



Programs & Services Committee Agenda

City of Newton In City Council

Wednesday, April 6, 2022

7:00 PM

The Programs & Services Committee will hold this meeting as a Zoom Meeting on Wednesday, April 6, 2022 at 7pm. To view this meeting using Zoom use this link: <https://us02web.zoom.us/j/85319060933> or call 1-646-558-8656 and use the Meeting ID: 853 1906 0933.

Items Scheduled for Discussion:

- #197-22** **Appointment of Elizabeth Sockwell to the Urban Tree Commission**
HER HONOR THE MAYOR appointing Elizabeth Sockwell, 78 Bishopsgate Road, Newton Center as a member of the Urban Tree Commission for a term to expire on April 19, 2025. (60 days: 05/20/22)
- #236-22** **Appointment of Edward Chapman to the Parks and Recreation Commission**
HER HONOR THE MAYOR appointing Edward Chapman, 91 Cornell Street, Newton Lower Falls as the Ward 4 member of the Parks and Recreation Commission for a term to expire on April 19, 2025. (60 days: 06/03/22)
- #253-22** **Referred to Programs & Services and Finance Committees**
Request to transfer \$80,000 for the reconfiguration of the Health & Human Services Department
HER HONOR THE MAYOR requesting authorization to transfer the sum of eighty thousand dollars (\$80,000) from Acct # 0150103-511001 Full Time Salaries, Clinical Health, to fund the reconfiguration of some of the office space in the Health & Human Services Department.

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the City of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#237-22 Request for a Home Rule Petition
HER HONOR THE MAYOR requesting a Home Rule Petition with two amendments to the City of Newton Ordinances to align them with the union contracts which require uniformed Police and Fire Department personnel to live within a 35 mile residency boundary of Newton.

#58-22 Request for a discussion with ISD regarding noise ordinance Compliance
COUNCILORS BAKER AND RYAN requesting discussion with Inspectional Services about possible ways of enhancing compliance with the provisions of Newton's noise ordinance which limits construction activity to certain times of day and on Sundays and legal holidays, including possible additional measures to advise contractors and subcontractors of applicable rules to minimize the need for complaint driven enforcement by city staff or police. (formerly #98-20)
Zoning & Planning voted No Action Necessary 8-0 and Referred to Programs & Services on 01/24/22

Referred to Public Safety & Transportation and Programs & Services Committees

#108-22 Requesting report as to the implementation of the leaf-blower landscaper registration and enforcement
COUNCILORS BAKER, GREENBERG, HUMPHREY, NOEL, ALBRIGHT, AND WRIGHT requesting a report from the Executive Department, including the Chief of Police and the Commissioner of Inspectional Services, as to the implementation of the leaf-blower landscaper registration and enforcement ordinance amendments effective Labor Day 2021.

#198-22 Request for leaf blower ordinance discussion and amendments
COUNCILORS BAKER, HUMPHREY, AND NORTON recommending discussion of possible amendments to strengthen the ordinances relating to leaf blower activity.

Respectfully Submitted,

Josh Krintzman, Chair



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#197-22

Telephone
(617) 796-1100
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089
Email
rfuller@newtonma.gov

March 14, 2022

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Elizabeth Sockwell of 78 Bishopsgate Road, Newton Center as a member of the Urban Tree Commission. Her term of office shall expire on April 19, 2025 and her appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

A handwritten signature in black ink that reads "Ruthanne Fuller".

Ruthanne Fuller
Mayor

RECEIVED
2022 MAR 14 PM 4:31
CITY CLERK
NEWTON, MA, 02459

Application Form

Profile

Elizabeth M Sockwell
First Name Middle Initial Last Name

[Redacted]
Email Address

78 Bishopsgate Rd
Home Address Suite or Apt

Newton Center MA 02459
City State Postal Code

What Ward do you live in?

[X] Ward 7

[Redacted]
Primary Phone Alternate Phone

EBI Consulting ESG Analyst
Employer Job Title

Which Boards would you like to apply for?

Urban Tree Commission: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

During the height of the Covid pandemic, I wanted to make a meaningful impact, so I worked collaboratively with city leaders and youth to create a tree memorial to honor lives lost to Covid called Capture Carbon Commemorate Covid, or the 4C Tree Project. The only way that the 4C Tree Project was able to happen was because of our City of Newton's Dir of Forestry, Marc Welch. He has been helpful, attentive and devoted to seeing these trees thrive in our public spaces as a living legacy for those we lost in Newton. I am involved with the Green Newton Youth Group, and soon to be joining the Board of Green Newton. By becoming an official member of UTC, I can engage more fully in our tree canopy protection and preservation.

Sockwell Elizabeth Resume Climate2022.docx
Upload a Resume

Elizabeth Sockwell

78 Bishopsgate Road, Newton, MA 02459
[REDACTED]

EDUCATION

Trinity College, Hartford, CT May 2021
Bachelor of Arts in History
GPA: 3.82/4.00
Honors/Awards: 1823 Scholar, Catalyst Leadership Corps member, Tanaka Foundation Scholarship, Best U.S. thesis award

Nanzan University, Nagoya, Japan Spring 2019
Intensive Japanese language and cultural immersion semester abroad

WORK EXPERIENCE

EBI Consulting, Burlington, MA Fall 2021- Present
ESG Business Analyst

- Created a list of ESG 2022 Goals for internal company improvements to make EBI more sustainable, equitable, and transparent using the company's results from the B Impact Assessment
- Wrote blurbs on climate action for the company's newsletter
- Collaborated with marketing, communications, and leadership to help EBI become a United Nations Global Compact Signatory
- Generated over 300 leads for outreach and events utilizing LinkedIn, company websites, and Zoominfo

4C Tree Project, Newton, MA Fall 2020-Present
Founder and Leader

- Connected key city stakeholders including city councilors, the Mayor, PTOs, and principals to create a city-wide effort to honor Newton lives lost to Covid-19 and to benefit the environment by planting trees
- Recruited and trained 12 student volunteers and delegated outreach, social media, and publicity
- Fundraised over \$50,000 in less than six months to pay for the cost of 270 memorial trees

Green Newton, Newton MA Summer 2021
Summer Intern

- Attended climate meetings and promoted Green Newton events to progress local environmental policy
- Managed Green Newton's tent at the Farmer's Market every Tuesday, engaging residents on climate action

Massachusetts Coordinated Campaign, Remote Summer-Fall 2020
Campaign Fellow

- Encouraged and assisted thousands of voters to get to the polls to ensure Democratic wins
- Led virtual phonebanks for hundreds of volunteers using campaign software

Academic Mentorship Program, Hartford, CT Fall 2019
Middle School Tutor/Mentor

- Tutored underperforming middle schoolers in reading, writing, and math

Residential Life, Hartford, CT Fall 2017- Fall 2018
Resident Assistant

- Hosted events, created a welcoming and inclusive dorm environment, and enforced dorm regulations

SKILLS

Computer: Microsoft Word, Office, Excel, PowerPoint, Canva, Instagram, Facebook

Language: Japanese (intermediate), Spanish (intermediate)



Ruthanne Fuller
Mayor

City of Newton, Massachusetts
Office of the Mayor

#236-22

Telephone
(617) 796-1100

Fax
(617) 796-1113

TDD/TTY
(617) 796-1089

Email
rfuller@newtonma.gov

March 28, 2022

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

To the Honorable City Councilors:

I am pleased to appoint Edward Chapman of 91 Cornell Street 02462 Newton Lower Falls as the Ward 4 member of the Parks and Recreation Commission. His term of office shall expire on April 19, 2025 and his appointment is subject to your confirmation.

Thank you for your attention to this matter.

Warmly,

Ruthanne Fuller
Mayor

RECEIVED
2022 MAR 28 PM 4:33
CITY CLERK
NEWTON, MA 02459

Application Form

Profile

Edward (Ted) H Chapman
First Name Middle Initial Last Name

[Redacted]
Email Address

91 Cornell St
Home Address Suite or Apt

Newton Lower Falls MA 02462
City State Postal Code

What Ward do you live in?

[X] Ward 4

[Redacted] [Redacted]
Primary Phone Alternate Phone

self Homeopathic / Landscape
Employer Design Consultant
Job Title

Which Boards would you like to apply for?

Parks and Recreation Commission: Submitted

Interests & Experiences

Please tell us about yourself and why you want to serve.

Why are you interested in serving on a board or commission?

I have been a resident of Newton since 1983. I helped found and continue to be a member of the Lower Falls Improvement Association Beautification Committee which has restored Hamilton Park plantings. I have also been the Project Manager for the Riverside Greenway Working Group in 2017. Our advocacy has led to investments of more that \$12M in trail improvements in Newton on the Blue Heron Trail and Riverside area. I would like to continue to contribute to improving Newton's trails and open space. I was just appointed to the new Open Space Trails Committee. I have enjoyed collaborating with the PRC staff on the recent Marty Sender Greenway Restoration Phase 2 MassTrails application and would like to continue to support the department in its mission.

Ted_Chapman_2022.pdf
Upload a Resume

TED CHAPMAN

91 Cornell St
Newton, MA 02426-1320

<http://landscapehomeopath.com/>

Skills Summary

- Family medicine and homeopathy, research, education, and administration
- Landscape Design, Organic Land Care and Agriculture – practice and education
- Non-profit management, finances, grant writing and administration

Education

- BS in Botany, University of New Hampshire, Durham, 1972
- MD George Washington University School of Medicine, 1979
- Residency in Family Medicine, Brown University 1979-82.
- Fellowship, Homeopathy 1982-83
- Certificate in Landscape Design, Harvard University, 2005

Experience

- Family Medicine private practice 1983-2003 specializing in integrative and homeopathic medicine
- Homoeopathic Consultant 2003-current
- President, American Institute of Homeopathy
- Board, Council for Homeopathic Education
- Primary Investigator, NIH funded Study of the Homoeopathic Treatment of MTBI
- Clinical Instructor Harvard University School of Medicine
- Founding member New England Homeopathic Academy
- Landscape Design/Build Practice 2004-current.
- Founding Board Member, Newton Community Farm, Newton, MA 2004-2011
- Board of the Newton Lower Falls Improvement Association 2011-current
- Project Manager, Riverside Greenway Working Group 2017- current

#253-22

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(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
rfuller@newtonma.gov



RUTHANNE FULLER
MAYOR

City of Newton, Massachusetts
Office of the Mayor

March 28, 2022

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Councilors:

I respectfully submit a docket item to your Honorable Council requesting authorization to transfer the amount of \$80,000 from Acct # 0150103-511001 Full Time Salaries, Clinical Health, to fund the reconfiguration of some of the office space in the Health & Human Services Department.

This project will consist of ventilation, heating, cooling improvements and a retrofit of the office space to accommodate more private counseling space for the department's Social Services team.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ruthanne Fuller".

Ruthanne Fuller
Mayor

CITY CLERK
NEWTON, MA, 02459

2022 MAR 28 PM 5:36

RECEIVED



CITY OF NEWTON, MASSACHUSETTS

PUBLIC BUILDINGS DEPARTMENT

52 ELLIOT STREET, NEWTON HIGHLANDS, MA 02461

Ruthanne Fuller, Mayor
Josh Morse
Building Commissioner

Telephone (617) 796-1600
Facsimile (617) 796-1601
TDD/tty # (617) 796-1608

March 28, 2022

Ruthanne Fuller, Mayor
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Re: Funding Request for the HHS Project

Dear Mayor Fuller:

The Public Buildings Department requests funding for the HHS project. The project will consist of ventilation, heating, cooling, and a retrofit of the space. The Public Buildings Department is requesting \$80,000 to complete this project.

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Deputy Buildings Commissioner
Jonathan Yeo, Chief Operating Officer



CITY OF NEWTON, MASSACHUSETTS
PUBLIC BUILDINGS DEPARTMENT
52 ELLIOT STREET, NEWTON HIGHLANDS, MA 02461

Ruthanne Fuller, Mayor
Josh Morse
Building Commissioner

Telephone (617) 796-1600
Facsimile (617) 796-1601
TDD/tty # (617) 796-1608

April 4, 2022

Members of the City Council,

The Public Buildings Department respectfully requests the approval of \$80,000 to fund the reconfiguration of the Health and Human Services, HH&S, offices. The reconfiguration will allow all the members of the HH&S Department to work within the same office suite. Currently, the Social Services staff work in a remote portion of City Hall. This project will allow the Social Services staff to be relocated to join the rest of the HH&S Department in one central location. This will improve the constituent services, department collaboration, cross-training, and supervision. The cost breakdown for this project is as follows:

HVAC (All-Electric Heat Pumps): \$55,425
Construction Materials: \$10,700
Labor: \$13,875

Sincerely,

Josh Morse
Public Buildings Commissioner

cc: Jonathan Yeo, Chief Operating Officer
Maureen Lemieux, Chief Financial Officer
Alex Valcarce, Deputy Buildings Commissioner



Ruthanne Fuller
Mayor

City of Newton, Massachusetts

#237-22

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March 28, 2022

RECEIVED
2022 MAR 28 PM 5:35
CITY CLERK
NEWTON, MA. 02459

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Center, MA 02459

Dear Councilors,

I submit to the Honorable City Council the request to forward to the General Court a Home Rule Petition with two amendments to the City of Newton ordinances.

Currently two sections of our ordinances are not consistent with our union contracts with our Police and Fire Unions as to where employees may live.

My goal is to align our ordinances with our current practices and reinforce our goals of having both our Police and Fire Departments be more inclusive as they recruit, hire, retain and promote uniformed personnel, including Chiefs, Assistant Chiefs and Executive Officers.

Rationale

At this time, all of the uniformed personnel within both the Police and Fire Departments operate under union contacts that allow for a 35 mile residency boundary. This is inconsistent with our Ordinances. Furthermore, State law requires Chiefs of these departments to live within 15 miles while the 35 mile residency requirement is more appropriate.

With our modern communication technology, police and fire personnel can be called into Newton for an emergency and arrive on a timely basis when living within a 35 mile residency boundary.

Furthermore, the 35 mile residency boundary gives the City a generous area to find and retain qualified candidates. This is equally true when considering possible leadership candidates. Recently I decided to consider internal and external candidates for the Chief of Police. We were lucky that Walpole, where Chief Carmichael lives, happens to be within the 15 mile radius of Newton as he was an excellent fit for NPD at this moment in its storied history.

In addition, when promoting internal candidates to leadership positions, the City of Newton may find the best person living beyond the 15 mile radius. In this situation, a promotion to Chief would be deleterious as housing costs can be prohibitive close to Newton, a spouse/partner may be limited for work considerations in moving, and the family may have children in schools or the need to care for parents or other family members proximate to their current home.

As we also continue our work on diversity, equity and inclusion (DEI) initiatives, we are constantly looking to attract candidates with diverse personal and professional experiences. Inclusive hiring practices are vital to our community's success. Such practices translate to improved employee retention and productivity and a host of other organizational benefits. Part of an inclusive hiring practice is addressing unnecessary or unintentional limitations on meeting our DEI goals. Formalizing the residency boundary allows the City to seek the interest of candidates from various parts of the Commonwealth, potentially bringing more diverse voices to our membership and leadership roles.

Current Ordinances vs. Proposed Ordinances

Ordinance amendments – 35 mile residency requirement Police and Fire

For Fire Department: amend Section 10-35 as follows:

Sec. 10-35. Place of residence of members.

~~Members of the fire department shall reside within ten (10) miles of the limits of the City of Newton.~~

Members of the fire department, including the fire alarm or wires division, shall, within nine (9) months of appointment, reside within the City of Newton or within thirty-five (35) miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E of the general laws. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

For Police Department: amend Sec. 24-2 as follows:

Sec. 24-2. Place of residence of members.

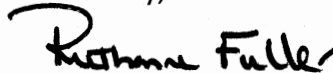
~~Members of the police force shall reside within the cities of Newton or Waltham or the towns of Brookline, Needham, Watertown, Wellesley or Weston or at a place within the City of Boston which is not more than three (3) miles from the city.~~

Members of the police force shall, within nine (9) months of appointment, reside within the City of Newton or within thirty-five (35) miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E of the general laws. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

Proposed Home Rule Petition

Notwithstanding any general or special law or local law to the contrary, any member of the regular police or fire departments and fire alarm or wires division of the City of Newton shall, within nine months of appointment, reside within the City of Newton or within thirty-five miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

Sincerely,

A handwritten signature in black ink that reads "Ruthanne Fuller". The signature is written in a cursive style with a large initial "R".

Ruthanne Fuller
Mayor

Ordinance amendments – 35 mile residency requirement police and fire

For fire dept.: amend Section 10-35 as follows:

Sec. 10-35. Place of residence of members.

Members of the fire department shall reside within ten (10) miles of the limits of the City of Newton.

Members of the fire department, including the fire alarm or wires division, shall, within nine (9) months of appointment, reside within the City of Newton or within thirty-five (35) miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E of the general laws. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

For police dept.: amend Sec. 24-2 as follows:

Sec. 24-2. Place of residence of members.

Members of the police force shall reside within the cities of Newton or Waltham or the towns of Brookline, Needham, Watertown, Wellesley or Weston or at a place within the City of Boston which is not more than three (3) miles from the city.

Members of the police force shall, within nine (9) months of appointment, reside within the City of Newton or within thirty-five (35) miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E of the general laws. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

Deleted:

DRAFT

Draft

CITY OF NEWTON

IN CITY COUNCIL

March , 2022

ORDERED:

The request for approval of the following Home Rule legislation for enactment by the General Court be and is hereby approved by the Honorable City Council:

AN ACT EXTENDING RESIDENCY REQUIRMENTS FOR MEMBERS OF THE REGULAR POLICE OR FIRE DEPARTMENTS AND FIRE ALARM DIVISION OF THE CITY OF NEWTON

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law or local law to the contrary, any member of the regular police or fire departments and fire alarm or wires division of the City of Newton shall, within nine months of appointment, reside within the City of Newton or within thirty-five miles of Newton’s city limits, or within such distance of Newton’s city limits as set under a collective bargaining agreement negotiated under chapter 150E. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

Section 2. This Act shall take effect upon its passage.

Approved as to legal form and character:

ALISSA O. GIULIANI
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor



City of Newton, Massachusetts

#237-22

Telephone
(617) 796-1000
Fax
(617) 796-1113
TDD/TTY
(617) 796-1089

Ruthanne Fuller
Mayor

March 28, 2022

CITY CLERK
NEWTON, MA. 02459

2022 APR -5 PM 5:23

RECEIVED

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Center, MA 02459

Dear Councilors:

I write to request that the Honorable City Council docket for consideration a request to petition the General Court for special legislation to allow any member of the regular police or fire departments (including the wires/fire alarm division) to reside within thirty-five miles of Newton's city limits. Current state laws limit such residency to 15 miles unless a different radius is set by a collective bargaining agreement subject to G.L. c. 150E.

In addition, and in the event such special legislation is enacted by the General Court, I request that the Honorable City Council docket for consideration corresponding amendments to Sections 10-35 (Fire Department residency requirements) and 24-2 (Police Department residency requirements) of the Newton Revised Ordinances, 2017 to implement such special legislation.

Currently the above two sections of our ordinances are not consistent with our union contracts with our Police and Fire Unions as to where employees may live.

My goal is to align our ordinances with our current practices and reinforce our goals of having both our Police and Fire Departments be more inclusive as they recruit, hire, retain and promote uniformed personnel, including Chiefs, Assistant Chiefs and Executive Officers.

Rationale

At this time, all of the uniformed personnel within both the Police and Fire Departments operate under union contacts that allow for a 35 mile residency boundary. This is inconsistent with our Ordinances. Furthermore, State law requires Chiefs of these departments to live within 15 miles while the 35 mile residency requirement is more appropriate.

With our modern communication technology, police and fire personnel can be called into Newton for an emergency and arrive on a timely basis when living within a 35 mile residency boundary.

Furthermore, the 35 mile residency boundary gives the City a generous area to find and retain qualified candidates. This is equally true when considering possible leadership candidates.

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov

Recently I decided to consider internal and external candidates for the Chief of Police. We were lucky that Walpole, where Chief Carmichael lives, happens to be within the 15 mile radius of Newton as he was an excellent fit for NPD at this moment in its storied history.

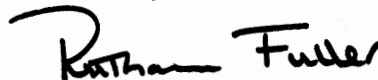
In addition, when promoting internal candidates to leadership positions, the City of Newton may find the best person living beyond the 15 mile radius. In this situation, a promotion to Chief would be deleterious as housing costs can be prohibitive close to Newton, a spouse/partner may be limited for work considerations in moving, and the family may have children in schools or the need to care for parents or other family members proximate to their current home.

As we also continue our work on diversity, equity, and inclusion (DEI) initiatives, we are constantly looking to attract candidates with diverse personal and professional experiences. Inclusive hiring practices are vital to our community's success. Such practices translate to improved employee retention and productivity and a host of other organizational benefits. Part of an inclusive hiring practice is addressing unnecessary or unintentional limitations on meeting our DEI goals. Formalizing the residency boundary allows the City to seek the interest of candidates from various parts of the Commonwealth, potentially bringing more diverse voices to our membership and leadership roles.

I have attached for your consideration a draft of proposed special legislation together with redlined drafts of the proposed ordinance amendments.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink that reads "Ruthanne Fuller". The signature is written in a cursive style with a large initial "R".

Ruthanne Fuller
Mayor

LIST OF ATTACHMENTS

1. Draft Special Act
2. Redlined Ordinance Amendments (Sections 10-35 and 24-2)

DRAFT

#

CITY OF NEWTON

IN CITY COUNCIL

March , 2022

ORDERED:

The request for approval of the following Home Rule legislation for enactment by the General Court be and is hereby approved by the Honorable City Council:

AN ACT EXTENDING RESIDENCY REQUIRMENTS FOR MEMBERS OF THE REGULAR POLICE OR FIRE DEPARTMENTS AND FIRE ALARM DIVISION OF THE CITY OF NEWTON

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law or local law to the contrary, any member of the regular police or fire departments and fire alarm or wires division of the City of Newton shall, within nine months of appointment, reside within the City of Newton or within thirty-five miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

Section 2. This Act shall take effect upon its passage.

Approved as to legal form and character:

ALISSA O. GIULIANI
City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved

(SGD) CAROL MOORE
City Clerk

(SGD) RUTHANNE FULLER
Mayor

Ordinance amendments – 35 mile residency requirement police and fire

For fire dept.: amend Section 10-35 as follows:

Sec. 10-35. Place of residence of members.

~~Members of the fires department shall reside within ten (10) miles of the limits of the City of Newton.~~

Members of the fire department, including the fire alarm or wires division, shall, within nine (9) months of appointment, reside within the City of Newton or within thirty-five (35) miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E of the general laws. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.

For police dept.: amend Sec. 24-2 as follows:

Sec. 24-2. Place of residence of members.

~~Members of the police force shall reside within the cities of Newton or Waltham or the towns of Brookline, Needham, Watertown, Wellesley or Weston or at a place within the City of Boston which is not more than three (3) miles from the city.~~

Members of the police force shall, within nine (9) months of appointment, reside within the City of Newton or within thirty-five (35) miles of Newton's city limits, or within such distance of Newton's city limits as set under a collective bargaining agreement negotiated under chapter 150E of the general laws. Said distance shall be measured from the closest Newton border limits to the closest border limits of the city or town in which said member resides.



October 28, 2021

Jonathan Yeo, Chief Operating Officer
John Lojek, Commissioner of Inspectional Services
John Carmichael, Jr., Chief of Police

RE: Following up discussion of #49-20(3) relating to leaf blower enforcement

Dear COO Yeo, Commissioner Lojek and Chief Carmichael,

Thank you for attending the discussion of the leaf blower enforcement on Wednesday, October 20, in a joint meeting of the Programs & Services and Public Safety & Transportation Committees of the Council. As you know, both Committees voted to hold the above item.

The Programs & Services Committee also agreed to send a letter through the Acting Chair, Vice-Chair Noel, to recommend some ideas for you to consider in enhancing enforcement of this important regulation for the health and welfare of both residents and landscaping personnel. The Committees may request you return after some further experience to see what progress has been made and to discuss possible next steps, if any.

Ultimately the success of the effort will require an unusual cross-cooperation among both Inspectional Services and the Police. That a part-time individual has been hired to help inform landscapers of their obligation, leaving rapid response in the hands of the police, is a welcome sign. (It was disappointing, however, to learn that the new hire is not bilingual, since language barriers are reported as a challenge to enforcement. We hope that he might be aided somehow in this regard to enhance his success in his work.). When the Committees take this item up again, we would welcome having him join us to describe his experience and offer advice after some time on the job. In the meantime, here are some of the ideas, some of which were discussed on Wednesday:

- **Updating the online ordinances:** Currently, the City Ordinances, which are updated in print form every five years, but updated unofficially on a regular basis, have not yet incorporated the provisions passed last May and effective Labor Day this year. President Albright mentioned at the meeting that this is something which the Clerk of the Council might help with, though she and her staff will need the assistance of the Law Department as it should review the updated noise ordinance as a whole.
- **Updating the leaf blower brochure:** The City has prepared a brochure, currently available on the Inspectional Services website, that needs updating to reflect the new rules. We note that it is bilingual, and we believe that effective communication to those using the devices is needed.
- **Enhancing the registration application:** Currently, the application requires leaf-blower operator certification that the operator understands the new rules. It would enhance enforcement if the application itself, as Commissioner Lojek indicated at our meeting, might be expanded to summarize the new rules. The advent of online permitting may lead to a swift click-through without fully understanding the application, so it should acknowledge that these new requirements, at a minimum, may include:
 - Annual registration and sticker display on each vehicle.


#108-22/198-22

- Identifying information (spelled out) on each vehicle, including the responsible person to call.
- Operation of no equipment greater than 65db on the machine in any season.
- Use of electric-only equipment from Memorial Day to Labor Day.
- Operation of leaf-blowers allowed only during certain hours, and not on Sundays or legal holidays (including Monday holidays celebrated in Newton).
- Fines for violations, and suspension of operations in Newton for multiple violations while registered.
- **Making sure large users are aware of the new rules:** These include municipal agencies and large users with their own staff and equipment, such as schools and colleges.
- **Helping our enforcement personnel work together with affected citizens:**
 - Cross-refencing police and ISD enforcement experiences with landscapers (Several of the violators on the police logs are not yet registered).
 - Ensuring tickets follow warnings (Two landscapers have received multiple warnings in the logs provided).
 - A welcoming protocol for citizen complaints (Currently citizens are asked to give not only the address of the violation, but also their name and their phone number. Some citizens might be afraid to disclose their identity without some sense it would be protected).
 - Awareness that there are multiple leaf-blower related rules which might usually show up in the police logs. For example, log references to leaf blowers as being in compliance do not reference whether the landscaper, not just the leaf-blower, complied with such non-equipment related aspects such as hourly limits, registration, visible identification or other requirements of the updated ordinance.
 - Analyzing response times to see whether they impact effective enforcement, as a delay may allow reported violators to leave the premises (This response time analysis recognizes that other public safety matters may take priority).
 - Warnings and tickets to property owners whose landscapers violate the rules and are unregistered at the time.
 - Education that compliant models can look almost identical to non-compliant models (easy to mistake for one another). Landscapers may use a mix of compliant and non-compliant models, so each blower should still be verified by checking its noise rating on the manufacturer's sticker. This mix of equipment will require a check of each machine, not just the one which may be first offered to the inspector, or the officer involved (Please see the photo below from one manufacturer showing machines which may seem identical but are not).
 - ISD adopts a dedicated phone line, webpage, and/or email for complaints and information as it will need to assess a pattern of violations to see when and if a suspension is warranted.
 - Helping our personnel use protective equipment, as may be appropriate, which may also be advisable for those operating the equipment – including City personnel - but

often rarely seen. See <https://www.stihlusa.com/information/how-to-guides/leaf-blower-safety-tips/>

We are sure that there are other ideas to help the enforcement effort succeed, and we look forward to continuing the conversation with you.

Sincerely,



Councilor Brenda Noel,
Vice Chair, Programs and Services Committee

CC: City Council
Mayor Ruthanne Fuller
Alissa Ocasio Giuliani, City Solicitor



BR 500

65db



BR 600

75db



BR 700

75db



BR 700 X

75db

**ARTICLE II.
NOISE**

Sec. 20-13. Noise control.

(a) This ordinance may be cited as the "Noise Control Ordinance of the City of Newton."

(b) *Declaration of findings and policy.* Whereas excessive sound is a serious hazard to the public health and welfare, safety, and the quality of life; and whereas a substantial body of science and technology exists by which excessive sound may be substantially abated; and, whereas the people have a right to and should be ensured an environment free from excessive sound that may jeopardize their health or welfare or safety or degrade the quality of life; now therefor it is the policy of the City of Newton to prevent excessive sound which may jeopardize the health and welfare or safety of its citizens or degrade the quality of life.

(c) *Scope.* This ordinance shall apply to the control of all sound originating within the limits of the City of Newton except as follows:

- (1) the emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work or in training exercises related to emergency activities; and
- (2) all snow clearance activities; and
- (3) any program or activity supervised by the parks, recreation and culture department of the city in effect and as it exists on June 1, 1983.

(d) *Definitions.* For the purposes of this ordinance the following words and phrases shall have the meanings respectively ascribed to them by this section:

Construction and demolition: Any excavation, highway construction, land development or land clearing work, or the erection, demolition, alteration, repair, or relocation of any building or structure, which uses powered equipment such as backhoes, trucks, tractors, excavators, earth moving equipment, compressors, motorized, or power hand tools, manual tools, or equipment of a similar nature as well as two-way radios or other communication equipment; or use of any equipment for recycling, screening, separating, or any other processing of soil, rocks, concrete, asphalt or other raw material.

Electronic devices: any radio, tape recorder or player, television, phonograph, public address system, loudspeaker, amplified musical instrument or any other similar device, except two-way communication radios.

Emergency: any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work: any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Gross vehicle weight rating (GVWR): the value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR), which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

Motorcycle: any unenclosed motor vehicle having two or three wheels in contact with the ground, including, but not limited to, motor scooters, minibikes, and mopeds.

Motor vehicles: any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, go-carts, snowmobiles, dune buggies, or racing vehicles, but not including motorcycles.

Noise pollution: a condition caused by a noise source that increases noise levels 10dB(A) or more above background noise level, except that if the noise source produces a tonal sound, an increase at 5dB(A) or more above background noise level is sufficient to cause noise pollution.

Tonal sound: any sound that is judged by a listener to have the characteristics of a pure tone, whine, hum or buzz.

(e) Noise Pollution prohibited.

- (1) No person shall willfully, negligently, or through failure to provide necessary equipment or facilities or to take necessary precautions permit the establishment or continuation of a condition of noise pollution caused by a noise source (other than a dog or bird) owned, leased, kept, or controlled by such person, or caused by any activity of such person.
- (2) When the offending noise source is located in public spaces, noise measurements shall be made at, and noise pollution determinations made in relation to, any location a passerby might reasonably occupy. When the offending noise source is located on private property, noise measurements shall be made at, and noise pollution determinations made in relation to, the boundary line of the property within which the offending source is located, or as close thereto as feasible.
- (3) All noise level measurements made pursuant to subsection (e) shall be made with a Type I or II A-weighted sound level meter as specified under the American National Standards Institute (ANSI) standards.

(f) Time Restrictions.

- (1) Notwithstanding the provisions of subsection (e) and subject to the maximum noise levels listed in subsection (g), the generation of any noise from all electric motors and/or internal combustion engines employed in yard, garden, or grounds maintenance is prohibited except during the following time periods:
 - (A) Between 7:00 a.m. and 8:00 p.m. on weekdays; or
 - (B) Between 9:30 a.m. and 8:00 p.m. on Saturdays, Sundays and legal holidays as established in section 2-26 of these revised ordinances.
- (2) Notwithstanding the provisions of subsection (e) and subject to the maximum noise levels listed in subsection (g), the generation of any noise from construction and demolition activity is prohibited except during the following time periods:
 - (A) Between 7:00 a.m. and 7:00 p.m. on weekdays; or

(B) Between: 8:00 a.m. and 7:00 p.m. on Saturdays;

(C) Generation of any noise from construction and demolition activity is prohibited at any hour on Sundays and legal holidays as established in section 2-26 of these revised ordinances, except by permit issued in accordance with subsection (i).

(3) All public address loudspeakers, either mobile or stationary, shall be prohibited from operating every evening from 9:00 p.m. until 7:00 a.m. the following morning.

(4) No automobile, motorcycle, truck or vehicle-mounted refrigeration equipment or other motorized vehicle shall be left running when not in traffic, within three hundred (300) feet of any dwelling, hotel or residence, for a period of greater than five (5) minutes.

(5) Between the hours of midnight and 6:00 a.m. deliveries and pick-ups for commercial or business purposes are prohibited within 300 feet of any dwelling within a residential zone excepting deliveries to such dwellings, deliveries of gasoline to gasoline stations, deliveries or pick-ups at state or federal governmental offices and any other commercial or business delivery or pick-up operation that does not increase noise levels 5dB(A) or more above background noise level. For purposes of this subsection, "deliveries" and "pick-ups" shall include the loading and unloading of a vehicle.

(6) Between the hours of 7:00 p.m. and 7:00 a.m. trash collection shall be prohibited within five hundred (500) feet of any dwelling.

(7) Between the hours of 11:00 p.m. and 7:00 a.m. no person or persons shall disturb the peace by causing or allowing to be made any unreasonable or excessive noise, including but not limited to such noise resulting from the operation of any electronic device, or from the playing of any band or orchestra, or from the making of excessive outcries, exclamations, or loud singing or any other excessive noise by a person or group of persons, provided however, that any performance, concert, establishment, band group or person who has received and maintains a valid license or permit from any department, board, or commission of the City of Newton authorized to issue such license or permit shall be exempt from the provisions of this section. Unreasonable or excessive noise for the purposes of this section shall be defined as 5dB(A) or more above background level when measured not closer than the lot line of a residential lot or from the nearest affected dwelling unit.

(g) *Maximum Noise Levels.* Notwithstanding the provisions of subsections (e)(1) and (e)(2), the following are the maximum noise levels that are permitted for the specified purposes:

Maximum noise level dB(A) permitted:

(1) *Vehicles*

Vehicle Class.....Stationary or Moving

All vehicles over 10,000 lbs. GVW or GCWR 86

All Motorcycles..... 82

Automobiles and light trucks..... 75

Noise measurements shall be made at a distance of fifty (50) feet from the closest point of pass-by of a source or fifty (50) feet from a stationary vehicle.

(2) *Construction and demolition.*

The cumulative noise level of all construction and demolition on one site at any one time shall not exceed 90dB(A). No individual piece of equipment shall exceed a maximum noise level of 90 dB(A). If noise barriers are used that effectively shield nearby areas from a condition of noise pollution, the following devices shall be exempt from the maximum noise level limitations: jackhammers; pavement breakers; pile drivers; and rock drills.

Maximum noise level dB(A) permitted:

Backhoe, bulldozer, concrete mixer, dump truck, loader, paver, pneumatic tools, roller, scraper	90
Air compressor	85
Generator	90
Electric drills, sanders, saws (except chainsaws) or other power tools of all types, whether hand held or otherwise	75

Noise measurements shall be made at a distance of fifty (50) feet from the source, or from the nearest lot line, whichever distance is less.

(3) *Yard, Garden, or Grounds Maintenance Equipment*

Maximum noise level dB(A) permitted:

Commercial Chipper, 3 1/2 inch or greater limb capacity (running at full speed but not chipping)	90
Commercial truck-mounted leaf vacuum	90
All other equipment, including home tractor, lawn mower or trimmer	65

Noise measurements shall be made at a distance of fifty (50) feet from the source, or from the nearest lot line, whichever distance is less.

(4) *Tonal Sound Corrections.* When a tonal sound is emitted by a noise source specified in subsections (g)(1), (g)(2) and (g)(3) herein, the limit on maximum noise levels shall be 5dB(A) lower than as specified in subsections (g)(1), (g)(2) and (g)(3).

(5) *Maximum Noise Levels for HVAC systems.* No person shall operate any air conditioning, refrigeration or heating equipment for any residence or other structure or operate any pumping, filtering or heating equipment for any pool or reservoir in such manner as to create any noise which would cause the noise level on the premises of any other occupied property or if a condominium, apartment house, duplex, or attached business, within any adjoining unit, to exceed the background noise level by more than 5 dB(A). This provision shall not apply, however, to periodic or emergency maintenance or testing of such equipment reasonably necessary to maintain such equipment in good working order. Noise measurements and noise pollution determinations shall be taken in accordance with subsections (e)(2) and (e)(3).

(6) *Alternative Measurement Procedures.* If it is not possible to make a good noise level measurement at the distance specified in subsections (g)(1), (g)(2) and (g)(3), measurement may be made at an alternate distance and the noise level subsequently calculated for the specified distance. Calculations shall be made in accordance with established engineering procedures.

(7) All noise-level measurements made pursuant to subsection (g) shall be made with a Type I or II A-weighted sound level meter as specified under the American National Standards Institute (ANSI) standards.

(h) *Restrictions on use of leaf blowers.*

Notwithstanding the provisions of sections 20-13 (f) and (g), no property owner or property manager or other person in control of a property shall authorize or permit the operation of leaf blowers on property under their control; no contractor or commercial landscaper, including a City contractor or employee, shall use or operate or authorize or permit any agent or employee to use or operate a leaf blower; nor shall any person use or operate a leaf blower within the City unless they do so in compliance with the provisions of this section. The following definitions shall apply to this section:

Leaf blower: any portable motorized device, whether carried or pushed, whether powered by gasoline or other fuel, electricity or battery, used in any landscape or property construction or maintenance activity, for the purpose of blowing, dispersing, redistributing, or removing dust, dirt, leaves, grass or plant clippings, litter or other debris.

Commercial leaf blower operator: any individual, entity or organization, including a contractor or commercial landscaper, that receives compensation for services that include operation of a leaf blower.

(1) *Summer Ban.* No leaf blower may be operated from Memorial Day through Labor Day in each year, except that one 65 dB(A) electric or battery powered leaf blower per lot may be used during this period subject to the permitted hours of use specified in Subsection (2) below. At all other times leaf blowers may be operated subject to the following provisions:

(2) *Permitted hours of use.* Leaf blowers may be operated only during the following times:

Monday - Friday: 7:00 a.m. - 5:00 p.m., except that the City of Newton, through its parks, recreation and culture department, shall be allowed to use leaf blowers prior to 7:00 a.m. for the sole purpose of maintaining city village centers.

Saturday: 8:00 a.m. - 5:00 p.m.

Sundays and legal holidays: prohibited except for operation by a resident of the property

on which the leaf blower is operated between 9:30 a.m. and 5:00 p.m.; and except for operation of leaf blowers on contiguous lots under single ownership that total a minimum of thirty acres used for institutional or recreational purposes between 9:30 a.m. and 12:00 p.m.

- (3) Only leaf blowers meeting the following criteria are permitted for use:
- A. Leaf blowers must be manufactured after January 1, 2005 for EPA Class 4 engines and after January 1, 2008 for EPA Class 5 engines;
 - B. Leaf blowers must bear an affixed manufacturer's label indicating the model number of the leaf blower;
 - C. Leaf blowers must bear an affixed manufacturer's label documenting a noise rating of 65 dB(A) or less; and
 - D. Leaf blowers may only be used with any muffler, full extension tube and sound attenuating devices supplied by the manufacturer of the leaf blower. Non-factory modifications are not permitted.
- (4) During times of emergency caused by a storm or other special circumstance, the Mayor or his designee may temporarily suspend application of all or a portion of this section for purposes of cleaning up from such storm or other special circumstance.
- (5) The provisions of section 20-13 (i) shall not apply to leaf blower operation.
- (6) Any violation of the restrictions contained in sections 20-13 (h)(1) through (h)(6) above shall be subject to the penalties set forth in sections 20-13 (k) and (m) below, provided that the first offense by any person subject to this section shall be subject to a warning only, and provided further that a violation committed by a commercial operator holding a valid permit and in good standing on the public list provided for in section (7) A, shall be enforced against the commercial operator only, and not against the property owner, manager or person in control of the property upon which the violation has occurred.
- (7) Commercial Leaf Blower Operators - permit required.
- A. No commercial leaf blower operator may operate a leaf blower or permit or authorize an agent or employee to operate a leaf blower in the City of Newton without an annual permit from the commissioner of inspectional services, who shall provide application forms; who may establish rules governing the display of permits on permittee's vehicles; and who shall maintain a public list of commercial leaf blower operators who hold a valid permit under this section. The commissioner may set a reasonable fee for such permit. Such application form shall require the name and telephone number of a contact and shall require the applicant to certify under pains and penalties of perjury that they have read and understand this ordinance pertaining

to leaf blower restrictions, and that they will inform all employees of the restrictions. If a violation of any leaf blower restriction under this ordinance is committed by an employee or agent of and while performing work for said commercial leaf blower operator, the commercial leaf blower operator shall be responsible for the violation and the employee or agent shall not be individually liable.

- B. A commercial leaf blower operator shall ensure that its name, address, telephone number and its commercial leaf blower permit number are clearly visible on any vehicle it uses to conduct business in Newton.
- C. In addition to the penalties set forth in sections (k) and (m) below, the permit of any commercial leaf blower operator who has received two or more notices of violation of leaf blower restrictions by it or its employees or agents in a 12-month period shall be suspended for a period of sixty days. The permit of any commercial leaf blower operator whose permit has been suspended two times shall be revoked, and the operator shall be ineligible for a permit for a period of one year. The operator's name shall be removed from the public list during any period of suspension or revocation. The penalty for operating a leaf blower without a commercial operator permit shall be \$300.00.
- D. The commissioner of inspectional services may promulgate rules and regulations to implement this section.

(i) Permits for exemptions from this ordinance and for extensions of time to comply with this ordinance.

- (1) The mayor or his designee may grant a permit for any activity otherwise forbidden by the provisions of this ordinance upon a determination by the mayor or his designee that compliance in the conduct of such activity would cause undue hardship on the person or persons conducting such activity or on the community, taking into account: (i) the extent of noise pollution caused by not requiring such compliance; and (ii) whether reasonable efforts have been made to abate the noise. The mayor or his designee shall establish appropriate procedures for the processing of requests for such permits, including such hearings as the mayor or his designee deems appropriate. In granting any such permit, the mayor or his designee may impose such appropriate conditions as he deems necessary pursuant to this section. Copies of all such permits shall be filed with the clerk of the city council promptly after issuance. Promptly after issuance, copies of all such permits shall be filed with the clerk of the city council and to each ward city councilor for the affected ward.
- (2) The mayor or his designee may extend to a specified date the time for compliance with this ordinance in the case of any particular activity with respect to which a determination is made that such extension is necessary to provide a reasonable opportunity for such activity to be brought into compliance. No such extension shall be granted which has the effect of exempting such activity from compliance with this ordinance. The mayor or his designee shall establish appropriate procedures for the processing of requests for such extensions of time, including such hearings as the mayor or his designee deems appropriate.

(j)Judicial Review. Any person aggrieved by the grant or denial of a permit pursuant to subsection (i)(1) or an extension of time pursuant to subsection (i)(2), or a suspension or revocation of a commercial leaf blower operator permit pursuant to subsection (h)(7) may seek relief therefrom by a civil action in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

(k) *Penalties.* Violation of any of the provisions of this section shall constitute a misdemeanor and any person, upon conviction of such violation, shall be fined an amount not to exceed three hundred dollars (\$300.00). Each day that such violation continues shall be considered to be a separate offense.

(l) *Enforcement.* The Newton Police Department and the Inspectional Services Department shall be responsible for enforcement of this ordinance. Each department shall document the disposition of all complaints by written report available to the public. The written report shall clearly indicate whether the complaint resulted in a warning or fine. If a warning or fine was not issued for a complaint, the responding city employee shall clearly indicate the reason.

(m) *Non-criminal disposition.* In addition to the penalties set forth in subsection (j), where non-criminal disposition of specified sections of this ordinance by civil fine has been provided for in sections 17-22 and 17-23 of the Revised Ordinances, as amended, pursuant to the authority granted by G.L. c. 40, sec. 21D, said violations may be enforced in the manner provided in such statute. The civil penalty for each such violation is set out in Sections 17-23(c) and 17-23(d).

(n) In the event the person in violation of section 20-13(h) pertaining to leaf blower use is a commercial leaf blower operator, the property owner shall be notified of the violation and of any warning or other enforcement issued to the operator.

(o) *Severability.* If any provision(s) of this ordinance or the application of such provision(s) to any person or circumstances shall be held invalid, the validity of the remainder of this ordinance and the applicability of such provision to other persons or circumstances shall not be affected thereby. (Ord. No. R-331, 6-20-83; Ord. No. T-62, 12-4-89; Ord. No. T-200, 12-16-91; Ord. No. V-286, 3-6-00; Ord. Z-32, 7-14-08; Ord. No. Z-78, 02-22-11; Ord. No. Z-104, 04-02-12; Ord. No. A-100, 01-17-17; Ord. No. B-53, 03-02-20)

Cross reference—Sounding warning devices on motor vehicles, § 19-72; noise by hawkers and peddlers, § 20-75.

Secs. 20-14—20-22. Reserved.