

COMMITTEE ON ORDINANCES – FEBRUARY 21, 2018
MEETING @ 7:00 PM, CITY COUNCIL CHAMBER, ROOM 214
AGENDA

CITY CLERK

2018 FEB 15 P 3:59

CITY CLERK'S OFFICE
NEW BEDFORD, MA

1. WRITTEN MOTION, Council President Lopes, Councillors Abreu, Winterson, Dunn and Oliveira, requesting that the City Council look into adopting a Wage Theft Prevention Ordinance modeled after the Town of Quincy. (To be Referred to the Committee on Ordinances.) (Ref'd 9/28/17)

1a. COMMUNICATION, Council President Lopes, submitting a Wage Theft Prevention Ordinance from the City of Quincy, MA. (To be Referred to the Committee on Ordinances.) (Ref'd 9/28/17)

INVITEES: Bruce Bettencourt, Vice-President, AFSCME Local 851; David Gerwatowski, Legal Counsel Attorney; Lisa Lemieux, President, Greater Southeastern Massachusetts Labor Council; Mikaela McDermott, City Solicitor; James Pimental, Vice-President/Organizer, Bricklayers & Allied Craftsmen Local 3; Dan Rego, Organizer, New England Regional Council of Carpenters; Moe Vezina, President, AFSCME Local 851

2. WRITTEN MOTION, Councillor Gomes, requesting, that the City enforce the laws pertaining to repairing vehicles on City streets and that any vehicle being repaired or left unattended on car jacks on City streets be towed immediately at the owners expense and further, that the City Council create a fine for those in violation of the City Ordinance, and that all departments including public safety departments be required to report any vehicles in violation immediately for actions, this issue is becoming a safety, damage and environmental concern. (To be Referred to the Committee on Ordinances, Police Chief Cordeiro, Fire Chief Gomes, EMS Director McGraw, Department of Inspectional Services Director Romanowicz, and Health Department Director Weis.) (Ref'd 6/23/16) (7/15/16-returned unsigned by the Mayor) (3/21/17-remain in Committee)

INVITEES: Damon Chaplin, Director, Health Department; Joseph C. Cordeiro, Chief, New Bedford Police Department; Scott Downing, Executive Secretary, Traffic Commission; David Gerwatowski, Legal Counsel Attorney; Michael Gomes, Chief, New Bedford Fire Department; Mark McGraw, Director, Emergency Medical Services; Danny D. Romanowicz, Commissioner, Department of Inspectional Services

3. WRITTEN MOTION, Council President Lopes, requesting that the Committee on Ordinances review the governing structure of the Board of Park Commissioners, as it relates to the Members of the said board. (To be Referred to the Committee on Ordinances.) (Ref'd 2/23/17) (3/21/17-tabled)

INVITEES: Peter Boswell, Chairman, Park Board; David Gerwatowski, Legal Counsel Attorney; Gloria McPherson, City Planner; Jamie Ponte, Commissioner, Department of Public Infrastructure; Mary Rapoza, Director, Parks Recreation and Beaches

4. COMMUNICATION, Mayor Mitchell, submitting AN ORDINANCE, Amending Chapter 10, Section 47, FINANCE; TAXATION; PROPERTY, Departmental Revolving Funds added to the new Dog Park Revolving Fund. (Ref'd 11/9/17)

4a. AN ORDINANCE,

INVITEES: Peter Boswell, Chairman, Park Board; David Gerwatowski, Legal Counsel Attorney; Gloria McPherson, City Planner; Jamie Ponte, Commissioner, Department of Public Infrastructure; Mary Rapoza, Director, Parks Recreation and Beaches; Ari J. Sky, Chief Financial Officer

Chairman Suggests 'No Further Action' and 'Report Out to the Full City Council'

5. WRITTEN MOTION, Councillors Lopes and Martins, requesting that the Committee on Ordinances draft an Ordinance as it relates to House Bill 3074, An Act permitting the use of traffic control signal violation monitoring system devices as a means of prompting traffic safety in the City of New Bedford. (Ref'd 5/9/13) (12/12/13-Refer to Legal Counsel for drafting; 3/19/14-tabled; 6/23/14-letter to State Rep; 11/12/14-tabled; 2/23/15-remain in Committee; 12/14/15-remain in Committee; 3/21/17-remain in Committee)
6. RELATED MOTION, Councillor Gomes, requesting that Legal Counsel Gerwatowski draft an Ordinance that would place regulations on replica guns in public spaces and would allow the New Bedford Police Department to confiscate these replica guns if someone under the age of 18 was found with device and notify their parents; and further, that the Ordinance also ban anyone from carrying a replica gun within City limits, and that they be subject to arrest and fine. (Ref'd 1/14/16) (3/21/17-remain in Committee)
7. WRITTEN MOTION, Councillor Gomes, requesting, that the City Council send a letter to our State Delegation asking for legislation making it mandatory that production of toy guns do not replicate real handguns, this legislation will serve to save lives and not put Police and law-enforcement agencies in situations where they are dealing with criminals using toy guns in criminal activity and to protect our Citizens against crime. (Ref'd 1/14/16) (3/21/17-remain in Committee)
8. WRITTEN MOTION, Councillors Rebeiro, Lopes, Council President Gomes, Morad and Oliveira, requesting that the Committee on Ordinances, draft an Ordinance that would place an immediate ban on the use of medians for panhandling in the interest of public safety, medians are ADA compliant as dividers only, most are only 4 feet, whereas sidewalks are ADA compliant to travel and rest on and are 6 feet or more, any individual or organization should utilize sidewalks only. (Ref'd 12/17/15) (2/23/16-table for 30 days; 4/19/16-table for 90 days to allow Atty Gerwatowski to explore the difference between closing Parks from dusk to dawn and applying the same to City medians; 3/21/17-remain in Committee)
9. WRITTEN MOTION, Councillor Bousquet, requesting, that the Committee on Ordinances look into updating the 1963 law in the City Code, Chapter 1, Section 1-5, regarding advertising Ordinances to reflect modern mass communication methods in an age where smart phones, tablets and laptops reign and print media has a small and ever shriveling audience. (To be Referred to the Committee on Ordinances.) (Ref'd 1/12/17) (3/21/17-remain in Committee)
10. WRITTEN MOTION, Council President Lopes, requesting that the Committee on Ordinances amend Chapter 2, Section 2-56 of the City Code, relative to Committees, that the Special Committee on Budget Review be a Standing Committee of the City Council. (To be Referred to the Committee on Ordinances.) (Ref'd 1/26/17) (3/21/17-tabled 30 days) (4/19/17-Motion to Adopt FAILED in Committee: Yeas 5, Nays 2, Councillors Carney and Martins opposed, Councillor Rebeiro not present for the vote.)

- 10a. AN ORDINANCE, (Budget Review)
11. WRITTEN MOTION, Councillor Abreu, Council President Lopes, Councillors Winterson, Martins and Bousquet, requesting that both the City Solicitor and Mayor's Office work with and come before the Committee on Ordinances to re-evaluate the proposed "municipal marketing" strategy as a means to generate a potential substantial amount of positive revenue for the City of New Bedford; Chapter 9, Section 3228 of the City Code currently prohibits the construction of new off-premise signs, if this code were to be amended to allow such "municipal marketing" opportunities for private sector industries, the City would need to establish a competitive procurement process to insure its legality. (To be Referred to the City Solicitor's Office, Mayor's Office and Committee on Ordinances.) (Ref'd 1/12/17) (2/16/17-returned unsigned by the Mayor) (3/21/17-remain in Committee)

In accordance with the Americans with Disabilities Act (ADA), if any accommodations are needed, please contact the Clerk of Committees Office at 508-979-1482. Requests should be made as soon as possible but at least 48 hours prior to the scheduled meeting.