

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE REPORT

WEDNESDAY, JANUARY 22, 2014

Present: Ald. Ciccone (Chair), Yates, Cote, Lipof, Fuller, Schwartz, Johnson and Harney

Also Present: Ald. Danberg, Norton and Leary

City Staff: Sgt. Jay Babcock, Laura McGerigle, Senior Dispatch Supervisor, Captain Dennis Dowling, Newton Police Department, Dori Zaleznik, Commissioner Health Department and Robert Rooney, Chief Operating Officer

Others Present: Dr. Charles Pozner and Chris Borges, EMT, Cataldo Ambulance

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

#422-13 **ALD. JOHNSON AND DANBERG** requesting an amendment to Section 19-9 of the City of Newton Ordinances to raise the overnight parking fine from \$5 to \$25 effective February 1, 2014. [12/02/13 @ 11:06 AM]

FINANCE APPROVED 3-0-1 (Fuller abstaining) on 12/09/13

HELD 7-0 on 01/08/14

ACTION: APPROVED 7-0, Ald. Fuller not voting

NOTE: Ald. Danberg, Robert Rooney and Sgt. Babcock joined the Committee for discussion on this item.

Sgt. Babcock stated that the Police Department endorses this increase because the current \$5 overnight parking fine is not enough of a deterrent to stop people from parking overnight. The administrative cost of issuing a \$5 ticket exceeds the fine resulting in a cost to the City. The Police Department requests that this amendment include trailer vehicles and to change the effective date to November 1, 2014 in order for the department to update their hand held devices, ample time for the City to inform residents of the increase and to print new violation books. Sgt. Babcock stated that if overnight parking is an issue for residents, they may apply at the Police Department for an overnight parking permit allowing them to park overnight in municipal lots at no cost.

Ald. Johnson said that this item was docketed due to repeat offenders parking overnight and she fully supports an increase to deter repeat offenders. A \$5 fine is not enough of a deterrent. She then stated she supports the inclusion of trailer vehicles and a new effective date. Ald. Danberg and Committee members agree an increase is necessary. If approved, the Committee suggested that the City notify residents of this increase either in a tax or water bill and to update the City's website reflecting this increase. Mr. Rooney agreed that a notification could be placed in residents tax bills informing them of the increase.

Without further discussion, Ald. Johnson moved to approve this item, the Committee agreed and then voted in favor to create a new item 7-0, Ald. Fuller not voting.

#422-13(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE requesting an amendment to Section 19-9 of the City of Newton Ordinances to raise the overnight parking fine from \$5 to \$25 to *include trailers* effective *November 1, 2014*.

ACTION: **APPROVED 7-0, Ald. Fuller not voting**

NOTE: As requested from the Police Department requesting that this amendment include trailer vehicles and to change the effective date to November 1, 2014 in order for the department to update the hand held devices, ample time for the City to inform residents of this increase and to print new violation books.

Without discussion, Ald. Johnson moved to approve this item, the committee voted in favor 7-0, Ald. Fuller not voting.

REFERRED TO PUBLIC SAFETY AND FINANCE COMMITTEES

#18-14 ALD. JOHNSON, ALBRIGHT AND NORTON requesting discussion with the Newton Police and Executive Departments regarding ticketing on Newtonville Avenue at the bottom of a handicap ramp. [12/31/13 @ 4:55 PM]

ACTION: **NO ACTION NECESSARY 7-0-1, Ald. Fuller abstaining**

NOTE: Ald. Norton, Robert Rooney, Ald. Leary and Sgt. Babcock joined the Committee for discussion on this item.

Ald. Johnson stated that after speaking with Mr. Rooney, this is not only a Ward 2 issue; the issue is Citywide. This item was docketed due to concerns relating to the increase after a mid-block handicap ramp was installed. Drivers were ticketed for parking in a newly created and poorly marked handicap parking space. Changes were made, signs were not installed, crosswalks were not painted. Drivers do not understand that yellow paint markings indicate a handicap ramp. This is unfair to citizens and drivers. It is necessary for the City to communicate change to the community. People were not informed of changes and have not been informed of the approved handicap fee increase approved in 2012 by the Board of Aldermen. The fee increase of illegal parking in a handicapped space at the cost of a first offense increase from \$100 to \$200 and each subsequent offense \$300.

Chair Ciccone clarified that this parking space is not a legal parking space. He stated that City Ordinance does not permit parking in front of or within five feet of any private road or driveway.

Sgt. Babcock stated that prior to this handicap ramp being installed, drivers were ticketed \$20 for parking in this location when it was a restricted area (five feet from driveway). After the installation of this handicap ramp, violators are being fined \$200 for blocking the handicap access ramp. After the installation, Mr. Rooney requested a temporary barrel be placed indicating that this is a no parking area, handicap parking curb cut ramp to avoid confusion. It is not usual practice to install signs indicating a curb cut ramp. With this warning being placed, the Police Department still has issued 12 violations, some to repeat offenders. Nearby Cambridge,

Watertown and Belmont has zero tolerance for this type of behavior, as it is a handicap curb cut. Sgt. Babcock said that the Commission on Disability Committee encourages the installation of mid-block handicap ramps.

Mr. Rooney stated that since the temporary barrel was installed two permanent signs have now been installed at this location indicating 'Do not park between these signs'.

Mr. Rooney stated that 63 tickets have been issued for parking in the spot in the two months since it was created. The City has improved the signage and in the spring a crosswalk will be painted improving visibility. Drivers have appealed their tickets to the Parking Clerk. If an appeal is lost, they have the right to appeal the decision in superior court or pay the fine. Mr. Rooney has spoken with the Law, Police, Treasurer and DPW Departments and visited this site. Citywide, 181 handicap curb cuts (mid-block and corner cuts) were installed this summer. Mr. Rooney referenced State Law and City Ordinance 19-199(c) " It is hereby prohibited for any person to leave any unauthorized vehicle (lacking an HP/V plate) within a parking space designated for use by disabled veterans or handicapped persons, as authorized by clause (23) of section 21 of chapter 40 of the General Laws, or to leave such unauthorized vehicle in such a manner as to obstruct a curb ramp designed for use by disabled veterans or by handicapped persons as a means of egress to a street or public way". This is the law. It is unfair to handicap people not having a means of egress to City streets. Is it the City's responsibility to waive all violations?

Committee members and Ald. present expressed their concerns, questions and suggestions.

Concerns

Some Committee members felt that the violations issued were unfair stating that citizens were not notified of a handicap fine increase and the installation of this handicap curb ramp location, until the barrel was placed. This location is confusing especially mid-block with driveways on each side. Some Committee members felt that drivers are not receiving regular violations when parking 5' feet within a driveway.

Questions

Committee members asked the following questions.

Does the City Ordinance reflect the \$20 violation of no parking within 5 feet of a driveway?

How do you identify a handicap curb cut from a regular curb cut?

How does the City determine midblock handicap ramp locations?

If there were snow, would you notice the handicap curb cut?

Will the City refund or use discretion to refund the \$200 violation?

Does the City Ordinance reflect the appeals process?

Do nearby communities communicate new handicap ramp curb cuts with their citizens?

The guidelines the Parking Clerk and Treasurer follow on an appeals process and clarification on the process?

Suggestions

Committee members stated that the City must educate, communicate and provide adequate notification to citizens. New projects need communication. A suggestion was made to provide warning notice be placed on windshield as an education measure. They encourage the

installation of a permanent sign at this location. A suggestion was made to paint ramps using blue paint (universally known) with yellow paint.

Committee members agree that they have no authority to eliminate the parking violations issued but leniency would be appreciated on violations denied in the appeals process issued to drivers prior to the warning barrel being installed.

Ald. Lipof moved no action necessary on this item. The committee voted in favor 7-0-1, Ald. Fuller abstained because she missed this discussion.

Committee Clerks Note: City Ordinance Sec. 19-166 (h) "In front of or within five (5) feet of any private road or driveway" is attached to this report.

#28-14 ALD. CICCONE AND FULLER on behalf of the Health Department and the Emergency Medical Services (EMS) requesting a discussion on duplicate street names. [01/09/14 @ 10:57 AM]

ACTION: **HELD 8-0**

NOTE: On 01/20/14, Ald. Fuller requested being added to this docket item. Chair Ciccone graciously accepted her request.

Commissioner Zaleznik, Captain Dowling, Laura McGerigle, Chris Borges and Dr. Pozner joined the Committee for discussion on this item.

Commissioner Zaleznik and Dr. Pozner provided Committee members with a PowerPoint presentation, attached to this report. She stated the PowerPoint presentation describes several concerning incidents, audio and telephone issues that affect residents when streets have duplicate names. Allowing duplicate street names is a public safety hazard and sometimes affects the outcome of an incident and provides time delays. Changing duplicate street names is necessary, although inconvenient for residents and there is no easy solution. Fortunately, there has been zero fatalities in the City.

There are 22 duplicate streets names in the City (not including street names that sound alike). The goal is zero. Thirty-three homes have the identical house number. Fifty percent remaining duplicate street names are in Newton, MA. Larger streets affect 767 residences and 26 commercial properties. Smaller streets affect 206 residences and zero commercial properties. The intent is for larger streets to keep their street names and smaller streets the names would be changed. Other communities have solved this problem by changing duplicate street names.

Commissioner Zaleznik is hopeful that this Committee and the Board of Aldermen will support changing duplicate street names. The EMS Committee is committed to this change because of public safety. They realize some residents may not support the change.

Dr. Pozner said that there are fifteen members on the Emergency Medical Services Committee (EMS) who meet monthly to discuss policies and issues. Duplicate streets are obviously troublesome, dangerous and communities have made changes eliminating them.

Duplicate street names are not fair to the dispatchers and emergency personnel who make innocent mistakes when they are required to decide which street to dispatch personnel or respond. It is a public safety health issue.

Ms. McGerigle described different 911 calls received and troublesome issues when street names are duplicated. The dispatcher must decide which street to dispatch personnel and human errors are made by both the dispatcher and the responder. Visitors do not know that duplicate street names exist in the City and may not be able to provide a village name. Ms. McGerigle described the process of dispatching responders to the box number system that are divided by villages.

Landline calls made, do not identify village names or zip codes on the dispatch screen. When cell phone calls are made, the GPS is unreliable and technology is not universally available. In 2012, Newton residents communicated to 911 by 75% landline and 24% cellular devices. Currently, Newton residents communicate to 911 by 53% landline and 46% wireless devices. Wireless use is growing and voice over IP is growing and is less reliable.

Commissioner Zaleznik stated that it is the desire to change names of smaller streets as soon as possible. New names are necessary. A community meeting will be held for residents living on the smaller streets with duplicate names. The EMS Committee will assist residents and it is their intent to hold a residence assistance 'fair' at City Hall. The Board of Aldermen will have to approve and vote new street names. The City will absorb the fees involved for changing street names with the Registry of Deeds. The EMS Committee will provide change of address cards, license address change stickers, bank check address change stickers hoping to make the process easier for the citizens.

Mr. Borges reiterated the public safety issues of duplicate street names. Neighboring communities do not have the issues of duplicate street names. He appeals the City to eliminate these to avoid human error and time delays providing citizens a safer City.

Committee members expressed their questions, requests and suggestions on this item.

Questions

Committee members asked if changing street names is a state requirement. They then asked what strategies nearby communities used to be successful. Commissioner Zaleznik answered that it is not a state requirement because each village has its own zip code and to be successful the City would hold a community meeting.

Requests/Suggestions

Committee members support and encourage changing duplicate street names and homonym street names, though they realize it will be inconvenient and challenging to residents but feel it is necessary and a public safety issue. They stated community awareness and education are necessary and suggest publishing the situation of duplicate street names on the front page of the Newton "Tab" and on the City website. Committee members then suggested conducting changing street names in several phases providing few name choices. Phase 1 - change duplicate street names, Phase 2 - change homonym street names and Phase 3 - change streets that sound alike such as Maple Street, Maple Terrace and Maple Road. The Committee suggested that the

EMS Committee work with the Newton Upper Falls, Waban, Newtonville and Newton Highlands Neighborhood Area Councils.

Chair Ciccone and Committee members thanked the EMS Committee for their presentation. All Committee members agreed that the EMS Committee and the Health Department are facing a very difficult task. Ald. Schwartz made the motion to hold this item for future discussions and if necessary to provide support to the Health Department and the EMS Committee. Committee members agreed 8-0.

#244-13 ALD. SWISTON, on behalf of Beth Birnbaum, 24 Stanley Road, Waban, requesting the development of a wildlife management plan that may include a communications policy, a citizen group and public education. [06/12/13 @ 2:56 PM]

ACTION: **NO ACTION NECESSARY 7-0-1, Ald. Yates abstaining**

NOTE: Chair Ciccone stated he spoke with Ms. Birnbaum last week, explaining to her that the City has no authority to develop a wildlife management plan that will supersede State regulations according to the Massachusetts Division of Fisheries and Wildlife. Former Ald. Swiston was notified and indicated that she would support a vote of no action necessary.

Without discussion, Ald. Johnson moved no action necessary. Committee members agreed 7-0-1, Ald. Yates abstained due to Ms. Birnbaum living in Ward 5.

At approximately 10:50 pm, Ald. Johnson made the motion to adjourn. Committee members agreed 8-0.

Respectfully submitted,

Allan Ciccone, Jr. Chairman

such proposed transportation, stating the quantity, type of material, packaging, degree of radioactivity and shipping routes and time of such transfer.

(b) Such shipments shall not leave a state or interstate highway except in accordance with section 19-46. (Rev. Ords. 1973, § 13-217; Ord. No. 316, 2-20-79)

Sec. 19-7. Accident reports.

Every person operating a motor vehicle which is in any manner involved in an accident in which any person is killed or injured or in which there is damage in excess of one thousand dollars (\$1,000.00) to any one vehicle or property shall report such accident within five (5) days to the registrar and to the police department in accordance with the provisions of chapter 90, section 26 of the General Laws. (Rev. Ords. 1973, § 13-10)

Cross reference—Duties of police in case of accident, § 24-9

Sec. 19-8. Penalty generally.

Except as otherwise provided by law, any person convicted of a violation of any regulation or order made pursuant to this chapter shall be punished by a fine not exceeding twenty dollars (\$20.00) for each offense. (Rev. Ords. 1973, § 13-11)

Sec. 19-9. Penalty for parking violations.*

(a) Pursuant to General Laws, chapter 90, section 20A, chapter 40, section 22A, and chapter 40, section 21, clause 24, the following schedule of fines for parking offenses is established subject to such section and to the provisions of this chapter and the Traffic and Parking Regulations:

Angle parking zone, otherwise than at the required angle (sec. 19-175)	\$15.00
Bridge and the approach thereto, parking on (sec. 19-166(m))	\$15.00
Bus stop, illegally parking in (sec. 19-170).....	\$100.00
Crosswalk, upon (sec. 19-166(c)).....	\$25.00
Curb cut, blocking a curb cut designated for handicapped access (sec. 19-178; sec. 19-199)	
First offense	\$200.00
Each subsequent offense.....	\$300.00
Curb, parking over twelve (12) inches from (sec. 19-166(e))	\$15.00
Driveway, parking in front (sec. 19-166(h))	\$25.00
Fire hydrant, parking within ten (10) feet of (sec. 19-166(g)).....	\$25.00
Fire lane, parking in or obstructing access to (sec. 19-166(o)).....	\$15.00
Fire station, within 15 ft. of the wall of, or directly across the street from (sec. 19-166(j)).....	\$15.00
Handicapped space, illegally parking in a space reserved for the handicapped (sect. 19-178; sec. 19-199)	

First Offense	\$200.00
Each subsequent offense	\$300.00
Intersecting Way, within twenty (20) feet of (sec. 19166(i)).....	\$15.00
Intersection, parking within (sec. 19-166(a))	\$15.00
Loading Zone, within in excess of the time permitted (sec. 19-172)	\$15.00
Night, parking a vehicle at night in violation of the provisions applicable thereto (secs. 19-174, 19-174(b) & (c))	\$5.00
Other, in any other area where parking is permitted for a limited period of time in excess of the time allowed (sec. 19-166).....	\$15.00
Parking meter, parking in violation of the provisions applicable thereto (secs. 19-188 to 19-190, 19-194 and 19-195).....	\$15.00
Private road, parking in front of (sec. 19-166(h))	\$25.00
Residential area, within without appropriate sticker (sec. 19-201)	\$15.00
Restricted area, in violation of the applicable restrictions (except overtime) (sec. 19-176).....	\$20.00
Safety zone, within twenty (20) feet of either end of (sec. 19-167)	\$15.00
School drop off zone, parking in in excess of time permitted (sec. 19-179).....	\$25.00
Sidewalk, parking on (sec. 19-166(b))	\$15.00
Snow or Ice Removal, parking on any way in such a manner as to impede (sec. 19-166(n))..	\$20.00
Stopping in violation of the applicable restrictions (sec. 19-180)	\$15.00
Taxicab stand, parking within (sec. 19-171)	\$15.00
Traffic passing lane, obstruction of (sec. 19-166(f)).....	\$15.00
Trailer, at night in violation of the provisions applicable thereto (section 19-174).....	\$5.00
Wrong direction, parking in the (sec. 19-166(e)).....	\$15.00

(b) Should the fines established herein not be paid within twenty-one (21) days of the offense, the following surcharges shall be due and payable to the parking clerk of the city in addition to the fine originally assessed:

For a \$5.00 fine – initial surcharge shall be an additional \$10.00.

For a \$15.00 fine – initial surcharge shall be an additional \$10.00.

For a \$20.00 fine – initial surcharge shall be an additional \$10.00.

For a \$25.00 fine – initial surcharge shall be an additional \$10.00.

- (c) If any part of the fine and/or initial surcharge remains unpaid at any time subsequent to the parking clerk reporting the matter to the Registrar of Motor Vehicles of the Commonwealth of Massachusetts, pursuant to M.G.L. chapter 90, section 20A, an additional surcharge of \$5.00 shall be due and payable to the parking clerk of the city.
- (d) Notwithstanding the fines established for the offenses identified in section (a) as having a fine of either \$15.00 or \$20.00, such offenses shall be punished by a fine of twenty-five dollars (\$25.00) if the offense occurs within the geographic area designed as subject to the Tiger Parking program established by section 19-204 while such program is in effect. (Rev. Ords. 1973, § 13-12; Ord. No. S-8, 8-8-83; Ord. No. S-43, 2-21-84; Ord. No. S-156, 2-18-86; Ord. No. 209, 7-21-86; Ord. No. S-344, 12-5-88; Ord. No. T-164, 8-8-91; Rev. Ord. No. T-142, 4-1-91; Ord. X-30, 10-7-02; X-34, 11-18-02; Ord. No. X-86, 5-17-04; Ord. No. X-96, 6-21-04; Ord. No. X-143, 3-21-05; Ord. No. X-162, 4-4-05; Ord. No. X-180, 12-19-05; Ord. Y-6, 3-19-07; Ord. No. Y-31, 8-13-07; Ord. No. Z-14, 11-5-07; Ord. No. Z-40, 01-20-09; Ord. No. Z-47, 03-16-09; Ord. No. Z-111, 06-18-12; Ord. No. A-2, 07-09-12)

***Editor's notes**—See subsections (h), (i) and (j) of section 19-204 regarding penalties pursuant to certain violations of the temporary permit parking program known as Tiger Permit parking.

Secs. 19-10—19-24. Reserved.

ARTICLE II. TRAFFIC COUNCIL; TRAFFIC PETITIONS

Sec. 19-25. Establishment of traffic council; membership.

- (a) There shall be a traffic council which shall be made up of five members, as follows:
- (1) One appointed member who shall be a resident of the City who has expertise in traffic engineering or traffic planning, shall be appointed for a term of three (3) years in accordance with the procedures of the City Charter Section 3-3. One or more alternates, who shall also be resident(s) of the city with expertise in traffic engineering or traffic planning, shall be appointed for a term of three (3) years in accordance with the procedures of the city charter Sec 3-3. The chairman may designate an alternate resident member to attend traffic council meetings as a voting member whenever the permanent resident member is unable to attend and during any such time that there is no permanent resident member due to expiration of three-year term, resignation, or other reason
 - (2) The chairman of the board of aldermen's Public Safety and Transportation Committee, or the chairman of such successor standing committee which the board of aldermen may establish to consider matters relating to parking and traffic shall serve ex-officio. Such chairman, whenever unable to attend a traffic council meeting, may designate the vice chairman of such committee to attend in the chairman's place; and in the event that the vice chairman is unavailable, the chairman may designate the senior member of such committee to attend in the chairman's place.
 - (3) The other three members shall be employees of the City, as follows: one employee of the public works department whose duties include traffic engineering, as designated by the commissioner of public works; one sworn police officer with a rank of sergeant or higher, whose duties include management of traffic and parking enforcement, as designated by the chief of police; and one employee of the department of

Sec. 19-172. Loading zones.

(a) No person shall park a vehicle upon any street in any loading zone except while actually engaged in loading or unloading, which shall not be permitted for a period of time longer than the time limits specified in the traffic and parking regulations.

(b) The dimensions and markings of loading zones shall be established by the commissioner of public works.

(Rev. Ords. 1973, § 13-142; Ord. No. 14, 9-3-74; Ord. No. 126, 4-20-76; Ord. No. 164, 10-18-76; Ord. No. 171, 10-18-76; Ord. No. 204, 3-21-77; Ord. No. 251, 12-19-77; Ord. No. 322, 4-4-79; Ord. No. R-12, 6-4-79; Ord. No. R-85, 9-8-80; Ord. No. R-101, 12-1-80; Ord. No. R-200, 12-7-81; Ord. No. S-48, 3-5-84; Ord. No. S-104, 7-8-85; Ord. No. S-169, 4-22-86; Ord. No. S-196, 3-17-86; Ord. No. T-55, 9-18-89; Ord. No. T-112, 10-15-90; Ord. No. T-118, 1-7-91; Ord. No. T-209, 12-2-91; Ord. No. T-256, 12-21-91; Ord. No. V-30, 7-10-95; Ord. No. Z-19, 03-17-08; Ord. No. Z-111, 06-18-12)

(Sec. 19-172 (c) and (d) moved to **Traffic and Parking Regulations** (Ord. No. Z-19, 03-17-08))

Sec. 19-173. Parking vehicles for sale.

It shall be unlawful for any person to park upon a street or highway any vehicle displayed for sale. (Rev. Ords. 1973, § 13-143)

Sec. 19-174. Parking of commercial vehicles and trailers.

(a) *Parking of commercial vehicles and trailers.*

(1) For the purposes of this section, the following definition shall be used:

Commercial vehicle: Any vehicle which is used in the commercial transportation of goods, wares, merchandise, materials or other property, or which has a commercial registration plate, and which has one or more of the following characteristics:

- a) has a carrying capacity in excess of two and one-half (2 1/2) tons;
- b) is more than eighteen (18) feet in length or seven (7) feet in width;
- c) has more than four wheels or more than two axles;
- d) contains more than four square feet of advertising.

Trailer: Any vehicle or object on wheels and having no motive power of its own, but which is drawn by, or used in combination with, a motor vehicle.

(2) It shall be unlawful year round for any commercial vehicle or trailer to be parked on any street, way, highway, road, parkway or private way dedicated or open to the use of the public for a period of time longer than two hours, provided, however, that this regulation shall not apply in the following instances:

- a) a commercial vehicle or trailer parked at a metered parking space;
- b) a commercial vehicle or trailer parked temporarily during the actual loading or unloading of materials;

- c) a commercial vehicle or trailer acting in an emergency; or
 - d) a commercial vehicle or trailer parked within 500 feet of the work site of the driver of such vehicle or trailer. This exemption shall not apply where the work site of the driver or owner of the vehicle or trailer is also the residence for the driver or owner.
- (3) The penalty for violation of subsection (2) of this section shall be as follows: for the first offense, a warning; for the second offense, twenty-five dollars (\$25.00); and for each subsequent offense, the vehicle or trailer shall be towed to a convenient place and the owner of the vehicle or trailer towed away shall be liable for the towing and storage charges, if any, within the limits set forth in section 19-226. The owner of any vehicle removed or towed under the provisions of this section shall also be subject to the penalties provided in section 19-8 of this chapter.

(b) *Other vehicles:* From November 15th through April 15th, it shall be unlawful for any vehicle, other than one acting in an emergency, to be parked on any street, way, highway, road, parkway or private way dedicated or open to the use of the public for a period of time longer than one hour between the hours of 2:00 a.m. and 6:00 a.m. (Rev. Ords. 1973, § 13-144; Ord. No. S-87, 2-4-85; Ord. No. T-186, 11-18-91; Ord. No. Y-3, 3-19-07; Ord. No. Z-14, 11-5-07)

Sec. 19-175. Angle parking.

(a) The board of aldermen shall determine upon what streets angle parking shall be permitted. The commissioner of public works shall mark or sign such streets or cause the same to be marked or signed.

(b) Upon streets or parts of streets which have been marked or signed for angle parking, vehicles shall be parked with one wheel within twelve (12) inches of the curb and at the angle to the curb indicated by such marks or official signs. The vehicle shall be parked so that all four (4) wheels of the vehicle shall be placed wholly within the painted lines provided. (Rev. Ords. 1973, § 13-145; Ord. No. Z-111, 06-18-12)

Sec. 19-176—19-177. Reserved. (Sections moved to Traffic and Parking Regulations (Ord. No. Z-12, 12-03-07))

Sec. 19-178. Handicapped persons and disabled veterans parking.

(a) No person shall park a vehicle upon any street or in any parking lot operated by the city in parking spaces designated for handicapped persons and disabled veterans unless said vehicle:

- (1) properly bears the distinctive handicapped or disabled veteran license plates authorized by section 2 of chapter 90 of the General Laws; or
- (2) is being used for transporting a handicapped person and properly displays the handicapped placard authorized by section 2 of chapter 90 of the General Laws; or
- (3) properly bears the official identification of a handicapped person issued by any other state, or any Canadian Province.

(b) The traffic council is authorized to establish handicapped parking spaces upon streets in accordance with the following procedure:

- (1) Any person may submit a petition to the clerk of the board of aldermen to add, remove, or relocate a disabled

Sec. 19-9. Penalty for parking violations.*

(a) Pursuant to General Laws, chapter 90, section 20A, chapter 40, section 22A, and chapter 40, section 21, clause 24, the following schedule of fines for parking offenses is established subject to such section and to the provisions of this chapter and the Traffic and Parking Regulations:

Angle parking zone, otherwise than at the required angle (sec. 19-175)	\$15.00
Bridge and the approach thereto, parking on (sec. 19-166(m))	\$15.00
Bus stop, illegally parking in (sec. 19-170).....	\$100.00
Crosswalk, upon (sec. 19-166(c)).....	\$25.00
* Curb cut, blocking a curb cut designated for handicapped access (sec. 19-178; sec. 19-199)	
First offense	\$200.00
Each subsequent offense.....	\$300.00
Curb, parking over twelve (12) inches from (sec. 19-166(e))	\$15.00
Driveway, parking in front (sec. 19-166(h))	\$25.00
Fire hydrant, parking within ten (10) feet of (sec. 19-166(g)).....	\$25.00
Fire lane, parking in or obstructing access to (sec. 19-166(o)).....	\$15.00
Fire station, within 15 ft. of the wall of, or directly across the street from (sec. 19-166(j)).....	\$15.00
Handicapped space, illegally parking in a space reserved for the handicapped (sect. 19-178; sec. 19-199)	
First Offense	\$200.00
Each subsequent offense.....	\$300.00
Intersecting Way, within twenty (20) feet of (sec. 19-166(i))	\$15.00
Intersection, parking within (sec. 19-166(a)).....	\$15.00
Loading Zone, within in excess of the time permitted (sec. 19-172)	\$15.00
Night, parking a vehicle at night in violation of the provisions applicable thereto (secs. 19-174, 19-174(b) & (c))	\$5.00
Other, in any other area where parking is permitted for a limited period of time in excess of the time allowed (sec. 19-166).....	\$15.00
Parking meter, parking in violation of the provisions applicable thereto (secs. 19-188 to 19-190, 19-194 and 19-195).....	\$15.00

Private road, parking in front of (sec. 19-166(h))	\$25.00
Residential area, within without appropriate sticker (sec. 19-201)	\$15.00
Restricted area, in violation of the applicable restrictions (except overtime) (sec. 19-176).....	\$20.00
Safety zone, within twenty (20) feet of either end of (sec. 19-167)	\$15.00
School drop off zone, parking in in excess of time permitted (sec. 19-179).....	\$25.00
Sidewalk, parking on (sec. 19-166(b))	\$15.00
Snow or Ice Removal, parking on any way in such a manner as to impede (sec. 19-166(n))..	\$20.00
Stopping in violation of the applicable restrictions (sec. 19-180)	\$15.00
Taxicab stand, parking within (sec. 19-171)	\$15.00
Traffic passing lane, obstruction of (sec. 19-166(f)).....	\$15.00
Trailer, at night in violation of the provisions applicable thereto (section 19-174).....	\$5.00
Wrong direction, parking in the (sec. 19-166(e)).....	\$15.00

(b) Should the fines established herein not be paid within twenty-one (21) days of the offense, the following surcharges shall be due and payable to the parking clerk of the city in addition to the fine originally assessed:

For a \$5.00 fine – initial surcharge shall be an additional \$10.00.

For a \$15.00 fine – initial surcharge shall be an additional \$10.00.

For a \$20.00 fine – initial surcharge shall be an additional \$10.00.

For a \$25.00 fine – initial surcharge shall be an additional \$10.00.

(c) If any part of the fine and/or initial surcharge remains unpaid at any time subsequent to the parking clerk reporting the matter to the Registrar of Motor Vehicles of the Commonwealth of Massachusetts, pursuant to M.G.L. chapter 90, section 20A, an additional surcharge of \$5.00 shall be due and payable to the parking clerk of the city.

(d) Notwithstanding the fines established for the offenses identified in section (a) as having a fine of either \$15.00 or \$20.00, such offenses shall be punished by a fine of twenty-five dollars (\$25.00) if the offense occurs within the geographic area designed as subject to the Tiger Parking program established by section 19-204 while such program is in effect. (Rev. Ords. 1973, § 13-12; Ord. No. S-8, 8-8-83; Ord No. S-43, 2-21-84; Ord. No. S-156, 2-18-86; Ord. No. 209, 7-21-86; Ord. No. S-344, 12-5-88; Ord. No. T-164, 8-8-91; Rev. Ord. No. T-142, 4-1-91; Ord. X-30, 10-7-02; X-34, 11-18-02; Ord. No. X-86, 5-17-04; Ord. No. X-96, 6-21-04; Ord. No. X-143, 3-21-05; Ord. No. X-162, 4-4-05; Ord. No. X-180, 12-19-05; Ord. Y-6, 3-19-07; Ord. No. Y-31, 8-13-07; Ord. No. Z-14, 11-5-07; Ord. No. Z-40, 01-20-09; Ord. No. Z-47, 03-16-09; Ord. No. Z-111, 06-18-12; Ord. No. A-2, 07-09-12)

***Editor's notes**—See subsections (h), (i) and (j) of section 19-204 regarding penalties pursuant to certain violations of the temporary permit parking program known as Tiger Permit parking.

cannot be made in safety; provided, however, that if a green arrow is illuminated at the same time, drivers may enter the intersection to make the movement permitted by such arrow. (Rev. Ords . 1973, § 13-120; Ord. No. Z-111, 06-18-12)

Sec. 19-145—19-149 Reserved. (Sections moved to Traffic and Parking Regulations (Ord. No. Z-12, 12-03-07))

Secs. 19-150—19-165. Reserved.

ARTICLE VII.
STOPPING, STANDING AND PARKING

DIVISION I. GENERALLY

Sec. 19-166. General provisions.

Except as provided in section 26-16 no person shall allow, permit or suffer any vehicle registered in his name to stand or park in any street, way, highway, road, parkway or private way dedicated to the use of the public in violation of any of the provisions of these ordinances and in particular in any of the following places except when necessary to avoid conflict with other traffic or in compliance with the direction of any police officer, traffic sign or signal:

(a) Within an intersection, except within those intersections where the installation of parking meters has been specifically approved by the Massachusetts department of public works.

(b) Upon any sidewalk.

(c) Upon any crosswalk.

(d) Upon the roadway in a rural or sparsely settled district.

(e) Upon a roadway where parking is permitted unless both wheels on the right side of the vehicle are within twelve (12) inches of the curb or edge of the roadway; except upon those streets which are designated as one-way streets a vehicle shall be parked in the direction in which such vehicle is moving and with both wheels within twelve (12) inches of the curb. This shall not apply to streets or parts of streets where angle parking is required by this chapter.

(f) Upon any roadway where the parking of a vehicle will not leave a clear and unobstructed lane at least ten (10) feet wide for passing traffic.

(g) Upon any street or highway within ten (10) feet of a fire hydrant.

~~(h)~~ (h) In front of or within five (5) feet of any private road or driveway.

(i) Upon any street or highway within twenty (20) feet of an intersecting way, except alleys.

(j) Within fifteen (15) feet of the wall of a fire station or directly across the street from such fire station, provided signs are erected acquainting the driver with such restriction.

(k) Alongside or opposite any street excavation or obstruction when such stopping, standing or parking would obstruct traffic.

(l) Within twenty-five (25) feet of the nearest rail of a railroad crossing when there are no gates at such crossing, or otherwise within five (5) feet from the gate.

(m) On a bridge and the approach thereto.

(n) Upon any way in such a manner as to impede the removal or plowing of snow or ice.

(o) In an area designated as a fire lane.

(p) Within fifty (50) feet of an intersecting way and within twenty-five (25) feet of a midblock crosswalk where the commissioner of public works has established parking prohibitions based on one or more of the following objectives: to provide adequate sight lines for pedestrian and traffic safety or adequate area for bus maneuvers, or to facilitate emergency vehicle access, snow removal or trash pick-up. The commissioner of public works will determine the extent of parking to be removed at any given location based on input from the police department and an engineering study, using commonly accepted standards for gauging the length of unobstructed sight lines necessary to protect public safety, and shall consider such factors as street geometry, automobile speeds and volume, and visual distractions. The commissioner of public works will distribute a written notice to the board of aldermen and to the traffic council at least 30 days before removing such parking spaces. The commissioner shall create a written record of each such prohibition, setting out the location and dimensions of the prohibited area. Such records shall be kept on file in the office of the city clerk and shall be included in the traffic and parking regulations.

(Rev. Ords. 1973, § 13-136; Ord. No. 283, 6-19-78; Ord. No. 326, 4-4-79; Ord. No. R-32, 11-5-79; Ord. No. R-39, 12-3-79; Ord. No. S-10, 9-6-83; Ord. No. S-309, 4-19-88; Ord. No. S-131, 2-19-85; Ord. No. S-152, 10-21-85; Ord. No. T-164, 8-8-91; Ord. No. U-4, 3-21-94; Ord. No. A-9, 01-22-13)

Sec. 19-167. Parking near safety zones.

No person shall park a vehicle within twenty (20) feet of either end of a safety zone which is located within thirty (30) feet of the curb or edge of the roadway. (Rev. Ords. 1973, § 13-137)

Sec. 19-168—19-169. Reserved. (Sections moved to Traffic and Parking Regulations (Ord. No. Z-12, 12-03-07))

Sec. 19-170. Bus stops.

(a) No person shall stop or park a vehicle other than a bus in a bus stop.



(b) No person shall park a bus upon any street within a business district at any place other than a bus stop when a nearby bus stop is available for use. (Rev. Ords. 1973, § 13-140)

Cross references—Business licenses for vehicles for hire, Ch. 19, Art. XII, Div. 2; driver's license for vehicles for hire, Ch. 19, Art. XII, Div. 3; Buses generally, Ch. 19, Art. XII, Div. 4

Sec. 19-171. Taxicab stands.


(a) No person shall park a vehicle other than a taxicab upon any street within a business district in any taxicab stand.

(b) No person shall park a taxicab upon any street within a business district at any place other than the taxicab stand or stands designated for the use of his taxicab or taxicabs, except while engaged or while waiting for an opportunity to use a taxicab stand designated for his use. (Rev. Ords. 1973, § 13-141)

STREET NAMING

An innocent but potentially dangerous choice



Department of Health and Human Services
Emergency Medical Services Committee
City of Newton, Massachusetts

EMS Committee

- Dori Zaleznik, MD, Chair
- Charles Pozner, MD (Citizen)
- William Baker, MD (Citizen)
- Chief Bruce Proia (Newton FD)
- Chief Howard Mintz (Newton PD)
- Captain Dennis Dowling (Newton PD)
- Alex Gimenez (Newton FD)
- Donald Gentile (Newton FD)
- Paul Chagnon (Newton FD)
- Laura McGerigle (Newton Dispatch)
- Linda Walsh, RN (Newton HHS)
- Barry Tils, MD (NWH)
- Ron Quaranto, EMT (Cataldo Ambulance)
- Chris Borges, EMT (Cataldo Ambulance)
- Bob Rooney (Executive Office)

Our Concern

- Alleghany County, PA (2010)
 - Dispatched to Overlook St instead of Overlook Ct for fire
 - Dispatched to Overlook Dr instead of Overlook st for EMS (Patient died)
 - Dispatched to Bigelow Blvd instead of Bigelow Sq for EMS (Patient died)
 - Dispatched to Ella St (McKees Rock) instead of Ella St (Bloomfield) for a fatal fire

Pittsburgh Tribune Dec 23, 2010

More Concern

- Jackson County, MI (2008)
 - Chain saw accident
 - Dispatched to 1110 Lakeview Dr. (Wampler's Lake) instead of 1110 Lakeview Dr. (Sweezey Lake)
 - 30 minute delay *Jackson Citizen Patriot, May 7, 2008*
- Toronto Paramedics Delayed by Duplicate Street Names
 - Fatal Fire
 - Dispatched to 100 Cavell Ave West End
 - Ambulance to 100 Cavell Ave East End

The Toronto Star, Sept. 13, 2006

Concern Closer to Home



- Fatal stabbing
- Dispatched to 689 Washington St in Downtown Crossing instead of 689 Washington St in Dorchester
- 14 minute delay

Boston Globe, March 14, 2008

The Problem

- 22 duplicate streets (50% of all in MA)
- 767 Residences
- 26 Commercial properties
- One large, one small
 - Charles St.
 - Auburndale 34 residential, 4 commercial
 - Highlands: 4 residential, 0 commercial
- 206 (27%) residences affected if smaller changed

Why Technology Won't Fix This?

- Land-line
 - Dispatcher screen does not identify village
 - Duplicate numbers exist
- Cell Phone
 - GPS is unreliable
 - GPS technology is not universally available
- Human Element
 - Caller may not know their location
 - Dispatcher must choose street
 - Responder might mistakenly go to wrong street

CALL INFORMATION REPORT

Date/Time: 2/9/2012 7:46:16 AM User Name: mcdonnell_st

Console ID: 3107 User ACD Code: 102298

Calling Number: (617) 954-1904

ALL

30P

WOP 07 46 2209

(617) 954-1904 COD=TRDD

954-1904

NORTH ST

NEWTON MA

COD = 0000

FIN=015 MTN=17.211-0209

LAT=42.369033 LON=-71.218722

ELV=430000000 COP 000

NEWTON PD

NEWTON PD:

CHALK AMB

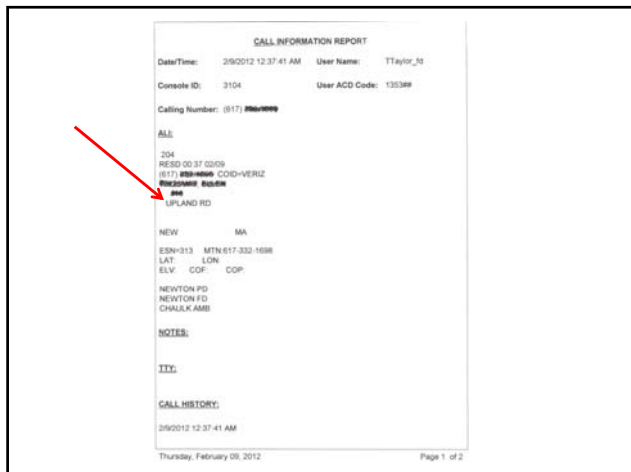
NOTES:

TTT:

CALL HISTORY:

2/9/2012 7:46:16 AM

Thursday, February 09, 2012 Page 1 of 2



Telephone Communication

- Current
 - Total Calls 19,380
 - 10,431 landline (53%)
 - 8,959 wireless (46%)
- Future
 - Wireless use is growing
 - Voice over IP (VoIP) is growing
 - Much less reliable
 - Comcast, Verizon, Vonage, etc.



Our Problem



DISCUSSION

Danielle Delaney

To: ddelaney@newtonma.gov
Subject: (Fwd) Re: duplicate street names list
Date sent: Fri, 17 Jan 2014 15:29:19

#28-14 Duplicate Street Name List ---- Corrections made by Commissioner Zaleznik (in BOLD type)

----- Forwarded message follows -----

From: "Dori Zaleznik" <dzaleznik@newtonma.gov>
To: "Danielle Delaney" <ddelaney@newtonma.gov>, ddelaney@newtonma.gov, "DISPATCHER LAURA A. MCGERIGLE" <lmcgerigle@newtonma.gov>, dzaleznik@newtonma.gov
Date sent: Fri, 17 Jan 2014 13:25:10 -0500
Subject: Re: duplicate street names list
Priority: normal

I made a few corrections to Laura's list. The EMS Committee has worked from a list of 22 duplicate streets (same name and spelling with locations in Newton). See the list we have used below with corrections in blue. **(BOLDED type)**

On 14 Jan 2014 at 10:17, Danielle Delaney wrote:

- > Thank you very much for this list.
- > Danielle
- >
- > On 14 Jan 2014 at 10:03, DISPATCHER LAURA A. MCGERIGLE wrote:
- >
- >> Danielle,
- >>
- >> The streets are;
- >>
- >> Berkshire Rd (NV and WN)
- >> **Beach St (NV and NO) This isn't on our list because it is Beach St. and Beech St.**
- >> Charles St (AU and NH)
- >> Columbia Ave (NH and UF)
- >> **Devon Rd (CH and NC) This isn't on our list because the Chestnut Hill Devon Rd. is in Brookline**
- >> Forest Ave (AU and WN)
- >> Fuller St (WA and WN)
- >> **Frances St (NH and NC) This isn't on our list because one is Frances St. and one is Francis St.**
- >> High St (NH and UF)
- >> Howard St (**NewtonCorner** and WN)
- >> Lake Ave (AU and NC)
- >> Maple St (**NewtonCorner** and AU)
- >> Maple Ter (**NewtonCorner** and AU)
- >> North St (NC and NV)
- >> Norwood Ave (NC and NV)
- >> Oakwood **Ave** (NV and AU) **This is Oakwood Rd. There is actually a third one off Auburndale but it is just a lot**
- >> Orchard Ave (WA and WN)
- >> Pleasant St (NC and WN)
- >> Rockland St (**NewtonCorner** and NH)
- >> Rogers St (NC and **NewtonCorner**)
- >> Russell Rd (**NewtonCorner** and WN)
- >> Upland Rd (WA and NV)

- > > Walnut PL (NH and NV)
- > > Willard St (**NewtonCorner** and NH)
 William St (NewtonCorner, WN) We only carry William not Williams altho it is a sound alike
- > > **William St (WN)**
- > > **WILLIAMS St (UF)**

> > Please let me know if there is anything else I can do.

> > Laura McGerigle

> >x2131

>

>

Dori Zaleznik MD
Commissioner of Health and Human Services
1000 Commonwealth Ave.
Newton, MA 02459
617-796-1420
dzaleznik@newtonma.gov
----- End of forwarded message -----