

CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. B-13

July 9, 2018

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2017, as amended, be and are hereby further amended with respect to **Div. 1. COMMISSIONS AND DISTRICTS**, of **Article III of Chapter 22** as follows:

1. **Delete**, in §22-40 (b) in the second sentence in the definition of “Certificate of Hardship”, the phrase “forty-five (45)” and **insert** in place thereof the phrase “sixty (60)”.
2. **Delete**, in §22-40 (b) in the definition of “person aggrieved”, the words “as property” and **insert** in place thereof the word “located”.
3. **Delete**, in §22-40 (f) (1), the third sentence and **insert** in place thereof “The date of the filing of an application shall be the date on which a copy of such application with all supporting documentation is received at the city’s department of planning and development.”
4. **Delete**, in §22-40 (f) (2), the first sentence and **insert** in place thereof “If the application involves any features which are subject to approval, a commission shall hold a public hearing at its next regularly scheduled meeting after the filing of a completed application for a certificate of appropriateness or a certificate of hardship unless additional time is agreed to by the applicant in writing or unless such hearing is dispensed with as provided in subsection (f)(3) hereof.”
5. **Delete**, in §22-40 (f) (2) in the second sentence, the word “other” following the phrase “to the owners of all”.
4. **Delete**, in §22-40 (f) (4), all occurrences of the phrase “forty-five (45)” and **insert** the phrase “sixty (60)” in its place.
5. **Delete** §22-40 (f) paragraph (6) in its entirety and **insert** in place thereof “The concurring vote of four members of a commission shall be required to issue a certificate. All other matters that may come before a commission may be

- determined by a majority vote of the commission members present at the meeting.”
6. **Delete**, in §22-40 (h) (1) a), the occurrence of the phrase “ninety (90)” and **insert** the phrase “sixty (60)” in its place.
 7. **Delete** §22-40 (h) (1) b), in its entirety and **insert** in place thereof “one residential identification sign which is not more than one foot square in area provided that:
 - i) the sign consists of letters and/or street identification numbers painted or otherwise suitably inscribed on wood, brass or stone without a symbol or trademark; and
 - ii) if illuminated, such sign is illuminated only indirectly (indirectly meaning by a light source directed at the sign surface and not contained within the sign or its structure).
 8. **Insert**, after §22-40 (h) (1) b), the following new sub-paragraph c) “a second set of residential building numbers affixed or inscribed on buildings in order to comply with Section 26-7, Numbering of buildings, shall not be subject to review by nor shall they require a certificate of non-applicability from said commission.”
- and **re-letter** the existing sub-paragraphs c) to d), d) to e), e) to f), f) to g), g) to h) and h) to i).

Approved as to legal form and character:

QUIDA C. M. YOUNG
Acting City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved:

(SGD) DAVID A. OLSON
City Clerk

(SGD) RUTHANNE FULLER
Mayor