



**CITY OF SOMERVILLE, MASSACHUSETTS  
CLERK OF COMMITTEES**

January 16, 2020  
REPORT OF THE LEGISLATIVE MATTERS COMMITTEE

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Lance L. Davis	Chair	Present	
Mark Niedergang	Vice Chair	Present	
Ben Ewen-Campen	Ward Three City Councilor	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Present	
Jesse Clingan	Ward Four City Councilor	Present	

Others present: Hannah Pappenheim - Assistant City Solicitor, Khushbu Webber - Legislative Liaison, Wig Zamore, Peter Forcellese - Legislative Clerk.

The meeting took place in the Committee Room and was called to order at 6:03 PM by Chair Davis and adjourned at 7:25 PM.

**Approval of the December 5, 2019 Minutes**

<b>RESULT:</b>	<b>ACCEPTED</b>
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**209554: That the effective date of the Surveillance Oversight Ordinance be amended to be October 15, 2020.**

Councilor Ewen-Campen explained that he offered this amendment to ensure that the Council's summer recess would not interfere with the ordinance's passage. Ms. Webber told the committee that the Administration will submit its comments to the Council in May for review and the Council could then consider approval following the date that the ordinance becomes effective.

<b>RESULT:</b>	<b>APPROVED</b>
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**209543: That Ordinance 1-11(b) be amended relative to Sections 12-8 and Sections 12-9 to read as set forth in the attachment.**

Councilor Niedergang explained that the proposed amendment increases fines for snow shoveling violations at residential properties. State law caps the fine at \$300. Councilor Ewen-Campen questioned whether a \$100 fine for the 1st offense is too steep. Councilor Niedergang pointed out that ISD has limited personnel to enforce this ordinance, so they will go after the repeat offenders.

**RESULT:**

**APPROVED**

**209061: That the City Solicitor and the Director of Sustainability and the Environment draft with the Ward 5 Councilor an ordinance to ban or regulate the use of gas-powered leaf blowers.**

Chair Davis spoke about the revisions he made to the proposed amendments to the noise ordinance that was emailed to the committee members by Ms. Pappenheim earlier. He said that his intention is going to be that the committee discuss the provisions that are specifically necessary to apply the ordinance to leaf blowers tonight and, since the other changes aren't covered by the item on the Agenda, he will make a motion to further amend the ordinance and attach the redline to that future order. Chair Davis explained his concerns and reviewed his proposed changes, saying that some were to make the ordinance a little shorter and more precise and others were to make adjustments to the substance.

During the discussion, Councilor Clingan asked why the ordinance could not include all gas powered leaf blowers, rather than just those over a certain decibel level. Assistant Solicitor Pappenheim reminded the Committee that to specifically prohibit gas powered leaf blowers would require a different process, through the Board of Health and approval from the relevant state agency. Councilor Scott asked about the cost impact of having to replace gas powered leaf blowers. He also noted that other communities have put into place ordinances addressing gas powered leaf blowers. He will forward information about leaf blowers from other communities' ordinances. Councilor Niedergang commented that it would be useful to hear from the DPW regarding its use of leaf blowers and the impact that the proposed changes to the noise ordinance would have. Some of the changes proposed by Chair Davis relate to actions by the Administration, including a requirement to make public any use of leaf blowers by the City in violation of the ordinance (which would only be permitted for emergency work). Ms. Webber requested time for the Administration to review and respond to those provisions and the Chair agreed to work with Assistant Solicitor Pappenheim to follow up on that review and provide a revised version as needed for a future discussion.

**RESULT:**

**KEPT IN COMMITTEE**

**208333: That the Municipal Ordinances be amended to provide for the appointment of the Clerks of Committee by this City Council.**

**RESULT:**

**WORK COMPLETED**

**208449: 7 residents submitting comments re: removing the State Flag from City Hall.**

**RESULT:**

**PLACED ON FILE**

**Handouts:**

- Somerville Noise Ordinance\_Leaf blower hp edits (with 209061)
- Somerville Noise Ordinance\_Leaf blower hp edits (LD edits 1-16-20) (with 209061)