

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE AGENDA

WEDNESDAY, OCTOBER 8, 2014

**7:00 PM NOTE EARLY START TIME**

Room 202

**ITEMS SCHEDULED FOR DISCUSSION:**

The Committee will meet jointly with the Public Facilities Committee on the following item at 7:00 pm in Room 209.

**REFERRED TO PS&T, PUBLIC FACILITIES AND FINANCE COMMITTEES**

#310-10(2) ALD. DANBERG, BLAZAR, KALIS, SCHWARTZ, ALBRIGHT, HESS-  
(#409-12) MAHAN, RICE, COTE, LEARY, AND NORTON, requesting amendments to Sec. 26-8D of the City of Newton Ordinances to modify and make permanent the trial program for removal of snow and ice from sidewalks and to provide for enforcements and fines for violations. [09/10/14 @ 2:12 PM]

#357-14 ALD. ALBRIGHT & SGT. BABCOCK, requesting that Chapter 19 be amended to create an ordinance that would prohibit citizens, organizations including profit and non-profit from reserving parking spaces on any public roadway, street or municipal parking lots without the authorization of the Newton Police Department. [09/12/14 @ 10:34 AM]

**ITEMS NOT SCHEDULED FOR DISCUSSION:**

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES**

#341-14 TRANSPORTATION DIVISION, requesting presentation of the Washington Street Access Improvement Study provided by the Central Transportation Planning Staff. [08/29/14 @ 11:08 AM]

#326-14 ALD. ALBRIGHT, requesting a discussion and a plan to replace all Newton parking meters within two years. [08/19/14 @ 9:16 AM]  
**HELD 5-0 on 09/17/14, Ald. Harney and Lipof not voting**

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](mailto:jlojek@newtonma.gov), or 617-796-1064. For Telecommunications Relay Service dial 711.

- #310-14 ALD. YATES requesting a RESOLUTION to His Honor the Mayor asking that the Director of Public Engagement develop a public outreach program in partnership with the Massachusetts Department of Transportation re the Add-a Lane Project on Route 128, including but not limited to emails to aldermen and members of the Upper Falls, Waban, and Newton Highlands Neighborhood Area Councils, and create a prominent link on the city's website to the new Department of Transportation website page on the project [07/31/14 @ 12:12 PM]
- #309-14 ALD. JOHNSON requesting a discussion re changes that may need to be made to the membership of the Traffic Council to make it more effective, efficient, and representative of the community. [07/28/14 @9:20 AM]  
**HELD 7-0 on 09/17/14**
- #115-14 FRAN KUEHN, 37 Fairfield Street, appealing the Approval of TC1-14 Traffic Council Decision on February 27, 2014: SGT. BABCOCK, requesting a parking restriction on Fairfield Street, to allow for emergency vehicle access. (Ward 2) [03/17/14 @ 4:10 PM]  
**HELD on 06/18/14, 5-0-1, Ald. Ciccone abstaining, Ald. Schwartz not voting on a 60-day trial to remove the no parking, any time, west side of Fairfield Street parking restriction approved by Traffic Council on 02/27/14.**  
**HELD on 09/17/14, 5-0-1, Ald. Harney abstaining, Ald. Cote not voting to continue the trial for an additional 180-days to remove the no parking, anytime, west side of Fairfield Street parking restriction approved by Traffic Council on 02/27/14.**
- #72-14 ALD. CICCONE & JOHNSON, requesting a discussion of the installation of a possible bike lane on Walnut Street between Otis Street and Commonwealth Avenue. [03/03/14 @ 8:17 AM]  
**HELD 7-0 on 03/19/14**
- #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]  
**HELD 8-0 on 01/22/14**  
**HELD 8-0 on 05/07/14**
- #310-13(2) ALD. LENNON, on behalf of Dominic Proia, 17 Peabody Street, requesting an amendment to Resident Permit Parking Program Sec. 19-201(B)(1) regarding contiguous lots. [02/24/14 @ 9:08 AM]  
**HELD 6-0 on 03/19/14, Ald. Harney not voting**
- #302-13(2) PUBLIC SAFETY & TRANSPORTATION COMMITTEE, requesting the Chief of Police provide periodic updates to the Committee on the departmental review, completed in July 2013. [04/16/14 @ 1:10 PM]  
**HELD 7-0 on 05/07/14, Ald. Harney not voting**

#150-13 ALD. JOHNSON, ALBRIGHT & LINSKY, requesting the Planning Department create a traffic and parking management plan for the Education Center, Day Middle School, Horace Mann Elementary School and Carr School neighborhood area by December 2013. (Wards 1 & 2) [03/29/13 @ 9:11 AM]

**REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEES**

#413-11 ALD. CICCONE, SALVUCCI, GENTILE & LENNON updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11/17/11 @ 11:07 AM]

#137-11 ALD. DANBERG AND FULLER requesting possible changes to City Ordinance 19-191, Parking Meter Fees, to require a minimum purchase at long-term parking meters in order to discourage short-term use. [04/26/11 @ 9:52 AM]

**HELD 6-0 on 05/18/11, Ald. Freedman not voting**

**HELD 8-0 on 01/18/12**

**HELD 5-0, Ald. Fuller not voting on 01/23/13**

#41-11(3) ALD. LENNON, LEARY, CICCONE, JOHNSON requesting implementation of an overnight parking pilot program for the period of November 15, 2014 through April 15, 2015 in Ward One. [07/07/14 @ 1:33 PM]

**HELD 7-0 on 09/03/14**

**RECODIFICATION COMMITTEE ITEMS NOT SCHEDULED FOR DISCUSSION:**

**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.

#240-12 RECODIFICATION COMMITTEE requesting that **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to determine who has jurisdiction for parking on municipal land, the owning department as described in **Sec. 19-224. Parking prohibited on city grounds.** or the Traffic Council as described in **Sec. 19-26. Authority and role of Traffic Council.**

#239-12 RECODIFICATION COMMITTEE requesting a discussion as to whether the increased Tiger Permit Fees in **Chapter 19 MOTOR VEHICLES AND TRAFFIC** and the process established as part of the temporary Tiger program are still valid for the smaller permanent program.

#238-12 RECODIFICATION COMMITTEE requesting a discussion to determine whether Hawk lights should be regulated in **Chapter 19 MOTOR VEHICLES AND TRAFFIC** or in the *Traffic and Parking Regulations*.

- #237-12 RECODIFICATION COMMITTEE requesting a discussion relative to amending **Sec. 19-188 Establishment of spaces and installation of parking meters; type of meters; operation and maintenance.** of **Chapter 19 MOTOR VEHICLES AND TRAFFIC** by deleting in paragraph (a) the reference to specific denominations for payment.
- #236-12 RECODIFICATION COMMITTEE recommending **Sec. 19-175. Angle parking.** of **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended by deleting the words “board of aldermen” and inserting in place thereof the words “traffic council” and by inserting after the word “and” the words “the commissioner of public works”.
- #235-12 RECODIFICATION COMMITTEE recommending that **Sec. 19-113. Pedestrians crossing ways or roadways.** in **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended by removing the existing description of a marked crosswalk.
- #234-12 RECODIFICATION COMMITTEE recommending that the definition of *Speed humps* in **Sec. 19-1.** of **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to make it consistent with current design/practice standards.
- #233-12 RECODIFICATION COMMITTEE recommending that the definition of *Crosswalk* in **Sec. 19-1.** of **Chapter 19 MOTOR VEHICLES AND TRAFFIC** be amended to define that it is a portion of a roadway clearly indicated for pedestrians crossing with marked lines only.

Respectfully submitted,

Allan Ciccone, Jr. Chairman

1. **PROPOSED ORDINANCE LANGUAGE:**

**26-8D ~~Trial program for r~~Removal of snow and ice from sidewalks.**

In order to allow for safe pedestrian and wheelchair passage, every owner or occupant of a building or lot of land abutting upon a paved sidewalk or any person having charge of such property shall use reasonable efforts to remove snow and ice from the sidewalk and handicap access ramps, and shall use reasonable efforts to treat said sidewalk and ramps to allow for a safe passageway of approximately thirty-six (36) inches in width, provided that where such sidewalk is less than thirty-six (36) inches in width the passageway shall encompass its entire width and handicap access ramps. Snow and ice shall be removed, and sidewalks and ramps shall be treated, within ~~thirty (30)~~**twenty-four (24)** hours after such snow has ceased to fall or such ice has formed, **or within twenty-four (24) hours after a snow emergency has ended if one has been declared.** This section shall apply to snow and ice which falls from buildings, other structures, trees or bushes, as well as to that which falls from clouds. This section shall not apply to owners or occupants of a building or lot **in a business district or which is a business use** covered by Section 26-8. The mayor or his designee is authorized ~~to coordinate volunteer snow clearing assistance or~~ to grant an exemption, renewable annually, for citizens who upon written petition demonstrate hardship due to a combination of health and financial duress. ~~The provisions of this section shall take effect on November 1, 2011 and shall expire on November 1, 2013 unless terminated earlier or renewed or modified by the board of aldermen. During this trial period, enforcement shall be limited to issuance of notices of non-compliance for violations of any provision of this section."~~

2. **PROPOSED CIVIL FINE for Sec. 26-8D - add to Sec. 20-21(d) as follows:**

Sec. 26-8. Removal of snow and ice from sidewalks in certain districts.

( ) Any offense ..... \$25.00

**Sec. 26-8D Removal of snow and ice from sidewalks**

**( ) Any offense ..... \$100.00**

Sec. 26-9. Putting snow and ice upon streets, sidewalks and bridges

( ) Placing snow or ice on a public way (street, sidewalk or bridge)  
First offense in calendar year ..... \$100.00  
Second offense in calendar year ..... \$200.00  
Third offense and subsequent offenses in calendar year ..... \$300.00

( ) Causing or permitting snow or ice to be placed upon a public way (street, sidewalk or bridge)  
First offense in calendar year ..... \$100.00  
Second offense in calendar year ..... \$200.00  
Third offense and subsequent offenses in calendar year ..... \$300.00

**Sec. 19-141. Unauthorized signs, signals, markings, or parking barriers.**

(a) No person ~~or corporation~~ shall place, maintain or display upon or in view of any street any unofficial device, sign, signal, curb marking or street marking which purports to be or is an imitation of or resembles an official traffic device, sign, signal, curb marking or street marking or which attempts to direct the movement of traffic or which hides from view any official sign, signal, marking or device. The chief of police is hereby empowered to remove every such prohibited sign, signal, marking or device or cause it to be removed without notice. (Rev. Ords. 1973, § 13-117)

(b) No person shall place, maintain or display upon any public street or municipal parking lot any unofficial sign, object or barrier to reserve parking for, or to restrict or prevent parking of any motor vehicle unless authorized by the chief of police. The chief of police is hereby empowered to remove every such prohibited sign, object or barrier or cause it to be removed without notice.

**Please note:** Section 1-3 of the revised ordinances, **Rules of Construction**, define the word “person” as follows:

*Person.* The word “person” shall extend and be applied to trusts, associations, firms, proprietorships, partnerships, corporations, bodies politic and corporate, and all other entities, no matter how organized, as well as to individuals.

Rules of construction apply to use of the word wherever used throughout the ordinances, therefore, there is no need to add terms other than “person” to Section 19-141 for the prohibition to apply to corporations, non-profits, institutions and other entities.