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November 10, 2009

REPORT OF THE COMMITTEE
ON LEGISLATIVE MATTERS

The Committee on Legislative Matters convened on November 10, 2009 with Chairman Thomas Taylor presiding and Committee Members Aldermen John Connolly and Walter Pero also present and voting. Also present were Monica Lamboy from OSPCD, David Shapiro from the Law Department, Richard Willette from the DPW, Stephen Mackey from the Chamber of Commerce and interested members of the public.

186797: Revision to ordinance regarding snow, slush and ice on sidewalks

Mr. Shapiro told the committee that he has been contacted by the Somerville Chamber of Commerce and by Tufts University, who both expressed concern that the 2 hour time limit for removing snow from sidewalks is unrealistic. The committee discussed extending the time limit an additional 2 hours and Alderman Pero questioned how residents would know when the time limit begins. Mr. Mackey discussed the concerns of business owners and pointed out that the city doesn't have to comply with a time constraint for removing snow.

Chairman Taylor's motion that the time limit for removing snow from sidewalks be changed from 2 to 4 hours, was approved. Alderman Connolly suggested a provisional period from December 1st to March 1st to test the 4 hour time frame and Alderman Pero asked that the ordinance explain how individuals would be made aware of when the time period begins.

187694: Ordinance relative to the use of construction dumpsters

Mr. Shapiro explained that dumpster fees are calculated by using the cost of parking meters, as follows: \$200 per week plus \$10 per day for using more than one parking meter. Mr. Shapiro also noted that the city is allowed to charge a fee for dumpsters placed on a private way.

186863: Operating Hours of Retail and Service Establishments

Mr. Shapiro told the members that the Chamber of Commerce doesn't believe that a public hearing is necessary for the extension of business hours up to 60 days. OSPCD, however, prefers waiving the public hearing requirement for an extension up to 10 days. The penalty for violation of the ordinance may be no more than \$300.

Chairman Taylor's motion that the proposed ordinance make it clear that approval from the Board of Aldermen is necessary even for an extension of business hours for less than 10 days, was approved.

The committee discussed matters before it and took action on the following 3 items:

to **186797:** Communication - Asst. City Solicitor conveying a proposed Ordinance 12-8,

replace current Ordinances 12-8 and 12-9, re: snow, slush and ice on sidewalks.

RECOMMENDATION: Should be placed on file

VOTE: Unanimous, 3 - 0 in favor

187694: Communication from Mayor - Requesting approval of an ordinance relative to the use of construction dumpsters.

RECOMMENDATION: Should be approved as amended

VOTE: Unanimous, 3 - 0 in favor

188260: Communication - Asst. City Solicitor submitting a revision to a proposed Ordinance (#186446) regarding snow, slush and ice on sidewalks.

RECOMMENDATION: Should be approved as amended (that the time limit for removing snow from sidewalks be changed from 2 to 4 hours)

VOTE: Unanimous, 3 - 0 in favor

Alderman Thomas F. Taylor, Chairman
Committee on Legislative Matters