AMENDED IN PROGRAMS & SERVICES 11/19/14

REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES

- #46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]
- #10-15 ALD. HESS-MAHAN, BAKER, BROUSAL-GLASER, COTE, JOHNSON, SANGIOLO proposing a RESOLUTION requesting the Licensing Commission to adopt a policy requiring all applicants for a license to notify the Aldermen from

the respective ward whenever applicants are required to send legal notice to abutters, public or private schools, churches, synagogues, religious institutions of worship and/or hospitals within 500 feet from the proposed licensed premises regarding their application. [12/29/14 @ 12:17 PM]

- #483-14 PROGRAMS & SERVICES COMMITTEE proposing a RESOLUTION to promote a cooperative program with food establishments in the City, the Newton-Needham Chamber of Commerce, the Economic Development Commission, the Director of Economic Development and members of the Board of Aldermen, to find opportunities for these establishments to provide their food services for events in the City. [12/02/14 @ 3:56PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #464-14 ALD. SANGIOLO requesting discussion with the Department of Veteran's Services and the Executive Department regarding updates on programming at the Newton Senior Center and budgeting for new initiatives.[11/24/14 @ 3:41PM]
- #377-14 THE PROGRAMS & SERVICES COMMITTEE requesting a discussion with the Director of Senior Services, the Council on Aging and the Executive Department relative to changes in the use of the Senior Center at 345 Walnut Street. [10/16/14 @ 5:43PM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #375-14 HIS HONOR THE MAYOR submitting the FY16-FY20 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/15/14 @ 3:01 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #216-14 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLO proposing the following amendments to Chapter 12 Health and Human Services of the Revised Ordinances to:
- require owners of dwellings requiring a Certificate of Habitability under Section 12-1 and real estate agents/brokers who receive compensation in connection with the particular real estate transaction to notify the Commissioner of Health and Human Services whenever an apartment, tenement, or room in a lodging house is vacated by the occupant or when an area in an existing building is converted to a condominium prior to being reoccupied by a new tenant, lodger or occupant;
 - require educational institutions to disclose addresses of undergraduates living off-campus in Newton;
 - require a fee for certification; and
 - impose a fine for violation of these provisions. [05/14/14 @ 11:51 AM]

REFERRED TO PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES

- #119-14 ALD. ALBRIGHT AND CROSSLEY requesting discussion with the Inspectional Services Department to explain the development of short and long term plans to identify and correct buildings, sidewalks, playgrounds, etc., that do not conform

to American Disability Act (ADA) standards. The discussion should include information on how improvements will be incorporated into the Capital Improvement Plan or if less than \$75,000 into a comprehensive budget plan to correct ADA deficiencies. [03/12/14 @ 4:18 PM]

- #59-14 ALD. HESS-MAHAN AND BLAZAR requesting discussion with the Executive Department and the Health Care Advisory Committee concerning plans to implement recommendations contained in the First Report of the Health Care Advisory Committee to control the cost of health insurance while improving or maintaining the quality of care. [02/18/14 @ 6:39 PM]

REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEE

- #402-13 ALD. FULLER, GENTILE, RICE and LINSKY requesting a Home Rule Petition to amend Article 9 of the Charter to clarify that Neighborhood Area Councils shall maintain and control their own financial accounts and records, independent of City finances; and to further clarify that such independent financial accounts and records shall remain subject to City audit. [10/28/13 @ 10:18 AM]
- #398-13 ALD. BAKER & DANBERG requesting a discussion of a possible ordinance, regulations or otherwise, to complement zoning regulation of any licensed Registered Marijuana Dispensaries to respond to any secondary impacts so as to make the operation of such dispensaries as successful as possible. [10/28/13 @ 10:00 AM]

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #257-12 RECODIFICATION COMMITTEE recommending (1) review of the Fees, Civil Fines/Non-Criminal Disposition contained in Chapter 17 LICENSING AND PERMITS GENERALLY and Chapter 20 CIVIL FINES/NON-CRIMINAL DISPOSITION CIVIL FINES to ensure they are in accordance with what is being charged and (2) review of the acceptance of G.L. c. 40 §22F, accepted on July 9, 2001, which allows certain municipal boards and officers to fix reasonable fees for the issuance of certain licenses, permits, or certificates.

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #254-12(3) PROGRAMS & SERVICES COMMITTEE proposing an ordinance to require a fee, charged to consumers, for the use of paper bags at certain retail establishments in the City of Newton. [01/10/14 @ 3:36 pm]
- #229-12 RECODIFICATION COMMITTEE recommending a review and possible amendment to the *Board of Aldermen Rules & Orders 2012-2013* relative to review of draft ordinances by the Law Department.
- #199-13 ALD. JOHNSON AND SANGIOLO requesting an update from the School Committee and School Department regarding the request from the Board of Aldermen to reduce the family cap on activity fees. [05/20/13 @ 11:05 PM]

REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES

#312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10/27/10 @11:07 AM]

Respectfully Submitted,

Amy Mah Sangiolo

For Immediate Release

SUMMARY OF PROPOSED LEAF BLOWER REGULATIONS

In summary, the draft ordinance proposes the following changes to the City's Noise Ordinance:

TIME, DATE AND SEASON RESTRICTIONS

Current allowed use:

Mondays - Fridays from 7am – 8pm

Saturdays, Sundays and legal holidays from 9:30am – 8pm

No seasonal restrictions

Proposed allowed use:

Mondays - Fridays from 8:30am - 5:30pm

Saturdays from 9:30am - 5:30pm

Prohibited on Sundays and legal holidays

Seasonal ban would allow use from March 15 - May 1; and October 15 - December 1 only

DEFINITION OF LEAF BLOWER

Current definition of leaf blower

No definition in current ordinance

Proposed definition of leaf blower

Any portable hand-held or backpack style motorized device, 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, vacuuming, redistributing, or removing dust, dirt, leaves, grass or plant clippings, litter or other debris.

RESTRICTIONS ON TYPES OF LEAF BLOWER EQUIPMENT

Current restrictions on equipment

Decibel level testing is performed to determine if leaf blower is louder than 65dB when complaint is filed.

Proposed restrictions on equipment

Each piece of equipment must meet the following requirements:

- Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;
- Leaf blowers must bear an affixed manufacturer's label indicating the model number of the leaf blower;
- Leaf blowers must bear an affixed manufacturer's label documenting a noise rating of 65 dB(A) or less; and

- Leaf blowers may only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower.

EXEMPTIONS

During times of emergency caused by a storm or other special circumstance, the Mayor may temporarily suspend application of this section for purposes of cleaning up from such storm or other special circumstance.

The current draft DOES NOT provide any other exemptions. Everyone, including the City of Newton and its contractors would be subject to this ordinance except for the Emergency Exemption listed above.

TOTAL BAN TO GO INTO EFFECT JUNE 1, 2018



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

May 27, 2015

David Olson
Clerk of the Board of Aldermen
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
Newton City Clerk
2015 MAY 27 PM 4:08
David A. Olson, CMC
Newton, MA 02459

Dear Mr. Olson:

Pursuant to Section 3-3 of the City Charter, I am pleased to notify you that I have appointed Seth Bai as the Veterans Service Officer for the City. The individual in this position serves as a city department head for Veterans Services. Seth began his work on May 18, 2015. He will act in accordance with all Newton ordinances and Massachusetts General Laws.

I ask that this letter serve as notice to the Board of Aldermen. It is my understanding that the charter stipulates that the appointment goes into effect 30 after the next Board meeting unless a two-thirds majority rejects the appointment. Thank you.

Very truly yours,

Setti D. Warren
Mayor

Cc: Maureen Lemieux, Chief of Staff/CFO
Jeffrey Honig, Interim Director of Human Resources





City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

Telephone
(617) 796-1100

Facsimile
(617) 796-1113

TDD/TTY
(617) 796-1089

E-mail
swarren@newtonma.gov

May 27, 2015

David Olson
Clerk of the Board of Aldermen
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Dear Mr. Olson:

Pursuant to Section 3-3 of the City Charter, I am pleased to notify you that I have appointed Lisa Dady as the Director of Historic Newton. The individual in this position serves as a city department head but is also overseen by the Board of Trustees of Historic Newton. Lisa began her work on February 25, 2015. She will act in accordance with all Newton ordinances and Massachusetts General Laws.

I ask that this letter serve as notice to the Board of Aldermen. It is my understanding that the charter stipulates that the appointment goes into effect 30 after the next Board meeting unless a two-thirds majority rejects the appointment. Thank you.

Very truly yours,

Setti D. Warren
Mayor

Cc: Maureen Lemieux, Chief of Staff/CFO
Jeffrey Honig, Interim Director of Human Resources

RECEIVED
Newton City Clerk
2015 MAY 27 PM 4: 08
David A. Olson, CMC
Newton, MA 02459



City of Newton
 Department of Parks and Recreation
 Division of Maintenance
 2014-2015 Snow Season Fence Damage
 6/16/15

#162-15

rank	location		contractor	project status	price	invoice status
1	1 albemarle rd. - barricade	public	p&r	complete	none	no bill
1	5 shirley rd. - barricade	public	p&r	complete	none	no bill
1	5 shirley rd. tree damage galv. clf	public	p&r	complete	none	no bill
1	lfcc	public	p&r	complete	none	no bill
2	richardson park fence damage	public	p&r	not started	none	no bill
2	albe fence near albe and brookside stop sign	public	p&r	not started	none	no bill
2	abbot st. - barricade	public	p&r	not started	none	no bill
2	manchetser rd. - barricade	public	p&r	not started	none	no bill
2	92 mill st 2 areas	public	p&r	not started	none	no bill
2	davis park 3 areas	public	p&r	not started	none	no bill
2	manet rd reservoir	public	p&r	not started	none	no bill
2	cabot baseball backstop	public	p&r	not started	none	no bill
2	hannon's property gates/hinges	public	p&r	complete	none	no bill
2	forte park	public	steelco	complete	\$ 6,961.00	billed to dpw
2	warren house - myrtle st	public	steelco	complete	\$ 1,435.00	billed to dpw
2	124 vernon st.	public	steelco	complete	\$ 1,435.00	billed to dpw
2	aub cove parking lot	public	steelco	complete	\$ 5,230.00	billed to dpw
2	manhatan tce. stockade fence / cherry place	public	steelco	complete	\$ 3,390.00	not billed to dpw
2	mem spldg	public	steelco	complete	\$ 3,992.00	not billed to dpw
3	oak hill	public	steelco	not started	\$ 1,793.00	not billed to dpw
3	lincoln elliot rear parking lot	public	steelco	not started	\$ 1,400.00	not billed to dpw
3	cabot school playground	public	steelco	not started	\$ 1,392.50	not billed to dpw
3	carr rear parking lot	public	steelco	not started	\$ 1,392.50	not billed to dpw
4	103 thurston rd.	private	steelco	not started	\$ 1,706.00	no pricing to law dept
4	pettee st. galv clf	public	steelco	not started	\$ 3,332.00	not billed to dpw
4	brown dumpster	public	steelco	not started	\$ 3,400.00	not billed to dpw
4	brown	public	steelco	not started	\$ 3,520.00	not billed to dpw
4	countryside school	public	steelco	not started	\$ 1,590.00	not billed to dpw
4	nshs	public	steelco	not started	\$ 1,590.00	not billed to dpw
4	burr park railing	public	steelco	not started	\$ 2,470.00	not billed to dpw
4	crystal lake parking lot	public	steelco	not started	\$ 3,050.00	not billed to dpw
4	forte park one post to straighten by tot lot	public	steelco	not started	\$ 1,400.00	not billed to dpw
4	lincoln elliot guardrail on gardner st	public	steelco	not started	\$ 4,527.50	not billed to dpw
4	newton highlands park	public	steelco	not started	\$ 6,242.00	not billed to dpw
4	zervas school	public	steelco	not started	\$ 4,927.00	not billed to dpw
4	adams street parking lot	public	steelco	not started	\$ 3,060.00	not billed to dpw
4	adams street rear of parking lot	public	steelco	not started	\$ 4,910.00	not billed to dpw
4	cabot school at corner	public	steelco	not started	\$ 7,700.00	not billed to dpw
4	comm ave guardrail by lyon's	public	steelco	not started	\$ 13,431.00	not billed to dpw
4	nnhs - elm rd.	public	steelco	not started	\$ 1,575.00	not billed to dpw
4	underwood by dumpster	public	steelco	not started	\$ 1,575.00	not billed to dpw
4	peirce school by generator	public	steelco	not started	\$ 3,741.00	not billed to dpw
4	williams school by driveway	public	steelco	not started	\$ 11,988.75	not billed to dpw
4	williams school by generator	public	steelco	not started	\$ 2,840.00	not billed to dpw
4	williams school by side of school	public	steelco	not started	\$ 2,770.00	not billed to dpw
4	winchester st. damage	public	steelco	not started	\$ 1,720.00	not billed to dpw
4	cronin's cove	public	steelco	not started	\$ 1,720.00	not billed to dpw
4	upper falls parking lot	public	steelco	not started	\$ 1,355.00	not billed to dpw
4	grasmere ct galv clf	public	steelco	not started	\$ 1,355.00	not billed to dpw
4	bowen school	public	steelco	not started	\$ 1,437.00	not billed to dpw
4	horace mann school	public	steelco	not started	\$ 1,437.00	not billed to dpw
4	4 henshaw pl.	public	steelco	not started	\$ 1,335.00	not billed to dpw
			subtotal		\$ 115,064.25	

Election Commission

John P. McDermott - Chair, Marjorie Ann Butler, Nancy M. Levine, Jan Huffman
David A. Olson - City Clerk

City of Newton



Board of Aldermen
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

April 27, 2015

Dear Board of Aldermen,

On April 24, 2015, the Waban Area Council submitted signatures to expand its Neighborhood Service Area to include two new areas.

The first area includes Warren Road, Kippy Drive and #1238 to #1299 Beacon Street. There are currently 62 registered voters residing in this area. The Clerk's Office has been able to certify that the petition contains the signatures of 29 registered voters who live in this area. The 29 signatures represents 47% of the registered voters, well above the 20% needed to submit the request.

The second area includes #75 to #149 Winslow Road and #73 to #89 Puritan Road. There are currently 46 registered voters residing in this area. The Clerk's Office has been able to certify the petition contains the signatures of 28 registered voters who live in this. The 28 signatures represent 61% of the registered voters in this area, well above the 20% needed to submit the request.

Sincerely,

David A. Olson
City Clerk

RECEIVED
Newton City Clerk
2015 APR 28 PM 3:26
David A. Olson, CMC
Newton, MA 02459

I. The Waban Area Council proposes to expand its service area boundaries to include the following streets:

- A. Warren Road (both sides)
- B. Kippy Drive (both sides)
- C. Beacon St. (both sides from #1238 through 1299)

There are 62 registered voters at the above residences. With this petition, we submit signatures from over 20% of these voters.

II. In addition, the Waban Area Council would like those registered voters residing at Numbers 75 through 149 Winslow Road and Numbers 73 through 89 Puritan Road who choose to belong in our catchment area, to be so included. These portions of Winslow and Puritan Roads (as numbered above) are to be considered "shared border" streets and each voting resident shall be given the choice of joining either the Waban Area Council or the Newton Highlands Neighborhood Area Council but not both simultaneously.

To this end, we hereby submit 18 signatures from Winslow Road residents (at #'s 75 through 149) and 10 signatures from Puritan Road residents (at #'s 73 through 89) that represent well over 20% of the registered voters on those portions of those two streets.

III. The Waban Area Council wishes also to include that portion of the Cold Spring Park that abuts the Newton Highlands Neighborhood Area Council portion of said Park which has already been determined and assigned to them by the Board of Aldermen. We wish to include this portion of Cold Spring Park to facilitate Waban community involvement in park-related issues.

No signatures are necessary for this inclusion.

IV. The Waban Area Council wishes also to include the Newton Cemetery Corporation property within its catchment area boundaries. We wish to recognize the Cemetery as a corporation that would work with the rest of the Waban community on common issues of concern in our Village (e.g., traffic).

No signatures are necessary for this inclusion.

Submitted by:

Sallee Lipshutz, President
for the
Waban Area Council

RECEIVED
Newton City Clerk
2015 APR 24 PM 12:54
David A. Olson, CMC
Newton, MA 02459

**PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA**

I. PURPOSE

The undersigned registered voters of the City of Newton residing in the area described in this petition request that the Board of Aldermen of the City of Newton expand the Waban Neighborhood Service Area so that the service area boundaries are extended to include those areas detailed in Section 2.

II. EXPANDED SERVICE AREA

The Waban Neighborhood Service Area shall be extended to represent all residents who live on the following additional streets and as shown on the accompanying map:

RECEIVED
 Newton City Clerk
 2017 MAR 24 PM 12:55
 Patricia A. Oison, City Clerk
 Newton, MA 02459

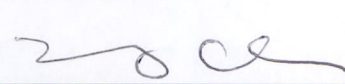

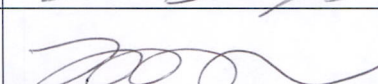
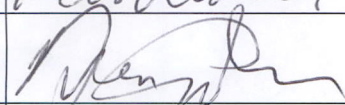
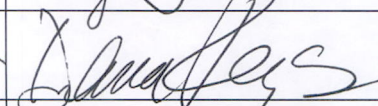


- BEACON ST (#1238-1299)
- KIPPY DRIVE (#4-24)
- WARREN RD (#6-57)

*(29 total)
sign*

(18) signatures

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

#	PRINTED NAME	SIGNATURE	ADDRESS
✓ 1	Judi G. Boster-Soll	Judi G. Boster-Soll	11 WARREN ROAD WABAN 02468
✓ 2	Lanlan Chen	Lanlan Chen	6 Warren Rd. 6 Warren Rd.
✓ 3		Zhong Chen	6 Warren Rd.
✓ 4	Steve Davenport		1249 Beacon
✓ 5	Katie Duvorski		1249 Beacon
✓ 6	ROBERT LEUNG	Robert Leung	1254 Beacon St.
✓ 7	Cindy Miller	C. Miller	1244 Beacon St.
✓ 8	Don Miller	Don Miller	1244 Beacon St.
✓ 9		Fredric Sneider	1248 Beacon St.
✓ 10	KEVIN R SOLL	Kevin Soll	11 WARREN RD
✓ 11	Marcia Karp	Marcia S. Karp	32 Warren Road
✓ 12	Gulist Inbar	Gulist Inbar	45 Warren Rd.
✓ 13	Noah Inbar	Noah Inbar	45 Warren rd.
✓ 14	Kelly Hauber	Kelly Hauber	17 Kippy Drive Waban
N 15	Dilma Rexes		19 Kippy Dr
✓ 16	Chas. Shishmanian	CHARLES SHISHMANIAN	33 Warren Rd Waban
✓ 17	Eunice Shishmanian	Eunice Shishmanian	33 Warren Rd Waban

REC
 Newton,
 2015 APR 2
 David A.

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

#	PRINTED NAME	SIGNATURE	ADDRESS
✓ 18	Michael Rosinsky	<i>[Signature]</i>	1265 Mason St.
✓ 19	Eric R. Koutoulis	<i>[Signature]</i>	1299 Beacon St
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RECEIVED
 Newton City Clerk
 2015 APR 24 PM 12:55
 David A. Oisdn, CMC
 Newton, MA 02459

(18)
Signers

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

#	PRINTED NAME	SIGNATURE	ADDRESS
35			
36			
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RECEIVED
 Newton City Clerk
 2015 APR 24 PM 12:55
 David A. Olson, CMC
 Newton, MA 02459

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

I. PURPOSE

The undersigned registered voters of the City of Newton residing in the area described in this petition request that the Board of Aldermen of the City of Newton expand the Waban Neighborhood Service Area so that the service area boundaries are extended to include those areas detailed in Section 2.

II. EXPANDED SERVICE AREA

The Waban Neighborhood Service Area shall be extended to represent all residents who live on the following additional streets and as shown on the accompanying map:



- BEACON ST (#1238-1299)
- KIPPY DRIVE (#4-24)
- WARREN RD (#6-57)

RECEIVED
Newton City Clerk
2015 APR 24 PM 12:55
David A. Olson, CMC
Newton, MA 02459

(4) four signatures

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

#	PRINTED NAME	SIGNATURE	ADDRESS
✓ 1	CHARLES SHISHMANIAN	Charles Shishmanian	33 Warren Rd Waban, MA
✓ 2	Eunice Shishmanian	Eunice Shishmanian	33 Warren Rd. Waban, MA
✓ 3	Patricia Morris Beeler	Patricia Beeler	22 Warren Rd Waban
✓ 4	MICHAEL BEELER	Michael Beeler	22 WARREN RD WABAN
✓ 5	MATTHEW ANTHONY	Matthew Anty	52 WATER EN RD WABAN MA 02468
✓ 6	Robin Birnbaum	Robin Birnbaum	79 Warren Rd Waban, MA 02468
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 David A. Olson, CMC
 Newton, MA 02459

**PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA**

#	PRINTED NAME	SIGNATURE	ADDRESS
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 Newton, MA 02459

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

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 Newton, MA 02459

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

I. PURPOSE

The undersigned registered voters of the City of Newton residing in the area described in this petition request that the Board of Aldermen of the City of Newton expand the Waban Neighborhood Service Area so that the service area boundaries are extended to include those areas detailed in Section 2.

II. EXPANDED SERVICE AREA

The Waban Neighborhood Service Area shall be extended to represent all residents who live on the following additional streets and as shown on the accompanying map:

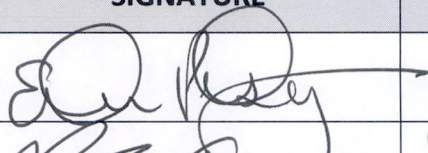
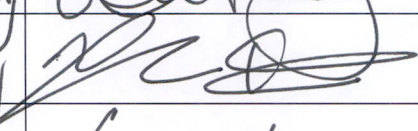
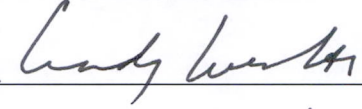
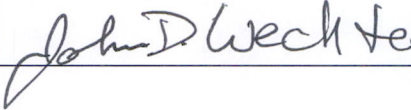
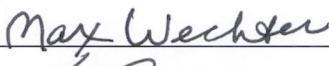

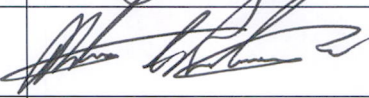


- BEACON ST (#1238-1299)
- KIPPY DRIVE (#4-24)
- WARREN RD (#6-57)

(7) signatures

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Newton, MA 02459

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

#	PRINTED NAME	SIGNATURE	ADDRESS
✓ 1	Eileen Polasky		41 Warren Rd Waban
✓ 2	Mark Polasky		41 Warren Rd Waban
✓ 3	CINDY Wechter		21 Warren Rd Waban
✓ 4	John D. Wechter		21 Warren Rd Waban
✓ 5	Max Wechter		21 Warren Rd Waban
✓ 6	Kimberly Paddad		27 Warren Rd Waban, MA
✓ 7	NATHAN BIRNBAUM		49 WARREN ROAD WABAN, MA
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 David A. Olson, CMC
 Newton, MA 02459

(7) signatures

PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

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PETITION TO EXPAND
THE WABAN NEIGHBORHOOD SERVICE AREA

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32

January 10, 2015

The following Newton registered voters, residing at 73,74, 80, 81 and 89 Puritan Road, (west of Winslow Road and east of Beethoven Road), would like to withdraw from the Newton Highlands Neighborhood Area Council jurisdiction and catchment area and become included instead in the Waban Area Council's jurisdiction and catchment area.

In addition to the fact that we identify more strongly as residents of Waban as our home Village, this will simplify our voting in Municipal, State, Federal and Neighborhood Area Council elections by making it possible for us to vote at only one polling place (Waban Library Center) instead of travelling between two polling places (Waban Library Center and Hyde Community Center).

- ✓ ✓ SIGNATURE: Betty U. Lapide
PRINTED NAME: Betty U. Lapide ADDRESS: # 81 PURITAN RD.
- ✓ ✓ SIGNATURE: Lawrence Lapide
PRINTED NAME: Lawrence Lapide ADDRESS: # 81 PURITAN RD.
- ✓ ✓ SIGNATURE: Elisabeth Needleman
PRINTED NAME: Elisabeth Needleman ADDRESS: # 80 PURITAN RD.
- ✓ ✓ SIGNATURE: Joseph Needleman
PRINTED NAME: Joseph Needleman ADDRESS: # 80 PURITAN RD.
- ✓ ✓ SIGNATURE: Robert M. Witte
PRINTED NAME: ROBERT M. WITTE ADDRESS: # 73 PURITAN RD.
- ✓ ✓ SIGNATURE: Janet M. Beal
PRINTED NAME: JANET M BEAL ADDRESS: # 73 PURITAN RD.
- ✓ ✓ SIGNATURE: Clare Mitchell
PRINTED NAME: Clare Mitchell ADDRESS: # 89 PURITAN RD.
- ✓ ✓ SIGNATURE: Michael Mitchell
PRINTED NAME: MICHAEL MITCHELL ADDRESS: # 89 PURITAN RD.
- ✓ ✓ SIGNATURE: Kathleen Mitchell
PRINTED NAME: Kathleen Mitchell ADDRESS: # 89 PURITAN RD.
- ✓ ✓ SIGNATURE: Dawn Colsia
PRINTED NAME: Dawn Colsia ADDRESS: # 74 PURITAN RD.
- SIGNATURE: _____
PRINTED NAME: _____ ADDRESS: # _____ PURITAN RD.

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 Newton City Clerk
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 David A. O'Son, Clerk
 Newton, MA 02459

10 sig

10 signatures

I, Rosalind Bernheimer, registered Newton voter and resident of 75 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: [Handwritten Signature] + (V&S)

Printed Name: Rosalind Bernheimer + (Walter Bernheimer II)

I, Walter Bernheimer, registered Newton voter and resident of 75 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: [Handwritten Signature]

Printed Name: Walter Bernheimer II

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DAVID A. OLSON, CMC
Newton, MA 02459

We have always lived in Waban. Cannot quite figure out how this situation arose. We should not be, nor ever should have been, excluded from your "borders". Nor should we be considered part of an "expansion".

②
sig

2 signatures (2)

I, Susan Davidson, registered Newton voter and resident of 78 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

Signature: Susan Davidson

Printed Name: Susan Davidson

I, Rachel Davidson, registered Newton voter and resident of 78 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

Signature: Rachel Davidson

Printed Name: Rachel Davidson

I, Jeffrey Davidson, registered Newton voter and resident of 78 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

Signature: Jeffrey Davidson

Printed Name: Jeffrey Davidson

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David A. Olson, CMC
Newton, MA 02459

0
519

3 signatures

I, Nancy Childs-Maher, registered Newton voter and resident of 81 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓✓ Signature: Nancy Childs-Maher

Printed Name: Nancy Childs-Maher

I, Patrick F. Maher, registered Newton voter and resident of 81 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓✓ Signature: Patrick F. Maher

Printed Name: Patrick F. Maher

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David A. Oison, CMC
Newton, MA 02459

(2)
sig

2 signatures (2)

I, Robert J. Crosby, registered Newton voter and resident of 84 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ Signature: Robert Crosby
Printed Name: ROBERT CROSBY

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David A. Olson, CMC
Newton, MA 02459

①
sig

1 signature (e)

I, Karen S. Schoener, registered Newton voter and resident of 115 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: Karen Schoener

Printed Name: Karen Schoener

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David A. Olson, CMC
Newton, MA 02459

①
S19

1 signature

I, Jacob R. Lifsz, registered Newton voter and resident of 116 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ Signature: Jacob R Lifsz

Printed Name: JACOB R. LIFSITZ

I, Marilyn S. Lifsz, registered Newton voter and resident of 116 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ Signature: Marilyn S. Lifsz

Printed Name: MARILYNN S. LIFSITZ

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Newton City Clerk
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David A. Olson, CMC
Newton, MA 02459

(2)
S19

2 signatures

I, Susan E. Rosenbaum, registered Newton voter and resident of 121 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: Susan E Rosenbaum

Printed Name: Susan Rosenbaum

I, David P. Rosenbaum, registered Newton voter and resident of 121 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: David P. Rosenbaum

Printed Name: David Rosenbaum

I, Sara Rosenbaum, registered Newton voter and resident of 121 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: Sara Rosenbaum

Printed Name: Sara Rosenbaum

I, Rachel A. Rosenbaum, registered Newton voter and resident of 121 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: Rachel Rosenbaum

Printed Name: Rachel Rosenbaum

(4)
519

4 signatures

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David A. Olson, CMC
Newton, MA 02459

I, George H. Foord, registered Newton voter and resident of 130 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: *George H. Foord Jr*

Printed Name: George H. Foord Jr

I, Diana J. Kazmaier, registered Newton voter and resident of 130 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: *Diana J. Kazmaier*

Printed Name: Diana J Kazmaier

②
①
S19

2 signatures

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David A. Olson, CMC
Newton, MA 02459

I, Rochelle Borden, registered Newton voter and resident of 145 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: Rochelle Borden

Printed Name: Rochelle Borden

I, Peter Borden, registered Newton voter and resident of 145 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓ ✓ Signature: Peter Borden

Printed Name: Peter Borden

(2) sig

2 signatures

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David A. Olson, CMC
Newton, MA 02459

I, Jonathan Kolnik, registered Newton voter and resident of 133 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓

Signature: [Handwritten Signature]

Printed Name: JON KOLNIK

I, Stephen Kolnik, registered Newton voter and resident of 133 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓

Signature: [Handwritten Signature]

Printed Name: Stephen Kolnik

I, Felicity Kolnik, registered Newton voter and resident of 133 Winslow Road, Waban, MA, wish to be included in the catchment area of:

The Newton Highlands Neighborhood Area Council

The Waban Area Council

✓

Signature: [Handwritten Signature]

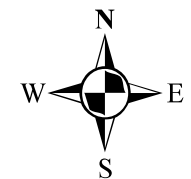
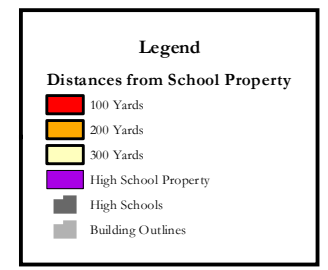
Printed Name: FELICITY KOLNIK

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2015 APR 24 PM 12:55
David A. Olson, CMC
Newton, MA 02459

3 signatures

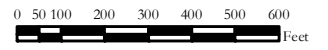
High School Distances for Smoking Ordinance

City of Newton, Massachusetts

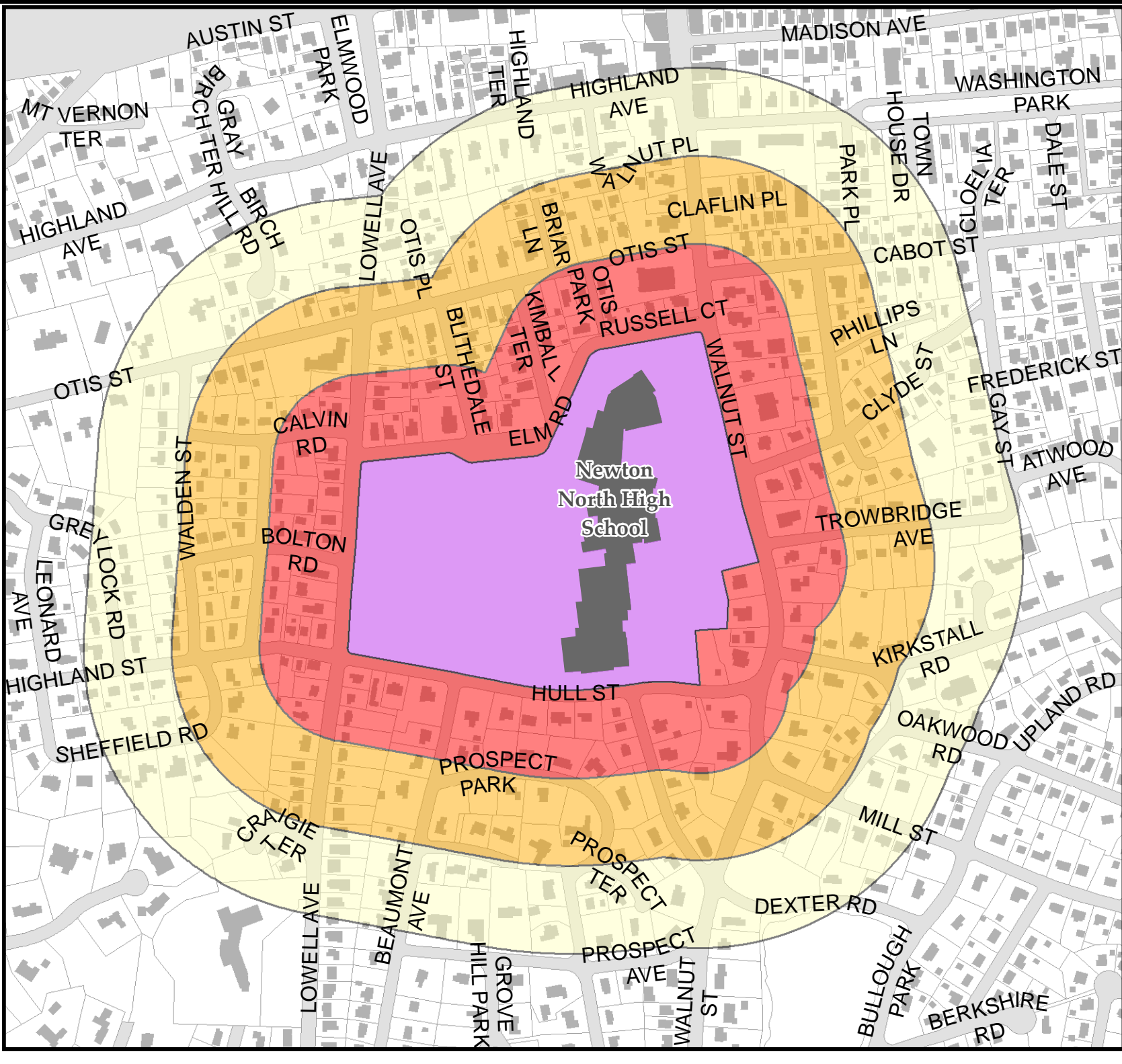


The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield



Map Date: April 01, 2015



ordinances.

- (3) In the case of a public transportation vehicle, the owner or operator of such vehicle shall remove a sign found to be in violation of subsection (b) within 24 hours of a request by the city to remove such sign. Failure to remove a sign within such timeframe shall be cause for revocation of any license or permission granted by the city in connection with the operation of such public transportation vehicle.

(d) Nuisance, abatement: A sign posted in violation of subsection (b) shall constitute a public nuisance and the city shall have the authority to abate such nuisance pursuant to the provisions of subsection (c) above. (Rev. Ords. 1995, Ord. V-184, 6-29-98; Ord. A-42, 06-16-14)

Editor's note—Ordinance V-184 contained a detailed Declaration of legislative findings and intent, which is on file in the records of the Board of Aldermen.

Sec. 20-7: Smoking prohibited – Sidewalks and Other Public Property

(a) No person shall smoke, possess or carry a lighted or smoldering cigarette, cigar, or pipe of any kind or any other smoking article at the following locations:

- (1) Upon the sidewalk at:

Albemarle Road, East side of easterly roadway from its intersection with Watertown Street northerly 299 feet.

Edinboro Street, West side from its intersection with Watertown Street northerly 257 feet.

Watertown Street, North side from its intersection with Albemarle Road (easterly roadway) easterly to its intersection with Edinboro Street;

- (2) Upon the sidewalk or other public property within a nine hundred (900) foot perimeter of the property line of Newton North High School grounds.

(b) The Commissioner of Public Works shall erect and maintain signs indicating the locations designated for the smoking prohibition. Signs shall be erected so as to adequately notify the public of such prohibition and the areas affected thereby.

(c) The Commissioner of Health and Human Services and/or his or her designee(s) shall enforce the provisions of this ordinance. The Commissioner or his or her designee(s) shall, for an initial violation of this section, and may for any subsequent violation, afford the violator the option of enrolling in a smoking cessation/education program approved by the Commissioner and/or his or her designee(s). Proof of completion of a smoking cessation/education program approved by the Commissioner or his or her designee shall serve in lieu of the civil fines set forth in Section 20-21. (Rev. Ords. 2001, Ord. X-14, 4-1-02; Ord. No. Z-17, 12-17-07)

Sec. 20-8 E-cigarette usage – locations prohibited

The use of e-cigarettes as defined in Sec. 20-2(b) is prohibited wherever smoking is prohibited under M.G.L. Chapter 270, Section 22 (the Smoke-Free Workplace Law”), and in all locations listed in Section 20-7 of this ordinance. The 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.

CITY OF NEWTON

IN BOARD OF ALDERMEN

ORDINANCE NO. ____

____, 2015

BE IT ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton Massachusetts, 2012, as amended, be and hereby
are further amended as follows:

Add a new section 12-72 to **ARTICLE IX.** of Chapter 12 as follows:

Section 12-72 Polystyrene Prohibition.

(a) **Short Title.** This Section may be cited as the "Polystyrene Prohibition
Ordinance" of the City of Newton.

(b) **Declaration of findings and policy—Scope.**

The Board of Aldermen hereby finds that the prohibition on the use of
polystyrene food containers by food service establishments in the City of Newton
(the "City") is a public purpose that protects the public health, welfare and
environment, advances solid waste reduction and protects waterways.

(c) **Definitions.**

(1) The following words shall, unless the context clearly requires otherwise,
have the following meanings:

(a) "Department" means the City's Department of Health and Human
Services.

(b) "Commissioner" means the City's Commissioner of Health and
Human Services.

(c) "Disposable Food Container" means single-use disposable
products used in the restaurant, food service, and food sales industries for
serving, transporting, or packaging prepared, ready-to-consume, or
uncooked food or beverages. This includes but is not limited to plates,
cups, bowls, trays, and hinged or lidded containers. This does not include
single use disposable items such as straws, cup lids, or utensils.

(d) "Food establishment" means an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption, including but not limited to any establishment requiring a permit to operate in accordance with the State Food Code.

(e) "Expanded polystyrene" (EPS) means polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid foam.

(f) "Polystyrene" means expanded polystyrene which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene. The term "polystyrene" also includes clear or solid polystyrene, which is known as "oriented polystyrene."

(g). "Prepared food" means any food or beverage prepared for consumption on the food provider's premises, using any cooking or food preparation technique. This does not include any raw or uncooked meat, fish, or eggs unless provided for consumption without further food preparation.

(d) **Prohibition**

Food establishments are prohibited from dispensing prepared food or beverages to any person in disposable food containers made from polystyrene or expanded polystyrene.

(e) **Effective Date.**

This Section shall take effect one hundred and eighty (180) days from the date of enactment.

(f) **Exemption.**

(1) The Commissioner may exempt a food establishment from the requirements of this Section for a period of up to six (6) months, upon a finding by the Commissioner that the requirements of this Section would cause undue hardship to the food establishment. An "undue hardship" shall mean a situation unique to the food establishment where the food establishment requires additional time in order to draw down an existing inventory of polystyrene or expanded polystyrene food containers and compliance with this section would cause significant hardship. Any food establishment receiving an exemption shall file

with the Commissioner monthly reports on inventory reduction and remaining stocks.

(2) Any food establishment shall apply for an exemption to the Commissioner using forms provided by the Department, and shall allow the Commissioner or his or her designee, access to all information supporting its application.

(3) The Commissioner may approve the exemption request, in whole or in part, with or without conditions.

(4) The Commissioner, by regulation, may establish a fee for exemption requests.

(g) **Enforcement.**

(1) **Fine.** Any food establishment which violates any provision of this Section or any regulation established by the Commissioner shall be liable for a fine as follows: First offense, warning; second offense, \$100.00; third offense, \$200.00; fourth and subsequent offenses, \$300.00. Each day a violation occurs shall constitute a separate offense.

(2) Whoever violates any provision of this Section or any regulation established by the Commissioner may be penalized by a noncriminal disposition as provided in G.L. c. 40, §21D. For purposes of this section, the Commissioner of the Health and Human Services, or his or her designee, shall be enforcing persons.

(h) **Severability.**

Each separate provision of this Section shall be deemed independent of all other provisions herein, and if any provision of this Section be declared to be invalid by a court of competent jurisdiction, the remaining provisions of this Section shall remain valid and enforceable.

-And-

In Sec. 20-21. Enforcing persons and revised ordinances subject to civil fine.

Amend paragraph (b), HEALTH AND HUMAN SERVICES DEPARTMENT, by adding after CITY ORDINANCES, Any offense, the following:

.....PENALTY

Section 12-72. Polystyrene Prohibition Ordinance

- () First offense.....Warning
- () Second offense.....\$100.00
- () Third offense.....\$200.00

() Fourth or subsequent offenses.....\$300.00

Approved as to legal form and character:

(SGD) _____
City Solicitor

Under suspension of Rules
Readings Waived and Adopted
___ yeas and ___ nays

(SGD) _____
City Clerk

(SGD) _____
Mayor