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March 6, 2007

**REPORT OF THE COMMITTEE**  
**ON LEGISLATIVE MATTERS**

The Committee on Legislative Matters convened on March 6, 2007 with Chairman Thomas Taylor presiding and Committee Members Aldermen Rebekah Gewirtz, William Roche and Robert Trane also present and voting. Also present were City Solicitor John Gannon, Police Captain Paul Upton, Michael Lambert from the Mayor's Office, Earle Lawson from Comcast, Tony Campo and Hugh Small from Keyspan and Andrew Balta from NSTAR Communications.

**180826 – street reconstruction**

Alderman Roche recused himself from discussion on this matter.

The utility companies present had no problem with the proposed ordinance to increase from one year to five years the limitation on reconstructing streets. The motion passed. 2 – 1 in favor with Alderman Gewirtz voting in opposition.

**182707 – guerilla marketing**

Captain Upton informed the committee that the Somerville Police Department received information from the State Police regarding devices that looked like pipe bombs and which effected many of the roadways in and around Somerville. Officials from Turner Broadcasting, upon being contacted regarding the matter, denied any involvement and allowed the marketing to continue throughout the day, causing angst and anxiety to the community. Captain Upton suggested that guerilla marketing be regulated through an ordinance proposed by the City Solicitor.

Mr. Gannon said that any form of business conducted for ambush or guerilla marketing would require that the business notify the Police Chief and that permits would be required for the handling of food, etc. Limitations would be set, and if the business engages in trespassing or graffetti, it would lose its ability to do business and its license could be revoked by the Police Chief. Attorney General Martha Coakley has stated that Somerville's proposed ordinance is a good concept and that it would be reviewed for legality.

**182231 – shopping carts**

Alderman Trane's motion to increase the moratorium from 90 days to 120 days was approved.

Alderman Taylor's motion *that businesses failing to comply with the 120 day time limit be subject to a fine of \$100 per day* was approved.

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

**180826:** Communication from Solicitor - City Solicitor submitting an amendment to Ordinance 11-24, to increase from one year to five years the limitation on reconstructing streets.

**RECOMMENDATION:** Should be approved

**VOTE:** 2 in favor, 1 against

**181594:** Communication from City Officer - Asst. City Solicitor responding to #180496 re: a Shopping Cart Ordinance.

**RECOMMENDATION:** Should be approved with conditions (*increase the moratorium from 90 days to 120 day; businesses failing to comply with the 120 day time limit be subject to a fine of \$100 per day*)

**VOTE:** Unanimous, 4 - 0 in favor

**182231:** Communication from Mayor - Requesting consideration of an Ordinance relative to shopping cart theft-prevention devices.

**RECOMMENDATION:** Should be placed on file

**VOTE:** Unanimous, 4 - 0 in favor

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Alderman Thomas F. Taylor, Chairman  
Committee on Legislative Matters

**COMMITTEE REPORT**

Report of the Committee on Legislative Matters,  
March 6, 2007

In Board of Aldermen

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Clerk