

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC SAFETY & TRANSPORTATION COMMITTEE AGENDA

WEDNESDAY, OCTOBER 5, 2011

8:00 pm Note Late Start Time
Room 202

ITEMS SCHEDULED FOR DISCUSSION:

Chairman's Note: The Committee will meet jointly with the Public Facilities Committee to discuss the following two items:

REFERRED TO PUB. FACILITIES AND PUBLIC SAFETY & TRAN. COMMITTEES

#255-11 ALD. BAKER, GENTILE, SCHNIPPER, CICCONE, FULLER, SHAPIRO requesting discussion of preparation for, response during, and follow up after, Tropical Storm Irene by the City of Newton, including co-ordination by the Mayor's office and the various City Departments involved. [08/29/11 @ 2:09 PM]
HELD 6-0 on 09/21/11

REFERRED TO PUB. FACILITIES AND PUBLIC SAFETY & TRAN. COMMITTEES

#256-11 ALD. SHAPIRO, CICCONE, BAKER requesting a discussion how the City uses information systems as well as people to collect and process information from residents impacted by a storm or other emergency event, and ways to establish or improve the manner in which triage is performed and prioritized to increase public safety with the appropriate response. [08/29/11 @ 9:25 PM]
HELD 6-0 on 09/21/11

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#363-10 ALD. ALBRIGHT & DANBERG, proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton. [11/15/10 @ 6:30 PM]
HELD 5-0 (Ald. Yates and Swiston not voting) on 01/05/11

#281-11 DAY MIDDLE SCHOOL PTO applying for a license pursuant to GL chapter 10 §38 to play bingo and award prizes (in lieu of money) for an F.A. Day Middle School "Bingo & Board Games" social and fundraiser on Saturday, October 22 from 8PM to 11PM at The New Art Center in Newtonville. [09-30-11 @ 2:52PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, please contact the Newton ADA Coordinator Trisha Guditz at 617-796-1156 or tguditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting.

It is the Chairman's intention to entertain a motion to vote No Action Necessary on the following item:

#264-09 ALD. HESS-MAHAN proposing to amend Sections 19-166, 19-219 and 26-16 of the Revised Ordinances to allow certain two wheel vehicles, including motorized vehicles that must register as limited use vehicles pursuant to the MGL CH. 90 as amended by Chapter 523 of the Acts of 2008, to continue to park on sidewalks. [09/01/09 @ 11:40 AM]

ITEMS NOT SCHEDULED FOR DISCUSSION:

#278-11 ALD. YATES, requesting a report from His Honor the Mayor on the likely impacts on traffic in Newton from the changes to the Route 9/128 intersection as part of the Add-A-Lane Project. [09/26/11 @ 2:37 PM]

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#262-11 HIS HONOR THE MAYOR requesting amendments to Chapter 17 of the City of Newton Ordinances, 2007 to increase fees for permits issued by the Fire Department. [08/29/11 @ 3:50 PM]

#233-11 ALDERMEN CROSSLEY, YATES AND RICE requesting a discussion with the Massachusetts Department of Conservation & Recreation (DCR) regarding design and location of the recently created pedestrian access from Quinobequin Road to the revised DCR trail parallel to the Charles River, where pedestrians are concealed and unprotected from oncoming traffic, and further to consider redesign and/or relocation to make access points to the trail safe for both pedestrians and drivers. [08/01/11 @ 4:18 PM]

#156-11 ALD. YATES requesting a report from the Massachusetts Bay Transportation Authority on the physical condition of the bridge that carries the MBTA Green Line over Route 9 near Eliot Station. [05/02/11 @ 10:51 PM]

#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. [4/26/11 @ 9:52 AM]

HELD 6-0 (Ald. Freedman not voting) on 05/18/11

#97-11 PARTNERS HEALTHCARE applying for a bus license to operate a fixed route shuttle service with stops in Newton. [03/28/11 @ 2:19 PM]

#85-11 ALD. CICCONE AND FULLER requesting a discussion of the financial impact of adding Police Department personnel on the overtime account. [03/14/11 @ 9:17 AM]

HELD 4-0 on 03/23/11

REFERRED TO PUBLIC SAFETY/TRANSPORTATION & FINANCE COMMITTEES

- #54-11(2) ALD. YATES, CICCONE, HARNEY, FREEDMAN AND SHAPIRO requesting that Chapter 19 MOTOR VEHICLES AND TRAFFIC of the Revised Ordinances be amended by reinstating the Community Parking Program in a manner that charges the participants for the full cost of the program. [05/01/11 @ 10:05AM]
HELD 6-0 (Ald. Freedman not voting) on 05/18/11

REFERRED TO PS&T AND PUBLIC FACILITIES COMMITTEE

- #41-11 ALD. JOHNSON, LENNON AND DANBERG requesting discussion of the elimination, except during snow emergencies, of the overnight parking ban which is in effect from November 15 through April 15. [01/18/11 @ 9:00 PM]
PUBLIC FACILITIES HELD 6-0 (Ald. Salvucci not voting) on 02/09/11
HELD 6-0 on 02/09/11
- #371-10 ALD. CICCONE on behalf of Annette Kaplan, 2 Washington Street, Newton Corner, requesting amendment to Section 19-309, *Requirements as to vehicles generally*, of the City of Newton Revised Ordinances to require taxi companies to display the company name, telephone number, and medallion number in all vehicles, visible from the back seat. [12/13/10 @ 4:10 PM]
HELD 7-0 on 01/05/11
- #279-10 ALD. JOHNSON, ALBRIGHT & LINSKY, requesting the development of a comprehensive traffic and parking plan for the Newton North High School neighborhood with the following streets as its borders: Commonwealth Avenue, Washington, Harvard and Valentine Streets. This plan to be completed by November 30, 2010 will include a fix to short term (immediate needs) and longer term needs to effectively manage the traffic circulation within the neighborhood, provide pedestrian and vehicular safety, and preserve quality of life for the neighborhood, school staff and faculty. [10/06/10 @ 12:33 PM]
HELD 6-0 on 02/09/11
- #49-10 NEWTON BICYCLE/PEDESTRIAN TASK FORCE seeking a discussion on a proposal to make changes to the City of Newton's bicycle-related ordinances in order to better align them with State Law and to make it possible for Newton's Safe Routes to School program to develop bike routes suitable for children. [02/09/10 @ 9:11 AM]
HELD 4-0 (Ald. Fuller not voting) on 03/03/10
- #261-09 ALD. JOHNSON requesting a review of the City of Newton Ordinances Chapter 24, Sections 26-34 Alarm System Regulations to more clearly express the fines and penalties to residential and commercial property owners for false alarms. [08/19/09 @ 9:53 AM]

REFERRED TO PS&T COMMITTEE by TRAFFIC COUNCIL on 10/23/08

- #235-09 ALD. SANGIOLO, HARNEY & GENTILE on behalf of residents on
TC2(2)-08 Wolcott Street requesting that the traffic control signal located at Wolcott and
Lexington Streets be moved to a different location or removed altogether.
(Ward 4) [3/28/08 @ 9:59 AM]

REFERRED TO PUBLIC SAFETY & TRANSPORTATION COMMITTEE on 05/04/09

REFERRED TO PUBLIC FACILITIES & FINANCE COMMITTEES on 02/17/09

- #60-09 ALD. SANGIOLO, GENTILE AND HARNEY requesting the installation of
traffic islands on CONCORD STREET to be funded with the Cabot, Cabot and
Forbes Traffic Mitigation Fund for Lower Falls (Ward 4). [02/03/09 @ 1:01 PM]
FINANCE NO ACTION NECESSARY 7-0 on 03/08/10
HELD 6-0 (Ald. Freedman not voting) on 04/06/11
- #21-08 ALD. LINSKY AND DANBERG requesting discussion with appropriate
personnel from the Massachusetts Bay Transportation Authority (MBTA) relative
to ongoing service levels and conditions on mass transit and rail lines affecting
Newton residents. [01/04/08 @ 10:19 AM]

Respectfully submitted,

Allan Ciccone, Jr. Chairman



Setti D. Warren
Mayor

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Candace Havens
Director

MEMORANDUM

DATE: September 30, 2011

TO: Alderman Allan Ciccone, Jr., Chairman, and
Members of the Public Safety and Transportation Committee

FROM: Candace Havens, Director of Planning and Development
David Koses, Transportation Planning Coordinator 
Amanda Stout, Senior Economic Development Planner

SUBJECT: Item #363-10, ALD. ALBRIGHT AND DANBERG, proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton.

MEETING DATE: October 5, 2011

BACKGROUND AND ANALYSIS

Last fall, the Committee discussed the potential for creating a citywide program to provide free parking for customers on Saturdays to encourage local shopping at the holidays. Staff brainstormed ideas for several approaches for such a program for four Saturdays on December 3rd, 10th, 17th, and 24th and concluded the following:

- **Enforcement of time limits is an important consideration.** Active enforcement of parking meter time limits encourages turnover of spaces, which allows customers ready access to stores. If time limits are not enforced employees, who arrive before customers, may park in the most convenient spaces all day and customers will not benefit from the free parking. Time limits at meters are easy to enforce because an officer can see when the meter has expired when a red flag pops up. Without the benefit of active meters, enforcement staff must note the time customers come and go, which is labor intense. Reprogramming the Police Department's new hand-held devices may enable officers to enforce the time limit restrictions, encourage turnover, and discourage abuse of this special offering; however, this effort for a short-term event may also be time consuming.

- **The loss of revenues is significant and should be recaptured.** Estimated revenues are \$5,106 per day or \$20,425 for four Saturdays. If local businesses are willing to contribute to the cost of lost revenues, such a program may be financially viable. Staff would seek sponsors and would place a large ad each week in the Newton TAB¹ to acknowledge their sponsorship and publicize the weekly event. Staff also would design posters with the sponsors' logos and distribute them to merchants for display at their places of business. Additional attention-getting devices or media coverage may be needed to bring attention to the program if meters are not bagged as suggested below.
- **Other costs also should be recaptured, if possible.** While bagging of meters is an easy way to ensure people know that parking is free, it also is labor intense and adds cost to the program. The City currently owns a few dozen meter bags and there are about 1700 meters in the City. The purchase of the additional meter bags could add an estimated \$12,000 to kick off the program citywide, though they would then be available for future programs. Whether performed by City staff or merchants, bagging and un-bagging meters each Saturday will be time consuming and bears an administrative cost. On a side note, it is likely that many people may unknowingly feed the meters if they are not bagged, which may provide a slight boost to revenues; however, this could diminish the good will intended for the program. If the Committee wishes to endorse a program, staff recommends a trial in one or two villages only initially.

When discussed previously, the Committee was interested in ideas of ways to encourage local shopping at the holidays. This season there are a number of events in the works:

- October 15th and 16th - Harvest Fair in Newton Centre
- October 29th - Village event in Newtonville involving local businesses and arts groups to coincide with Halloween window painting
- November 1st - Kick-off of Newton Cultural Alliance's "Culture 'n Cuisine" program, which aims to promote cultural tourism, increase visibility of cultural organizations and supports local restaurants and businesses
- December 8th – Evening holiday event with participating stores, restaurants, and performances by local musicians and performers in Newton Centre organized by the Newton Cultural Alliance

¹ Advertising in Newton TAB is \$4,707 for a full-page advertisement and \$2,646 for a half-page advertisement.

- Ongoing – The mayor continues to hold neighborhood coffees and to encourage village collaboration around special events and other initiatives, such as establishment of Cultural Districts, which also will boost the local economy.

SUMMARY

The total cost of the program, including advertising for posters, bags and/or media coverage is estimated at between \$30,000 and \$35,000, not including a possible reduction in ticket revenues. Its success will depend on the ability to find sponsors that are willing to underwrite the costs to purchase bags (if used) and/or media coverage, program administration and lost meter revenues. Because of the high total cost of a citywide program, a pilot program in one or two villages may be a better way to assess the costs and benefits of such a program before continuing and/or expanding in future years.

OPTIONS FOR ACTION

No legislative action is required to pursue such a program. However, the Board's recommendations to the Executive Office regarding ways to make such a program a success are welcome. Possible Committee actions include:

1. Support the program as proposed or as amended. The Committee may choose to send a resolution to the mayor or make recommendations to staff, citing the Committee's special interests and goals, especially with regards to the scope of an initial trial.
2. Take no action at this time.
3. Request additional information or new ideas for Committee consideration.

REFERRED TO PUBLIC SAFETY & TRANS. AND FINANCE COMMITTEES

#363-10 ALD. ALBRIGHT & DANBERG, proposing a trial of parking meter free Saturdays between Thanksgiving and New Year for the shopping areas to support shopping at local businesses in Newton. [11/15/10 @ 6:30 PM]

ACTION: HELD 5-0, Ald. Yates and Swiston not voting

NOTE: Ald. Albright, David Koses, Jim Danila, Captain Mintz and Candace Havens joined the Committee for discussion on this item.

Ald. Albright said this item was docketed to support local businesses in Newton's shopping districts. She said this proposal would allow free parking on four Saturdays encouraging customers to shop in Newton. She then said she has spoken with Ms. Havens who said the Planning Department could perform a study to research if this was in fact a good idea and report to the Committee with their study and recommendations. Ald. Albright then said she spoke with the Chamber of Commerce who also agree it is a great idea. She understands there are both negative and positive sides to this proposal. Newton Centre shops expressed their concerns but the Nonantum businesses thought it was a great idea and would perhaps promote business. Ald. Yates suggested she also contact the EDC.

Ald. Johnson said she is concerned with people and employees parking at free meters because it does not allow turnover. Ald. Swiston asked how free parking could be enforced, allowing turnover. Mr. Danila advised this program should be conducted with a time limit on the meter. He then asked how patrons would be made aware of the program. He said bagging meters would be very expensive for the Department Public Works because their crew would have to work overtime bagging the meters each weekend. He suggested perhaps an easier alternative, asking businesses to pay the City beforehand for the meters, the City would not lose revenue and the patron would receive free parking. Ald. Fuller encourages the study to include lost revenue during this proposed time and to compare profit increases to the businesses because of the extra number of patrons shopping due to free parking. Ald. Freedman asked if Boston had a change in traffic when implementing their free parking on Saturdays.

Ms. Havens agreed the Planning Department could perform a study on this proposal. She said her experience has been "if you give something free it is harder to take back". She suggested a merchant program where the merchants pay for parking, therefore, the City would not lose revenue. She said promotions help businesses and patrons. She agreed time limits would have to be enforced allowing turnover. Mr. Koses asked how the meters would be enforced. Captain Mintz said enforcement would be very difficult. Ald. Fuller asked if the license recognition program could assist the Parking Control Clerks with enforcement. Captain Mintz said due to software problems, the Police Department has not received the program but is hopeful to have it by fall. He said he would research the possibility because he was not sure if the programming would have to be changed on the weekends.

Ald. Johnson made the motion to hold this item allowing the Planning Department to perform a study allowing private merchants to join with the City to pay meters on Saturdays during the holiday season and other techniques on how to improve businesses during the holiday season. Council members agreed 5-0, Ald. Yates and Swiston not voting.

(5) The traffic council may not reconsider petitions that have been previously denied within the prior twenty-four month period, unless there has been a material change in condition.

(c) The traffic council shall maintain in its regulations a list of the locations of handicapped parking spaces that have been designated pursuant to this subsection.

(d) The commissioner of public works shall designate handicapped parking spaces in municipal off-street parking areas.

(Rev. Ord. 1989, § 19-166(o); Ord. No. T-9, 2-6-89; Ord. No. T-13, 3-20-89; Ord. No. T-50, 9-18-89; Ord. No. T-61, 11-6-89; Ord. No. T-103, 9-4-90; Ord. No. T-133, 3-4-91; Ord. No. T-111, 8-12-91; Ord. No. T-181, 10-21-91; Ord. No. T-191, 11-18-91; Ord. No. T-218, 2-18-92; Ord. No. T-279, 6-21-93; Ord. No. T-292, 7-12-93; Ord. No. T-299, 9-20-93; Ords. No. U-10, U-11, U-13, 4-19-94; Ord. No. U-45, 11-7-94; Ord. No. V-13, 3-20-95; Ord. No. V-42, 11-6-95; Ord. No. V-66, 2-20-96; Ord. No. V-81, 6-2-96; Ord. No. V-95, 11-4-96; Ord. No. V-129, 7-14-97; Ord. No. V-135, 9-15-97; Ord. No. V-161, 2-17-98; Ord. No. V-185, 7-13-98; Ord. No. V-190, 8-10-98; Ord. No. V-210, 12-7-98; Ord. No. V-227, 3-1-99; Ord. No. V-242, 5-17-99; Ord. No. V-278, 2-7-2000; Ord. No. V-310, 6-5-2000; Ord. No. W-3, 8-14-00; Ord. No. W-29, 2-5-01; Ord. No. W-67, 11-19-01; W-68, 11-19-2001; Ord. X-18, 5-6-02; Ord. X-49, 5-5-03; Ord. No. X-85, 3-15-04; Ord. No. X-114, 10-18-04; Ord. X-118, 11-01-04, Ord. X-119, 11-1-04; Ord. No. X-133, 12-6-04; Ord. No. X-129, 12-20-04; Ord. No. Z-30, 07-14-08)

Statutory reference—G.L. ch. 40 § 21 cl. 23; and G.L. ch. 90 § 2

Sec. 19-179. Reserved. (Section moved to Traffic and Parking Regulations (Ord. No. Z-12, 12-03-07))

Sec. 19-180. Reserved. (Section moved to Traffic and Parking Regulations (Ord. No. Z-19, 03-17-08))

Sec. 19-181—19-187. Reserved.

DIVISION 2. PARKING METERS

Sec. 19-188. Establishment of spaces and installation of parking meters; type of meters; operation and maintenance.

(a) The commissioner of public works, with the approval of the mayor, is hereby authorized and directed to establish and install parking meter spaces in the parking meter zones including curb or street marking lines, and a parking meter with respect to each such space. Such parking meters shall be in operation for the regulation of parking in such parking meter spaces during the periods specified in this chapter. The commissioner of public works shall have charge of the operation of such parking meters and shall maintain the same in good workable condition. The parking meters installed in parking meter zones shall be of the automatic multiple-coin type capable of receiving sufficient coins of five cent (\$0.05) or ten cent (\$0.10) denominations for the payment of the fee for parking at the location of such meter, for the maximum time permitted by this chapter. Such meters shall be placed upon the curb next to the individual parking meter spaces. The parking meters established in parking meter areas specified in section 19-194 shall be of the automatic type, capable of receiving a coin of twenty-five cent (\$0.25) denomination. The parking meters installed in parking meter zones specified in section 19-195 shall be of the automatic multiple-coin type, capable of receiving sufficient coins of ten cent (\$0.10) denomination for the payment of the fee for parking at the location for the maximum time permitted by these regulations.

(b) Parking meter spaces shall be so arranged as to conform to the provisions of this chapter regarding parking at or near street intersections, crosswalks, fire hydrants, fire stations, private roads or driveways, safety zones, bus stops, taxicab stands and service zones. All meters shall bear adequate instructions regarding the maximum parking time, fees and operation of the meters. (Rev. Ords. 1973, § 13-154; Ord. No. 53, 2-18-75; Ord. No. 90, 10-6-75)

Sec. 19-189. Manner of parking in parking meter spaces; unlawful parking.

(a) Whenever any vehicle shall be parked next to a parking meter, the operator of the vehicle shall park within the area designated by the curb or street marking lines, and upon entering the parking space shall immediately deposit in the meter one or more five cent (\$0.05) or ten cent (\$0.10) coins or a twenty-five cent (\$0.25) coin. It shall be unlawful for any person to fail or neglect to deposit such coins or to fail to park within the limits designated. Such parking meter space may be used by such vehicle during the time limited according to the sum thus deposited and such vehicle shall be unlawfully parked if it shall remain in such space beyond the period of time for which the operator shall have deposited coins in the meter.

(b) It shall be unlawful for any person to cause any vehicle to be unlawfully parked as provided in paragraph (a); however, it shall not be unlawful for any person to park a vehicle in a metered parking space without depositing coins in the meter, provided the meter does not show that the time for such parking has expired and further provided that the total period of time used shall not exceed the total period of time to which such metered parking space is limited for use. (Rev. Ords. 1973, § 13-155; Ord. No. 53, 2-18-75)

Sec. 19-190. Overtime parking.

No person shall park a vehicle for a longer consecutive period than the limit specified and between the hours specified on any of the streets or parts of streets designated as parking meter zones in which parking meters and parking meter spaces are to be established pursuant to this chapter. (Rev. Ords. 1973, § 13-156)

Sec. 19-191. Parking meter fees.

The fees for parking in a parking meter space during the days and hours designated for parking meter zones shall be as follows:

(a) For parking meter zones with a time limit of four hours or less, the fee shall be five cents (\$0.05) for each four (4) minute period or part thereof; and

(b) For parking meter zones with a time limit of greater than four hours, including those parking meter zones that have no time limit, the fee shall be five cents (\$0.05) for each six (6) minute period or part thereof. (Rev. Ords. 1973, § 13-157; Ord. No. 53, 2-18-75; Ord. No. 70, 5-5-75; Ord. No. 318, 3-5-79; Ord. No. R-28, 3-16-81; Ord. No. S-29, 12-5-83; Ord. No. W-44, 5-29-01; Ord. No. X-207, 4-18-06; Ord. No. Z-58, 12-21-09)

Sec. 19-192. Feeding meters; tampering with, injuring or destroying meters unlawful.

It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin for the purpose of extending the period of permissible parking as shown by such meter beyond the maximum period of parking as prescribed for such parking meter space. It shall be unlawful for any person not authorized to do so to open, tamper with, break, injure or destroy any parking meter. (Rev. Ord. 1973, § 13-158)

Sec. 19-193. Collection, deposit of fees; inspection of meters; parking meter fund subject to appropriation.

The commissioner of public works shall collect or cause to be collected weekly or more often, at his discretion, all coins deposited in parking meters, and shall inspect such meters or cause the same to be inspected weekly to see if they are in proper working order. He shall turn over all money collected from such parking meters on the same day as collection is made to the city collector-treasurer who shall keep a separate account of such monies designated as the "parking meter account." The mayor shall have authority to require employees of the department of public works engaged in the collection of such monies to be bonded in such amount as he may deem advisable. The parking meter account shall be subject to appropriation by the board of aldermen upon recommendation of the mayor for all

purposes for which collections from parking meters may lawfully be expended, and sums from such account may be expended without appropriation for the purchase of such parking meters in accordance with any duly authorized contract for the acquisition of such meters which makes provision for the payment for such meters out of the fees collected therefrom. (Rev. Ords. 1973, § 13-159; Ord. No. 90, 10-6-75)

Sec. 19-194 – 19-195. Reserved. (Sections moved to Traffic and Parking Regulations (Ord. No. Z-31, 07-14-08))

Sec. 19-196. Enforcement.

It shall be the duty of the police department to take the parking meter number and the registration number of all vehicles whose operators violate the provisions pertaining to parking meters and to prosecute such violations under applicable law.

- (a) Parking meters shall be in operation for the regulation of parking in parking meter zones Monday through Saturday from 8:00 a.m. to 6:00 p.m., except Sundays and legal holidays, during which time no time limits or fees shall be in effect, except for locations designated in section 19-196(b), where alternative enforcement times are specified.
- (b) Parking meters shall be in operation for the regulation of parking meter zones Monday through Friday from 8:00 a.m. to 6:00 p.m. except Sundays and legal holidays, during which no time limits or fees shall be in effect, at the following locations:

Austin Street Parking Area

Melrose Avenue Parking Area

(Rev. Ords. 1973, § 13-162; Ord. No. Z-31, 07-14-08)

Sec. 19-197. Disabled veterans.

Notwithstanding any other provision of this chapter, no parking meter fee shall be exacted and no penalty shall be imposed for the parking of any vehicle owned and driven by a disabled veteran or by a handicapped person and bearing the distinctive number plates authorized by chapter 90, section 2 of the General Laws. (Rev. Ords. 1973, § 13-163)

Sec. 19-198. Senior citizen sticker parking.

(a) Metered parking in municipal lots shall be free to senior citizens who procure a sticker from the department of senior services and display the same on their motor vehicle; provided, however, that the time limit restriction at that particular metered location shall be obeyed. Newton senior citizens shall each be entitled to one such sticker annually for motor vehicles registered in Newton to them. Stickers shall be issued at a charge of one dollar annually by the department of senior services under such rules and regulations as the director of senior services shall promulgate with the approval of the board of aldermen.

(b) For the purposes of this section, "senior citizen" shall mean any person sixty-five (65) years of age or older. (Rev. Ords. 1973, § 13-164; Ord. No. 232, 8-15-77; Ord. No. 282, 6-19-78; Ord. No. 321, 3-19-79; Ord. No. R-122, 2-17-81; Ord. No. X-175, 5-26-05)

DIVISION 3. SPECIAL PARKING
REGULATIONS

Sec. 19-199. Regulations and enforcement of disabled veterans and handicapped person parking spaces on private property.

(a) Any person or body that has lawful control of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall reserve parking spaces in said off-street parking areas for any vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate authorized by section two of chapter ninety of the General Laws (HP/V plate) according to the following formula:

<i>Total Number of Stall</i>	<i>Handicapped Stalls</i>
16-25	1 space
26-40	5% but not less than 2 spaces
41-100	4% but not less than 3 spaces
101-200	3% but not less than 4 spaces
201-500	2% but not less than 6 spaces
501-1000	1.5% but not less than 10 spaces
1001-2000	1% but not less than 15 spaces
2001-5000	3/4 of 1% but not less than 20 spaces
5001 +	1/2 of 1% but not less than 30 spaces

(b) Parking spaces designated as reserved under the provisions of paragraph (a) shall be identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense;" shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be twelve feet wide or two eight-foot wide areas with four (4) feet of cross hatch between them.

(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.

(d) The penalty for violation of any provision of this ordinance shall be as follows: for the first offense, fifteen dollars (\$15.00); for the second offense, twenty-five dollars (\$25.00); and for each subsequent offense, the vehicle may be removed according to the provisions of section 120D of chapter 266 of the General Laws. (Ord. No. R-252, 7-12-82)

Cross reference—Police department, Ch. 24

Cross reference—Veterans' services, Ch. 28



DAY MIDDLE SCHOOL PTO

21 Minot Place ✦ Newtonville ✦ MA 02460-1399 ✦ 617-559-9100

September 30, 2011

Board of Aldermen
Newton City Hall
1000 Commonwealth Ave.
Newton Centre, Massachusetts 02459

11 SEP 30 1P 2:52
CITY CLERK
NEWTON, MA 02159

Dear Sir/Madam:

F. A. Day Middle School is planning a "Bingo & Board Games" social and fundraiser on Saturday, October 22 from 8pm to 11pm at The New Art Center in Newtonville. As part of the fundraising effort we will be playing bingo and awarding prizes (in lew of money) for bingo winners. The Maryland State Lottery Commission requires that the attached application be "approved and is certified to be in conformity with Chapter 10 of the The Mass. General Laws by Board of Selectman, or City Council, and Mayor, or Licensing Board". The applicable portion of Chapter 10 is copied below:

Section 38. Any fraternal organization having chapters or branches in at least one other New England state, or any corporation organized under the provisions of chapter 180, any religious organization under the control of or affiliated with an established church of the commonwealth and any veterans' organization incorporated or chartered by the Congress of the United States or listed in clause (12) of section 5 of chapter 40, any volunteer, non-profit fire company or similar organization furnishing public fire protection, any voluntary association for promotion of the interests of retarded children, the Boston Firemen's Relief Fund, any volunteer, non-profit organization furnishing a public ambulance service, and non-profit athletic associations, desiring to operate or conduct the game commonly called beano, or substantially the same game under another name, in connection with which prizes are offered to be won by chance, may upon application to the state lottery commission be granted a license to conduct said game in a city or town which has voted to allow granting of licenses for the operation, holding or conducting of said game therein; provided, that the application of such organization is in the case of a city, other than the city of Boston, approved by the majority of the city council and approved by the mayor, in a town by the board of selectmen, and in the city of Boston by the licensing board for said city; and provided further, that such organization has been in existence for at least five years immediately prior to the date of making application for such license.


On behalf of the F. A. Day Middle School PTO, we gratefully thank you for your consideration and expedition of the attached license application.

Stacey Moriarty
Bingo Fundraiser Co-Chair
F. A. Day Middle School PTO

Co-Presidents: Rebeca Craig, Ursula Steele, Mary John and Deborah Mitchell
Treasurer: Alexa Dulchinos, Volunteer Coordinators: Dana Davis and Faith Witte
VP Fundraising: Andrea Steenstrup www.daypto.org



617-969-4891



THE 187TH GENERAL COURT OF
THE COMMONWEALTH OF MASSACHUSETTS

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The fee for such license shall be determined annually by the commissioner of administration under the provision of section 3B of chapter 7. The proceeds of said fees shall be paid into the treasury of the commonwealth and shall be used by the commission to defray the cost of administering this section, subject to appropriation.

Such license may be revoked at the discretion of the director and shall be suspended or revoked upon written request to the director by the city or town approving authority as set forth above in this section. The action of the director in suspending or revoking a license shall be final, and the licensee shall not have a right of appeal.

Each organization licensed shall be limited to conducting such game to two days in each calendar week; provided, however, that on one of such days each license shall limit the playing of said game to the hours between 6:00 p.m. and 12:00 midnight and on the other of such days said license shall limit the playing of said game to the hours between 1:00 p.m. and 6:00 p.m. and said days and appropriate times shall be set forth in the license.

On not more than three occasions in one calendar year a licensee may change the date on which such beano game is to be conducted; provided, however, that the new date falls on the same day of the week according to the terms of the license; and provided, further, that said licensee shall notify the commission of such change no less than 30 days prior to said new date.

No licensee shall give a prize that exceeds \$100 in value except as otherwise provided in this paragraph. A licensee may conduct: (a) games incorporating bonus cards, which shall increase the prize in direct relation to the cost of said bonus cards, and which shall in no event increase the prize by more than 100 per cent; (b) special games, so-called, for which prizes shall not exceed \$500 in cash or merchandise; (c) two winner-take-all games, so-called, on any one day on which the licensee is authorized to conduct beano, which may be multiple games or a series of games, for which prizes shall be equal to all receipts from the sale of beano cards for said winner-take-all games less 10 per cent to cover the costs of supplies for said winner-take-all games, and taxes due the commonwealth under the provisions of section 39, except that no single prize so awarded shall exceed \$500 in either cash or merchandise; (d) four 50-50 games, so-called, on any one day on which the licensee is authorized to conduct beano, for which prizes shall equal 50 per cent of the receipts, after taxes, of said games, except that no single prize so awarded shall exceed \$1,200; and (e) two progressive jackpot games, so-called, for which the total accumulated prize shall not exceed \$3,000. A licensee may award a good neighbor prize, so-called, which shall not exceed 10 per cent of the announced prize for a given game. When more than one player is a winner on the call of the same number, the designated prize shall be divided equally to the next nearest dollar; provided, however, that if a licensee so elects, no winner shall receive a prize which amounts to less than 10 per cent of the announced prize and that in such case the total of said designated prizes may exceed the applicable statutory limit of said game. In addition to the prizes allowed by this paragraph, a licensee may award a door prize or prizes, the aggregate value of which shall not exceed \$200 in cash or merchandise.

No alcoholic beverages shall be sold, dispensed or consumed in that portion of any building or premises of the licensee during the hours such game is being conducted.

No person under 18 years of age shall be permitted in that portion of any building or premises of the licensee during such time as such game is being played.

No game shall be advertised or publicized by sign or billboard beyond the city or town limits covered by each license.

Any organization licensed under this section to conduct said game shall operate, manage and control said game by members in good standing of the local branch of said organization, members in good standing of its recognized auxiliaries and, at the sole discretion of the director, their immediate family members.

If an organization licensed to conduct beano fails to exercise exclusive control and management of said game, or fails to have one of its members in good standing in full control and management of the game at all times during its operation, it shall be punished by a fine of not more than \$3,000.

The profits of any game licensed to be conducted under this section shall be the property of the organization conducting said game, and shall be used for charitable, religious or educational purposes, and shall not be distributed to the members of such organization. No person shall be entitled to a percentage of any money received as a result of conducting said game.

Accurate records and books shall be kept by each licensee showing the total amount of all monies deposited by people who played, attended or participated in said games, the expenses incurred and the name and address of each person receiving said money. A separate checking account shall be kept of receipts and expenditures of beano and money for expenses shall be withdrawn only by checks having preprinted consecutive numbers and made payable to a specific person or corporation and at no time shall a check be made payable to cash. Proceeds from beano shall be kept in a separate bank account and the organization shall file an annual report in January of the charitable, religious or educational disbursements of the preceding year with the director and the mayor and council or selectmen in such form as the director may prescribe. Such annual report shall be a public record. All monies expended for said charitable, religious or educational purposes shall be duly and accurately recorded as to specific amounts expended and the purposes for which expended. A copy of such records shall be filed with the local licensing authority on or before December 31 of each year. The director, the approving authority of the city or town wherein said game is conducted, or their duly authorized agents or representatives, shall at all times have access to said records and books of any licensee for the purpose of examining and checking the same.

Organizations composed of persons 60 years of age or older, commonly referred to as senior citizens' or golden age clubs, may operate or conduct beano games without a license between the hours of 9:00 a.m. and 10:00 p.m. for the purpose of amusement and recreation of its members; provided, however, that the organization has applied for and received an identification number from said commission that no player or other person furnished consideration in excess of \$5 for the opportunity to participate, that prizes awarded are of up to but not more than \$100, that no person other than an active member of the organization or a handicapped person as defined in section 1 of chapter 151B participates in the conduct of the game, and that no person is paid for conducting or assisting in the conduct of the games. The tax imposed by section 39 shall not apply to games operated or conducted under the provisions of this paragraph.

The commission may make such other rules and regulations as it may deem necessary to carry out the provisions of sections 37 to 39, inclusive.

The director shall annually on or before April 1 file a report with the clerk of the house of representatives and the clerk of the senate showing the cities and towns which have licenses issued therein, the number of licenses by categories of organizations, the revenue received from these licenses, and such other information as he may deem relevant, together with his recommendations for any legislation he may deem appropriate.

Whoever violates any regulation promulgated by the commission under this section may be punished by a fine not exceeding \$3,000.

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