

MEMBERS

Councilor Jeremy Dubs, Chair
Councilor Stanley Moulton, III, Vice Chair
Councilor Garrick Perry
Dane Kuttler, Citizen
Molly Moses, Citizen



Report of the 2025 Special Committee for Review of Ordinances

The Special Committee for Review of Ordinances (“the Committee”) submits this Report of its 2025 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 five or in a zero. The Committee was appointed on March 6, 2025, 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 17 virtual meetings by Zoom on March 31, 2025, April 23, 2025, May 14, 2025, June 11, 2025, June 30, 2025, July 9, 2025, July 30, 2025, August 13, 2025, September 10, 2025, October 8, 2025, October 29, 2025, November 12, 2025, November 19, 2025, December 3, 2025, December 17, 2025, and December 31, 2025. The June 30th meeting was a general public forum on ordinance-related topics held in person and by Zoom. The October 29th meeting was a public forum on the topic of Snow Removal. The November 12th meeting was a public forum on two topics – Mobile Food Vendors and Lighting Ordinance.

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. An ordinance 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, and from a council order, which authorizes the executive branch to take certain actions that by law require council approval.

The Committee solicited input on existing ordinances and any proposed new ordinances from all City departments, the members of the City Council, and from the public. There was an opportunity for public comment at all meetings. The posted agendas and 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/or documents from the Mayor’s Office, the Office of Planning and Sustainability, the Department of Public Works, the Northampton Police Department, the Building Department, numerous downtown business owners, and from several members of the public with recommendations regarding proposed revisions to existing ordinances, deletion of ordinances, and addition of new ordinances (“the ordinance recommendations”).

The ordinance proposals that the Committee voted to recommend for enactment by the City Council are attached as Exhibit A.

The ordinance proposals that the Committee voted to recommend for further study by the City Council are attached as Exhibit B.

The ordinance proposals that the Committee voted not to recommend for action by the City Council are attached as Exhibit C.

The Committee also solicited from all City departments and from the public more minor recommendations of a "housekeeping" nature. Among those recommendations was a proposal to remove gender-specific references from the Code of Ordinances. The recommendations for housekeeping revisions to existing ordinances are attached as Exhibit D.

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 Jeremy Dubs, Chair

Dated: December 31, 2025

Report of the 2025 Special Committee for Review of Ordinances

Exhibit A

Ordinances Recommended for Adoption, Revision or Rescission

1. Sign Ordinance
City Solicitor Seewald informed the Committee of the recent Supreme Court cases that have altered the constitutional analysis of municipal sign regulations. The Northampton Zoning Ordinance is noncompliant with those cases, and the Committee considered proposed amendments drafted by Carolyn Misch, Director of the Office of Planning and Sustainability. The Committee voted to recommend that the City Council adopt the revisions to the Zoning Ordinance relative to signs as attached to this Exhibit A as Appendix 1.
2. Ordinance Requiring Property Owners to Keep Sidewalk Clear of Vegetation that Impedes Access
The Committee spent a good amount of time considering impediments to access on city sidewalks, including snow and ice (which is included in Exhibit C) and overgrown vegetation. The Committee voted to recommend that the City adopt an ordinance requiring abutting landowners to keep sidewalks clear of vegetation to a height sufficient to assure clear access on sidewalks. The Committee voted to recommend that such clearing of vegetation not apply to vegetation that arches over the sidewalk at a height sufficient for clear access.
3. Ordinance Equitably Phasing Out Gas Powered Leaf Blowers
The Committee heard testimony regarding the noise and environmental pollution caused by gas-powered leaf blowers. The Committee voted to recommend that the City Council adopt an ordinance requiring the phase-out of gas-powered leaf blowers for use on city property and private property.
4. Rescind §241-4 Obscene or Profane Language in Street Prohibited
Section 241-4 prohibits accosting or addressing another person with obscene or profane language. Solicitor Seewald informed the Committee that this section is unconstitutional and therefore unenforceable. The Committee voted to rescind this section.
5. Rescind §312-87 Thumbing
The Committee discussed several of the sections in Chapter 312 of the Code of Ordinances regulating the activities of pedestrians. The Committee found that the thumbing (or hitchhiking) ordinance, §312-87, to be outdated and voted to recommend that it be rescinded.
6. Rescind §§ 245-13 through 245-20 Hawkers and Peddlers of Fish, Fruits and Vegetables
The Committee reviewed §§ 245-13 through 245-20 and found it to be outdated, unnecessary and discriminatory against noncitizens. The committee recommended that these sections be rescinded.

7. Ordinance to Allow ‘All-Access Toplessness’ on Beaches

The committee heard a proposal to allow all-person toplessness on city beaches. The committee voted to recommend that § 241-3 be revised to clarify the term “bathing costume” and to specify the ordinance body neutral.

SECTION 7 Signs

§2.1 Definitions

SIGN

Any permanent or temporary structure, device, letter, work, model, banner, pennant, insignia, trade flag, or representation used as, or which is in the nature of, an advertisement, announcement, or direction, or is designed to attract the eye by any means including intermittent or repeated motion or illumination. A sign shall include lettering on a motor vehicle or trailer unless the vehicle or trailer is licensed for road travel and is in use or parked in a legal parking or loading area.

§ 350-7.1. Applicability.

All signs, as defined in 350-2.1 shall comply with the regulations for the erection and construction of signs contained in the State Building Code, and all other applicable regulations including the sign regulations contained in this chapter. In addition to the provisions of this chapter, all off-premise general advertising signs that are within public rights of way (billboards), shall be required to have the appropriate annual permit from the Massachusetts Outdoor Advertising Board for any off-premise sign in accordance with Section 29 of Chapter 93 of the General Laws.

§ 350-7.2. Signs permitted by district

A) RESIDENTIAL DISTRICTS: URA, B, C; WSP, SR, RR, SC

Wall Sign Type*	Allowance	Max Size	Max Height	Location/Other
Front	1/unit	2 sf		

Ground Sign Type	Allowance	Size	Height	Location/Other
I	NOT ALLOWED			
II	Unlimited	10 sf	4	5' from the back of the curb. 4' setback sides. Sidewalks shall not be obstructed

LINK TO LIGHTING ORD?

B) COMMERCIAL HB DISTRICT; MEDICAL DISTRICT

Wall Sign Type	Allowance	Max Size	Max Height	Location/Other
Front	1/unit	Lesser of 10% of frontage wall area of the facade of the story which is occupied by the establishment /unit or 100 sf		<ul style="list-style-type: none"> • Attached and parallel to the wall of the building; • Shall not project horizontally more than 12 inches therefrom (except as noted below) and, if the sign is designed to allow pedestrian traffic under the sign, shall be a minimum of seven feet above the ground; • Shall not have dynamic display.
Side	1/unit	25 sf/unit Total not to exceed 100 sf of sidewall		
Rear	1/unit	25 sf		
Awning in lieu of Front above	1/unit	See Front above		Awnings/Canopies overhanging a public right-of-way require approval by the Department of Public Works, which will review applications for safe public passage underneath. Awnings must be at least 7' above the sidewalk
Awning in addition to Front	1/unit	Text no taller than 4" along bottom edge	NA	DPW approval
Blade	1/unit	6 sf		<ul style="list-style-type: none"> • Shall not project more than 3' from the façade of the building • The bottom of the sign shall be at least 9' above the sidewalk • May be two-sided • Shall be no more than 2" thick • Shall not be internally illuminated
Projecting Virtual	1/unit	25 sf		<p>Signs may be projected onto a private or public sidewalk, (but not a street, driveway or any path other than for pedestrians) or private building facade owned by the entity projecting the sign as follows:</p> <ol style="list-style-type: none"> 1) The source of the projection shall be located on the property projecting the sign and shall project only onto the portion of the walk that is within the front façade of the entity; 2) When projected onto a public sidewalk, the City is not obligated to ensure the sidewalk remains free of obstructions to such projections; 3) The property owner has no legal rights to the use of the sidewalk or to control the public's use of the sidewalk regardless of what impact it might have on the projection; 4) The lighting output shall be shielded to prevent any glare to pedestrians walking on the sidewalk or to drivers on the adjacent

				street/travel way. 5) Signs shall be turned off at 11 PM.
Window		20% of the cumulative total Glazing of the facade		

Ground Sign Type	Allowance	Max Size	Height	Location/Other
I	1/parcel	100 sf	15'	<p>Setbacks: 5' side, 15' front</p> <p>If ground signs contain dynamic displays, such signs must:</p> <ul style="list-style-type: none"> a) Have minimum display time between display changes shall be 30 seconds. Transition time to next display shall be less than one second. b) Display boards shall not emit sound. c) The display must be turned off at 11:00 p.m. d) Signs must have photocells that automatically dim in dark conditions in direct correlation to natural ambient light conditions. At no time shall the sign lights be greater than 0.3 footcandle above ambient light conditions. Informational boards may emit sound only if such boards are used as accessory to drive-through sales and service establishments and if they are not directed/ oriented to the street. Such boards are not considered ground signs under these provisions.
II	Unlimited	10 sf	4	5' from the back of the curb. 4' setback sides. Sidewalks shall not be obstructed.

C) CHARACTER BASED & COMMERCIAL- CBC,S,G; FVG, C; GB, NB

Wall Sign Type*	Allowance	Max Size	Max Height	Location/Other
Front	1/unit	Lesser of 10% of frontage wall area of the facade of the story which is occupied by the establishment/ unit or 100 sf		<ul style="list-style-type: none"> • Attached and parallel to the wall of the building; and • Shall not project horizontally more than 12 inches therefrom (except as noted below) and, if the sign is designed to allow pedestrian traffic under the sign, shall be a minimum of seven feet above the ground; and • Shall not have dynamic display. • When an establishment is located on a lot with more than one frontage (i.e., a corner or through lot) a main (frontage) wall sign may only be displayed on one of the frontages. The other frontage(s) may display a side wall sign as allowed below. In the Central Business Districts and Florence Village Districts, a main wall sign can be placed on any wall with street frontage instead of a side wall sign.
Side	1/unit	25 sf/unit Total not to exceed 100 sf of sidewall		
Rear	1/unit	25 sf		
Awning in lieu of Front above	1/unit	See Front above		Awnings/Canopies overhanging a public right-of-way require approval by the Department of Public Works, which will review applications for safe public passage underneath. Awnings must be at least 7' above the sidewalk
Awning in addition to Front	1/unit	Text no taller than 4" along bottom edge	NA	DPW approval
Blade	1/unit	6 sf		<ul style="list-style-type: none"> • Shall not project more than 3' from the façade of the building • The bottom of the sign shall be at least 9' above the sidewalk • May be two-sided • Shall be no more than 2" thick • Shall not be internally illuminated
Projecting Virtual	1/unit	25 sf		<p>Signs may be projected onto a private or public sidewalk, (but not a street, driveway or any path other than for pedestrians) or private building facade owned by the entity projecting the sign as follows:</p> <ol style="list-style-type: none"> 1) The source of the projection shall be located on the property projecting the sign and shall project only onto the portion of the walk that is within the front façade of the entity;

				<p>2) When projected onto a public sidewalk, the City is not obligated to ensure the sidewalk remains free of obstructions to such projections;</p> <p>3) The property owner has no legal rights to the use of the sidewalk or to control the public's use of the sidewalk regardless of what impact it might have on the projection;</p> <p>4) The lighting output shall be shielded to prevent any glare to pedestrians walking on the sidewalk or to drivers on the adjacent street/travel way.</p> <p>5) All such signs shall be turned off at 11 PM.</p>
Window		20% of the cumulative total glazing of the facade		
* Allowed only if no ground sign along the side of the property where wall signs are proposed				

Ground Sign Type	Allowance	Max Size	Height	Location/Other
I	1/parcel	20 sf	5	<p>Setbacks: 5' side, 5' front</p> <p>Allowed in lieu of wall signs on the side of the parcel on which ground sign located.</p> <p>If ground signs contain dynamic displays, such signs must:</p> <p>a) Minimum display time between display changes shall be 30 seconds. Transition time to next display shall be less than one second.</p> <p>b) Display boards shall not emit sound.</p> <p>c) The display must be turned off at 11:00 p.m.</p> <p>d) Signs must have photocells that automatically dim in dark conditions in direct correlation to natural ambient light conditions. At no time shall the sign lights be greater than 0.3 footcandle above ambient light conditions.</p>
II	Unlimited	10 sf	4	<p>5' from the back of the curb. 4' setback sides. Sidewalks shall not be obstructed.</p>
Sandwich Board				<p>By definition are those on public sidewalks for pedestrian orientation in all CB and FV, GB, NB. All sandwich board signs must receive a permit from the Building Department in accordance with the provisions of §§ 264-2 and 264-3 of the Code of Ordinances for the City of Northampton.</p>

D) INDUSTRIAL DISTRICTS- GI, OI

Wall Sign Type	Allowance	Max Size	Max Height	Location/Other
Front	2 Per structure each floor	7.5% of façade of floor		<ul style="list-style-type: none"> Attached and parallel to the wall of the building; and Shall not project horizontally more than 12 inches therefrom (except as noted below) and, if the sign is designed to allow pedestrian traffic under the sign, shall be a minimum of seven feet above the ground; and Shall not have dynamic display. If lighted, it shall comply with lighting standards in § 350-7.4B(6), whether dynamic or static.
Side	1/unit	7.5% of facade		
Rear	1/unit	25 sf		
Awning in lieu of Front above	1/unit	See Front above		Awnings/Canopies overhanging a public right-of-way require approval by the Department of Public Works, which will review applications for safe public passage underneath. Awnings must be at least 7' above the sidewalk
Awning in addition to Front	1/unit	Text no taller than 4" along bottom edge	NA	DPW approval
Blade	1/unit	6 sf		<ul style="list-style-type: none"> Shall not project more than 3' from the façade of the building The bottom of the sign shall be at least 9' above the sidewalk May be two-sided Shall be no more than 2" thick Shall not be internally illuminated

Ground Sign Type	Allowance	Size	Height	Location/Other
I*	1/parcel	100 sf	15	<p>Setbacks: 5' side, 15' front</p> <p>If ground signs contain dynamic displays, such signs must:</p> <ol style="list-style-type: none"> Minimum display time between display changes shall be 30 seconds. Transition time to next display shall be less than one second. Display boards shall not emit sound. The display must be turned off at 11:00 p.m. Signs must have photocells that automatically dim in dark conditions in direct correlation to natural ambient light

				conditions. At no time shall the sign lights be greater than 0.3 footcandle above ambient light conditions.
II	Unlimited	10 sf	4	5' from the back of the curb. 4' setback sides. Sidewalks shall not be obstructed.
* Where a number of individually owned parcels are developed as a single collective entity (i.e., an industrial or planned village), the Planning Board may grant a special permit permitting one additional ground sign for each entrance to the development (not to a specific building) off of a collector street identifying the collective entity and/or the individual businesses located therein.				

E) PLANNED VILLAGE PV

Wall Sign Type	Allowance	Max Size	Max Height	Location/Other
Front	1/commercial unit 1/residential unit	7.5% of façade of floor 2 square feet.		<ul style="list-style-type: none"> Attached and parallel to the wall of the building; and Shall not project horizontally more than 12 inches therefrom (except as noted below) and, if the sign is designed to allow pedestrian traffic under the sign, shall be a minimum of seven feet above the ground; Shall not have dynamic display. If lighted, it shall comply with lighting standards in § 350-7.4B(6), whether dynamic or static.
Side	1/commercial unit	7.5% of façade		
Rear	1/commerc. unit	25 sf		
Awning in lieu of Front above	1/unit	See Front above		Awnings/Canopies overhanging a public right-of-way require approval by the Department of Public Works, which will review applications for safe public passage underneath. Awnings must be at least 7' above the sidewalk
Awning in addition to Front	1/unit	Text no taller than 4" along bottom edge	NA	DPW approval
Blade	1/unit	6 sf		<ul style="list-style-type: none"> Shall not project more than 3' from the façade of the building The bottom of the sign shall be at least 9' above the sidewalk May be two-sided Shall be no more than 2" thick Shall not be internally illuminated

Ground Sign Type	Allowance	Size	Height	Location/Other
I*	1/parcel	100 sf	10	Setbacks: 5' side, 15' front If ground signs contain dynamic displays, such signs must: e) Minimum display time between display changes shall be 30 seconds. Transition time to next display shall be less than one second. f) Display boards shall not emit sound. g) The display must be turned off at 11:00 p.m. h) Signs must have photocells that automatically dim in dark conditions in direct correlation to natural ambient light conditions. At no time shall the sign lights be greater than 0.3 footcandle above ambient light conditions.
II	Unlimited	10 sf	4	5' from the back of the curb. 4' setback sides. Sidewalks shall not be obstructed.

* Where a number of individually owned parcels are developed as a single collective entity (i.e., an industrial or planned village), the Planning Board may grant a special permit permitting one additional ground sign for each entrance to the development (not to a specific building) off of a collector street identifying the collective entity and/or the individual businesses located therein.

F) The Board of Appeals may issue a special permit allowing more than the number of signs herein permitted and/or for larger square footage, but not taller than herein permitted, except in residential zones, provided that:

- (1) Signs are located only where they are otherwise permitted in the district; and
- (2) The Board of Appeals determines that the architecture of the building, the location of the building or the land or nature of the use being made of the building or land is such that additional signs or signs of a larger size would not detract from the character of the neighborhood and should be permitted in the public interest. Additional ground signs shall only be approved if there are specific circumstances to warrant their approval and if all efforts are undertaken to keep additional ground signs as small and low as possible.
- (3) The Board of Appeals specifies in the permit the exact sign permitted, the size and location of the sign or signs, and, if applicable, imposes other restrictions. Any change in said signs requires a new or revised special permit unless the special permit specifies what types of changes are allowed.

§ 350-7.3. General sign regulations.

- A. Any traffic, informational, directional, sign or banner owned and installed by or for a governmental agency shall be permitted.
- B. Numbers, attached to structures or on a post in the ground, indicating geographic address location are not subject to this ordinance.

- C. No sign (including interior window displays or banners) or its illuminator shall by reason of its location, shape, size, or color interfere with traffic or be confused with or obstruct the view or effectiveness of any official traffic sign, traffic signal, or traffic marking. A sign or any part thereof which moves or flashes shall comply with the requirements herein as dynamic display. All illumination of signs must be in conformance with § 350-12.2, which includes brightness, color temperature, and glare requirements.
- D. Illuminated signs, including dynamic display signs, shall be turned off at 11 PM, unless otherwise permitted through a special permit granted by the Zoning Board of appeals.
- E. If lighting is provided for a sign, the source of light shall be either from within the sign or shall be white light exterior to the sign and shielded so as to prevent direct glare from the light source onto any public street or onto any adjacent property and must be in compliance with 350-12.2.
- F. "Dynamic display sign" means any sign designed for outdoor use that is capable of displaying an electronic signal, including, but not limited to, cathode-ray tubes (CRT), light-emitting diode (LED) displays, plasma displays, liquid-crystal displays (LCD), or other technologies used in commercially available televisions or computer monitors. Signs with this technology which are placed by a public agency for the purpose of directing or regulating pedestrian or vehicle movement use are exempt from this chapter.
- G. A dynamic display sign on, in, or part of any portable/mobile vehicle parked in view of the public way, whether registered or unregistered, and which carries or displays any sign or billboard is considered a ground sign.
- H. All ground signs, freestanding and installed in the ground, must be located on private property, in accordance with the tables above. Ground signs may only be installed on property that is in the control of the applicant/installer.
- I. The limitations as to the number of signs permitted does not apply to traffic or directional signs which are necessary for the safety and direction of residents, employees, customers and visitors (whether in a vehicle or on foot) of the establishments. Such signs:
 - (1) Shall not exceed a maximum size of 6.5 square feet.
 - (2) Shall not be any higher (top of sign) than four feet above the ground.
 - (3) Signs may not be located within the street layout line.
 - (4) If lighted, shall be illuminated internally or by indirect method with white light only and shall be in conformance with § 350-12.2.
- J. Along with the height restrictions herein, a sign, together with any supporting framework, shall not extend above the roofline of the associated structure on the site. In the case of a building with a pitched roof, the eave line of the building shall be considered the roofline.
- K. No sign shall be erected which obstructs the use of any door, window or fire escape on a building as a means of egress as required under the State Building Code.
- L. The Building Commissioner may order the repair or removal of any sign and its supporting structure, which, in their judgment, is dangerous, or in disrepair or which is erected or maintained contrary to this chapter.
- M. Only signs described herein are allowed to be installed

350-7.4. Nonconforming on-premise signs.

Preexisting nonconforming on-premise signs may not be changed, extended or altered unless the change brings the sign into conformity with the provisions of this chapter or unless said change is limited to changing the sign letters or symbols and/or changing panels and does not alter the structure of the sign itself. The following preexisting nonconforming signs, however, may be changed, extended or altered if there is a finding by the Zoning Board of Appeals that such change, extension or alteration will not be substantially more detrimental than the existing nonconforming sign to the neighborhood, and provided that such change, extension or alteration will not make the sign any more nonconforming than is the existing sign (i.e., higher, taller, bigger, closer, etc.):

- A. Preexisting nonconforming signs in residential districts.
- B. Preexisting nonconforming signs in the Central Business District.

§ 350-7.5. Nonconforming, nonaccessory off-premise signs.

All nonconforming, nonaccessory off-premise signs in existence and lawfully erected before the adoption of this chapter may continue to be maintained, notwithstanding anything to the contrary in this § 350-7; provided, however, that no proposed new non-accessory off-premise sign shall be permitted in any district from and after the adoption of this chapter. No existing non-accessory off-premise sign panels may be reconstructed to add, modify, convert to LED or other electronic sign technology.

§ 350-7.6. Permit required; fees.

No sign shall be erected, altered or enlarged until a permit has been issued by the Building Commissioner. Such permit shall be issued only if the sign complies or will comply with all applicable provisions of this chapter. A schedule of fees for such permits will be maintained in the Building Department. The provisions of this section shall not apply to signs permitted in a residential area

Also Amend Chapter 264.2

Sandwich board signs shall be permitted on the following streets only: Main Street in the Downtown CBD, Bridge Street in the NB District at the intersection of Market and Hawley Streets only. Any restaurant or retail business which occupies an above- or below-street level space on Main Street, downtown or Florence, is eligible to locate a sandwich board sign in front of the property in which the business is located. Any business located on one of the following side streets located off Main Street in the downtown or Florence is eligible to locate a sandwich board sign on the corner of that side street and Main Street: Gothic Street, Center Street, Masonic Street, State Street, Strong Avenue, Old South Street, Crafts Avenue, Maple Street. Any restaurant or retail business located on Market Street or Hawley Street is eligible to locate a sandwich board sign on the corner of Bridge Street.

[Added 12-21-1995]

Report of the 2025 Special Committee for Review of Ordinances

Exhibit B

Topics Recommended for Further Study

1. Ordinance Regulating Mobile Food Vehicles § 285-4 (C)
The public forum regarding possible changes to the Mobile Food Vehicles ordinance was well attended and it elicited strong opinions from several perspectives on whether the city should amend the ordinance to allow mobile food trucks in the central business districts of Northampton and Florence. There was strong consensus that this issue should be referred to a select committee, and that the committee should be comprised of representatives of city government, local businesses, as well as the various other constituencies interested in this topic.
2. Amend §120-4 to Allow Issuance of Special Liquor Licenses in Pulaski Park
The proposal to allow the issuance of special liquor license for community events in Pulaski Park was a companion to the proposal to allow food trucks downtown generally and specifically in the park. The committee voted to refer this proposal for further study.
3. Clearing of Snow and Ice from Sidewalks §285-17
The committee spent much time on the issue of timely clearing of snow and ice from sidewalks and curb cuts, including driveway curb cuts, and it held a forum on that topic. The committee voted to recommend that this issue be referred to the Transportation and Parking Committee for further study to determine the scope of the ordinance and any gaps in the ordinance that fail to meet that scope.
4. Ordinance Requiring Posted Notice on City-Owned Property where Pesticides or Herbicides are Regularly Applied
At the June 30th public forum, the committee heard a proposal to require posting of notice of use of pesticides in areas where community members are sleeping in tents. Regulations exist around the use of pesticides in residential areas and near schools but not for areas where people may be sleeping outside. The committee voted to recommend further study on this issue.
5. Ordinance Protecting Ecosystems from Invasive Species
Also at the June 30th public forum, the committee heard a proposal for an ordinance to help protect Northampton's ecosystem from invasive species. The committee voted to recommend this issue for further study,

6. Ordinance to Expand Notification under §350-3.5 Changes to Zoning Map

At the June 30th public forum, the committee heard a proposal to amend §350-3.5 to expand notice of proposed zoning map change to adjacent landowners who may potentially be affected by the map change. The committee voted to recommend this issue for further study.

7. Ordinance to Require Temporary Pedestrian Access Route Planning for Work Areas that Substantially Block Sidewalks

The committee heard a proposal to require protected temporary access where sidewalks are inaccessible due to damage or the undertaking of repairs so that pedestrians are not forced to walk in the street. The committee voted to recommend this issue for further study.

EXHIBIT C - MISCELLANEOUS PROPOSALS

Date	Source	Specific Suggestion	Chapter	Section/Subsection	Text	Action Proposed
4/19/2025	Alex Bowman	April 19, 2025 email		§285-18 Sweeping of Sidewalks abutting business premises		Recommends review of §285-18 and addition of ordinance requiring property owners to keep sidewalks clear of vegetation
5/8/2025	Alex Bowman	May 8, 2025 email		§312-82 Crossing Roadways		Consider removal
5/8/2025	Alex Bowman			§312-85 Pedestrian crossings and use of roadways		Consider removal
5/18/2025	Alex Bowman			§312-82 Thumbing		Consider removal
6/10/2025	Fred Zimnoch	June 10, 2025 email	Administrative Code	2.11 Office of the Auditor		
6/10/2025	Ace Tayloe	June 10, 2025 email				Update ordinance to replace 'he' and 'she' with gender neutral 'they.'
6/10/2025	Ace Tayloe	June 10, 2025 email		§312-85 Pedestrian crossings and use of roadways		Consider removal
6/20/2025	Gavin Grant	June 20, 2025 email				Phase out gas-powered leaf blowers
6/30/2025	Benjamin Spencer	June 30, 2025 email		§120-1 Consumption and Possession of Open Containers in Certain City Facilities and Locations		Amend ordinance to allow issuance of License Commission special license to consume alcohol in Pulaski Park.
6/30/2025	Benjamin Spencer		General Code	§285-4 (4) Location of Mobile Food Vehicles		Change to allow food trucks in Pulaski Park
6/30/2025	Public Forum	See minutes of 6/30/2025 Public Forum attached			Various proposals	
6/30/2025	Amy Martyn	June 30, 2025 email	Chapter 241 Peace and Good Order	§241-2 Posting advertising	No person shall post or affix or cause to be posted or affixed upon any tree, stone, telegraph, telephone, electric light or other pole, post or structure, within the boundaries of any street, lane, common, park, court, alley or other public place, any sign, playbill, poster, notice, advertisement, or printed paper of any description whatsoever, except election notices, or any advertising appliance or medium, or cut, paint or mark any such stone, tree, pole, post or structure except for the purpose of protecting the same, except upon permit of the Board of Public Works.	Consider removal.
6/30/2025	Amy Martyn		Chapter 241 Peace and Good Order	§241-4 Obscene or profane language in streets prohibited		Consider removal.

EXHIBIT C - MISCELLANEOUS PROPOSALS

Date	Source	Specific Suggestion	Chapter	Section/Subsection	Text	Action Proposed
6/30/2025	Amy Martyn		Chapter 285 Streets, Sidewalks and Public Property	§285-17 Removal of Snow and Ice		Martyn agrees with those advocating for better maintenance of sidewalks after snowstorms but does not agree with penalties or fines for non-compliance. She thinks a PR campaign is needed to change social norms so that it's expected sidewalks be cleared of snow and ice and that neighbors unable to clear them in a timely way be helped.
7/9/2025	Jessy Lynn	July 7, 2025 email				Enforce leash laws
7/8/2025	Christina K. White DVM & Catherine Moriarty	July 8, 2025 email	Chapter 350-12.2 Outdoor Lighting	350-12.2 Outdoor Lighting		Make compliance requirement retroactive, enforce lights-off times, proactively enforce through routine inspections rather than reliance on resident complaints.
7/9/2025	Jonathan P. Levin	July 9, 2025 email	M.G.L. Chapter 90, Section 16A			In support of local ordinance against idling
12/4/2025	Matt Hoey	December 4, 2025 email	Chapter 285-17 Removal of Snow and Ice from Sidewalks	Chapter 285-17 Removal of Snow and Ice from Sidewalks		Proposal for two-tiered fine schedule for violaions of §285-17 with higher fines for owners of multi-unit residential properties and commercial properties/businesses.



ORDINANCE REVIEW COMMITTEE

Members

Councilor Jeremy Dubs, Chair
Councilor Garrick Perry, Vice-Chair
Dane Kuttler, Citizen
Molly Moses, Citizen
Councilor Stanley Moulton, III

HYBRID MEETING – PUBLIC FORUM

Meeting Date: June 30, 2025,
Northampton Senior Center, 67 Conz Street
Time: 6 p.m.

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 6:04 p.m., Councilor Jeremy Dubs called the meeting to order. On a roll call, the following members were present: Councilor Dubs; Chair, Councilor Garrick Perry, Vice Chair; Councilor Stanley W. Moulton, III and Member Dane Kuttler. Member Molly Moses was absent on roll call but joined at 6:15 p.m. Also present were City Solicitor Alan Seewald and Administrative Assistant Laura Krutzler.

2. **INTRODUCTION**
Ordinance Review Committee members introduced themselves. Councilor Dubs explained that they decided to hold a public forum to hear residents’ ideas for new ordinances, amendments to existing ordinances or ordinances needing to be removed or replaced because of being out of date. He opened the floor to comments.

3. **ORDINANCE REVIEW COMMITTEE PUBLIC FORUM**
Ryan Griffiths, Ward 4, said he is here to ask them to please consider enacting/implementing a light pollution ordinance. Light pollution is a great problem in today’s world that often goes overlooked because it is something that just happens; lights are everywhere and what is lost is not always known. Northampton is one of the biggest light polluters in Hampshire County followed by Amherst. He feels like a lot can be done for a large return without much impact to daily life and Northampton’s action would encourage neighboring communities to review their own bylaws. Light pollution has a great impact. First of all, you can’t see the stars at night. It impacts local wildlife and fauna and has been shown to have a casual (causal?) link to a slight increase of cancer. It is a problem that takes very little to address in the public realm and will save people money by allowing them to use less light and use it more efficiently.

Ace Tayloe, Ward 3, they/them, said they are already really in favor of a lot of ordinances up for review, such as actually enforcing snow removal and allowing food trucks downtown. They would love it if city ordinances could be updated for gender-neutral language. They use they/them pronouns and notice a lot of cases of he/she

and some artifacts of just 'he.' They think using 'they' as a standard gender-unknown pronoun would make the code more inclusive and easier to read and reflect the community's values.

Also, in Massachusetts, it is only legal for men to be topless in public and they think that is a little unfair. The ability to be cool and comfortable in summer is morally-neutral to morally-positive and it doesn't make sense to discriminate on the basis of gender. It is mostly legal precedence that says females can't be topless. Nantucket has an ordinance that allows 'all-access toplessness' on beaches and they would love it if Northampton had a similar ordinance.

An argument can be made that some folks feel it is morally wrong. What they have found is that hearts and minds can be changed by policy; if an ordinance were in place, it might move it toward becoming more publicly accepted and acceptable.

Meg Robbins, Ward 4, presented a dilemma she encountered in the process of collecting signatures for an At-large City Council seat. A Hampton Court Apartments resident told her that, since 2020, she has had the issue of not being able to sleep on weekends. According to the resident, the problem began during COVID when Patria first got an extension from the License Commission to have music until 2 a.m. Tellus later took that space and somehow got the license extended to having disco nights on Friday, Saturday and Sunday during the summer.

[Molly Moses arrived at 6:15 p.m.]

She has now talked to several residents and, according to them, alcohol is being consumed between 10 p.m. and 2 a.m. The music is often very loud, and the worst part is the constant decibel level of the bass beat. Some people have bought white noise machines and one person told her she asked to move to another apartment. They seem to have gone through many steps of trying to get someone to help them without success.

Sealer of Weights and Measures John Frey came out to check the decibel level around midnight and said it didn't reach the level that would require mitigation but did not give them any numbers to go with it. She was told it wasn't as bad the night he came.

He said that even if the decibel level was really loud, once it got to the parking lot it was out of Tellus' control and it was the best they could do.

One person has called many people over the years and also called the police because when Tellus closes at 2 a.m., people come out into the parking lot and turn on more music and there are often fights. This particular person has taken the step of staying with someone else on the weekend.

The confusing thing is who to talk to since the problem falls under the noise ordinance enforced by the Building Department but also under an entertainment license issued by the License Commission. "Who do we talk to?"

The excessive noise is in conflict with the goal of trying to establish affordable housing downtown since she doesn't think people are going to want to live here if they can't sleep at night. "Right now you have constituents who are really, really, really sad," she reported.

While Tellus brings in revenue, “What’s the balance?” She asked, questioning the role of the city. She walked away feeling badly for these people and mostly feeling badly because they have talked to a lot of people who’ve said, ‘it’s not my problem.’ She is hoping people at this end will be able to iron this out and bring it to some resolution.

Dani McKahn, Perkins Avenue, said she would like to ask them to take a look at speed limits in the city. She shared the words of a colleague at ‘Strong Towns Northampton,’ where a mobility team has been working on better safety for pedestrians and cyclists: “Historically, changing regulatory speed limits has been notoriously difficult because of a laborious MassDOT approval process. However, in Section 10C of the procedures, Mass-Dot describes the process for setting 20 mph safety zones.”

The criteria is simple, she went on to say. The zone should be adjacent to an area that attracts vulnerable users and contain one or more areas with potential conflicts between motor vehicles and vulnerable road users warranting a reduction in speed, such as crosswalks, driveways or side streets. The minimum length of a safety zone should be at least a quarter ($\frac{1}{4}$) of a mile and not extend more than 500 feet beyond a side street unless an applicable land use continues along an adjacent block.

It is a tool they could be using but are not. She thought if they could codify it somehow, lay out a process for citizens to apply for it and bring it to the Transportation and Parking Commission (TPC), they could be a little more aggressive about lowering speed limits where criteria are met.

Cambridge started installing 660 of these 20 mph safety zones across the city in 2016.

While speed limit signs are admittedly not the main way speed is controlled, they are a way, she suggested. The most impactful way is how the road is actually designed. However, posted speed limits matter and can help build a case for redesigning the road to a lower speed when it is redesigned.

Thomas Nuhfer, Ward 1 (also Perkins Avenue) said he would like to follow up on his comment by sending an email with specific language and citations. Member Kuttler said he is welcome to send it to the administrative assistant.

Northampton has some ordinances designating it as a sanctuary city/safe community, he noted. Some great ordinances are already in place, but he thinks they could be bolstered. He cited Greenfield as a community with a more extensive ordinance which, among other things, stipulates that city officials are not permitted to inquire as to a resident’s immigration status unless required to by Federal or State law and prevents city officials from storing data related to residents’ immigration status unless required. Greenfield’s ordinance also requires that city officials not target with legal action or discriminate against medical, educational or faith institutions with a mission of providing refuge to immigrants and their families and prevents city officials from detaining or delaying the release of individuals eligible for release from custody on the basis of a civil immigration detainer request or ICE administrative warrant. He suggested adding those provisions to existing language to make it more robust.

He also has suggestions when it comes to climate and environmental ordinances, Mr. Nuhfer continued, such as a Metropolitan Area Planning Council checklist for low-impact development codes. He recommends everything on that list, including suggestions for stormwater, building and zoning regulations to encourage low-impact development, some of which Northampton is already doing.

He would love to see some ordinances to transition the city away from gas-powered landscaping equipment, especially leaf blowers, which contribute to noise pollution as well as carbon emissions. Cambridge has some regulations around this that could serve as a model.

He also would love to see contracts with the city seek to eliminate peat products. Peat and landscaping materials as harvested from peat bogs pull in a lot of carbon from the atmosphere and, when disturbed, release a lot of carbon, making them devastating for climate change.

In terms of human issues, he has been concerned about seeing green spaces where neighbors are sleeping in tents which have been treated with pesticides, in some cases by the city; in others, by utilities or other property owners. Regulations exist around the use of pesticides in residential areas and near schools but, unfortunately, not for areas where people may be sleeping outside. He wasn't able to find a model ordinance but suggested exploring an ordinance requiring posted notice of areas where pesticides or herbicides are regularly applied.

Finally, there are a lot of places where regulations could be introduced to help protect Northampton's ecosystem from invasive species. He is an invasive species and climate adaptation ecologist and so is happy to talk about this in more detail. Northampton has ordinances defining alteration of wetlands but invasive species are not currently considered wetland alteration. Adding invasive species to the definition of alteration as well as the definition of damage to the environment would go a long way.

In the zoning ordinance, some landscaping language allows for the planting of invasive species. He would like to see that shift to say that planting be limited to native species. Often municipal plantings are geared towards thinking about what's going to survive right here and now but, with drastic warming expected, thinking ahead to the future will serve them all better.

Alex Opray, Ward 1B, said his request is that the language around snowplowing, sidewalks, etc. get clarified or somehow better enforced. Some areas of King Street become impassable to anyone using a wheelchair or stroller. He uses a grocery cart and walks to get groceries and can't do that in the winter because the sidewalks are not cleared. He knows rental application fees are illegal in Massachusetts but that is not always enforced. Noho charges fees for every application and charges broker's fees equal to almost a month's rent. He would like to see some enforcement and ordinances either severely limiting or entirely removing brokers' fees.

He also recommends adopting a set of proposals around heat, including protection in contracts for city workers around heat safety. Cities like Boston require access to shade or water for people contracted by the city.

Also, leases are currently allowed to prohibit air conditioning and there is no requirement that nursing homes have A/C. City ordinances to address this would help a lot of people stay safe in the heat.

Councilor Dubs attempted to recognize Randy Sailer on Zoom but his voice was inaudible to those in the room. Councilor Dubs told him they would come back to him.

Colin Hoffmeister, Ward 3 (Phillips Place) referenced a press release from September of 2023 which stated that Mayor Sciarra recognizes the importance of transparency and ensuring that accurate information is readily available to all residents. Referring to the Planning Department, it said that the city is dedicated to fostering open communication and promoting community engagement. He has a recommendation for a change to city

ordinance to increase transparency and ensure residents' right to know when zoning changes affect their property. A zoning change is a major regulatory action, he pointed out. Northampton's current zoning (§350-3.5) requires that notices be mailed to the owners of land proposed for rezoning but homeowners next to that lot may not receive notice. This limits essential public feedback and oversight of development. This actually happened to him. In 2022, the city rezoned an adjacent parcel from residential (URC) to CB-side without notifying him or his neighbors. Three years later, in March of 2025, they learned that an apartment complex was proposed for that site. This development is out of character and disproportionate to the residential neighborhood, which is on the register of historic places, and has significant potential impacts in terms of traffic, parking, reduced privacy and blocking sunlight. Despite significant opposition, the Planning Board approved the project.

The original plan proposed for the lot in 2020 was for six condos and the neighborhood had no opposition to it. Apparently, the Planning Board was aware of the developer's change to a proposal for an apartment complex after the zoning change in 2022 but the neighborhood did not find out until 2025.

His request is to amend §350-3.5 to require written notification to abutters of any upcoming hearings concerning rezoning. This would be consistent with the approach used by towns such as South Hadley. This notification must include clear identification of the parcel numbers and the street.

His second recommendation is for an environmental ordinance; i.e. - a solar protection ordinance/solar rights for homeowners to ensure that the right to solar power not be blocked by future development. Massachusetts encourages residents to convert to solar power. He is doing that and has invested heavily and now this development may cost him tens of thousands of dollars.

Randy Sailer proposed two ordinances: 1) to require temporary pedestrian access route planning for work areas that substantially block sidewalks. There are places where sidewalks are blocked and folks that are able-bodied are forced to walk in the street. He thinks they need written plans, particularly with the upcoming work on Main Street. Across from the jail on Route 66 is a spot where the land falls away, taking the sidewalk with it and effectively blocking the sidewalk with no protected way around it. He thinks there are a lot of places where the sidewalk is temporarily blocked by people working on something.

2) a ban over time on the use of gas-powered leaf blowers. These are one of the most polluting appliances; their two-stroke engines are noisy and unhealthy for users and their pollution exacerbates climate change. Electric tools are becoming substantially better. Plenty of municipalities have enacted bans.

Erin Murray, faculty member in the Occupational Therapy Department at Western New England University and **former Northampton resident who now lives in Connecticut**, recommended amending §312-43(D) Accessible Parking to change the word 'handicapped' to 'reserved' on designated accessible parking spaces and change the old international symbol of access to the updated dynamic accessibility icon. This change has been in effect statewide in New York since 2013 and in Connecticut since 2017.

Northampton can make this happen without any extra costs in a budget-neutral manner by applying the change to new installations and replacing old signs as needed, she asserted. This can create a more inclusive society without impacting business budgets or taxpayer dollars. Using 'reserved' focuses on the purpose of the space rather than the condition of the person using it. Language evolves, and words such as 'reserved' are more neutral in line with more contemporary language practices. Updating language to be more respectful helps

promote inclusivity and reduce the stigma associated with disability. Reasons to change from the traditional stationary icon include 1) empowerment; it depicts a person in motion – conveying action, independence and capability - representing those with disabilities as active participants in society rather than as passive or stationary. 2) positive representation – the dynamic icon challenges stereotypes and shows that people with disabilities are mobile and can actively engage in various aspects of life.

She personally uses a chair when needed and needs to park closer to most stores but also has a job and value. Just because she needs to park closer does not mean she is a lesser member of society. She mentioned other cities that use the updated symbols, noting that they are substantial equivalents to the international symbol of access and in compliance with Massachusetts regulation 521 CMR 41 Signage. Officials in Salem, MA said there has been no pushback. It is a way to promote respect and dignity. She loves Northampton and would like it to consider taking this important step to provide recognition and dignity for all.

Dan Breindel, said he is suggesting a repeal of the form-based code, a giant omnibus ordinance passed in the very first days of this mayor's administration and several councilors' first weeks on the job. He doesn't think it was adequately reviewed. What they have seen in reality is that its function is the kind of upzoning that he and his neighbors have been dealing with.

23 residential lots were upzoned without a lot of notice and definitely without notifying the residents who live near them, not just to commercial but to Central Business Side Street (CB-side). This means not only that people building apartments can go to the highest density possible without building a single parking space but also gets rid of any sort of affordable housing, green space or environmental requirements. Lots of pollution is involved in the construction and operation of buildings; all of these protections get stripped under this new zoning designation (CBs), which frankly, is just a massive deregulation. A lot of regulations for affordability and green space were crafted and fought for for years and years, and all of them were stripped from many of the city's most attractive lots likely to see development and construction in the next couple of years.

If anybody watched the recent budget hearing, Council President Alex Jarrett noted that, despite all of these brand new buildings, not a single affordable unit credit was applied for. When requirements to limit size to increase affordability or provide affordable housing, green space or protections are lifted, developers just won't do it. They've now seen this played out a couple of times. If Northampton cares about affordable housing and the environment, Mr. Breindel thinks they really need to consider scaling back and striking the form-based code. The reality is that it is massive deregulation that is destroying the dream of affordable housing. If they're building a ton of high-density housing and not a single unit is affordable, they're driving rents up not down.

He really encourages the city to look into the form-based code. One of the reasons he's running for Mayor is to look into it and get rid of it. He thinks the more they look into it, the more they will discover horrifying things.

Member Kuttler asked Mr. Breindel if he could forward an email citing some of those codes and ordinances to the administrative assistant. Mr. Breindel said it was an omnibus package of ordinances and he is pretty sure she already has a copy.

Councilor Perry thanked everybody for coming out. The City Council has recently looked at light pollution and passed something to address it, he advised. Councilors have also worked on reducing speed limits and the

Ordinance Review Committee had already decided to look closer at the noise ordinance especially as the downtown becomes more vibrant.

They have looked into broker's fees and supported not allowing that.

Member Kuttler said she will have to take a look but it is her understanding that anyone in Northampton can be topless. That's what she was told when she moved here 20 years ago. In the Commonwealth, only people with flat chests are allowed to be topless in public but she was told that Northampton specifically permits anybody to be topless in public. She said she would look into whether that is codified.

On the subject of brokers' fees, Councilor Moulton said City Council adopted an order seeking special legislation to shift broker's fees from tenants to landlords. The state budget released today bans tenant-paid broker's fees throughout the state, he reported.

Councilor Moulton suggested to the chair that he would like to see the committee review the suggestions received tonight at their next meeting.

With regard to light pollution, Ryan Griffiths wondered if there might be a way to bolster the existing ordinance around indoor lighting. He doesn't know to what extent that could come into an ordinance.

Member Kuttler said they would endeavor to follow up with those folks who gave them their email addresses.

Councilor Dubs said the conversation will continue.

Gwen Nabad said that in Ward 1 along King Street where there are some apartment complexes there have been a lot of issues with excessive light in the back of buildings which she understands are owned by the state. The other issue people have experienced is the loudness of the train.

4. OTHER BUSINESS

None.

5. ADJOURN

Councilor Perry moved to adjourn. Councilor Dubs seconded. The motion passed unanimously 5:0 by voice vote. The meeting was adjourned at 7:03 p.m.

Respectfully submitted, Laura Krutzler.

EXHIBIT D - GENERAL ORDINANCE HOUSEKEEPING CHANGES

Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
Ch. 1 General Provisions	§1.16 Rules of Construction and Definition	§1.16 Rules of Construction and Definition	GENDER IDENTITY OR EXPRESSION. Includes a person's actual or perceived gender, as well as a person's gender identity, gender-related self-image, gender-related appearance, or gender-related expression whether or not that gender identity, gender-related self image, gender-related appearance, or gender-related expression is different from that traditionally associated with a person's sex at birth. [Added 12-15-2005]	Consider whether necessary to amend to be consistent with gender-neutral language	
Code of Ordinance	Entire Code		Replace he/him/his and she/her/hers with gender-neutral singular and plural pronouns (they/them) and eliminate other gender-specific references	SEE ATTACHED FOR SPECIFIC AMENDMENTS	Update code to reflect present day and current local culture
	§128-1 Wild Animals	§128-1 Wild Animals	No person shall lead or drive or otherwise cause to travel, pass or be conveyed, any dangerous wild animal upon or along any highway, street, court, alley, park, or other public way or ground within the City limits, unless the same is properly secured in some covered vehicle or cage, and is in the charge of a person competent to control said wild animal in case of accident.	Insert 'the' in phrase 'is in charge of'	
Ch. 312 Vehicles and Traffic	§312-84 Traffic control signal legend for pedestrians	§312-84 Traffic control signal legend			Update language to align with current pedestrian signage used in the city. (e.g. use of walking figure rather than or in addition to the word "walk." Added to the list of GO Housekeeping changes 11/19/2025.

Chapter 241 Peace and Good Order	§241-2 Posting advertising	§241-2 Posting advertising	No person shall post or affix or cause to be posted or affixed upon any tree, stone, telegraph , telephone, electric light or other pole, post or structure, within the boundaries of any street, lane, common, park, court, alley or other public place, any sign, playbill, poster, notice, advertisement, or printed paper of any description whatsoever, except election notices, or any advertising appliance or medium, or cut, paint or mark any such stone, tree, pole, post or structure except for the purpose of protecting the same, except upon permit of the Board of Public Works.		Delete word "telegraph" and phrase ", except upon permit of the Board of Public Works" <u>Added to list of General Ordinance Housekeeping changes 11/19/2025.</u>
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12.17.2025

Northampton Ordinances: Reviewed for Gender/Pronoun Updates

** Note:

<https://ecode360.com/26839028?highlight=he&searchId=30337628413827472#26839028>
change "he" to "be" (h/t Ace Tayloe)

§ 1-9

Original: Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

Proposed:

§ 1-16 B. (2)

Original: Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.

Proposed: [Delete as will be irrelevant]

§ 1-16 B. (7)

Original: Signature. If the written signature of a person is required, it shall always be his own handwriting or, if he is unable to write, his mark.

Proposed: Signature. If the written signature of a person is required, it shall always be that person's own handwriting or, if they are unable to write, that person's mark.

§ 40-5 B. (Listing of Enforcing Officers)

Original: Director of Planning and Sustainability or his/her designee

Proposed: Director of Planning and Sustainability or designee [or "their designee"]

Original: Director of Public Works or his/her designee

Proposed: Director of Public Works or designee [or "their designee"]

Original: Director of Public Works and his/her designee

Proposed: Director of Public Works and designee [though was this meant to be "or"??]

Original: Department of Public Works Director or his/her designee, Chief of Police or his/her designee, or Parking Enforcement Officers

Proposed: Department of Public Works Director or designee, Chief of Police or designee, or Parking Enforcement Officers

Original: Director of Department of Public Works and/or his/her designee

Proposed: Director of Department of Public Works and/or designee

Original: Chair, Conservation Commission or his/her staff agent or designee

Proposed: Chair, Conservation Commission or their staff agent or designee

§ 116-11 A.

Original: Prior to the initiation of any fire alarm system installation or alteration, the firm contracted by the alarm user shall apply to the Fire Chief for a fire alarm permit (527 CMR 10.03(15), an electrical permit (527 CMR 12) from the Electrical Inspector, and a building permit (780 CMR) from the Building Commissioner. At the time of fire alarm permit application, the contracted company will submit fire alarm prints that are drawn to scale and utilize current design and engineering standards. The Fire Chief or his designee shall have 30 days to review, comment on, issue a fire alarm permit or reject the plans. All plans submitted must include the specifications of all devices that the contracted firm proposes to install. If the Fire Chief or his designee rejects these plans, he must reference in writing the basis of the rejection.

Proposed: Prior to the initiation of any fire alarm system installation or alteration, the firm contracted by the alarm user shall apply to the Fire Chief for a fire alarm permit (527 CMR 10.03(15), an electrical permit (527 CMR 12) from the Electrical Inspector, and a building permit (780 CMR) from the Building Commissioner. At the time of fire alarm permit application, the contracted company will submit fire alarm prints that are drawn to scale and utilize current design and engineering standards. The Fire Chief or the Chief's designee shall have 30 days to review, comment on, issue a fire alarm permit or reject the plans. All plans submitted must include the specifications of all devices that the contracted firm proposes to install. If the Fire Chief or the Chief's designee rejects these plans, they must reference in writing the basis of the rejection.

§ 116-11 B.

Original: At the completion of the fire alarm system installation, the fire alarm contractor shall obtain a final electrical inspection by the Inspector of Wires, perform a one-hundred-percent test as outlined by NFPA 72 of all initiating and control devices. At the completion of this testing process, the fire alarm contractor shall furnish the Fire Chief or his designee with a letter of one-hundred-percent testing and request a final inspection for system approval. The first inspection will be provided, as part of the fire alarm permit fee, and each reinspection will be performed at an additional fee per inspection.

Proposed: At the completion of the fire alarm system installation, the fire alarm contractor shall obtain a final electrical inspection by the Inspector of Wires, perform a one-hundred-percent test as outlined by NFPA 72 of all initiating and control devices. At the completion of this testing process, the fire alarm contractor shall furnish the Fire Chief or the Chief's designee with a letter of one-hundred-percent testing and request a final inspection for system approval. The first inspection will be provided, as part of the fire alarm permit fee, and each reinspection will be performed at an additional fee per inspection.

§ 128-3

Original: No person shall keep or allow to be kept in any building, or on any premises of which he may be the owner or occupant....

Proposed: No person shall keep or allow to be kept in any building, or on any premises of which they may be the owner or occupant....

§ 128-6 A.

Original: Every owner/keeper of a domesticated animal shall provide his or her animal with sufficient potable water and wholesome food, proper shelter and protection from the weather, including extremes of

heat and cold, veterinary care sufficient to prevent suffering and the spread of disease and shall provide humane care and treatment for the animal.

Proposed: Every owner/keeper of a domesticated animal shall provide such animal with sufficient potable water and wholesome food, proper shelter and protection from the weather, including extremes of heat and cold, veterinary care sufficient to prevent suffering and the spread of disease and shall provide humane care and treatment for the animal.

§ 128-8 B.

Original: No license shall be issued to a person who has not attained the age of 18 years or one convicted of cruelty to animals for a period of five years from the date of his/her being found guilty or penalized for such offense.

Proposed: No license shall be issued to a person who has not attained the age of 18 years or one convicted of cruelty to animals for a period of five years from the date of such person being found guilty or penalized for such offense.

§ 128-9 A.

Original: No person owning or keeping a dog within the City shall allow such dog to roam at large upon the land of another, except if it is on the premises of another person with his or her permission, nor shall they allow such dog to roam at large on any portion of a public highway or any public property, nor shall an owner or keeper restrain a dog on his/her own property so as to permit said dog to extend onto public or private property or to create a danger to the public safety.

Proposed: No person owning or keeping a dog within the City shall allow such dog to roam at large upon the land of another, except if it is on the premises of another person with that person's permission, nor shall they allow such dog to roam at large on any portion of a public highway or any public property, nor shall an owner or keeper restrain a dog on their own property so as to permit said dog to extend onto public or private property or to create a danger to the public safety.

§ 128-13 A.

Original: It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any sidewalk, street or other public area. It shall further be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his/her dog on any private property neither owned nor occupied by said person.

Proposed: It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by their dog on any sidewalk, street or other public area. It shall further be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by their dog on any private property neither owned nor occupied by said person.

§ 128-13 E.

Original: This regulation shall not apply to a dog accompanying any person with a disability who, by reason of his/her disability, is physically unable to comply with the requirements of this section.

Proposed: This regulation shall not apply to a dog accompanying any person with a disability who, by reason of their disability, is physically unable to comply with the requirements of this section.

§ 128-14 B.

Original: The rabies vaccination tag, issued by the vaccinating veterinarian, shall be secured by the owner or keeper of such dog, cat or ferret to a collar or harness made of suitable material to be worn by the dog or cat; provided, however, that the owner of a cat or ferret may choose not to affix a tag to his cat or ferret, but shall have the tag available for inspection by authorized persons. In the event that a tag is lost, the owner or keeper shall obtain a replacement tag from the vaccinating veterinarian upon presentment of the original vaccination certificate.

Proposed: The rabies vaccination tag, issued by the vaccinating veterinarian, shall be secured by the owner or keeper of such dog, cat or ferret to a collar or harness made of suitable material to be worn by the dog or cat; provided, however, that the owner of a cat or ferret may choose not to affix a tag to their cat or ferret, but shall have the tag available for inspection by authorized persons. In the event that a tag is lost, the owner or keeper shall obtain a replacement tag from the vaccinating veterinarian upon presentment of the original vaccination certificate.

§ 128-15 E.

Original: Before disposing of any dog in his/her possession, the Animal Control Officer shall first examine the animal for the presence of a microchip or tattoo and check its description against descriptions within the City relative to such species of animal licensed or registered therein. The Animal Control Officer, prior to euthanizing any animal, shall have completed under the supervision of a veterinarian registered under the provisions of MGL c. 112, § 55 or 56C, a course of instruction in humane techniques for euthanizing animals. In any case, animals shall be euthanized only by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Association Guidelines on Euthanasia, except by gunshot in case of emergency.

Proposed: Before disposing of any dog in the Animal Control Officer's possession, the Animal Control Officer shall first examine the animal for the presence of a microchip or tattoo and check its description against descriptions within the City relative to such species of animal licensed or registered therein. The Animal Control Officer, prior to euthanizing any animal, shall have completed under the supervision of a veterinarian registered under the provisions of MGL c. 112, § 55 or 56C, a course of instruction in humane techniques for euthanizing animals. In any case, animals shall be euthanized only by the administration of barbiturates in a manner deemed acceptable by the American Veterinary Association Guidelines on Euthanasia, except by gunshot in case of emergency.

§ 128-17

Original: Any veterinarian registered under the provisions of MGL c. 112, § 55 or 56A, who renders emergency care or treatment to, or euthanizes a dog or cat that is injured on any way within the City of Northampton shall receive payment from the owner of such dog or cat, if known or subsequently identified. If the owner is unknown, the veterinarian may submit an invoice to the Police Department for payment of an amount not to exceed the limit provided under MGL c. 140, § 151B, for such care, treatment or euthanization; provided, however, that such emergency care, treatment or euthanization shall be for the purpose of maintaining life, stabilizing the animal or alleviating suffering for a period of up to 24 hours. Any veterinarian who renders such emergency care or treatment to, or euthanizes, such dog or cat shall notify the City's Animal Control Officer. Upon notification, the Animal Control Officer shall assume control of such dog or cat, or its remains. The Animal Control Officer shall endeavor to identify the owner of the injured dog or cat. If the owner is identified, the Animal Control Officer shall provide the name and address of the owner to the treating veterinarian. If the owner remains unknown, the Animal Control Officer shall verify that there is reason to believe that the injury occurred on a way within the City and provide the Chief of Police or his/her designee with a written report of the matter. Upon receipt of

such verification, the Chief of Police or his/her designee shall approve payment of the invoiced amount, not to exceed the statutory provided limit, for the veterinarian's services.

Proposed: Any veterinarian registered under the provisions of MGL c. 112, § 55 or 56A, who renders emergency care or treatment to, or euthanizes a dog or cat that is injured on any way within the City of Northampton shall receive payment from the owner of such dog or cat, if known or subsequently identified. If the owner is unknown, the veterinarian may submit an invoice to the Police Department for payment of an amount not to exceed the limit provided under MGL c. 140, § 151B, for such care, treatment or euthanization; provided, however, that such emergency care, treatment or euthanization shall be for the purpose of maintaining life, stabilizing the animal or alleviating suffering for a period of up to 24 hours. Any veterinarian who renders such emergency care or treatment to, or euthanizes, such dog or cat shall notify the City's Animal Control Officer. Upon notification, the Animal Control Officer shall assume control of such dog or cat, or its remains. The Animal Control Officer shall endeavor to identify the owner of the injured dog or cat. If the owner is identified, the Animal Control Officer shall provide the name and address of the owner to the treating veterinarian. If the owner remains unknown, the Animal Control Officer shall verify that there is reason to believe that the injury occurred on a way within the City and provide the Chief of Police or the Chief's designee with a written report of the matter. Upon receipt of such verification, the Chief of Police or their designee shall approve payment of the invoiced amount, not to exceed the statutory provided limit, for the veterinarian's services.

§ 128-19 E (2)

Original: The applicant shall establish to the satisfaction of the Building Commissioner that **he/she is** in compliance with any and all zoning or business licensing requirements pertaining to the operation and maintenance of a kennel facility.

Proposed: The applicant shall establish to the satisfaction of the Building Commissioner that **they are** in compliance with any and all zoning or business licensing requirements pertaining to the operation and maintenance of a kennel facility.

§ 128-19 E (3)

Original: No license shall be issued to a person who has not attained the age of 18 years, or one convicted of cruelty to animals for a period of five years from the date of **his/her** being found guilty or penalized for such offense.

Proposed: No license shall be issued to a person who has not attained the age of 18 years, or one convicted of cruelty to animals for a period of five years from the date of being found guilty or penalized for such offense. **[remove his/her]**

§ 149-1 A.

Original: Every owner, occupant or person having control of any principal building on property which has been assigned a number by the Department of Public Works shall, at their own expense, cause said building to be numbered with numeric figures at least three inches in height, in contrasting color to the background and conspicuously placed facing the road according to the directions of the Director of Public Works or his/her designee and/or any public safety officer as follows:

Proposed: Every owner, occupant or person having control of any principal building on property which has been assigned a number by the Department of Public Works shall, at their own expense, cause said building to be numbered with numeric figures at least three inches in height, in contrasting color to the

background and conspicuously placed facing the road according to the directions of the Director of Public Works or the Director's designee and/or any public safety officer as follows:

§ 149-1 A. (1)

Original: The Director of Public Works or his/her designee and/or any public safety officer shall use the following guidelines on any building situated more than 80 feet from the road layout: Each person shall place numbers in a conspicuous location not more than three feet from the edge of the driveway and not more than 10 feet from the road layout. Numbers shall be placed on a freestanding pole or post between four and six feet in height, above ground level, and shall face the road.

Proposed: The Director of Public Works or their designee and/or any public safety officer shall use the following guidelines on any building situated more than 80 feet from the road layout: Each person shall place numbers in a conspicuous location not more than three feet from the edge of the driveway and not more than 10 feet from the road layout. Numbers shall be placed on a freestanding pole or post between four and six feet in height, above ground level, and shall face the road.

§ 149-2 A.

Original: Said numbers shall, in the business portions of the City, cover a frontage of 10 feet more or less and, in the residence portions of the City, a frontage of 25 feet more or less, at the discretion of the Director of Public Works or his/her designee, and be measured continuously from the end of the street, lane, alley or court.

Proposed: Said numbers shall, in the business portions of the City, cover a frontage of 10 feet more or less and, in the residence portions of the City, a frontage of 25 feet more or less, at the discretion of the Director of Public Works or their designee, and be measured continuously from the end of the street, lane, alley or court.

§ 149-2 B.

Original: When lot driveway access is permitted by the Planning Board, Zoning Board, or Zoning Board of Appeals at a location other than the lot frontage, the Director of Public Works or his/her designee may assign a house number at the street, lane, alley or court where the driveway is located for safety reasons. When a building is built close to the street line with the clear intention of providing a presence on that street, the Director of Public Works or his/her designee may assign house numbers for the street adjacent to the building and/or may assign multiple numbers on multiple streets, regardless of the location of the driveway or other buildings on the same property, provided such street number will not slow emergency response.

Proposed: When lot driveway access is permitted by the Planning Board, Zoning Board, or Zoning Board of Appeals at a location other than the lot frontage, the Director of Public Works or their designee may assign a house number at the street, lane, alley or court where the driveway is located for safety reasons. When a building is built close to the street line with the clear intention of providing a presence on that street, the Director of Public Works or their designee may assign house numbers for the street adjacent to the building and/or may assign multiple numbers on multiple streets, regardless of the location of the driveway or other buildings on the same property, provided such street number will not slow emergency response.

§ 149-3

Original: The Director of Public Works or his/her designee shall assign a new number wherever he finds that the number in use is incorrect, but he shall not have authority to renumber a street unless so ordered by the Planning Board.

Proposed: The Director of Public Works or their designee shall assign a new number wherever they find that the number in use is incorrect, but neither the Director nor any designee shall not have authority to renumber a street unless so ordered by the Planning Board.

§ 149-4

Original: Any owner, occupant, or person having control of any dwelling house or other building who shall refuse or neglect to comply with the provisions of this article within then 10 days after a notice in writing is delivered to such owner, occupant, or person, of the number or numbers assigned said buildings by the Director of Public Works or his/her designee, shall for each and every offense, forfeit and pay a penalty as set forth in Chapter 40, Enforcement.

Proposed: Any owner, occupant, or person having control of any dwelling house or other building who shall refuse or neglect to comply with the provisions of this article within then 10 days after a notice in writing is delivered to such owner, occupant, or person, of the number or numbers assigned said buildings by the Director of Public Works or their designee, shall for each and every offense, forfeit and pay a penalty as set forth in Chapter 40, Enforcement.

§ 161-2 "DEMOLITION PERMIT"

Original: The building permit issued by the Building Commissioner or his/her designee as required by the State Building Code for total demolition of a building or structure.

Proposed: The building permit issued by the Building Commissioner or their designee as required by the State Building Code for total demolition of a building or structure.

§ 161-8 A.

Original: Authorized agents. The Director of Planning and Sustainability or his/her designee is specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this chapter.

Proposed: Authorized agents. The Director of Planning and Sustainability or their designee is specifically authorized to institute any and all actions and proceedings, in law or equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this chapter.

§ 168-3 B.

Original: The Earth Removal Enforcement Officer may, in his/her discretion, issue a certificate indicating that an activity in Subsection A(1) through (11) above is exempt from the provisions of this chapter.

Proposed: The Earth Removal Enforcement Officer may, in their discretion, issue a certificate indicating that an activity in Subsection A(1) through (11) above is exempt from the provisions of this chapter.

§ 168-5 A.

Original: The Earth Removal Enforcement Officer shall issue a permit if he finds that the permittee's earth removal actions will not:

Proposed: The Earth Removal Enforcement Officer shall issue a permit if the Officer finds that the permittee's earth removal actions will not:

§ 168-7 B.

Original: The Earth Removal Enforcement Officer, may, in his/her discretion, issue a cease-and-desist order for second and subsequent violations of this chapter.

Proposed: The Earth Removal Enforcement Officer, may, their discretion, issue a cease-and-desist order for second and subsequent violations of this chapter.

§ 183-3 A.

Original: No person, other than the facility owner (with the exception of a single-family residence) or his/her designee under the supervision of the Fire Department shall reset or restore any fire alarm system within the City of Northampton.

Proposed: No person, other than the facility owner (with the exception of a single-family residence) or their designee under the supervision of the Fire Department shall reset or restore any fire alarm system within the City of Northampton.

§ 195-5 B.

Original: Potentially exempt with a certificate of nonapplicability from the Director of Planning and Sustainability or his/her designee, based on the standards herein and in the Design Standards

Proposed: Potentially exempt with a certificate of nonapplicability from the Director of Planning and Sustainability or their designee, based on the standards herein and in the Design Standards

§ 195-6 F.

Original: A landowner in the district or his or her representative may request informal assistance from the Commission in planning alterations or new construction. The Commission shall offer informal advice and comments to any proposal. This advice, however, cannot be binding on the Commission when it formally reviews an application for a certificate.

Proposed: A landowner in the district or the landowner's representative may request informal assistance from the Commission in planning alterations or new construction. The Commission shall offer informal advice and comments to any proposal. This advice, however, cannot be binding on the Commission when it formally reviews an application for a certificate.

§ 202-2

Original: Every person licensed under this chapter shall keep a book in which he shall record all articles purchased....

Proposed: Every person licensed under this chapter shall keep a book in which they shall record all articles purchased....

§ 202-3 B.

Original: Any person obtaining a license under the provisions of this chapter shall offer and afford full opportunity to any police officer, Constable or Sheriff to examine the books, records, bags, baskets,

vehicles or contents thereof, upon demand, and shall give full information to such officers concerning any goods or articles which **he has in his** possession, or in or about the buildings or premises wherein such materials are stored and kept.

Proposed: Any person obtaining a license under the provisions of this chapter shall offer and afford full opportunity to any police officer, Constable or Sheriff to examine the books, records, bags, baskets, vehicles or contents thereof, upon demand, and shall give full information to such officers concerning any goods or articles which the **person has in their** possession, or in or about the buildings or premises wherein such materials are stored and kept.

§ 202-6 B.

Original: Any person obtaining a license under the provisions of this chapter shall offer and afford full opportunity to any police officer, Constable or Sheriff to examine the books, records, bags, baskets, vehicles or contents thereof, upon demand, and shall give full information to such officers concerning any goods or articles which he has in his possession, or in or about the buildings or premises wherein such materials are stored and kept.

Proposed: Any person obtaining a license under the provisions of this chapter shall offer and afford full opportunity to any police officer, Constable or Sheriff to examine the books, records, bags, baskets, vehicles or contents thereof, upon demand, and shall give full information to such officers concerning any goods or articles which that person has in their possession, or in or about the buildings or premises wherein such materials are stored and kept.

§ 229-3 D. (1)

Original: Any person or entities who desire to conduct a parade or motorcade shall apply to the Chief of Police for a permit at least 30 days in advance of the date of the proposed parade or motorcade. The Chief of Police may in his discretion....

Proposed: Any person or entities who desire to conduct a parade or motorcade shall apply to the Chief of Police for a permit at least 30 days in advance of the date of the proposed parade or motorcade. The Chief of Police may in the Chief's discretion....

§ 229-3 D. (3)

Original: In the event that the Chief of Police has been unable or for any reason failed to render an approval or denial of the permit within the five-working-day limit as required hereunder, he shall provide a written statement as to the reasons for such delay....

Proposed: In the event that the Chief of Police has been unable or for any reason failed to render an approval or denial of the permit within the five-working-day limit as required hereunder, the Chief shall provide a written statement as to the reasons for such delay....

§ 233-3

Original: No person shall remain in any such area after 9:00 p.m. and before 7:00 a.m. for the period from April 1 through October 31, and after 7:00 p.m. and before 7:00 a.m. for the period from November 1 through March 31 of any year, unless **he/she is** participating in an activity authorized by the School Committee or the Recreation Department.

Proposed: No person shall remain in any such area after 9:00 p.m. and before 7:00 a.m. for the period from April 1 through October 31, and after 7:00 p.m. and before 7:00 a.m. for the period from November 1 through March 31 of any year, unless **they are** participating in an activity authorized by the School Committee or the Recreation Department.

§ 237-1

Original: No person shall carry on the business of a pawnbroker in the City unless he is duly licensed therefor by the City Council in accordance with the provisions of Chapter 140 of the General Laws of Massachusetts.

Proposed: No person shall carry on the business of a pawnbroker in the City unless duly licensed therefor by the City Council in accordance with the provisions of Chapter 140 of the General Laws of Massachusetts. [remove "he is"]

§ 241-5

Original: No person shall enter upon the premises of another for the purpose of committing any wanton or malicious act, nor for the purpose of, nor with the intention of, invading the privacy of another by peeping into the windows of a house or spying on any person residing therein. Nothing contained in this section shall be construed to abridge nor in any way limit the right of a police officer to enter upon private property nor to perform any act necessary in the performance of his/her official duties.

Proposed: No person shall enter upon the premises of another for the purpose of committing any wanton or malicious act, nor for the purpose of, nor with the intention of, invading the privacy of another by peeping into the windows of a house or spying on any person residing therein. Nothing contained in this section shall be construed to abridge nor in any way limit the right of a police officer to enter upon private property nor to perform any act necessary in the performance of their official duties.

§ 245-7

Original: It shall be unlawful for any peddler or solicitor to represent by words, writing or action that he is some other peddler or solicitor, that he is a partner, employee or agent of any peddler or solicitor when in fact he is not the partner, agent or employee of such peddler or solicitor, or that he is the employee, representative, agent or partner of any person, when in fact he is not the employee, representative, agent or partner of such person.

Proposed: It shall be unlawful for any peddler or solicitor to represent by words, writing or action that they are some other peddler or solicitor, that they are a partner, employee or agent of any peddler or solicitor when in fact they are not the partner, agent or employee of such peddler or solicitor, or that they are the employee, representative, agent or partner of any person, when in fact they are not the employee, representative, agent or partner of such person.

§ 245-8 B.

Original: Every person who desires to peddle or solicit shall register in a registration book provided for that purposes in the Police Department his name and address, the name and address of the person whom he represents, the names and addresses of at least two references as to his moral character, honesty and integrity, a brief description of the nature of the business in which he is engaged, and the kind of goods or property to be peddled or solicited for, if any, and such person shall furnish his fingerprints and thumb prints, to be taken by the Police Department. Such registrant shall also furnish to the Police Department a photograph of himself, taken within 60 days immediately prior to the date of the

registration, which picture shall be two inches by two inches showing the head and shoulders of the registrant in a clear and distinguishing manner; also, a statement as to whether or not the registrant has been convicted of any crime, misdemeanor or violation of any provision of this Code or other municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor.

Proposed: Every person who desires to peddle or solicit shall register in a registration book provided for that purposes in the Police Department their name and address, the name and address of the person whom they represent, the names and addresses of at least two references as to their moral character, honesty and integrity, a brief description of the nature of the business in which they are engaged, and the kind of goods or property to be peddled or solicited for, if any, and such person shall furnish their fingerprints and thumb prints, to be taken by the Police Department. Such registrant shall also furnish to the Police Department a photograph taken within 60 days immediately prior to the date of the registration, which picture shall be two inches by two inches showing the head and shoulders of the registrant in a clear and distinguishing manner; also, a statement as to whether or not the registrant has been convicted of any crime, misdemeanor or violation of any provision of this Code or other municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor.

[Note: In the original as well as in the proposed, it is unclear whose moral character is being referenced]

§ 245-8 D.

Original: As evidence of compliance with the provisions of this section, the Police Department shall issue to each person who complies a permit which shall show the name and address of such person, the name of the person he represents or by whom he is employed, if any, and the kind of goods or property to be peddled or solicited for.

Proposed: As evidence of compliance with the provisions of this section, the Police Department shall issue to each person who complies a permit which shall show the name and address of such person, the name of the person they represent or by whom they are employed, if any, and the kind of goods or property to be peddled or solicited for.

§ 245-9

Original: No person shall be registered under the provisions of § 245-8 until he presents a certificate from the Sealer of Weights and Measures stating that all weighing and measuring devices intended to be used by such person have been duly inspected and sealed as required by law. The use of, or possession by such person with intent to use, any false or unsealed weighing or measuring devices shall be sufficient cause for the revocation of his license or the cancellation of his registration.

Proposed: No person shall be registered under the provisions of § 245-8 until they present a certificate from the Sealer of Weights and Measures stating that all weighing and measuring devices intended to be used by such person have been duly inspected and sealed as required by law. The use of, or possession by such person with intent to use, any false or unsealed weighing or measuring devices shall be sufficient cause for the revocation of their license or the cancellation of their registration.

§ 245-10

Original: Every solicitor or peddler at all times while engaged in peddling or soliciting shall have in his immediate possession the permit issued to him under the provisions of § 245-9 and when so peddling or soliciting shall display the same upon demand of any police officer of the City and upon demand of any person to whom he is peddling or soliciting.

Proposed: Every solicitor or peddler at all times while engaged in peddling or soliciting shall have in their immediate possession the permit issued to them under the provisions of § 245-9 and when so peddling or soliciting shall display the same upon demand of any police officer of the City and upon demand of any person to whom they are peddling or soliciting.

§ 245-10 B.

Original: Every person who desires to peddle or solicit shall register in a registration book provided for that purposes in the Police Department his name and address, the name and address of the person whom he represents, the names and addresses of at least two references as to his moral character, honesty and integrity, a brief description of the nature of the business in which he is engaged, and the kind of goods or property to be peddled or solicited for, if any, and such person shall furnish his fingerprints and thumb prints, to be taken by the Police Department. Such registrant shall also furnish to the Police Department a photograph of himself, taken within 60 days immediately prior to the date of the registration, which picture shall be two inches by two inches showing the head and shoulders of the registrant in a clear and distinguishing manner; also, a statement as to whether or not the registrant has been convicted of any crime, misdemeanor or violation of any provision of this Code or other municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor.

Proposed: Every person who desires to peddle or solicit shall register in a registration book provided for that purposes in the Police Department their name and address, the name and address of the person whom they represent, the names and addresses of at least two references as to their moral character, honesty and integrity, a brief description of the nature of the business in which they are engaged, and the kind of goods or property to be peddled or solicited for, if any, and such person shall furnish their fingerprints and thumb prints, to be taken by the Police Department. Such registrant shall also furnish to the Police Department a photograph taken within 60 days immediately prior to the date of the registration, which picture shall be two inches by two inches showing the head and shoulders of the registrant in a clear and distinguishing manner; also, a statement as to whether or not the registrant has been convicted of any crime, misdemeanor or violation of any provision of this Code or other municipal ordinance, the nature of the offense, and the punishment or penalty assessed therefor.

§ 245-10 C.

Original: As evidence of compliance with the provisions of this section, the Police Department shall issue to each person who complies a permit which shall show the name and address of such person, the name of the person he represents or by whom he is employed, if any, and the kind of goods or property to be peddled or solicited for.

Proposed: As evidence of compliance with the provisions of this section, the Police Department shall issue to each person who complies a permit which shall show the name and address of such person, the name of the person they represent or by whom they are employed, if any, and the kind of goods or property to be peddled or solicited for.

§ 245-13

Original: No person, unless duly licensed by the Director of Standards of the commonwealth, shall go from place to place in this City selling or bartering, or carrying or exposing for sale or barter, any fish or fruits or vegetables, in or from any cart, wagon or other vehicle, or in any other manner, without a license therefor from the Mayor and City Council; provided, however, that this section shall not apply to any person who sells only fruits or vegetables raised or produced by himself or by his family, or fish which is obtained by his own labor or the labor of his family.

Proposed: No person, unless duly licensed by the Director of Standards of the commonwealth, shall go from place to place in this City selling or bartering, or carrying or exposing for sale or barter, any fish or fruits or vegetables, in or from any cart, wagon or other vehicle, or in any other manner, without a license therefor from the Mayor and City Council; provided, however, that this section shall not apply to any person who sells only fruits or vegetables they themselves or their own family have raised or produced, or fish which is obtained by their own labor or the labor of their family.

§ 245-14

Original: The Mayor and City Council shall have authority to grant the license required by this article to any person of good repute for morals and integrity who is or has declared his intention to become a citizen of the United States.

Proposed: The Mayor and City Council shall have authority to grant the license required by this article to any person of good repute for morals and integrity who is or has declared their intention to become a citizen of the United States.

§ 256-10

Original: Every sewer or drain laid in any land or way, public or private, open or proposed to be open for public travel and accommodation shall be a main drain or common sewer. The construction of all main drains and common sewers and all sewers and drains connecting with any main drain or common sewer from a point 10 feet from the foundation of the wall of any building shall be under the supervision of the Director of Public Works or his/her designee.

Proposed: Every sewer or drain laid in any land or way, public or private, open or proposed to be open for public travel and accommodation shall be a main drain or common sewer. The construction of all main drains and common sewers and all sewers and drains connecting with any main drain or common sewer from a point 10 feet from the foundation of the wall of any building shall be under the supervision of the Director of Public Works or their designee.

§ 256-11

Original: No person shall dig or break the ground in a highway or street for the purpose of laying, altering or repairing a sewer pipe or drain, or of entering or connecting with the main drain or common sewer without the consent of the Director of Public Works or his/her designee.

Proposed: No person shall dig or break the ground in a highway or street for the purpose of laying, altering or repairing a sewer pipe or drain, or of entering or connecting with the main drain or common sewer without the consent of the Director of Public Works or their designee.

§ 285-14 B.

Original: The provisions of this section shall not apply to the use of sound trucks; provided, however, that no person shall operate a sound truck until he first has obtained a permit from the Chief of Police. No person shall operate a sound truck in any street at any time between the hours of 9:30 p.m. and 9:00 a.m. No person shall operate a sound truck at any time in any territory designated as a "Zone of Quiet."

Proposed: The provisions of this section shall not apply to the use of sound trucks; provided, however, that no person shall operate a sound truck until they first have obtained a permit from the Chief of Police. No person shall operate a sound truck in any street at any time between the hours of 9:30 p.m. and 9:00 a.m. No person shall operate a sound truck at any time in any territory designated as a "Zone of Quiet."

§ 285-17 A.

Original: The owner responsible for a building, structure or lot of land bordering on any street, lane, court, square or public place within the City where there is a sidewalk, including any curb ramp/cut, shall, after snow has ceased to fall thereupon or whenever snow shall have collected or deposited upon any such sidewalk, within 24 hours, remove the same or cause the same to be removed from such sidewalk; and also remove or cause to be removed from such sidewalk, or cover or cause to be covered with sand or some other suitable substance, within 24 hours after it has formed or appeared, any ice with which the same may be encumbered, in such a way as to render such sidewalk safe and convenient for travel, to the full width. For property located in the Central Business Districts or the Florence Village Districts as delineated on the Northampton Zoning Map, the above requirements must be met within 24 hours or by 9:00 a.m. on the next business day, whichever is sooner. If a person is found to be violating the provisions of this section, it shall be the duty of the Chief of Police, or his/her designee, the Director of Public Works, or his/her designee, or Parking Enforcement Officers, to assess a fine to any such person in accordance with the fine schedule set forth in Chapter 40, Enforcement, § 40-5. Each twenty-four-hour period a violation of Subsection A or B exists shall be considered to constitute a separate offense.

Proposed: The owner responsible for a building, structure or lot of land bordering on any street, lane, court, square or public place within the City where there is a sidewalk, including any curb ramp/cut, shall, after snow has ceased to fall thereupon or whenever snow shall have collected or deposited upon any such sidewalk, within 24 hours, remove the same or cause the same to be removed from such sidewalk; and also remove or cause to be removed from such sidewalk, or cover or cause to be covered with sand or some other suitable substance, within 24 hours after it has formed or appeared, any ice with which the same may be encumbered, in such a way as to render such sidewalk safe and convenient for travel, to the full width. For property located in the Central Business Districts or the Florence Village Districts as delineated on the Northampton Zoning Map, the above requirements must be met within 24 hours or by 9:00 a.m. on the next business day, whichever is sooner. If a person is found to be violating the provisions of this section, it shall be the duty of the Chief of Police, or the Chief's designee, the Director of Public Works, or the Director's designee, or Parking Enforcement Officers, to assess a fine to any such person in accordance with the fine schedule set forth in Chapter 40, Enforcement, § 40-5. Each twenty-four-hour period a violation of Subsection A or B exists shall be considered to constitute a separate offense.

§ 285-17 C.

Original: Upon neglect of or violation of the duties imposed by the provisions of Subsections A and B of § 285-17, such duties may be performed by the Director of Public Works or his/her designee at the expense of the person(s) or entities liable to perform those duties. Assessment of costs under this subsection shall not preclude any party from being fined under § 40-5.

Proposed: Upon neglect of or violation of the duties imposed by the provisions of Subsections A and B of § 285-17, such duties may be performed by the Director of Public Works or their designee at the expense of the person(s) or entities liable to perform those duties. Assessment of costs under this subsection shall not preclude any party from being fined under § 40-5.

§ 285-22

Original: Whenever any street or sidewalk, under any license granted as provided in § 285-21, is dug up, obstructed, encumbered or otherwise rendered unsafe or inconvenient for travelers, the person so licensed shall put up and at all times keep a suitable railing or fence around the section or part of any such street or sidewalk so dug up, obstructed or encumbered, so long as the same remains unsafe or

inconvenient, and shall also keep one or more lighted lanterns fixed to such fence, or in some other proper manner, every night, from twilight in the evening and through the night, so long as such railing or fence is kept standing. He shall also, within such reasonable time as the Department of Public Works shall direct, restore and repair such street to the acceptance of the Department of Public Works.

Proposed: Whenever any street or sidewalk, under any license granted as provided in § 285-21, is dug up, obstructed, encumbered or otherwise rendered unsafe or inconvenient for travelers, the person so licensed shall put up and at all times keep a suitable railing or fence around the section or part of any such street or sidewalk so dug up, obstructed or encumbered, so long as the same remains unsafe or inconvenient, and shall also keep one or more lighted lanterns fixed to such fence, or in some other proper manner, every night, from twilight in the evening and through the night, so long as such railing or fence is kept standing. This person shall also, within such reasonable time as the Department of Public Works shall direct, restore and repair such street to the acceptance of the Department of Public Works.

§ 285-28 B.

Original: No person thus licensed shall act under his license until he has filed with the Department of Public Works a bond of guaranty with, if required, a sufficient surety and satisfactory in amount, to indemnify the City from all loss and damage by reason of such removal.

Proposed: No person thus licensed shall act under their own license until they have filed with the Department of Public Works a bond of guaranty with, if required, a sufficient surety and satisfactory in amount, to indemnify the City from all loss and damage by reason of such removal.

§ 285-30.1

Original: No person thus licensed shall act under his license until he has filed with the Department of Public Works a bond of guaranty with, if required, a sufficient surety and satisfactory in amount, to indemnify the City from all loss and damage by reason of such removal.

Proposed: No person thus licensed shall act under their own license until they have filed with the Department of Public Works a bond of guaranty with, if required, a sufficient surety and satisfactory in amount, to indemnify the City from all loss and damage by reason of such removal.

§ 312-14 A.

Original: Subject to the written direction of the Director of Public Works or his/her designee, the Department of Public Works is hereby authorized and as to those signs and signals required hereunder it shall be his duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

Proposed: Subject to the written direction of the Director of Public Works or their designee, the Department of Public Works is hereby authorized and as to those signs and signals required hereunder it shall be the Director or designee's duty, to place and maintain or cause to be placed and maintained all official traffic signs, signals, markings and safety zones. All signs, signals, markings and safety zones shall conform to the standards as prescribed by the Department of Public Works of the Commonwealth of Massachusetts.

§ 312-36 E. (2)

Original: It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin for the purpose of permitting the vehicle of which he is in charge to remain in a parking space beyond the maximum period of time allowed in a particular zone.

Proposed: It shall be unlawful for any person to deposit or cause to be deposited in a parking meter any coin for the purpose of permitting the vehicle of which they are in charge to remain in a parking space beyond the maximum period of time allowed in a particular zone.

§ 312-36 H.

Original: The Parking Clerk or designee is hereby authorized to place upon or over parking meters, or cause to be so placed, no-parking hoods, so-called, whenever in his/her judgment the public interest so requires, the effect of which shall be prohibited parking in the area so designated except as authorized by order of the Parking Clerk or designee for the period during which no-parking hoods remain present. Whenever no-parking hoods, so-called, are placed upon or over parking meters at the request of a private individual, firm or corporation, except charitable or religious corporations, such private individual, firm or corporation shall deposit with the Parking Clerk or designee the sum of \$25 for each no-parking hood placed upon or over the parking meters, and shall pay to the Parking Clerk or designee for the City the parking fee as indicated or shown on the meter for each hour during which a no-parking hood remains upon or over said meter. The \$25 deposit shall be returned to the private individual, firm or corporation upon the return to the Parking Clerk of the no-parking hood in good condition.

Proposed: The Parking Clerk or designee is hereby authorized to place upon or over parking meters, or cause to be so placed, no-parking hoods, so-called, whenever in their judgment the public interest so requires, the effect of which shall be prohibited parking in the area so designated except as authorized by order of the Parking Clerk or designee for the period during which no-parking hoods remain present. Whenever no-parking hoods, so-called, are placed upon or over parking meters at the request of a private individual, firm or corporation, except charitable or religious corporations, such private individual, firm or corporation shall deposit with the Parking Clerk or designee the sum of \$25 for each no-parking hood placed upon or over the parking meters, and shall pay to the Parking Clerk or designee for the City the parking fee as indicated or shown on the meter for each hour during which a no-parking hood remains upon or over said meter. The \$25 deposit shall be returned to the private individual, firm or corporation upon the return to the Parking Clerk of the no-parking hood in good condition.

§ 312-41 A

Original: Authorized. It is hereby authorized that the Chief of the Northampton Police Department or such sergeants or other officers of higher rank in the Police Department as he may from time to time designate, to remove, to some convenient place through the agency of a person or persons in the employ of the Police Department or by an independent contractor any vehicle parked or standing on any part of any way under the control of the municipality in such a manner as to impede in any way the removal or plowing of snow or ice or in violation of any rule or regulation or ordinance which prohibits the parking or standing of all vehicles on such way or portions thereof at such time and recites that whoever violates it shall be liable to charges for the removal and storage of the vehicles as well as subject to punishment by fine.

Proposed: Authorized. It is hereby authorized that the Chief of the Northampton Police Department or such sergeants or other officers of higher rank in the Police Department as the Chief may from time to time designate, to remove, to some convenient place through the agency of a person or persons in the employ of the Police Department or by an independent contractor any vehicle parked or standing on any part of any way under the control of the municipality in such a manner as to impede in any way the

removal or plowing of snow or ice or in violation of any rule or regulation or ordinance which prohibits the parking or standing of all vehicles on such way or portions thereof at such time and recites that whoever violates it shall be liable to charges for the removal and storage of the vehicles as well as subject to punishment by fine.

§ 312-53

Original: When any roadway has been divided into lanes, a driver of a vehicle shall drive so as to be entirely within a single lane and shall not move from the lane in which he is driving until he has first ascertained if such movement can be made with safety.

Proposed: When any roadway has been divided into lanes, a driver of a vehicle shall drive so as to be entirely within a single lane and shall not move from the lane in which they are driving until they have first ascertained if such movement can be made with safety.

§ 312-59 B.

Original: No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control indication to proceed.

Proposed: No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk and on the right half of the roadway to accommodate the vehicle the driver is operating without obstructing the passage of other vehicles or pedestrians notwithstanding any traffic control indication to proceed.

§ 312-61

Original: It shall be unlawful for any person traveling upon a bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to, or attach himself or his vehicle to any moving vehicle or street car upon any roadway.

Proposed: It shall be unlawful for any person traveling upon a bicycle, motorcycle, coaster, sled, roller skates, or any toy vehicle to cling to, or attach themselves or their vehicle to any moving vehicle or street car upon any roadway.

§ 312-66 D.

Original: Every driver of a vehicle or other conveyance approaching an intersection of ways, where there exists facing him an official sign bearing the word "YIELD", said sign having been erected in accordance with the written approval of the Department of Public Works of the Commonwealth of Massachusetts and such approval being in effect shall surrender to oncoming traffic his right to enter the intersection until such time as he has brought his vehicle or other conveyance to a complete stop at a point between the said yield sign and the nearer line of the street intersection; provided, however, that this requirement to stop before entering the intersection shall not apply when a driver approaching a yield sign can enter the intersection in safety without causing interference to approaching traffic. [Added 9-18-1986; amended 11-6-1986]

Proposed: Every driver of a vehicle or other conveyance approaching an intersection of ways, where there exists facing the driver an official sign bearing the word "YIELD", said sign having been erected in accordance with the written approval of the Department of Public Works of the Commonwealth of

Massachusetts and such approval being in effect shall surrender to oncoming traffic the right to enter the intersection until such time as the driver has brought their vehicle or other conveyance to a complete stop at a point between the said yield sign and the nearer line of the street intersection; provided, however, that this requirement to stop before entering the intersection shall not apply when a driver approaching a yield sign can enter the intersection in safety without causing interference to approaching traffic. [Added 9-18-1986; amended 11-6-1986]

§ 312-92

Original: The moving or towing of any vehicle under the provisions of this article shall be by and at the direction of the Chief of Police or such other officers of the rank of Sergeant or higher as he may from time to time designate.

Proposed: The moving or towing of any vehicle under the provisions of this article shall be by and at the direction of the Chief of Police or such other officers of the rank of Sergeant or higher as the Chief may from time to time designate.

§ 312-122 A.

Original: Resident status. To qualify for resident status, the owner of a vehicle must present evidence that the vehicle is registered and insured in Massachusetts and is garaged (paying excise taxes) in the specified Neighborhood Permit Parking District of Northampton, except as exempted by MGL c. 90, § 3 1/2. Leased vehicles must be registered in Massachusetts and principally garaged in the permit district; rental contracts must be shown, along with a letter from the insurance company indicating that the vehicle is insured for garaging in the permit district. In addition, the applicant must be registered as a current resident by the Registrar of Voters, and must present one of the following items mailed to him or her within the preceding 30 days at the address listed in the permit district: a gas, electricity, or telephone bill, a credit card bill, a monthly bank statement (except mortgage), a cable television bill, or other reasonable proof of residency as determined by the Transportation and Parking Commission.[1]

Proposed: Resident status. To qualify for resident status, the owner of a vehicle must present evidence that the vehicle is registered and insured in Massachusetts and is garaged (paying excise taxes) in the specified Neighborhood Permit Parking District of Northampton, except as exempted by MGL c. 90, § 3 1/2. Leased vehicles must be registered in Massachusetts and principally garaged in the permit district; rental contracts must be shown, along with a letter from the insurance company indicating that the vehicle is insured for garaging in the permit district. In addition, the applicant must be registered as a current resident by the Registrar of Voters, and the applicant must present one of the following items mailed to them within the preceding 30 days at the address listed in the permit district: a gas, electricity, or telephone bill, a credit card bill, a monthly bank statement (except mortgage), a cable television bill, or other reasonable proof of residency as determined by the Transportation and Parking Commission.[1]

§ 312-124 B.

Original: Notification. Prior to any revocation of a permit, notice of the proposed action shall be sent by certified mail, return receipt requested, to the permit holder at the address listed on the application for the permit. The notice shall state the reason for the proposed revocation and the time, date and location of a hearing to be held by the Parking Clerk on said proposed action. The permit holder may appear at said hearing and offer testimony and/or evidence he or she thinks is relevant to the issue. Notice shall be sent at least seven days prior to said hearing. If a permit is revoked, notice of said revocation shall be sent to the permit holder by certified mail.

Proposed: Notification. Prior to any revocation of a permit, notice of the proposed action shall be sent by certified mail, return receipt requested, to the permit holder at the address listed on the application for the permit. The notice shall state the reason for the proposed revocation and the time, date and location of a hearing to be held by the Parking Clerk on said proposed action. The permit holder may appear at said hearing and offer testimony and/or evidence they think is relevant to the issue. Notice shall be sent at least seven days prior to said hearing. If a permit is revoked, notice of said revocation shall be sent to the permit holder by certified mail.

§ 312-126 E. (2)

Original: A copy of his/her fingerprints;

Proposed: A copy of the applicant's fingerprints;

§ 312-126 J.

Original: Whoever conducts himself/herself as an ice cream vendor/operator without a valid City-issued permit or with an expired permit, or whoever improperly displays a permit, shall be subject to a fine of no more than \$100 for the first offense, \$200 for a second offense, and \$300 for a third or subsequent offense.

Proposed: Whoever conducts themselves as an ice cream vendor/operator without a valid City-issued permit or with an expired permit, or whoever improperly displays a permit, shall be subject to a fine of no more than \$100 for the first offense, \$200 for a second offense, and \$300 for a third or subsequent offense.

§ 316-5

Original: No person operating any motor bus under such a license shall refuse to carry any person offering themselves to be carried as a passenger therein unless such bus is occupied to the limit of its carrying capacity under its license, or unless such a person be intoxicated or disorderly.

Proposed: No person operating any motor bus under such a license shall refuse to carry any person offering themselves to be carried as a passenger therein unless such bus is occupied to the limit of its carrying capacity under its license, or unless such a person be intoxicated or disorderly.

§ 316-9

Original: No person operating any motor bus under such license shall collect fares, make change or take on or discharge passengers while such bus is in motion; nor shall he have a lighted cigarette, cigar or pipe in his possession while any passenger is being carried therein, nor drink any intoxicating beverage of any kind, nor be under the influence thereof, while engaged in operating such bus.

Proposed: No person operating any motor bus under such license shall collect fares, make change or take on or discharge passengers while such bus is in motion; nor possess a lighted cigarette, cigar or pipe while any passenger is being carried therein, nor drink any intoxicating beverage of any kind, nor be under the influence thereof, while engaged in operating such bus.

§ 316-18 A.

Original: No person shall operate a vehicle governed by the provisions of this article unless he or she obtained an operator's permit from the Chief of Police. Applicants shall apply on forms furnished by the City Clerk and shall set forth under oath such information as the Chief of Police may require. All

applications shall be forwarded by the City Clerk to the Chief of Police within five days of filing of the application. The Chief of Police shall issue or deny the license within 30 days of referral.

Proposed: No person shall operate a vehicle governed by the provisions of this article unless they obtained an operator's permit from the Chief of Police. Applicants shall apply on forms furnished by the City Clerk and shall set forth under oath such information as the Chief of Police may require. All applications shall be forwarded by the City Clerk to the Chief of Police within five days of filing of the application. The Chief of Police shall issue or deny the license within 30 days of referral.

§ 316-18 D.

Original: Upon being denied an operator's permit by the Chief of Police, an applicant shall have the right of appeal to the Mayor or his or her designee. All such appeals shall be in writing and filed with the Mayor or his or her designee within 10 days of the denial of the operator's permit. Appeals will be heard within 20 days of the filing thereof. The decision of the Mayor or his or her designee shall be final and binding.

Proposed: Upon being denied an operator's permit by the Chief of Police, an applicant shall have the right of appeal to the Mayor or the Mayor's designee. All such appeals shall be in writing and filed with the Mayor or their designee within 10 days of the denial of the operator's permit. Appeals will be heard within 20 days of the filing thereof. The decision of the Mayor or their designee shall be final and binding.

§ 316-18 E. Original: It shall be the duty of the driver of any vehicle for hire to accept as passengers any person who seeks to use the services of a vehicle for hire, provided that such person conducts himself/herself in an orderly fashion. No person shall be admitted to a vehicle for hire occupied by a passenger without the consent of the passenger.

Proposed: It shall be the duty of the driver of any vehicle for hire to accept as passengers any person who seeks to use the services of a vehicle for hire, provided that such person conducts themselves in an orderly fashion. No person shall be admitted to a vehicle for hire occupied by a passenger without the consent of the passenger.

§ 316-19 A. (2) (a)

Original: No permit shall be issued until the applicant has delivered to the City Clerk a policy of insurance issued by an insurance company authorized to transact business in the Commonwealth of Massachusetts, covering the motor vehicle(s) to be operated by the applicant under his or her permit, nor until the applicant has also delivered to the City Clerk a certificate of the insurance company issuing the policy showing that the policy shall not be canceled without giving the City Clerk 10 days' notice thereof.

Proposed: No permit shall be issued until the applicant has delivered to the City Clerk a policy of insurance issued by an insurance company authorized to transact business in the Commonwealth of Massachusetts, covering the motor vehicle(s) to be operated by the applicant under their permit, nor until the applicant has also delivered to the City Clerk a certificate of the insurance company issuing the policy showing that the policy shall not be canceled without giving the City Clerk 10 days' notice thereof.

§ 316-19 A. (3)

Original: Every vehicle operated by the business owner shall be inspected by a state-certified inspection station yearly. A current, valid inspection sticker must be possessed upon application for registration with the City. Such inspection is at the owner's expense, and proof must be supplied to the City Clerk. Whenever the Chief of Police or his or her designee has reason to doubt such taxicab or livery vehicle is in safe, proper mechanical condition, properly equipped, properly lettered and in a suitably clean

condition, he or she may suspend the City registration permit thereof without a hearing, and take possession of said permit until the conditions are corrected.

Proposed: Every vehicle operated by the business owner shall be inspected by a state-certified inspection station yearly. A current, valid inspection sticker must be possessed upon application for registration with the City. Such inspection is at the owner's expense, and proof must be supplied to the City Clerk. Whenever the Chief of Police or the Chief's designee has reason to doubt such taxicab or livery vehicle is in safe, proper mechanical condition, properly equipped, properly lettered and in a suitably clean condition, they may suspend the City registration permit thereof without a hearing, and take possession of said permit until the conditions are corrected.

§ 316-24 B.

Original: No person shall operate a horse-drawn carriage on any public way within the City of Northampton **unless he/she has obtained** a carriage driver's license from the City Council....

Proposed: No person shall operate a horse-drawn carriage on any public way within the City of Northampton **without having obtained** a carriage driver's license from the City Council....

§ 325-3

Original: No person shall make any opening or connection with a pipe, reservoir or source of water supply or turn on or turn off the water in any water pipe or reservoir, except by permission of the Director of Public Works or his/her designee.

Proposed: No person shall make any opening or connection with a pipe, reservoir or source of water supply or turn on or turn off the water in any water pipe or reservoir, except by permission of the Director of Public Works or their designee.

§ 325-4

Original: No person shall fish in any reservoir or other source of water supply for the City, except by permission of the Director of Public Works or his/her designee.

Proposed: No person shall fish in any reservoir or other source of water supply for the City, except by permission of the Director of Public Works or their designee.

§ 325-7

Original: No person shall, except in case of fire, open a hydrant or lift or remove the cover of a hydrant, except by permission of the Director of Public Works or his/her designee.

Proposed: No person shall, except in case of fire, open a hydrant or lift or remove the cover of a hydrant, except by permission of the Director of Public Works or their designee.

§ 337-5 B.

Original: Written permit application shall be filed with the Commission to perform activities regulated by this chapter affecting resource areas protected by this chapter. The application shall include at least two copies of all plans, forms, and such information as is deemed necessary by the Commission to describe proposed activities and their effects on the environment and must include permission for the Commission and its agents to enter the property for the purpose of evaluating the request and monitoring the project. When applications include drainage calculations or the design of any facility that will be dedicated to the

City of Northampton, one copy of the application shall be delivered to the Director of Public Works or his/her designee. No activities shall commence without receiving and complying with a permit issued pursuant to this chapter.

Proposed: Written permit application shall be filed with the Commission to perform activities regulated by this chapter affecting resource areas protected by this chapter. The application shall include at least two copies of all plans, forms, and such information as is deemed necessary by the Commission to describe proposed activities and their effects on the environment and must include permission for the Commission and its agents to enter the property for the purpose of evaluating the request and monitoring the project. When applications include drainage calculations or the design of any facility that will be dedicated to the City of Northampton, one copy of the application shall be delivered to the Director of Public Works or their designee. No activities shall commence without receiving and complying with a permit issued pursuant to this chapter.

§ 337-7

Original: The Commission shall provide copies of its agenda to the Planning Department, Director of Public Works or his/her designee and Building Inspector. The Commission shall not take final action until five working days after such officials have received their notice of the application. The Commission shall consider recommendations from those officials and any other City boards and officials but they shall not be binding on the Commission.

Proposed: The Commission shall provide copies of its agenda to the Planning Department, Director of Public Works or their designee and Building Inspector. The Commission shall not take final action until five working days after such officials have received their notice of the application. The Commission shall consider recommendations from those officials and any other City boards and officials but they shall not be binding on the Commission.

§ 350-2.1 HOME BUSINESS C.

Original: Any practitioner of the home business who will work on-site must occupy the main residential building as his/her bona fide residence.

Proposed: Any practitioner of the home business who will work on-site must occupy the main residential building as their bona fide residence.

§ 350-2.1 OWNER-OCCUPIED DWELLING

Original: A dwelling that is the principal residence of the owner and where the owner resides or intends to reside as his or her domicile.

Proposed: A dwelling that is the principal residence of the owner and where the owner resides or intends to reside as their own domicile.

§ 350-4.5

Original: It shall be unlawful to use or occupy any structure or lot thereafter erected or altered unless the Building Commissioner has issued a certificate of use and occupancy and has specified thereon the use to which the structure or lot may be put. Applications for certificates of use and occupancy shall be filed coincident with the application for permits and shall be issued or refused in writing for cause within 10 days after the Building Commissioner has been notified in writing that the erection or alteration of such buildings has been completed. A record of all certificates shall be kept on file in the office of the Building

Commissioner. Buildings accessory to dwellings when completed at the same time shall not require a separate certificate of occupancy. Pending the issuance of a regular certificate, a temporary certificate may be issued for a period not exceeding six months, during the completion of alterations or during partial occupancy of a building, pending its completion. No temporary certificate shall be issued prior to its completion if the building fails to meet the requirements of applicable building ordinances and state laws or this chapter to such a degree as to render it unsafe for the occupancy proposed. In situations where, in the opinion of the Building Commissioner, a single structure or group of related structures may not be issued a certificate of occupancy because not all of the spaces within the structure(s) are yet completed, he may issue a single certificate of occupancy which specifies certain areas as not being included. Such areas will be required to have a separate certificate of occupancy prior to their use and occupancy.

Proposed: It shall be unlawful to use or occupy any structure or lot thereafter erected or altered unless the Building Commissioner has issued a certificate of use and occupancy and has specified thereon the use to which the structure or lot may be put. Applications for certificates of use and occupancy shall be filed coincident with the application for permits and shall be issued or refused in writing for cause within 10 days after the Building Commissioner has been notified in writing that the erection or alteration of such buildings has been completed. A record of all certificates shall be kept on file in the office of the Building Commissioner. Buildings accessory to dwellings when completed at the same time shall not require a separate certificate of occupancy. Pending the issuance of a regular certificate, a temporary certificate may be issued for a period not exceeding six months, during the completion of alterations or during partial occupancy of a building, pending its completion. No temporary certificate shall be issued prior to its completion if the building fails to meet the requirements of applicable building ordinances and state laws or this chapter to such a degree as to render it unsafe for the occupancy proposed. In situations where, in the opinion of the Building Commissioner, a single structure or group of related structures may not be issued a certificate of occupancy because not all of the spaces within the structure(s) are yet completed, the Building Commissioner may issue a single certificate of occupancy which specifies certain areas as not being included. Such areas will be required to have a separate certificate of occupancy prior to their use and occupancy.

§ 350-4.8 B.

Original: : If the Building Commissioner is requesting in writing to enforce the ordinance against any person allegedly in violation of the same and declines to act, he shall notify, in writing, the party requesting such enforcement of any action or refusal to act, and the reasons therefor, within 14 days of receipt of such request.

Proposed: If the Building Commissioner is requesting in writing to enforce the ordinance against any person allegedly in violation of the same and declines to act, the Building Commissioner shall notify, in writing, the party requesting such enforcement of any action or refusal to act, and the reasons therefor, within 14 days of receipt of such request.

ZONING ORDINANCE "HOUSEKEEPING" CHANGES

ZONING ORDINANCE CLEAN-UP - OFFICE OF PLANNING AND SUSTAINABILITY REQUESTED CHANGES					
Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
Ch. 350 Zoning	§350-1.4 Amendment and Validity	https://ecode360.com/11957101#11957098	Amendment. This chapter may be amended from time to time in accordance with Section 65 of Chapter 40A of Massachusetts General Laws, also known as the Zoning Act.[1]	Change Section # from 6 to 5, add full citation.	The ordinance refers to the wrong section of the MGL. Correct and clarify reference.
Ch. 350 Zoning	350-2.1 Definition of "DWELLING, MOBILE HOME"	https://ecode360.com/39471251#39471251	DWELLING , MOBILE HOME A single family residential unit with all of the following characteristics: a) designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems; b) designed to be transported after fabrication on its own wheels or on a flat bed or other trailer or detachable wheels; c) arriving at the site where it is to be occupied as a dwelling complete , conventionally designed to include major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like; d) designed for removal to and installation or erection on other sites. A mobile home shall be defined to include two one or more components units , separately towable, which when joined together have the characteristics as described above. For the purposes of this chapter, a mobile home shall not be deemed a one family dwelling .	Remove DWELLING from definition title and delete references to single-family and requirement that Mobile Home consist of two or more units.	MOBILE HOMES can be either single- or multi-family.

ZONING ORDINANCE "HOUSEKEEPING" CHANGES

Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
Ch. 350 Zoning	350-6.2 Table of Dimensional and Density Regulations	https://ecode360.com/11957357?highlight=&searchId=29362925157774439#11957357	A. See the Table of Dimensional and Density Regulations which is included as an attachment to this chapter. , plus attached notes, which are declared to be a part of this chapter. For character-based zoning districts such as Central Business districts and Florence Village districts, the tables are in § 350-22. Accessible wheelchair ramps for access by persons with disabilities, as defined by MGL c. 40A, § 3, are exempt from these dimensional requirements.	As shown.	Correct reference to location of Table and mention character-based districts have their own chapters.
Ch. 350 Zoning	350-6.9 Dimensional and density regulations for lots	https://ecode360.com/11957416?highlight=&searchId=29364470159194736#11957416	Change title to "Dimensional and density regulations for lots located in more than one district <u>or municipality</u>	or municipality	Amend title to more accurately reflect content
Ch. 350 Zoning	350-6.11C(1) Form-based criteria for two-family and two single-family homes	https://ecode360.com/37348757?highlight=&searchId=29364608106785375#37348757	C (1) Building massing. The Mm maximum length of <u>each</u> massing is 50 feet. ("B")	As shown.	Clarify that the length of each mass is 50 feet.
Ch. 350 Zoning	350-6.11 C(1)(b)(4) Form-based criteria for two-family and two single-family homes	https://ecode360.com/37348757?highlight=&searchId=29364608106785375#37348757	[4] Offset Where the walls of adjacent masses <u>that</u> are in the same plane, the walls must be offset by at least four feet.	As shown.	The ordinance has four ways to meet the massing requirement when multiple masses are connected to each other. Update the wording for the fourth option to make it a possible option rather than required.

ZONING ORDINANCE "HOUSEKEEPING" CHANGES

Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
	350-6.11C(2)(c) Form-based criteria for two-family and two single-family homes	https://ecode360.com/37348757?highlight=&searchId=29364608106785375#37348757	(c) When a dwelling or dwelling unit is located to the rear of another dwelling unit that has a covered front entry, the principal entrance to the rear dwelling may face the side or rear of the lot. In this case, the <u>principal entrance to the rear dwelling must meet the requirements for a covered front entry as described above.</u> The covered front entrance must be at least 20 feet from the lot line <u>it is facing</u> unless <u>it has</u> other means to create a buffer/private outdoor space to adjoining properties. are approved by the Planning Board. The entrance must meet the requirements for a covered front entry as described above.	As shown.	350-6.11C(2)(c): Remove the Planning Board approval requirement for alternative screening methods for side or rear facing entries when the entries do not have at least 20' setback.
Ch. 350 Zoning	350-8.1 C Table of Off-Street Parking Regulations	https://ecode360.com/11957545#11957545	350-8.1C Table of Off-Street Parking Regulations. Parking shall be provided to serve the parking needs which are generated by a particular use or structure. <u>Specific district use table or attachments supersede the following Table of Off-Street Parking regulations when there are conflicts.</u> When there is more than one primary use of a structure, the parking requirements for each use must be met unless one use is incidental to the principal use of the structure.	As shown.	Clarify that specific district use tables supersede general table if there is a conflict.
Ch. 350 Zoning	350-8.8 A. Parking and loading space standards	https://ecode360.com/11957545#11957545	A. A parking space shall be at least 8 1/2 feet in width and 18 feet in length. <u>If it has area directly behind it for, with at least 18 feet of backing-up and maneuvering area directly behind the space</u> (which may be shared with other spaces), <u>it shall be at least 18 feet in length and allow for safe backing-up and maneuvering without colliding into structures, objects, and other vehicles.</u> Except for parking spaces for the same residential housing unit, each space must be laid out so that it does	As shown.	Clarify wording while maintaining the same requirements in multiple sub-sections.

ZONING ORDINANCE "HOUSEKEEPING" CHANGES

Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
Ch. 350 Zoning	350-8.8 F. Parking and loading space standards	https://ecode360.com/11957545#11957576	F. In business and industrial districts, U unless directly opposite an intersecting street, no portion of a driveway entrance or exit shall be closer than 50 feet to the curblines of an intersecting street nor shall it be closer than 50 feet to any portion of an existing driveway. located in a business or industrial district.	As shown.	Clarify wording while maintaining the same requirements in multiple sub-sections.
Ch. 350 Zoning	350-8.8 G. Parking and loading space standards	https://ecode360.com/11957545#11957576	G. There shall be a maximum of one driveway curb cut per lot. In <u>CB, FV, GB₂</u> and HB Districts, and for all new two-family lots, a special permit from the Planning Board is required for more than one curb cut. <u>For Character-Based Districts, S</u> see also <u>applicable</u> requirements in §§ 350-21 and 350-22 for Character-	As shown.	Clarify wording while maintaining the same requirements in multiple sub-sections.
Ch. 350 Zoning	350-9.3 Change, extension or alteration of legally preexisting nonconforming structures, uses or lots.	https://ecode360.com/11957611?highlight=350-9.3&searchId=5242501462240491#11957611	A. A preexisting nonconforming structure or use may be changed, extended or altered: (10) With a special permit for a single- or two-family home when the Zoning Board makes a finding that the change which includes new zoning violations (such as reduction of open space, new setback encroachments or further encroachments into the setback, etc.) will not be substantially more detrimental to the neighborhood than the existing nonconforming single- or two-family structure. The special permit shall not allow for the reduction of open space below the minimum requirement.	As shown.	350-9.3A(10): The Zoning Board of Appeals historically does not approve special permits to go below the minimum required open space. This amendment solidifies that practice.

ZONING ORDINANCE "HOUSEKEEPING" CHANGES

Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
Ch. 350 Zoning	350-11.6B (2)	https://ecode360.com/11957975?&searchId=5243061935193442#11957975	<p>Project Location: CBs (All subtypes), FV (All subtypes), GB, GI, and OI Zoning Districts; PV District, except for medical and dental offices; and NB District, except for uses with gas pumps; HB Zoning District; PV District for project for medical and dental offices; NB Districts for uses with gas pumps; BP Districts with nonexempt uses; and BP,, URA, SC and RR Zoning Districts for sites (1)within 500 feet of a transit stop, or (2)within 500 feet of an asphalt or concrete City off-road rail trail or bicycle path, or (3)abutting a sidewalk that extends without a break from the project to either downtown Northampton or downtown Florence; Any other site in WSP, RR, SR, SC, and URA, SC, and RR Zoning Districts and any other BP residential</p>		Amend traffic mitigation fee table to add missing zoning districts and remove districts that no longer exist in 'Project Location' column.
Ch. 350 Zoning	350-12.1 A (8)	https://ecode360.com/11958058?&searchId=5244115230034155#11958058	<p>A. In meeting these objectives, the following general standards shall apply: (8) No persistently loud or disruptive noise shall be allowed between the hours of 10:00 p.m. and 7:00 a.m. All steady, nonfluctuating noise levels must meet the following standards at the property boundary (using a sound meter which meets the American National Standards Institute's Specification for Type II Sound Level Meters: S1.4-1971.) For boundaries between properties with different maximum noise requirements, the lowest maximum noise requirement shall apply:</p>		350-12.1A(8): Make the maximum noise requirements more restrictive between properties that have different uses.

ZONING ORDINANCE "HOUSEKEEPING" CHANGES

Chapter	Section/Subsection	Link	Text to be Changed	New Text	Explanation
Ch. 350 Zoning	Attachment 8 for URC	https://ecode360.com/attachment/NO2226/NO2226-350h%20Table%20of%20Use%20and%20Di%20m%20Regs%20URC.pdf	<p>Amend page 2 for Attachment 8 for URC as follows: 1. For attached garages/parking structures that face the street: delete e) The side setback may be 10 feet from the garage only when not used as living area. See additional specific criteria for two-family homes. Also delete extra space in 1 b).</p>		<p>For zoning districts with required minimum side setbacks greater than 10 feet, a provision allows for attached garages not being used as living areas to have a side setback of 10 feet instead. Page 2 of Attachment 8 for URC also lists this provision, which is not necessary since URC's minimum side setback is 10 feet. Delete this provision, which is 1(c).</p>