



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

February 18, 2016

REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

Attendee Name	Title	Status	Arrived
Mary Jo Rossetti	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
John M. Connolly	Alderman At Large	Present	
William A. White Jr.	Alderman At Large	Present	

Others present: Alderman Maryann Heuston, Alderman Dennis Sullivan, David Shapiro - Law, Goran Smiljic - ISD, Charles Sillari - Clerk of Committees

The meeting took place in the Committee Room and was called to order at 6:15 PM by Alderman Rossetti and adjourned at 7:30 PM.

Document List:

- H2885 (with 200251)
- H3868 (with 200251)
- H3886 (with 200251)
- H3906 (with 200251)
- Outdoor Seating (with 200650)

Approval of the December 3, 2015 Minutes

RESULT: **ACCEPTED**

Approval of the January 21, 2016 Minutes

RESULT: **ACCEPTED**

199918: That the provisions of Ordinance 11-105, regarding the demolition of buildings, be amended as described within.

Alderman White discussed adding language requiring an applicant to post notice when a building is going to be demolished. Alderman Ballantyne spoke about a situation in her ward and its

effects on neighbors and asked if it might be advisable to notify families in the effected demolition area. The committee discussed the demolition and notice windows, as well as the notice types and requirements. Mr. Smiljic said that most demolition takes place on a weekend and that the Board of Aldermen is usually notified by ISD. Chairman Rossetti would like the party responsible for notification to be identified in the language, "Director or his designee". Mr. Smiljic and Mr. Shapiro will prepare an amendment for consideration.

RESULT:

KEPT IN COMMITTEE

199919: That the Supervisor of Inspectional Services report to this Board on the ticketing of homeowners for overhanging tree branches per Ordinance 12-14, and that this Board consider amending that Ordinance to clarify its intent.

Alderman White spoke about an issued where a constituent was fined and he questioned the validity of the offense. Mr. Smiljic will submit a report of fines over the past two years. Following review, the committee may choose to amend this ordinance to clarify its intent.

RESULT:

KEPT IN COMMITTEE

199934: That the Supervisor of Inspectional Services create a Rental Registration Program to require owners of 6 or more rental units that are not owner-occupied to annually register those units, pay a registration fee, and provide information to facilitate inspections, notices of violations, and resolution of complaints.

Mr. Smiljic explained the current laws and discussed certificates of inspection. Alderman Heuston discussed the possible need to create a city ordinance to facilitate contacting property owners regarding health problems associated with their properties, to ensure that rental units are safe and sanitary. Boston, Seattle and Baltimore's local legislation will be reviewed by Mr. Smiljic and Mr. Shapiro. Alderman Heuston also mentioned the proposed registration of vacant lots and property having no activity for 6 months or more. The rules were suspended to allow Alderman Heuston to make a motion.

Alderman Heuston's motion that the language of the item be amended by adding the words "the City Solicitor, in conjunction with" immediately after the first word "That", was approved.

RESULT:

KEPT IN COMMITTEE

199969: That the City Solicitor draft an ordinance to prohibit the sale and use of synthetic cannabinoids and other dangerous chemical compounds.

Mr. Shapiro explained that the Board of Health and the Board of Aldermen may impose fines (Boston does have a fine structure). Alderman Sullivan spoke about chemicals being sprayed on vegetation and their associated effects on people. He stated that synthetic cannabinoids should not be sold in Somerville and he would like Somerville Cares about Prevention (SCAP) to provide an opinion on the matter. He would like to investigate whether it is a good idea to spend

city resources on this. Alderman Connolly suggested obtaining information from other communities and would like the Health Department and SCAP to provide some guidance.

RESULT:	KEPT IN COMMITTEE
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200251: That the City Solicitor report to this Board on ordinances or regulations that require cable companies and other utilities to remove abandoned lines when installing new ones, and if there are no such ordinances or regulations, to draft such an ordinance for this Board's consideration.

RESULT:	WORK COMPLETED
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200557: Assistant City Solicitor responding to #200251 re: requirements that cable companies and other utilities remove abandoned lines when installing new ones.

RESULT:	WORK COMPLETED
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200625: That the City Solicitor review the recently approved Home Rule Petitions for Natick and Framingham re: double pole removals and utility company fines, and report back to this Board.

Alderman White stated that a home rule petition is necessary in order to fine a utility company. Mr. Shapiro distributed four documents (attached) and discussed legislation from Governor Baker regarding fines for double pole infractions. Chairman Rossetti inquired who the members of the relevant House of Representatives committee were. Alderman Connolly discussed the frustration of dealing with multiple utility companies and Alderman White suspects that the state's legislative actions will govern all municipalities, thereby keeping home rule petitions on this matter from being acted on.

Chairman Rossetti's motion *that the Clerk of Committees request that the city's state delegation provide the committee with updates on House Bill 2885 and House Bill 3906*, was approved.

RESULT:	KEPT IN COMMITTEE
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200650: That the City Solicitor prepare an Ordinance for the Board of Health to regulate restaurants with outdoor seating to allow dogs to accompany owners in the outdoor seating area.

Mr. Shapiro presented a draft ordinance. Mr. Kress will assist in delivery of this ordinance to the Board of Health. Additionally, Mr. Shapiro has drafted recommendations for their consideration.

RESULT:	WORK COMPLETED
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