Report of the
2020 Special Committee for Review of Ordinances

Summary of Recommendations

The Special Committee for Review of Ordinances (“the Committee”) submits this Report of its 2020 review of the ordinances of the City of Northampton in accordance with Northampton Code of Ordinances, § 1-15.1. That section was adopted pursuant to the Northampton Special Act Charter (“the Charter”), § 10-6. Section 1-15.1 requires review of ordinances every five years in years ending in a 5 or in a 0. While the ordinance requires a report to be filed by December 31st of such years, the Northampton City Council voted on December 3, 2020 to extend that date to March 31, 2021 on account of the Committee’s delayed formation due to the novel coronavirus pandemic of 2020. The Committee was appointed on September 3, 2020, and it was comprised of three members of the City Council appointed by the Council President and two voters of the City appointed by the Mayor. The Committee met under the supervision of the City Solicitor. It held 15 virtual meetings by Zoom on September 30, 2020, October 19, 2020, November 2, 2020, November 17, 2020, November 30, 2020, December 7, 2020, December 15, 2020, January 4, 2021, January 11, 2021, February 1, 2021, February 22, 2021, March 1, 2021, March 15, 2021, March 23, 2021, and March 29, 2021.

An “ordinance,” as that term is used in the Charter and in Section 1-15.1, has a very specific meaning. It is a legislative act that has the force of law and binds the City and all persons within the jurisdictional limits of the City. The authority of the City Council to pass an ordinance is found either in State law or in the Charter. Ordinances must be distinguished from a Resolution of the Council which is a current statement of the Council’s position on a certain issue that has no force of law.

On September 3, 2020, the City Council adopted 20.107 A Resolution in Support of Actions to Combat the Public Health Crisis of Systemic Racism, which stated in part:

We have an obligation to advance racial equity by undoing the inequities found in the law, and to proactively pass ordinances and make budget decisions that address inequity. During the Periodic Review of Ordinances which occurs every 5 years as per the City Charter Section 10-5, and at other times when it comes to the attention of the Council, we will act to update ordinances that have been shown to have a disproportionate impact on communities of color and adversely affect marginalized populations. We will also consider these impacts during our annual budget process and as financial orders are brought to the Council.

The Committee accepted this Resolution as the guiding principle of its focus on the City’s ordinances. Marginalized populations of Northampton, in our deliberations and reporting, include but are not limited to residents who are people of color, low-income, housing-insecure, and/or disabled who experience systemic inequities of residential segregation, intergenerational wealth inequality, and access to public services.
Consequently, the Committee prioritized select categories of ordinances referenced in reports produced by the National League of Cities, The National Low-Income Housing Coalition, National Housing Law Project, and others:

- zoning;
- rental housing;
- parking;
- nuisance laws; and
- land ownership.

The Committee solicited input on existing ordinances and any proposed new ordinances from all City departments, the City Councilors, and from the public. There was an opportunity for public comment at all meetings. The approved minutes of all meetings as well as all documents that were considered by the Committee are available in the city clerk’s office and on the city's website.

The Committee received testimony and documents from the Office of Planning and Sustainability, the Northampton Housing Partnership, and from members of the public regarding existing and proposed ordinances that would promote the interests of historically marginalized communities, some of which the Committee voted to recommend that the City adopt and some that the Committee did not recommend. Those proposed ordinances and amendments and the Committee’s recommendations are attached as Exhibit A.

The Committee also solicited from all City departments and from the public more minor recommendations of a “housekeeping” nature. Those recommendations are attached as Exhibit B.

In addition to the proposed ordinance revisions and additions submitted with this Report, the Committee voted to urge the City to study and develop amendments to zoning and other ordinances as set forth in Exhibit C. The Committee also encourages the City to address barriers to fair housing\(^1\) in the City and to explore ways to incentivize the creation of both affordable market-rate and subsidized affordable housing.

At the same time, as explained by the City Solicitor and as further delineated in the Exhibits that follow, the subject matter of certain proposed ordinances that impact disadvantaged communities were deemed outside the legislative authority of the City Council based either on state law or on the Charter. To the extent that such matters as hiring and employment and purchasing and contracting are within the exclusive jurisdiction of the executive branch of government and not within the Committee’s charge, the Committee calls upon the current Mayor and future Mayors to study and implement departmental policies in full partnership with their advisory boards and committees. Furthermore, the Committee calls upon the executive and legislative branches to examine the disparate impacts on people of color and other adversely affected marginalized communities in all their practices and procedures.

Finally, the ordinance review process contemplated in the Charter and in Section 1-15.1 is, by its terms, limited in time and its scope. Reversing the ongoing marginalization of certain communities

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\(^1\) By “fair housing,” the Committee is referring both to the interests protected under the Fair Housing Act, which include protection from discrimination when renting or buying a home, getting a mortgage, seeking housing assistance, or engaging in other housing-related activities and fairness in the more colloquial sense, including enacting ordinances relative to housing set forth in Exhibit A.
communities is a task that exceeds the bounds of this process. The Committee calls upon the City Council to study these issues through its committee process and to alleviate the inequities that are so entrenched in our society with ordinances that fall within its jurisdiction.

The Committee looks forward to addressing its work and the recommendations contained in this Report before the City Council at such time as the Council may designate.

Respectfully submitted,

Special Committee for Review of Ordinances

By____________________________________
City Councilor John Thorpe, Chair

Dated: March 31, 2021
Report of the 2020 Special Committee for Review of Ordinances
Exhibit A

Ordinances Impacting Historically Marginalized Communities
Recommended for Adoption

1. Housing Stability Notification Ordinance.

On November 17, 2020, Keith Benoit, CDGB Planner in the Office of Planning and Sustainability, and Carmen Junno, a Member of the Northampton Housing Partnership, appeared before the Committee. They presented testimony regarding a proposed new ordinance that would require landlords of rental units or lenders foreclosing on a house to provide a list of financial and legal resources when serving a Notice to Quit terminating a tenancy or when serving foreclosure documents. \(^1\) Such notification may include documents such as Residential Assistance for Families in Transition (RAFT) and Emergency Rental and Mortgage Assistance (ERMA). Similar ordinances have been enacted in Cambridge and Somerville. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt such a Housing Stability Notification Ordinance.

2. An Ordinance Relative to Affordable Housing.

On November 2, 2020, Wayne Feiden, Director of Department of Planning and Sustainability appeared before the Committee. He testified regarding a proposed amendment to the Zoning Ordinance to create a local Affordable Housing Ordinance that would simplify the state comprehensive permit process, known as “40B.” At that time, the proposed ordinance was in its conceptual stage. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt such an ordinance to promote housing affordability in the City.

3. Two-Family By Right in all Residential Districts.

On November 2, 2020, Director Feiden testified regarding a proposed amendment to the Zoning Ordinance to allow two-family residences by right in all residential zoning districts, including two detached single-family structures. At that time, the proposed ordinance had been introduced to the City Council and it was being reviewed by Council committees. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt that zoning ordinance amendment to promote housing affordability in the City.

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\(^1\) The Committee is cognizant of both the time it takes to move new ordinances through committees and the prospect of the federal and state eviction and foreclosure moratoria ending in the near future. The Committee recognizes the important work that the Northampton Housing Partnership and the Office of Planning and Sustainability have performed in compiling the resources for the proposed notification ordinance, and it urges that those resources be kept current, and that the City implement administratively the notifications that were proposed to be required of landlords and mortgagees by the recommended ordinance.
4. **First Floor Residential Use in Downtown and Florence Center.**

On November 2, 2020, Director Feiden testified regarding a proposed amendment to the Zoning Ordinance to allow residences on first floors in in Downtown Northampton (outside of the Central Business District) and in Florence Center (outside the Chestnut/Main/Maple business district). At that time, the proposed ordinance was in the drafting stage. Allowing residential uses on the first floor of commercial buildings outside core downtown areas would allow more people to live within walking distance of commercial centers, allow property owners more options, and create housing opportunities at all levels of the market. At that time, the proposed ordinance was in its conceptual stage. On March 1, 2021, the Committee voted unanimously to recommend that the City adopt such an ordinance to promote housing affordability in the City.

**Ordinances Impacting Historically Marginalized Communities**  
**Not Recommended for Adoption**

1. **Enforcement of “Ban the Box” Law.**

On November 17, 2020, Tay Porco addressed the Committee during public comment urging the City to enforce the so-called Ban the Box law, which prohibits employers from inquiring into certain aspects of an employment applicant’s criminal history. The Ban the Box law is included in a statute that prohibits discrimination in employment, and it is enforceable by the Massachusetts Commission Against Discrimination, not by the City. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance.

2. **Ordinance Legalizing Temporary Structures and to Repeal Ordinances Prohibiting Camping on Public Property.**

On November 17, 2020, Tay Porco addressed the Committee during public comment and presented a demand that the City pass an ordinance legalizing temporary structures and repealing ordinances prohibiting camping on public property. On December 15, 2020, Councilor Nash reported that his review of the ordinances did not reveal any that prohibited camping on public land other than conservation land. On March 1, 2021, the Committee unanimously voted not to recommend any such ordinances. At the same time, the Committee voted to inform the City that it would oppose any ordinance that would impede those who choose to live outdoors.

3. **Fair Chance Ordinance.**

In a November 18, 2020 email, Tay Porco urged the Committee to recommend an ordinance that would prohibit landlords from accessing and using the criminal history when screening a proposed tenant. While the Committee believed that such an ordinance would mitigate discriminatory practices in the housing market, City Solicitor Seewald
advised the Committee that the Criminal Offender Record Information (CORI) statute, M.G. L. c. 6, § 167, et. seq., is a comprehensive state law that creates uniform access to criminal history information statewide. The CORI statute was amended a short time ago to specifically allow landlords to access such information and, therefore, the City cannot legislate in this area. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance.

4. Ordinance Banning Sale of Property Gifted to City.

In the November 18, 2020 email, Tay Porco also proposed to the Committee an ordinance to ban the sale to private parties of property gifted to the City, and instead to use such property for affordable housing. Solicitor Seewald informed the Committee that the properties they cited in the email were not gifted to the city and that the city properties sold during his years as City Solicitor were sold for some form of public benefit or to meet a community need. City buildings for sale were municipal buildings not set up to comply with sanitary code and other requirements for use as housing. On March 1, 2021, the Committee voted unanimously not to recommend such an ordinance.

5. Ordinance Incentivizing Against Long-Term Vacancies in Private Properties.

In the November 18, 2020 email, Tay Porco also proposed to penalize and incentivize against vacancies in private properties. Tay cited the fact that properties remain vacant for long periods of time while unhoused individuals live on the street. Without more specific proposals for limiting the rights of private property owners or involuntary acquisition of such properties, Solicitor Seewald could not provide an opinion on the legality of such an ordinance. On March 1, 2021, the Committee voted unanimously not to recommend such an ordinance.

6. Repeal of Anti-Panhandling Ordinances.

On November 30, 2020, Razi Beresin-Scher, citing c. 245 of the Code of Ordinances, addressed the Committee during public comment and urged action to stop criminalizing and harassing unhoused people asking for money or panhandling on the street without a permit. On December 15, 2020, Solicitor Seewald informed the Committee that c. 245 dealt with commercial solicitation, not panhandling, that the Supreme Judicial Court had that day struck down the state anti-panhandling statute as a violation of the First Amendment, and that the City has no anti-panhandling ordinances. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance.

7. FIT Test and Capping of Size of New Single-Family Residences.

In a February 7, 2021 email, Jackie Ballance attached a document entitled “Equity in Housing” in which she urged the Committee to recommend use of a “FIT” review for Equity, Environmental Sustainability, Appearance and Economy for every new residential building permit application.” That proposal would require a board to review
applications for fitness, including consideration of an applicant’s track record in creating fit housing. In a February 21, 2021 email, Ms. Ballance withdrew the fitness proposal and advanced a proposal to cap the size of new single-family residences at 1,100 square feet, with any larger proposed single-family residences required to “ask for an exception and expect a fair hearing.” The Committee thanks and commends Ms. Ballance for her thoughtful proposals and her commitment to the important issue of fairness and equity in housing in our City. However, Solicitor Seewald informed the Committee that state law prohibits zoning that regulates the interior size of a single-family residence. For that reason, on March 23, 2021, the Committee voted not to recommend Ms. Ballance’s proposals.
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<tr>
<th>#</th>
<th>Chapter</th>
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<tr>
<td>1</td>
<td>Ch. 337 Wetlands Protection</td>
<td>§337-2 Jurisdiction. G. Vernal Pool Resource Area</td>
<td><a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a></td>
<td>Nonresidential uses only in the Business Park District</td>
<td>Remove</td>
<td>BP Zoning no longer exists</td>
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<td>3</td>
<td>Ch. 337 Wetlands Protection</td>
<td>§337-2 Jurisdiction. G. Vernal Pool Resource Area</td>
<td><a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a></td>
<td>All areas in the Water Supply Protection overlay which were zoned residential as of January 1, 2006</td>
<td>Replace ‘Overlay’ with ‘Zone’</td>
<td>Reflect shift in zoning from an overlay to an underlying zone</td>
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<td>4</td>
<td>Ch. 337 Wetlands Protection</td>
<td>§337-2 Jurisdiction. G. Vernal Pool Resource Area</td>
<td><a href="https://www.ecode360.com/11956984">https://www.ecode360.com/11956984</a></td>
<td>All other areas not shown above (residential uses in the Rural Residential, Suburban Residential, Special Conservancy, Urban Residential A)</td>
<td>ADD Farms Forests and Rivers</td>
<td>Reflect addition of newer zoning districts</td>
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<td>6</td>
<td>Ch. 337 Wetlands Protection</td>
<td>§337-10 Performance standards. C.</td>
<td><a href="https://www.ecode360.com/11957050">https://www.ecode360.com/11957050</a></td>
<td>Entirety of Section C</td>
<td>Delete [Note: Requires renumbering of subsections D - G]</td>
<td>BP Zoning no longer exists</td>
</tr>
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<td>Chapter</td>
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<td>8</td>
<td>Ch. 337 Wetlands Protection</td>
<td>§337-10 Performance standards. E[7]</td>
<td><a href="https://www.ecode360.com/14928507">https://www.ecode360.com/14928507</a></td>
<td>All water supply protection overlay areas zoned residential as of January 1, 2006, regardless of the underlying zoning, and all other areas</td>
<td>Delete <em>All water supply protection overlay areas zoned residential as of January 1, 2006, regardless of the underlying zoning, and</em></td>
<td>Will read ‘All other areas’</td>
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<td>9</td>
<td>Ch. 40 Enforcement</td>
<td>§40-5 List of enforcing officers and penalties for noncriminal disposition. B.</td>
<td><a href="https://www.ecode360.com/11953687">https://www.ecode360.com/11953687</a></td>
<td>All instances of “Director of Planning and Development or his/her designee”</td>
<td>Change ‘Development’ to ‘Sustainability’</td>
<td>Correct Department Title</td>
</tr>
<tr>
<td>10</td>
<td>Ch. 40 Enforcement</td>
<td>§40-5 List of enforcing officers and penalties for noncriminal disposition. B.</td>
<td><a href="https://www.ecode360.com/11953687">https://www.ecode360.com/11953687</a></td>
<td>Chairman, Conservation Commission</td>
<td>Change to ‘Chairman, Conservation Commission or his/her staff agent or designee’</td>
<td>In practice, staff, rather than volunteer board members, issues violations for</td>
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<td>11</td>
<td>Ch.156 Central Business and West Street Architecture</td>
<td>§156-10 West Street Architecture Process. B.</td>
<td><a href="https://www.ecode360.com/14927884">https://www.ecode360.com/14927884</a></td>
<td>Office of Planning and Development</td>
<td>Change ‘Development’ to ‘Sustainability’</td>
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<td>12</td>
<td>Ch. 161 Demolition</td>
<td>§161-6 Administration. B.</td>
<td><a href="https://www.ecode360.com/11954485">https://www.ecode360.com/11954485</a></td>
<td>Office of Planning and Development</td>
<td>Change ‘Development’ to ‘Sustainability’</td>
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<td>13</td>
<td>Ch. 161 Demolition</td>
<td>§161-6 Administration. D.</td>
<td><a href="https://www.ecode360.com/11954487">https://www.ecode360.com/11954487</a></td>
<td>The Commission shall create an inventory of significant buildings and structures built during the period of 1901 to 1939 that will be subject to this chapter within a two-year period from the date of the ordinance adoption. The Commission may also proactively develop other lists of significant buildings or structures that may be subject to this chapter. Buildings or structures proposed for the significant list of buildings and/or structures shall be added only following a public hearing.</td>
<td>Superseded by Ordinance Change that shifted applicable date to 1945</td>
<td></td>
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<td>14</td>
<td>Ch. 161 Demolition</td>
<td>§161-8 Enforcement and penalties. A. Authorized agents</td>
<td><a href="https://www.ecode360.com/11954492">https://www.ecode360.com/11954492</a></td>
<td>Director of Planning and Development</td>
<td>Change ‘Development’ to ‘Sustainability’</td>
<td>Correct Department Title</td>
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<tr>
<td>15</td>
<td>Ch. 350 Zoning</td>
<td>§350-3.4, 350-3.5, 350-7.4, 350-8.10, 350-8.8, 350-10.1, 350-10.4, 350-10.9, 350-10.15, 350-11.5</td>
<td>Planning and Development</td>
<td>Planning and Sustainability</td>
<td>Correct Department Title in various locations</td>
<td></td>
</tr>
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**EXHIBIT B - "HOUSEKEEPING" CHANGES**
## EXHIBIT B - "HOUSEKEEPING" CHANGES

### A

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<thead>
<tr>
<th>#</th>
<th>Chapter</th>
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<tr>
<td>16</td>
<td>Ch. 312 Vehicles and Traffic</td>
<td>§312-99 Violations and penalties. B. (2) Group B. Fine $15. #14</td>
<td><a href="https://ecode360.com/11956780">https://ecode360.com/11956780</a></td>
<td>Less than 15 feet of clearance</td>
<td>Less than 12 feet of clearance</td>
<td>Change for consistency with §312-27F. Section 312.27F is also recommended for further study. See Exhibit C.</td>
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<tr>
<td>17</td>
<td>Ch. 350 Zoning</td>
<td>§350-8.1 Off-Street Parking Requirements C. Table of Off-Street Parking Regulations</td>
<td><a href="https://ecode360.com/11957545">https://ecode360.com/11957545</a></td>
<td>Use. Any dwelling unit (including residential component of mixed residential/work space), except as noted below All districts other than CB (one space per) 500 square feet of gross floor area, up to a maximum of two per dwelling unit</td>
<td>All districts other than CB (one space per) 500 square feet of gross floor area, up to a maximum of two per dwelling unit</td>
<td>Refer user to Table of Use and Dimensional Regulations for parking requirement. Present value is inconsistent with §350 Attachment 8 Table of Use and Dimensional Regulations, URC District, which lists parking requirement for dwelling units as one space per 1,000 sq. ft. gross living area.</td>
</tr>
<tr>
<td>18</td>
<td>Ch. 116 Alarms</td>
<td>§116-1 Responsibility for fines; violations and penalties</td>
<td><a href="https://ecode360.com/11954076">https://ecode360.com/11954076</a></td>
<td>§116.1 If any residence or place of business has an intrusion alarm which results in a notification to the Northampton Police Department of an alarm at said residence or place of business, the owner of the property or the tenant in possession, whomever has control of said alarm, shall be subject to a fine as set forth in Chapter 40, Enforcement, for each false alarm after the first three false alarms in any calendar year.</td>
<td>§116.1 If any residence or place of business has an false intrusion alarm which results in a notification to the Northampton Police Department of an alarm at said residence or place of business, the owner of the property or the tenant in possession, whomever has control of said alarm, shall be subject to a fine as set forth in Chapter 40, Enforcement.</td>
<td>Phrase 'after the first three false alarms in any calendar year' conflicts with §40-5. [Per §40-5, 1st false alarm - no charge; 2nd false alarm - $25; 3rd false alarm - $50; 4th and subsequent - $100] Insertion of the word 'false' is necessary because otherwise the ordinance renders anyone having an intrusion alarm (even if not false) liable for penalties.</td>
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</table>
## EXHIBIT B - "HOUSEKEEPING" CHANGES

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<th>#</th>
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<tr>
<td>20</td>
<td>Ch. 312 Vehicles and Traffic</td>
<td>§312-43 Parking for Physically Handicapped</td>
<td><a href="https://ecode360.com/11956590">https://ecode360.com/11956590</a></td>
<td>SEE ATTACHMENT</td>
<td>Change references to 'handicapped,' 'disabled' and 'disability' to accessible parking language.</td>
<td>Revised to update language as attached. The Northampton Disability Commission has reviewed and approved these proposed amendments.</td>
</tr>
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</table>
Report of the 2020 Special Committee for Review of Ordinances

Exhibit C

Ordinances Recommended for Further Study

1. **Charter Review.**

   Member Paik suggested that the Committee recommend that the review of the Northampton City Charter pursuant to Section 10-6 of the Charter and Chapter 9 of the Code of Ordinances, which is undertaken at ten-year intervals in years ending in a nine, be increased in frequency. Member Paik noted that, as part of ordinance review, committee members discovered that many areas of concern are in the exclusive purview of the executive branch. The Mayor has broad powers to be able to create departments, set policy, hire staff, etc. On March 23, 2021, the Committee voted to recommend further study of this issue.

2. **Rental Agency Fees.**

   The Committee considered a proposed ordinance that would prohibit charging tenants a rental agency fee and require that any such fee be paid by the landlord. While the Committee believed that such an ordinance would alleviate the cost burden to renters, City Solicitor Alan Seewald advised the Committee that such legislation would violate the provision of the Home Rule Amendment to the Massachusetts Constitution that prohibits local legislation that alters civil relationships. According to Solicitor Seewald, the contract between the landlord and the rental agency, which requires that fees be paid by the prospective tenant, is such a civil relationship. Such an ordinance could be adopted only after a special act is passed by the state legislature and signed by the Governor. On that basis, on March 1, 2021, the Committee voted unanimously not to recommend the adoption of such an ordinance but, instead, to urge the City Council to study this issue and to file a petition for special legislation with the state legislature to authorize such an ordinance.

3. **Towing of Vehicles Impeding Snow Removal Operations.**

   Councilor Foster brought to the Committee’s attention § 312-51, The Towing of Vehicles Impeding Snow Removal Operations, which creates significant financial and logistical hardship for lower income residents who are primarily renters without dedicated parking spaces. The Committee referred the issue to Planning Board for review and comment. The Planning Board pointed out that the parking issues cited by the councilors appear to arise around pre-existing, non-conforming properties that are not required to comply with the parking requirements in our zoning and recommended:

   - Improve seasonal messaging around snow emergencies, parking restrictions, and clearing snow from sidewalks;
   - Explore a reduced or free towing fee/fine for first time offense;
   - Provide more consistent parking enforcement across the city;
• Develop a renters’ folder with important information;
• Explore pop-up parking lots on private property; and
• Inquire with the NPD where such towing occurs and better communicate with the residents in that particular area.

Councilor Nash informed the Committee that he and Councilor Foster will continue to study this issue. On March 23, 2021, the Committee voted to recommend further study of this issue.

4. General Sign Regulations.

Councilor Alex Jarrett asked the Committee to recommend that the City Council review §350-7.2 General Sign Regulations based on the Supreme Court decision Reid vs. Town of Gilbert. That case significantly changed the permissible scope of regulation of signs by prohibiting differentiation of regulation based upon the content of the sign. City Solicitor Seewald explained that the existing ordinance is not being enforced and that he has taken up this issue with the Council President and the Assistant Director of Planning and Sustainability. The Committee voted on March 15, 2021 to urge the City Council to continue to study this issue and to revise the existing ordinance to conform to Supreme Court precedent.

5. Proposal to Expand Notification under §350-3.5.

Councilor Nash proposed an ordinance to expand notification of proposed changes to zoning district lines under §350-3.5 to include owners and tenants of abutting properties in addition to owners of affected properties. The Committee referred the issue to the Planning Board for review and comment. While the expansion of notification would provide greater transparency regarding nearby zone changes, the Planning Board had concerns with the ability of the city to identify those entitled to expanded notice and the potential that such an ordinance would increase litigation against the city. The Board recommended:

• Develop an address list of property owners and residents for mail notification;
• Develop an address list where notices are sent to the “resident” at a given address, forgoing the need for a resident’s name; and
• Increase use of listservs for notification (Planning Department, City Councilors, neighborhood groups, etc.).

Councilor Nash informed the Committee that he and Council President Sciarra will continue to study this issue. On March 23, 2021, the Committee voted to recommend further study of this issue.


Councilor Alex Jarrett suggested that the Committee recommend a Commercial Buffer Zone Proposal to supplement § 312-25 Prohibited Activities During Certain Hours of the
Day with specific regard to commercial trash removal in proximity to residential structures. The ordinance is general in nature, but it uses zoning terminology in terms of location of its applicability. The Committee noted that there would be difficulty in determining exactly where that line of demarcation would be located. Action was deferred at Councilor Nash’s request pending further research. On March 23, 2021, the Committee voted to recommend further study of this issue.

7. **Unobstructed Lane of Travel.**

Fred Zimnoch brought to the Committee an inconsistency between §312-27(F), which prohibits parking that would not leave a 12’ wide unobstructed lane for passing traffic, and the enforcement provision contained in §312-99. In Exhibit B to this Report, the Committee has recommended that the two provisions be made consistent at a width of 12 feet. At the same time, the Director of the Department of Public Works pointed out that literal enforcement of this provision would require that parking be prohibited on many older streets in the more densely populated areas of the City, where the road width would not permit such an unobstructed lane along parked cars. Considering the balance necessary between the need for parking in those neighborhoods and the need for safe passing lanes, on March 23, 2021, the Committee recommended further study of this issue.