



ELIZABETH M. RENNARD
CITY SOLICITOR
93 WASHINGTON STREET
SALEM, MA 01970
TEL: 978.619.5633
FAX: 978.744.1279
EMAIL: BRENNARD@SALEM.COM

CITY OF SALEM
KIMBERLEY L. DRISCOLL, MAYOR
LEGAL DEPARTMENT
93 WASHINGTON STREET
SALEM, MASSACHUSETTS 01970

VICTORIA B. CALDWELL
ASSISTANT CITY SOLICITOR
93 WASHINGTON STREET
SALEM, MA 01970
TEL: 978.619.5634
EMAIL: VCALDWELL@SALEM.COM

SHARLYN G. LUBAS
ASSISTANT CITY SOLICITOR
93 WASHINGTON STREET
SALEM, MA 01970
TEL: 978.744.0171 x 50106
EMAIL: SLUBAS@SALEM.COM

July 27, 2022

Ilene Simons, City Clerk
City of Salem
Salem City Hall
93 Washington Street
Salem MA 01970

Patricia Morsillo, City Council President
City of Salem
Salem City Hall
93 Washington Street
Salem MA 01970

**RE: City Solicitor Letters of Approval for Laying Out and Acceptance of
Amanda Way and a portion of Osborne Hill Drive as Public Ways or Streets**

Dear Madam Clerk and City Council President:

In my capacity as City Solicitor of the City of Salem, as required by Salem Code of Ordinance Chapter 38 or otherwise, I have reviewed the Petition and related Street Acceptance Plan for the laying out and acceptance of Amanda Way and a portion of Osborne Hill Drive as public ways or streets in the City of Salem to be presented to the City Council for consideration and I hereby approve the same.

Yours truly,

Elizabeth Rennard

Enclosures

BRIAN D. McGRAIL
ATTORNEY AT LAW
LAKESIDE OFFICE PARK
607 NORTH AVENUE
DOOR 18
WAKEFIELD, MASSACHUSETTS 01880

FAX
(781) 246-1986

TELEPHONE
(781) 246-9999

August 22, 2022

Ilene Simons
City Clerk
City of Salem
93 Washington Street
Salem, MA 01970

RE: Laying Out and Acceptance of Amanda Way and a portion of Osborne Hill Drive
as Public Ways or Streets

Dear Madam Clerk,

This office is legal counsel to Osborne Hills Realty Trust regarding the Strongwater Crossing subdivision in the City of Salem.

Two of the streets in the subdivision, Amanda Way and a portion of Osborne Hill Drive, are completed and ready for acceptance and layout by the Salem City Council.

To that end, included with this letter please find the Petition for Street Acceptance and Layout, the Street Acceptance Plan, the Letter of Approval by the City Solicitor, and a check in the amount of \$250.00.

I respectfully request that you commence the street acceptance and layout process in conjunction with the Salem City Council regarding these two streets.

If any other information, materials, or documentation is required please advise me of the same.

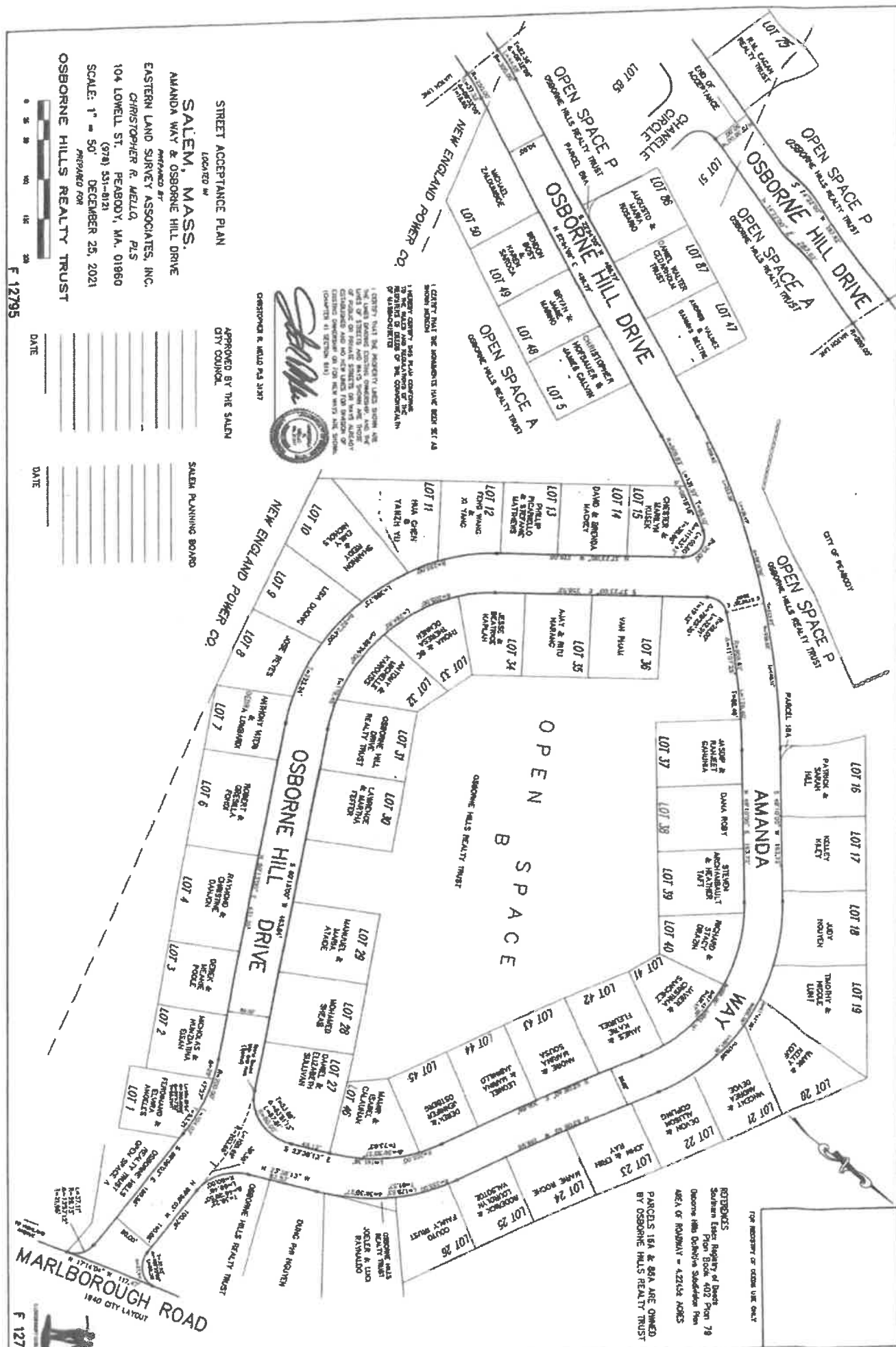
Lastly, I would very much appreciate it if you would keep me advised of any hearing dates and the status of the process.

Thank you for your continued assistance with this process.

Yours truly,

Brian D. McGrail

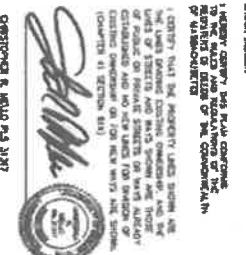
Brian D. McGrail, Esq.
brian@mcgraillaw.net



STREET ACCEPTANCE PLAN
 LOCATED IN
SALEM, MASS.
 AMANDA WAY & OSBORNE HILL DRIVE
 PREPARED BY
EASTERN LAND SURVEY ASSOCIATES, INC.
 CHRISTOPHER R. WELLS, PLS
 104 LOWELL ST. PEABODY, MA. 01860
 (978) 531-8121
 SCALE: 1" = 50' DECEMBER 25, 2021
 PREPARED FOR
OSBORNE HILLS REALTY TRUST

APPROVED BY THE SALEM CITY COUNCIL
 SALEM PLANNING BOARD

DATE _____ DATE _____



1. CENTER THAT THE MONUMENTS HAVE BEEN SET AS SHOWN HEREON.
 2. HADDERY CENTER HAS BEEN COMPARED, RECORDED & BEARS OF THE CORNER/PLIN-TH OF THE MONUMENTS.
 3. CENTER THAT THE PROPERTY LINES SHOWN ARE THE LINES SHOWN EXISTING OVERLAP, AND THE LINES OF SETBACK AND PAVS SHOWN ARE THE LINES OF SETBACK AND PAVS SHOWN AND THE PROPERTY LINES SHOWN ARE THE LINES OF SETBACK AND PAVS SHOWN OF EXISTING OVERLAP OR FOR NEW WAYS AND STRIPS (CORNER) AS SHOWN HEREON.

NOTES
 PARCELS 16A & 86A ARE OWNED BY OSBORNE HILLS REALTY TRUST

[LAYING OUT OF STREET]

CITY OF SALEM

IN CITY COUNCIL,

RESOLVED, that the common convenience, benefit and necessity of the inhabitants of the city require that a public street or way of said city to be called Osborne Hill Drive and Amanda Way street should be laid out from ^{Marlborough Road} Osborne Hill Drive and Amanda Way to Osborne Hill Drive and Amanda Way, as shown on a plan hereinafter referred to and for that purpose it is necessary to take and lay out as a public street or way of said city of Salem being a parcel of land belonging to or supposed to belong to Osborne Hills Realty Trust, under declaration of trust dated July 7th, 2000, and recorded at Essex South Registry of Deeds Book 16455, Page 100, as amended at Book 18675, Page 54.

Osborne Hill Drive and Amanda Way are shown on a plan prepared by Eastern Land Survey Associates, Inc entitled "Street Acceptance Plan Located In Salem, Mass. Amanda Way & Osborne Hill Drive dated 12/25/2021".

, bounded as follows, viz.: see Exhibit A attached hereto

; and WHEREAS, the City Council on the day of A. D. 19....., passed the following order, viz.:

"WHEREAS, in the opinion of the City Council, the public necessity and convenience require that a public street or way to be called Osborne Hill Drive and Amanda Way should be laid out as a highway of the city from Marlborough Road to Osborne Hill Drive and Amanda Way as shown on a plan on file in the office of the city clerk of this city, dated 12/25/2021 it is therefore hereby

ORDERED, that due notice be given to all abutters as shown on said plan and by advertising in the Salem News

and all others interested, that the City Council intend to lay out the highway before mentioned, and to take therefor a portion of their land and to lay out the same as a highway of said city; and that the day of 19....., at o'clock..... M., at City Hall, Salem, is appointed as the time and place for a public hearing, in the matter;" and

WHEREAS; due notice has been given of the intention of the City Council to take said parcel of land for the purpose aforesaid, as appears by the return on the order of notice issued therefor passed as aforesaid; and,

WHEREAS, the City Council did meet at the time and place appointed and notified as aforesaid and has heard all parties interested claiming to be heard in the matter, it is therefore,

ORDERED AND DECREED that the parcel of land before described be and the same hereby.....taken and laid out as a public street or way of said city, according to a plan of the same made by Eastern Land Survey Associates, Inc. dated 12/25/2021

entitled....., entitled..... "Street Acceptance Plan Located In Salem, Mass. Amanda Way & Osborne Hill Drive" deposited in the office of the city engineer, to which plan reference may be had.

Said laying out, as hereinbefore stated, is over or by land of Osborne Hills Realty Trust

and we have considered and estimated..... the damages.....sustained in their property by the several owners aforesaid, and all other persons by the taking of said parcel of

EXHIBIT A

Osborne Hill Drive

Beginning at a drill hole in a stone bound on the westerly side line of Marlborough road, thence turning on a radius to the left of 28.75 feet and a length distance of thirty seven and eleven hundredths feet (37.11') to a drill hole in a stone bound thence turning and running;

S 89° 59' 03" E a distance of one hundred eighty and fifty eight hundredths feet (180.58') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of curve to the left having radius of 200.00 feet and a length distance one hundred four and two hundredths feet (104.02') to drill hole in a stone bound, thence turning and running;

N 60° 13' 00" E a distance of four hundred thirty one and thirty nine hundredths feet (431.39') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the right having a radius of 255.00 feet and a length of the three hundred sixty six and seventy three hundredths feet (366.73') to a drill hole in a stone bound, thence turning and running;

N 37° 23' 00" W a distance of two hundred and twenty six and six hundredths feet (226.06') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the left having a radius of 25.00 feet and a length of forty eight and sixty hundredths feet (48.60') to a drill hole in a stone bound, then turning and running;

Westerly by the length of a curve to the left having a radius of 908.62 feet and a length of one hundred thirty one and ninety seven hundredths feet (131.97') to a drill hole in a stone bound, thence turning and running;

N 22° 54' 00" E a distance of four hundred eighty six and seventy seven hundredths feet (486.77') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the left having a radius of 250.00 feet and a length of thirty seven and twenty three hundredths feet (37.23) to a drill hole in a stone bound, thence turning and running;

N 14° 22' 00" E a distance of two hundred eighty seven and sixty two hundredths feet (287.62') to a drill hole in a stone bound, thence turning and running;

N 75° 38' 00" W a distance of fifty and zero hundredths feet (50.00') to a drill hole in a stone bound, thence turning and running;

S 14° 22' 00" W a distance of two hundred eighty seven and sixty two hundredths feet (287.62') to a drill hole in a stone bound, thence turning and running;

Easterly by the length of a curve to the right having a radius of 300.00 feet and a length of forty four and sixty eight hundredths feet (44.68') to a drill hole in a stone bound, thence turning and running;

Easterly by the length of a curve to the right having a radius of 958.62 feet and a length of two hundred fifty three and thirty six hundredths feet (253.36') to a point, thence turning and running;

S 51° 57' 25" E a distance of fifty and zero hundredths feet (50.00') to a drill hole in a stone bound, thence turning and running;

Westerly by the curve to the left having a radius of 25.00 feet and a length of thirty two and ninety one hundredths feet (32.91') to a drill hole in a stone bound, thence turning and running.

S 37° 23' 00" E a distance of two hundred fifty eight and fifty two hundredths feet (258.52') to a drill hole in a stone bound, thence turning and running;

Southerly by the curve to the left having a radius of 205.00 feet and a length of two hundred ninety four and eighty two hundredths feet (294.82') to a drill hole in a stone bound, thence turning and running;

S 60° 13' 00" W a distance of four hundred sixty three and eighty four hundredths feet (463.84) to a drill hole in a stone bound, thence turning and running;

Easterly by the curve to the right having a radius of 203.65 feet and a length of one hundred five and ninety two hundredths feet (105.92') to a point, thence turning and running;

N 89° 59' 03" W a distance one hundred forty and six hundredths (140.06') to a drill hole in a stone bound, thence turning and running;

Northerly by the curve to the left having a radius of 27.94 feet and a length of fifty two and thirty hundredths feet (52.30') to a drill hole in a stone bound, thence turning and running;

N 17° 14' 04" W a distance of one hundred seventeen and forty seven hundredths feet (117.47') to a drill hole in a stone bound at the point of beginning.

Amanda Way

Beginning at a drill hole in a stone bound on the northerly sideline of Osborne Hill Drive, thence turning on a radius to the left of 60.00 feet and a length distance of eighty seven and eighty one hundredths feet (87.81) to a drill hole in a stone bound, thence turning and running;

S 23° 18' 13" E a distance of forty six and twelve hundredths feet (46.12') to a drill hole in a stone bound, thence turning and running;

Northerly by the length of a curve to the left having a radius of 205.00 feet and a length distance of one hundred forty one and thirty six hundredths feet (141.36') to a drill hole in a stone bound, thence turning and running;

S 63° 08' 40" E a distance of three hundred six and eighty six hundredths feet (306.86) to a drill hole in a stone bound, thence turning and running;

Northwesterly by the length of a curve to the left having a radius of 205.00 feet and a length of two hundred forty two and nineteen hundredths feet (242.19') to a drill hole in a stone bound, thence turning and running;

N 49° 10' 00" E a distance of one hundred ninety three and seventy two hundredths feet (193.72') to a drill hole in a stone bound, thence turning and running;

Westerly by the length of a curve to the left having a radius of 908.62 feet and a length of one hundred seventy six and forty hundredths feet (176.40') to a drill hole in a stone bound, thence turning and running;

S 51° 57' 25" E a distance of fifty and zero hundredths feet (50.00') to a point, thence turning and running;

Easterly by the length of a curve to the right having a radius of 958.62 feet and a length of one hundred eighty six and eleven hundredths feet (186.11') to a drill hole in a stone bound, thence turning and running;

S 49° 10' 00" W a distance of one hundred ninety three and seventy two hundredths feet (193.72') to a drill hole in a stone bound, hence turning and running;

Southerly by the length of a curve to the right having a radius of 255.00 feet and a length of a distance of the three hundred one and twenty six hundredths feet (301.26') to a drill hole in a stone bound, thence turning and running;

N 63° 08' 40" W a distance of two hundred sixty nine and ninety eight hundredths feet (269.98') to a drill hole in a stone bound, thence turning and running;

Southerly by the length of a curve to the left having a radius of 255.00 feet and length of one hundred seventy five and eighty three hundredths feet (175.83') to a drill hole in a stone bound, thence turning and running;

S 23° 38' 13" W a distance of eighty two and fifty two hundredths feet (82.52') to a drill hole in a stone bound, thence turning and running;

Southerly by a length of a curve to the left having a radius of 60.00 feet and a length of sixty nine and forty eight hundredths feet (69.48') to a drill hole in a stone bound, thence turning and running;

N 89° 59' 03" W a distance of thirty nine and thirty hundredths feet (39.30') to a point, thence turning and running;

Northeasterly by Osborne Hill Drive a length of a curve to the left having a radius of 203.65' feet and a length distance of one hundred five and ninety two hundredths feet (105.92') to a drill hole in a stone bound at the point of beginning.



CITY OF SALEM

Laying Out a Street

In City Council _____

Whereas, in the opinion of the City Council the public necessity and convenience require that a public street to be called Osborne Hill Drive and Amanda Way should be laid out as a highway of the city from Marlborough Road to Osborne Hill Drive and Amanda Way as shown on a plan on file in the office of the City Clerk of this city dated 12/25/2021

_____, it is therefore hereby

Ordered, that due notice be given to abutters

and all others interested, that the City Council intend to lay out the highway before mentioned, and to take therefore a portion of their land and lay out the same as highways of said city and that _____ the _____ day of month of meeting _____ at _____ P.M., at city hall, Salem, is appointed as the time and place for a public hearing in the matter.

ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

To the City Council - Salem, Massachusetts

Notice having been given and public hearing held, as provided by law,

IT IS HEREBY ORDERED:

that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 23rd day of August, 2022.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Pope St - Salem – Massachusetts.

August 23, 2022. Filed with this order

There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Pope St - National Grid to install 1 JO Pole on Pope St beginning at a point approximately 15 feet east of the centerline of the intersection of Pope St. Install new pole ~40ft SE of pole 362 on Pope St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the of the City/Town of _____, Massachusetts held on the _____ day of _____ 20__.

Massachusetts City/Town Clerk.
20__

Received and entered in the records of location orders of the City/Town of
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20____, at _____ o'clock, M
at _____ a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE





I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of _____ Massachusetts, on the _____ day of _____ 20____, and recorded with the records of location orders of the said City, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

Boston St



LEGEND

-  Existing JO Pole
-  Existing JO Pole
-  Center Line
-  Property Line



Designer: Rob Proutie
 ControlPoint Technologies, Inc.
 200 Ledgewood Place, Rockland, MA 02370
 rproutie@cpplmg.com

nationalgrid

Grid Mod - 3M, Salem
 WR #20620797
 Petition Stetch

Not to Scale
 Drawn By: RMP
 DATE: 8/22/2022

41 Boston St

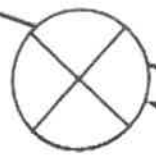
35 Boston St
SubStation

P357

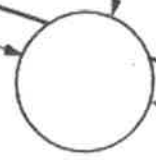


Pope St

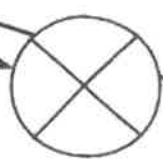
P363



P363-1



~56'



P364

59 Boston St

~47'

~14'



CITY OF SALEM

In City Council,

Ordered:

October 20, 2022

That the sum of Thirty-Eight Thousand Dollars (\$38,000.00) is hereby appropriated within the "Capital Outlay" account (20002308-5846FP) to be expended by the Electrical Department for the installation of solar lighting in the Orme Square area in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

October 20, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Before the pandemic residents of Orne Square reached out to the City with street light concerns on their roadway. Orne Square is illuminated by only one streetlight, but because of the sharp right angle of the street that single light was not sufficient to provide light safely on the entirety road. While the City offered to install new conventional streetlights, because of the street's proximity to McIntire Historic District, the residents offered to pay the difference between the cost of conventional lights and historic-appearing fixtures instead, so that decorative fixtures could be installed.

While the initial plan had called for a standard wired streetlight plan, after multiple meetings between the City and residents, we have determined that solar-powered decorative fixtures would be suitable and, in fact, preferable here. The primary reason is that because these will be new fixtures, new trenching would be required, as well as an interconnection to National Grid for electricity. Solar units can be installed less expensively, as they do not require trenches or the same interconnection.

The residents of Orne Square will fund a portion of this project and the enclosed Order appropriates the balance, \$38,000, from our short-term capital project. I recommend adoption of the enclosed Order and invite you to contact City Electrician John Giardi, Assistant Solicitor Sharyn Lubas, or Chief of Staff Dominick Pangallo should you have any questions.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



KIMBERLEY DRISCOLL,
MAYOR

JOHN J. GIARDI
CITY ELECTRICIAN

CITY OF SALEM, MASSACHUSETTS

ELECTRICAL DEPARTMENT
44 LAFAYETTE STREET
TEL. (978) 745-6300
FAX (978) 745-4638
JGIARDI@SALEM.COM

October 5, 2022

Mayor Kimberley L. Driscoll
City Hall
93 Washington Street
Salem, MA 01970,

RE: Request for Transfer of Funds

Dear Mayor Driscoll:

The Electrical Department is respectfully requesting \$38,000 be allocated from Short-Term Capital to procure and install solar lighting in the Orne Square area. This funding will allow for the installation of three (3) solar decorative lights that are consistent with the appropriate period lighting for the area. This installation will also help determine the feasibility of adding additional solar lighting within the city. Finally this will help us and the residents achieve our common goal with the least amount of cost to the City of Salem.

Should you have any questions prior to considering this request, please do not hesitate to contact me.

Sincerely, ,

A handwritten signature in cursive script that reads "John J. Giardi".

John J. Giardi
City Electrician

CITY OF SALEM
ST Capital Outlay Expenditure Request Form - FY 2023

From Department: Electrical Date: 10/5/22

Department Head Name: John Giardi

Authorization Signature: _____

Amount: \$ 38,000

Description: This funding will allow for the installation of three (3) solar decorative lights that are consistent with the appropriate road lighting for the area. This installation will also help determine the feasibility of adding additional solar lighting within the city.

For Finance Department Use Only:

City Council Approval Needed (Y/N)

CIP Balance: \$ 5,236,843.23

Recommendation: Approved Denied



Finance Director

Processed: Date: _____ By: _____

CO # _____ JE# _____ Trans # _____

Org: _____ Obj: _____



CITY OF SALEM

In City Council,

October 20, 2022

Ordered:

To accept the donation from "Alternative Therapies Group, Inc, ('ATG')", in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00). These funds will be deposited into the Taxpayer Scholarship Account 83041-4830 in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

October 20, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order accepts a donation of \$7,500 from ATG for the Salem Taxpayer Scholarship Fund. I recommend adoption of the enclosed Order and hope you will join me in thanking ATG for this generous donation to the City's scholarship fund for our students.

Sincerely,

A handwritten signature in black ink that reads "Kim Driscoll". The signature is written in a cursive, flowing style.

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council, October 22, 2022

Resolved

A RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE LWCF PROGRAM FOR PHASE II IMPROVEMENTS TO PALMER COVE PARK

Whereas: Palmer Cove Park is by far a community wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas: The Palmer Cove Park Phase II renovation will greatly enhance this facility with conversion of the baseball field to a grass multiuse field, construction of a second basketball court, new asphalt paths, a rain garden, new tree plantings, enhanced kayak launch, and site furnishings, including play equipment, benches, and signage., etc.;

Whereas: This overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation of the project; and

Whereas: The project was instead viewed as feasible only when fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of parks through the Land and Water Conservation Fund Grant Program per the Land and Water Conservation Fund Act, P.L. 88-578, 78 Stat 897; and

Whereas: The project will cost a total of \$1,027,190.00

NOW, THEREFORE, BE IT RESOLVED

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Council hereby appropriates \$1,027,190.00 to implement the project, to be reimbursed up to a maximum amount of \$513,595.00 by the Executive Office of Energy and Environmental Affairs; and
3. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Community Development; and
4. That Palmer Cove Park is dedicated to park purposes under M.G.L. chapter 45, section 3; and
5. That this resolution shall take effect upon the EEA's announcement of the awarding of said LWCF Grant and be null and void in the event no grant is awarded.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

October 20, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed please find two Resolutions that are required for adoption in order for the City to receive two recently announced state grant awards for the second phase of two major signature park projects.

Recently the Commonwealth announced that it was awarding a \$400,000 Parkland Acquisitions and Renovations for Communities (PARC) grant to the City for Phase II of the Willows project and \$513,595 from the Land and Water Conservation Fund (LWCF) grant program for Phase II of the Palmer Cove project. The total grant awards of \$913,595 will be matched by other grant funds, ARPA allocations, and City capital dollars totaling an additional \$938,595.

At the Willows, Phase II will involve resurfacing of pedestrian pathways to make them ADA compliant, planting of new trees, removal of overhead wires, addition of green space, and modifications to the upland area in preparation for the new Willows Pier. At Palmer Cove, Phase II will consist of completion of the path network with an improved park gateway, a second basketball court and new multiuse field, a new playground, bocce court, and outdoor fitness equipment, enhanced kayak launch, and new trees and a rain garden.

I recommend adoption of the enclosed Resolutions and invite you to contact my Chief of Staff, Dominick Pangallo, Planning Director Tom Daniel, or Signature Parks Manager Michael Crouse should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kim Driscoll".

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council, October 22, 2022

Resolved

A RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE PARC PROGRAM FOR PHASE II IMPROVEMENTS TO SALEM WILLOWS

Whereas: Salem Willows is by far a community wide asset and the preservation and improvements to this park are a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas: Salem Willows Phase II renovation will greatly enhance this park by upgrading the pedestrian pathways to meet ADA standards, reducing pavement, and adding greenspace for recreation, trees, and bioretention basins, etc.;

Whereas: This overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation of the project; and

Whereas: The project was instead viewed as feasible only when fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of parks through the Parkland Acquisitions and Renovations for Communities (PARC) Grant Program; and

Whereas: The project will cost a total of \$825,000.00

NOW, THEREFORE, BE IT RESOLVED

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Council hereby appropriates \$825,000.00 to implement the project, to be reimbursed up to a maximum amount of \$400,000.00 by the Executive Office of Energy and Environmental Affairs; and
3. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Department of Planning and Community Development; and
4. That Salem Willows is dedicated to park purposes under M.G.L. chapter 45, section 3; and
5. That this resolution shall take effect upon the EEA's announcement of the awarding of said PARC Grant and be null and void in the event no grant is awarded.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

October 20, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed please find two Resolutions that are required for adoption in order for the City to receive two recently announced state grant awards for the second phase of two major signature park projects.

Recently the Commonwealth announced that it was awarding a \$400,000 Parkland Acquisitions and Renovations for Communities (PARC) grant to the City for Phase II of the Willows project and \$513,595 from the Land and Water Conservation Fund (LWCF) grant program for Phase II of the Palmer Cove project. The total grant awards of \$913,595 will be matched by other grant funds, ARPA allocations, and City capital dollars totaling an additional \$938,595.

At the Willows, Phase II will involve resurfacing of pedestrian pathways to make them ADA compliant, planting of new trees, removal of overhead wires, addition of green space, and modifications to the upland area in preparation for the new Willows Pier. At Palmer Cove, Phase II will consist of completion of the path network with an improved park gateway, a second basketball court and new multiuse field, a new playground, bocce court, and outdoor fitness equipment, enhanced kayak launch, and new trees and a rain garden.

I recommend adoption of the enclosed Resolutions and invite you to contact my Chief of Staff, Dominick Pangallo, Planning Director Tom Daniel, or Signature Parks Manager Michael Crouse should you have any questions.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council, October 13, 2022

Ordered: There is hereby established within the City of Salem a Food Policy Council consisting of 11 members appointed by the Mayor, subject to confirmation by the City Council. Four members shall serve for a term of one year; four members shall serve for a term of two years; and three members shall serve for a term of three years. Thereafter and upon expiration of the term of each such member, the mayor shall appoint members of the Food Policy Council to succeed such appointees whose terms expire and each member so appointed shall hold office for a term of three years. The City Council President may appoint a City Councilor to serve as a liaison to the Food Policy Council. The Food Policy Council shall assess the City's food landscape by identifying how and where residents are able to access nutritious and affordable food, and make evidence-based recommendations to the Mayor to promote food justice and health equity in the Salem community.



CITY OF SALEM, MASSACHUSETTS

**Kimberley Driscoll
Mayor**

Office of the Mayor

October 13, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

In the fall of 2016 the City convened an informal working group of community stakeholders to identify barriers – and solutions – for Salem residents accessing safe, healthy, culturally appropriate, and affordable foods. The group, called the Food Policy Council, has consisted of City and school staff, representatives of SSU, emergency food providers, members of our urban agriculture community, representatives of nonprofit and faith-based organizations, and dedicated resident volunteers.

Since that time the group has met bimonthly to discuss food and nutrition-related issues facing Salem and identify community resources and services that can help improve access to food. They are responsible for the City's Community Food Assessment, popular programs like the Salem Eats community meals, and supporting the work of the COA farmers market and the Mack Park Food Farm. During the height of the COVID pandemic the Council proved incredible valuable as a rapid-response and communication structure for our food security providers, providing a ready-built network to facilitate quick turnaround and response to residents in crisis.

Now, the group has requested that the City formalize their existence as an official committee of the City, staffed by the Health Department and assigned a City Council liaison. The proposed structure consists of up to 11 members, appointed by the Mayor and confirmed by the City Council, serving three-year terms, which is relatively standard for our committees of this nature.

The consensus of the Council is that becoming a public body would give the Food Policy Council enhanced legitimacy as a group that works on public policy, help make them eligible for grants and other funding opportunities, and, lastly, increase public awareness of the group and their important work.

In my time as Mayor we have established many similar committees to help guide, shape, and advocate for City efforts on a variety of matters, including the Beautification Committee, the Recycling Committee, the Bicycling and Shared Use Path Committee, the Sustainability, Resiliency and Energy Committee, the Tree Committee, the Youth Commission, and the Race Equity Commission. I am excited to now add the Food Policy Council to that list, as another mechanism by which we are leveraging the dedication and expertise of our community members to improve the lives of more people here in Salem.

The current membership of the Food Policy Council is below and, if the City Council adopts the enclosed Order, it is my intention to submit appointments for them to join the new official committee.

- Johan Arango-Quiroga, Northeastern PhD student in sustainability
- Robyn Burns, Executive Director of the Salem Pantry
- Allison Caffrey, Executive Director of Root
- Floria Cordealoni, Salem resident
- Celia Grant, Engagement & Programs Director for The Daily Table
- Sara Moore, SSU Professor of Sociology and member of the Board of Health
- Claudia Paraschiv, artist and architect with Studioful Design
- Irvelt Perrin, Food & Nutrition Services Director for Salem Public Schools
- Julie Pottier-Brown, Director of the Farm Direct Co-op
- Joel Simonson, Asst Director of Major Gifts for Project Bread

Salem Food for All assesses the City's food landscape by identifying how and where residents are able to access nutritious and affordable food and makes evidence-based recommendations to promote food justice and health equity in the Salem community. I strongly recommend adoption of the enclosed Order and invite you to contact my Chief of Staff, Dominick Pangallo, or the City's Health and Wellness Coordinator Kerry Murphy, should you have any questions.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem



October 11, 2022

Attn: Mayor Kimberley Driscoll
93 Washington Street
Salem, MA 01970

Dear Mayor Driscoll,

On behalf of Salem Food for All, we respectfully request to transition Salem's food policy council from an independent coalition to an Advisory Council to the Mayor. We feel this change will allow us to work more closely with our elected officials to raise awareness of the challenges many of our residents face in accessing healthy, affordable foods. It will also help advance our mission to make evidence-based recommendations on policies that promote food justice and health equity for Salem residents.

Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink that reads "Kerry Murphy".

Kerry Murphy, RDN
Chair, Salem Food for All

SALEM FOOD FOR ALL ■ 98 WASHINGTON STREET 3RD FLR ■ SALEM, MA 01970
978-619-5652 ■ KMURPHY@SALEM.COM

City of Salem

In the year Two Thousand and Twenty-Two

An Ordinance to amend an ordinance relative to zoning

Section I. Amend Section 3.2.4 *Accessory Buildings and Structures* by

- a. Deleting the phrase “with the exception of setback, which shall comply with Section 3.2.4(6)” from paragraph 5.
- b. Deleting paragraph 6 in its entirety.

Section II. Amend Section 3.2.8(5) *Affordable Accessory Dwelling Units. Requirements* by

- a. Deleting paragraph 5(b) in its entirety.
- b. Deleting the following text from Section 5(h) “and at least one (1) owner of the residence in which the affordable accessory dwelling unit is created shall reside in one (1) of the dwelling units, either the principal or accessory unit created therein, as a principal place of residence. For the purpose of this section, the “owner” shall be one or more individuals who hold title to the property, or a purchase and sales agreement and for whom the dwelling shall be the primary residence as evidenced by voter registration, tax return or other documentation demonstrating primary residence. Owner occupancy is required for an affordable accessory dwelling unit to be permitted.”
- c. Deleting the word “water” from section 5(j).
- d. Inserting the word “exterior” following the word “all” in Section 5(l).
- e. Deleting Section 5(m) in its entirety.

Section III. Amend Section 3.2.8 by deleting, in their entirety, the definitions of “Existing detached accessory building,” “Expanded detached accessory building,” and “New detached accessory building.”

Section IV. This Ordinance shall take effect as provided by City Charter.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

October 20, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to present for your consideration amendments to the affordable accessory dwelling unit (ADU) ordinance. Since the ordinance was adopted in April last year, only eight building applications have been submitted for affordable accessory dwelling units. Amendments to the ordinance are proposed here to remove the current zoning barriers to creating these much-needed affordable units. Most of the recommendations below were reviewed with the Council at a Committee of the Whole meeting in early September. In combination with the recently announced ADU design and construction grants, and the enactment of the state law granting Salem homeowners the ability to exempt affordable ADUs from their property taxes, we are optimistic that more ADUs will begin to be constructed in our community.

New Detached Units

The amendment proposes to allow new detached units rather than only allowing detached units in existing buildings. Most residential lots in Salem do not meet the minimum lot area, of course. As such, most often, a new detached unit will require dimensional relief. Nevertheless, allowing new detached units will provide a path forward for the creation of these units.

Setbacks for detached units

- The current side yard setback requirement for detached units ranges from 15 to 40 feet, depending on the zoning district. The ordinance proposes a 5-foot setback, in alignment with any other accessory structure.

Utilities for detached units

- The current ordinance requires utilities to be served from a single meter. However, this contradicts the City Engineering requirements that require a separate waterline for

detached structures. The proposed ordinance allows for water to be served from a separate service. However, it still requires that the rent, including water and all other utilities, cannot exceed 70% of the fair market rent.

Owner Occupancy

Several communities have identified owner occupancy requirements as a barrier. In fact, the entire state of Oregon has required ADU codes to eliminate owner occupancy requirements. The American Association of Retired Persons (AARP) also advises against owner occupancy requirements because it makes the financing of ADUs more difficult, just as it would if applied to single-family homes. Lifting this barrier will enable the construction of more ADUs, without imposing a hardship on neighborhoods.

Maximum Bedrooms

As recommended in the Housing Roadmap, the ordinance proposes to remove the two-bedroom maximum due to fair housing concerns.

Stairway Revision

This amendment clarifies that the requirement for stairs to be on the side or rear of the property is specific to exterior stairs.

I recommend adoption of this ordinance and invite you to contact Amanda Chiancola, Deputy Director of Planning and Community Development, and Dominick Pangallo, Chief of Staff, if you have any questions regarding this ordinance.

Sincerely,



Kimberley Driscoll
Mayor
City of Salem

3.2 ACCESSORY USES

3.2.4 Accessory Buildings and Structures. Accessory buildings and structures, such as garages and tool sheds, shall be allowed subject to the following regulations:

1. No accessory building or structure shall be located within any required front yard or within any side yard of a corner lot.
2. No accessory building or structure shall be located nearer than ten (10) feet to the principal building, unless such accessory building or structure is attached to the principal building.
3. No unattached accessory building or structure shall be located nearer than five (5) feet to any side lot line (side lots in this instance refer to a projected line starting from the front lot line, terminating at the rear lot line parallel five (5) feet from the side or five (5) feet from the rear lot line. The building area of such building or structure, excluding garages, shall not exceed one (1) percent of the lot area or one hundred twenty (120) square feet, whichever is greater, and shall not be located closer than ten (10) feet to any other building on the same lot or any abutting lot.
4. Accessory structures, garages and detached affordable accessory dwelling units shall not exceed one and one-half (1.5) stories or eighteen (18) feet in height.
5. Detached affordable accessory dwelling units shall comply with all regulations set forth in Section 3.2.4 (Accessory Buildings and Structures) of this Ordinance, ~~with the exception of setbacks, which shall comply with Section 3.2.4(6).~~
6. ~~Detached affordable accessory dwelling units shall comply with all setbacks of the principal structure, as set forth in Section 4.1 of this ordinance (Dimensional Requirements), irrespective of whether the principal structure on the property in question complies with such setbacks or not, unless otherwise permitted by a Special Permit pursuant to subsection 3 of Section 3.2.8.~~

3.2.8 Affordable Accessory Dwelling Units. Affordable Accessory Dwelling Units shall be allowed as provided set forth in this section.

1. Purpose.
 - a. To add affordable rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing.
 - b. To encourage the efficient use of the city's housing supply while preserving the character of the city's neighborhoods.
 - c. To maximize privacy, dignity, and independent living among family members preserving domestic family bonds as well as to protect the stability, property values, and the residential character of the neighborhood.
 - d. To permit the owner of an existing, or a proposed, principal dwelling to construct one additional affordable dwelling unit per principal dwelling. Such a use is incidental and subordinate in size to the principal dwelling.
 - e. To increase the supply of housing and the diversity of housing options, in response to demographic changes such as smaller households and older households.
2. Procedure.
 - a. The Building Inspector shall administer and enforce the provisions of this section.
3. Special Permit. Pursuant to Section 9.4, in the interests of design flexibility and overall project quality, the Zoning Board of Appeals may grant a Special Permit for the following:
 - a. An existing detached accessory building as defined in subsection 8 of Section 3.2.8 that is not in compliance with the setbacks of the principal dwelling unit.

b. An expanded detached accessory building as defined in subsection 8 of Section 3.2.8.

4. Application.

a. The Application for the Building Permit, shall:

1. Be signed by one hundred (100) percent of the record title ownership interest of the principal dwelling and shall include a copy of the deed and in the case of a property held by a condominium trust, all owners of all units within the condominium.
2. Include a floor plan of the affordable accessory dwelling unit, the principal dwelling where it is to be located and all elevations. All plans shall be drawn to scale and identify the existing structure and proposed modifications to create the affordable accessory dwelling unit.
3. Be accompanied by a letter of intent signed by the homeowner(s) and shall be submitted to the Department of Planning and Community Development that certifies the rent of the affordable accessory dwelling unit will be at least 30 percent below the established fair market rent limit determined by the United States Department of Housing and Urban Development.

5. Requirements.

- a. The maximum rent of the affordable accessory dwelling unit, including utilities and parking, shall be at least thirty percent below the established Fair Market Rent limit for the City of Salem as determined annually by the United States Department of Housing and Urban Development.
- ~~b. The affordable accessory dwelling unit shall not be constructed within a new detached accessory building, as defined in subsection 8 of Section 3.2.8.~~
- ~~eb.~~ The affordable accessory dwelling unit shall not be considered a dwelling unit for the purpose of Section 5.1 Required Parking.
- ~~ec.~~ The affordable accessory dwelling unit shall not result in a net loss of the total measured caliper inches of private trees on the lot in which the affordable accessory dwelling unit will be located unless a payment in per caliper inch of the tree diameter at breast height (DBH) at the prevailing rate set by the Tree Warden is made to the tree replacement fund.
- ~~ed.~~ The affordable accessory dwelling unit shall not contain less than 350 square feet of habitable space.
- ~~fe.~~ The affordable accessory dwelling unit shall not contain in excess of 900 square feet of habitable space.
- ~~gf.~~ The affordable accessory dwelling unit shall not exceed 50% of the gross floor area of the principal dwelling.
- ~~hg.~~ No more than one (1) affordable accessory dwelling unit shall be permitted for each principal dwelling unit, and at least one (1) owner of the residence in which the affordable accessory dwelling unit is created shall reside in one (1) of the dwelling units, either the principal or accessory unit created therein, as a principal place of residence. For the purpose of this section, the "owner" shall be one or more individuals who hold title to the property, or a purchase and sales agreement and for whom the dwelling shall be the primary residence as evidenced by voter registration, tax return or other documentation demonstrating primary residence. Owner occupancy is required for an affordable accessory dwelling unit to be permitted.
- ~~ih.~~ An affordable accessory dwelling unit shall not be permitted in a building with five (5) or more units.
- ~~ji.~~ Electricity, water, oil, and gas shall be provided by a single service to both the affordable accessory dwelling unit and the principal dwelling, and included in the rent.

- ~~kj.~~ The affordable accessory dwelling unit may not be sold or transferred separate and a part from the principal dwelling to which it is an accessory use. The principal dwelling and the accessory dwelling unit ~~shk.~~ all remain in common or single ownership and shall not be severed in ownership.
- ~~lk.~~ All exterior stairways to the affordable accessory dwelling unit above the first floor shall be located on the rear or side of the dwelling.
- ~~m.~~ ~~The affordable accessory dwelling unit shall not contain more than two (2) bedrooms.~~
- ~~nl.~~ The affordable accessory dwelling unit shall be clearly subordinate in use, size and design to the principal dwelling.
- ~~em.~~ The affordable accessory dwelling unit must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.
- ~~pn.~~ There shall be no occupancy of the affordable accessory dwelling unit until the Building Inspector has issued a certificate of occupancy that the principal dwelling and affordable accessory dwelling unit are in compliance with all applicable health and building codes.
- ~~qo.~~ The Building Permit shall be revoked upon determination by the Building Inspector that any condition imposed by Section 3.2.8 has not been fulfilled.
- ~~rp.~~ By filing the Application for a Building Permit for an affordable accessory dwelling unit, all owners consent to an inspection without a warrant upon reasonable notice by the Building Inspector to ensure compliance with all terms of this section.
- ~~sq.~~ Short term rentals, as defined in Salem Code of Ordinances Chapter 15, are prohibited in both the affordable accessory and principal dwelling units.
- ~~tr.~~ The affordable accessory dwelling unit shall obtain a certificate of fitness subject to the provisions of Section 2-705 of the City of Salem Code of Ordinances.

6. Termination.

- a. The affordable accessory dwelling unit use shall terminate immediately upon any violation of any term or condition of this ordinance that the owner fails to cure, upon thirty (30) days written notice mailed to the applicant and to the occupants at the dwelling address by certified mail, return receipt requested.
- b. Duty of Owner Upon Termination include:
 - i. The owner shall discontinue the use of the affordable accessory dwelling unit as a separate dwelling unit.
 - ii. The kitchen facilities of the affordable accessory dwelling unit shall be removed unless determined by the Building Inspector to be incidental and subordinate as an accessory use of the principal dwelling.
 - iii. Any additional exterior entrance constructed to provide access to the accessory dwelling unit shall be permanently closed, unless the Building Inspector provides a waiver. The owner shall permit an inspection by the Building Inspector without a warrant.

7. Severability. All the clauses of this ordinance are distinct and severable, and if any clause shall be deemed illegal, void, or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw."

8. Definitions.

Attached affordable accessory dwelling unit: An affordable accessory dwelling unit created by adding gross floor area to the principal dwelling after the adoption of this ordinance.

~~*Existing detached accessory building:* A detached accessory building that is existing as of the effective date of this ordinance, that has a foundation, and is a minimum of 350 square feet.~~

~~*Expanded detached accessory building:* An existing detached accessory building that is expanded after the effective date of this ordinance.~~

~~*New detached accessory building:* A detached accessory building that is not existing as of the effective date of this ordinance.~~

Principal dwelling unit: A dwelling unit permitted as a principal residential use under Section 3, Table of Principal and Accessory Use Regulations. By way of example a single-family home permitted pursuant to Section 3 shall comprise of one principal dwelling unit, whereas a two-family home permitted pursuant to Section 3 shall comprise of two principal dwelling units. An accessory dwelling unit shall not be considered a principal dwelling unit.

Ordinance Amending the City's ADU Ordinance – Fact Sheet

What is the purpose of this Ordinance?

To make amendments to the existing accessory dwelling unit (ADU) ordinance based on feedback from Councillors, property owners, and City staff. Changes are primarily intended to increase flexibility to encourage the creation of more ADUs to help homeowners generate a secondary income stream and help the City meet its housing needs.

Section I.a and I.b - Setbacks

Currently the ordinance requires detached ADUs to have the same setbacks as a primary structure. This revision allows detached ADUs to have the same setbacks as an accessory structure.

Section II.a – Detached ADUs

The current ordinance prohibits new detached ADUs. This revision would create a path forward for such units, provided they were able to meet dimensional requirements or receive relief for them.

Section II.b – Owner occupancy

The current ordinance prohibits non-owner-occupied properties from having ADUs. This revision would allow for non-owner-occupied residences to include an ADU. This change is a best practice recommended by the AARP and is increasingly being implemented by cities around the nation. Limiting ADUs to buildings that are occupied by the building owner restricts the ability to create ADUs, both in new construction (which is not “owner occupied” until it sold and occupied) and in multi-unit buildings that may be owned by an individual who does not live in the building.

Section II.c – Water service

The current ordinance requires water to be on a single service to both the primary structure and the ADU. Current regulations by the Engineering Department require that service to different dwelling units be separated. The Department is reviewing that regulation, but if it cannot be amended this section should be adopted. If the Department is able to modify their regulation, the City Council can strike this section before adoption of the Ordinance.

Section II.d – Exterior stairways

The current ordinance states that stairways to ADUs that are above the first floor must be on the rear or side of a building. This section adds language clarifying that this requirement applies only to the exterior stairways.

Section II.3 – Bedroom maximum

The current ordinance limits ADUs to no more than two bedrooms. This section would strike that limitation. Because of their smaller overall footprint, ADUs tend not to be more than two bedrooms naturally. Beyond that, however, the City's recent Housing Roadmap identified this limit as a fair housing concern and recommended revising it.

Section III – Definitions

Because of the addition of detached ADUs in Section II.a above, the need to differentiate between existing, expanded, and new detached ADUs is unnecessary and should be removed from the existing ordinance language.

Affordable Accessory Dwelling Unit Ordinance

Report and Discussion

AMANDA CHIANCOLA, AICP

SEPTEMBER 8, 2022

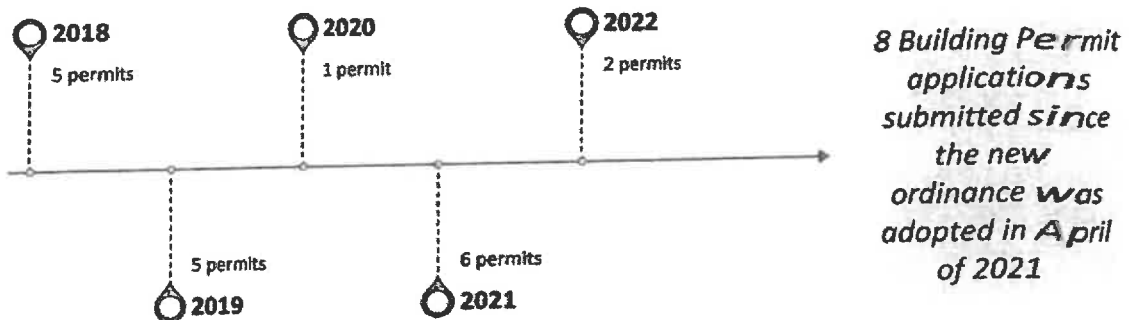
1

Report back to Council

On April 22, 2021, the City Council adopted an Order that Planning report back to the Council in 18 months with how many ADU units were created, a summary of parking issues and any other issues.

2

Permit Tracking



3

Parking Issues and any Other Issues

To date, staff has not received complaints on parking or other items relating to the creation of ADUs. However, staff has received comments relating to potential barriers in the ordinance, as listed below. Staff recommends Council discuss.

- ❖ **Bedroom Restriction**
- ❖ **Owner Occupancy**
- ❖ **Detached Structures**
- ❖ **Utilities on a Single Meter**

4

BEDROOM RESTRICTION
Section 3.2.8.5(m)
The affordable accessory dwelling unit shall not contain more than two (2) bedrooms.

Purpose: Ensure that the affordable ADUs will be accessory to the main home.

Concern: Per the City's Housing Roadmap, the current ADU ordinance presents an issue with Fair Housing considerations, as it limits the number of bedrooms per ADU. While this policy may not have been intended to have a discriminatory effect, it may have a disparate impact towards families with children, a protected class as defined by the Fair Housing Act.

5

Additional restrictions included for the purpose of ensuring that the affordable ADUs are accessory.

Other Restrictions: Section 3.2.8.5

- f. The affordable accessory dwelling unit shall not contain in excess of 900 square feet of habitable space.
- g. The affordable accessory dwelling unit shall not exceed 50% of the gross floor area of the principal dwelling.
- n. The affordable accessory dwelling unit shall be clearly subordinate in use, size and design to the principal dwelling.
- o. The affordable accessory dwelling unit must be capable of being discontinued as a separate dwelling unit without demolition of any structural component of the principal dwelling.

Staff Recommendation: The bedroom limit does not appear to be necessary given that there are four other restrictions that address the accessory nature of ADUs. Furthermore, the requirement could result in a disparate impact on families with children which negates the ordinance's purpose of creating diverse housing options. As such, staff recommends the bedroom limitation be removed.

6

OWNER OCCUPANCY Section 3.2.8.5(h)

.....at least one (1) owner of the residence in which the affordable accessory dwelling unit is created shall reside in one (1) of the dwelling units, either the principal or accessory unit created therein, as a principal place of residence. For the purpose of this section, the "owner" shall be one or more individuals who hold title to the property, or a purchase and sales agreement and for whom the dwelling shall be the primary residence as evidenced by voter registration, tax return or other documentation demonstrating primary residence. Owner occupancy is required for an affordable accessory dwelling unit to be permitted.

Purpose: The requirement for the primary dwelling or the ADU to be owner occupied addresses neighborhood concerns about absentee landlords and flipper investors.

Comments: It has been brought to staff's attention that this requirement prohibits builders from including an ADU in new construction.

Staff Recommendation: Council discuss and inform staff if the Council is in support of revising the owner occupancy requirement to allow for new construction to allow ADUs.

7

DETACHED STRUCTURES Section 3.2.8.5(b)

The affordable accessory dwelling unit shall not be constructed within a new detached accessory building, as defined in subsection 8 of Section 3.2.8.

Purpose: There was a neighborhood concern about...

Comments: The community representative who submitted staff concerns did not mention whether they would build a new structure separately, including one that included an affordable accessory dwelling unit, or an addition within an existing structure. Staff has discussed separate versus addition and is available for the public's questions. Whether affordable accessory dwelling units are prohibited in new structures depends on...

Staff Recommendation: Council discuss and inform staff if the Council is in support of allowing new detached structures...

8

UTILITIES

Section 3.2.8.5(j)

Electricity, water, oil, and gas shall be provided by a single service to both the affordable accessory dwelling unit and the principal dwelling and included in the rent.

Proposed amendments to the City Engineer's Manual require that the principal dwelling and the accessory dwelling unit be provided with a single utility service. The amendments are: 1. for the unit to be provided with a single utility service, and 2. for the unit to be provided with a single utility service.

Conclusion: The City Engineer's Manual requires that the principal dwelling and the accessory dwelling unit be provided with a single utility service. The amendments are: 1. for the unit to be provided with a single utility service, and 2. for the unit to be provided with a single utility service.

Staff Recommendation: The City Engineer's Manual requires that the principal dwelling and the accessory dwelling unit be provided with a single utility service. The amendments are: 1. for the unit to be provided with a single utility service, and 2. for the unit to be provided with a single utility service.

ORDERED: That the meetings of the qualified voters of the City of Salem be held in the several voting precincts in the City at the polling places designated hereinafter on **Tuesday, November 8, 2022**, for the purpose of casting votes in the State Final Election for the candidates of political parties for the following offices:

ORDENÓ: Que las reuniones de los votantes calificados de la Ciudad de Salem se celebren en los varios recintos electorales de la Ciudad en los lugares de votación designados a continuación el martes 8 de noviembre de 2022, con el propósito de emitir votos en la Elección Final Estatal para los candidatos de los partidos políticos para los siguientes cargos:

GOVERNOR and LIEUTENANT GOVERNOR
GOBERNADOR Y VICEGOBERNADOR

FOR THIS COMMONWEALTH
POR ESTE ESTADO

ATTORNEY GENERAL
FISCAL GENERAL

FOR THIS COMMONWEALTH
POR ESTE ESTADO

SECRETARY OF STATE
SECRETARIO DE ESTADO

FOR THIS COMMONWEALTH
POR ESTE ESTADO

TREASURER
TESORERO

FOR THIS COMMONWEALTH
POR ESTE ESTADO

AUDITOR
AUDITOR

FOR THIS COMMONWEALTH
POR ESTE ESTADO

REPRESENTATIVE IN CONGRESS
REPRESENTANTE EN EL CONGRESO

SIXTH DISTRICT
SEXTO DISTRITO

COUNCILLOR
CONCEJAL

FIFTH DISTRICT
QUINTO DISTRITO

SENATOR IN GENERAL COURT
SENADOR DE LA LEGISLATURA ESTATAL

SECOND ESSEX DISTRICT
SEGUNDO DISTRITO DE ESSEX

REPRESENTATIVE IN GENERAL COURT
REPRESENTANTE DE LA LEGISLATURA ESTATAL

SEVENTH ESSEX DISTRICT
SÉPTIMO DISTRITO DE ESSEX

DISTRICT ATTORNEY
FISCAL DE DISTRITO

EASTERN DISTRICT
DISTRITO DEL ESTE

SHERIFF
ALGUACIL

ESSEX COUNTY
CONDADO DE ESSEX

QUESTION 1: PROPOSED AMENDMENT TO THE CONSTITUTION

Do you approve of the adoption of an amendment to the constitution summarized below, which was approved by the General Court in joint sessions of the two houses on June 12, 2019 (yeas 147 -- nays 48); and again on June 9, 2021 (yeas 159 -- nays 41)?

SUMMARY

This proposed constitutional amendment would establish an additional 4% state income tax on that portion of annual taxable income in excess of \$1 million. This income level would be adjusted annually, by the same method used for federal income-tax brackets, to reflect increases

in the cost of living. Revenues from this tax would be used, subject to appropriation by the state Legislature, for public education, public colleges and universities; and for the repair and maintenance of roads, bridges, and public transportation. The proposed amendment would apply to tax years beginning on or after January 1, 2023.

A **YES VOTE** would amend the state Constitution to impose an additional 4% tax on that portion of incomes over one million dollars to be used, subject to appropriation by the state Legislature, on education and transportation.

A **NO VOTE** would make no change in the state Constitution relative to income tax.

PREGUNTA 1: ENMIENDA PROPUESTA A LA CONSTITUCIÓN

¿Aprueba la incorporación de una enmienda a la Constitución, que se resume más abajo, y que recibió la aprobación del Tribunal General de Justicia en sesiones conjuntas de ambas cámaras el 12 de junio de 2019 (afirmativos: 147 - negativos: 48) y, nuevamente, el 9 de junio de 2021 (afirmativos: 159 - negativos: 41)?

RESUMEN

Esta enmienda constitucional propuesta establecería un impuesto estatal sobre la renta adicional del 4% sobre la porción de la renta imponible anual que supere el millón de dólares. Este nivel de ingresos se ajustaría anualmente, mediante el mismo método utilizado para los tramos de impuestos federales sobre la renta, para reflejar los aumentos en el costo de vida. Los ingresos que se obtengan a partir de este impuesto se utilizarían, sujeto a la apropiación de la Legislatura estatal, para la educación pública, facultades y universidades públicas, y para la reparación y el mantenimiento de caminos, puentes y transporte público. La enmienda propuesta se aplicaría a los años fiscales que comiencen a partir del 1 de enero de 2023.

UN VOTO SÍ significaría una enmienda de la Constitución estatal por medio de la cual se impondría un impuesto adicional del 4 % sobre la parte de los ingresos que superen un (1) millón de dólares y cuyo destino sería, sujeto a la apropiación de la Legislatura estatal, la educación y el transporte.

UN VOTO NO no implicaría ningún cambio en la Constitución estatal en lo que respecta al impuesto sobre los ingresos.

QUESTION 2: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would direct the Commissioner of the Massachusetts Division of Insurance to approve or disapprove the rates of dental benefit plans and would require that a dental insurance carrier meet an annual aggregate medical loss ratio for its covered dental benefit plans of 83 percent. The medical loss ratio would measure the amount of premium dollars a dental insurance carrier spends on its members' dental expenses and quality improvements, as opposed to

administrative expenses. If a carrier's annual aggregate medical loss ratio is less than 83 percent, the carrier would be required to refund the excess premiums to its covered individuals and groups. The proposed law would allow the Commissioner to waive or adjust the refunds only if it is determined that issuing refunds would result in financial impairment for the carrier.

The proposed law would apply to dental benefit plans regardless of whether they are issued directly by a carrier, through the connector, or through an intermediary. The proposed law would not apply to dental benefit plans issued, delivered, or renewed to a self-insured group or where the carrier is acting as a third-party administrator.

The proposed law would require the carriers offering dental benefit plans to submit information about their current and projected medical loss ratio, administrative expenses, and other financial information to the Commissioner. Each carrier would be required to submit an annual comprehensive financial statement to the Division of Insurance, itemized by market group size and line of business. A carrier that also provides administrative services to one or more self-insured groups would also be required to file an appendix to their annual financial statement with information about its self-insured business. The proposed law would impose a late penalty on a carrier that does not file its annual report on or before April 1.

The Division would be required to make the submitted data public, to issue an annual summary to certain legislative committees, and to exchange the data with the Health Policy Commission. The Commissioner would be required to adopt standards requiring the registration of persons or entities not otherwise licensed or registered by the Commissioner and criteria for the standardized reporting and uniform allocation methodologies among carriers.

The proposed law would allow the Commissioner to approve dental benefit policies for the purpose of being offered to individuals or groups. The Commissioner would be required to adopt regulations to determine eligibility criteria.

The proposed law would require carriers to file group product base rates and any changes to group rating factors that are to be effective on January 1 of each year on or before July 1 of the preceding year. The Commissioner would be required to disapprove any proposed changes to base rates that are excessive, inadequate, or unreasonable in relation to the benefits charged. The Commissioner would also be required to disapprove any change to group rating factors that is discriminatory or not actuarially sound.

The proposed law sets forth criteria that, if met, would require the Commissioner to presumptively disapprove a carrier's rate, including if the aggregate medical loss ratio for all dental benefit plans offered by a carrier is less than 83 percent.

The proposed law would establish procedures to be followed if a proposed rate is presumptively disapproved or if the Commissioner disapproves a rate.

The proposed law would require the Division to hold a hearing if a carrier reports a risk-based capital ratio on a combined entity basis that exceeds 700 percent in its annual report.

The proposed law would require the Commissioner to promulgate regulations consistent with its provisions by October 1, 2023. The proposed law would apply to all dental benefit plans issued, made effective, delivered, or renewed on or after January 1, 2024.

A **YES VOTE** would regulate dental insurance rates, including by requiring companies to spend at least 83% of premiums on member dental expenses and quality improvements instead of administrative expenses, and by making other changes to dental insurance regulations.

A **NO VOTE** would make no change in the law relative to the regulations that apply to dental insurance companies.

PREGUNTA 2: LEY PROPUESTA POR UNA PETICIÓN DE INICIATIVA

¿Aprueba la ley que se sintetiza más abajo, respecto de la cual el Senado o la Cámara de Representantes votaron “No” el 3 de mayo de 2022 o anteriormente?

RESUMEN

Bajo la ley propuesta, se instruiría al Comisionado de la División de Seguros de Massachusetts a aprobar o desaprobar las tarifas de los planes de beneficios dentales, en tanto que se exigiría que un proveedor de seguro dental se ajuste a un índice de pérdida médica acumulada anual del 83 % en lo que respecta a sus planes de beneficios dentales cubiertos. Con el índice de pérdida médica, se mediría el monto de dólares de prima que destina un proveedor de seguro dental a los gastos dentales de sus miembros y a mejoras en la calidad, en contraposición a los gastos administrativos. En caso de que el índice de pérdida médica acumulada anual del proveedor sea inferior al 83 %, se requeriría que el proveedor reembolse las primas excedentes a sus personas y grupos con cobertura. Bajo la ley propuesta, se permitiría que el Comisionado renuncie a los fondos, o los ajuste, únicamente en caso de que se determine que el hecho de emitir reembolsos tendría como resultado una desventaja económica para el proveedor.

La ley propuesta se aplicaría a los planes de beneficios dentales, independientemente de si los emite directamente un proveedor, lo realiza a través del conector, o por medio de un intermediario. La ley propuesta no aplicaría a los planes de beneficios dentales emitidos, entregados o renovados a un grupo auto asegurado o toda vez que el proveedor actúe en carácter de administrador externo.

Bajo la ley propuesta, se exige que los proveedores que ofrecen planes de beneficios dentales envíen información sobre su índice de pérdida médica, tanto proyectado como actual, gastos administrativos y otro tipo de información financiera al Comisionado. Se exigiría que cada proveedor envíe una declaración financiera anual e integral a la División de Seguros, detallada según el tamaño del grupo del mercado y la línea de negocios. Asimismo, se exigiría que un proveedor que también ofrece servicios administrativos a uno o más grupos auto asegurados presente un anexo junto con su declaración financiera anual con información sobre el negocio auto asegurado. Bajo la ley propuesta, se impondría una penalidad tardía sobre todo proveedor que no presente su informe anual antes del 1 de abril, o en esa fecha.

Se requeriría que la División publique los datos enviados, emita un resumen anual para ser presentado ante ciertos comités legislativos e intercambie datos con la Comisión de Políticas de Salud. Se requeriría que el Comisionado adopte estándares que requieran del registro de personas

o entidades que, de algún otro modo, no cuentan con licencia, o bien, no están registradas por el Comisionado, y criterios para la elaboración y presentación estandarizadas de informes, y para la asignación uniforme de metodologías entre los proveedores.

Bajo la ley propuesta, se permitiría que el Comisionado apruebe políticas de beneficios dentales a los efectos de ofrecerse a personas o grupos. Se requeriría que el Comisionado adopte regulaciones para determinar los criterios de elegibilidad.

Bajo la ley propuesta, se exigiría que los proveedores presenten tarifas base para grupos de productos y los cambios en los factores de calificación grupal que entrarán en vigencia el 1 de enero de cada año o antes del 1 de julio del año anterior. Se requeriría que el Comisionado desapruebe cualquiera de los cambios propuestos en las tarifas base que se consideren excesivos, inadecuados o irrazonables en relación con los beneficios cobrados. Asimismo, se requeriría que el Comisionado desapruebe cualquier tipo de cambio que tenga lugar en los factores de clasificación grupal que sea discriminatorio o no sea lógico a nivel actuarial.

Bajo la ley propuesta, se establecen ciertos criterios que, en caso de cumplirse, requerirían que el Comisionado desapruebe, en forma presunta, la tarifa de un proveedor, incluido si el índice de pérdida médica acumulada para todos los planes de beneficios dentales que ofrece un proveedor sea inferior al 83 %.

Bajo la ley propuesta, se establecerían procedimientos a seguir en caso de que la tarifa propuesta se desapruebe presuntamente, o bien, si el Comisionado desaprueba una tarifa.

Bajo la ley propuesta, se exigiría que la División lleve a cabo una audiencia en caso de que un proveedor informe un índice de capital basado en el riesgo bajo el fundamento de entidad combinada que supere el 700 % en su informe anual.

Bajo la ley propuesta, se exigiría que el Comisionado promulgue regulaciones en consonancia con las disposiciones para del 1 de octubre de 2023. La ley propuesta se aplicaría a todos los planes de beneficios dentales que entren en vigor, se entreguen o renueven a partir del 1 de enero de 2024, inclusive.

UN VOTO SÍ se regularían las tarifas de seguros dentales, incluso al exigir que las compañías destinen, como mínimo, el 83 % de las primas a gastos dentales de los miembros y mejoras en la calidad, en lugar de hacerlo a gastos administrativos, y al implementar otros cambios en las regulaciones de seguros dentales.

UN VOTO NO no se aplicarían cambios en la ley relacionada con las regulaciones que rigen para las compañías de seguros dentales.

QUESTION 3: LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 3, 2022?

SUMMARY

This proposed law would increase the statewide limits on the combined number of licenses for the sale of alcoholic beverages for off-premises consumption (including licenses for “all alcoholic beverages” and for “wines and malt beverages”) that any one retailer could own or control: from 9 to 12 licenses in 2023; to 15 licenses in 2027; and to 18 licenses in 2031.

Beginning in 2023, the proposed law would set a maximum number of “all alcoholic beverages” licenses that any one retailer could own or control at 7 licenses unless a retailer currently holds more than 7 such licenses.

The proposed law would require retailers to conduct the sale of alcoholic beverages for off-premises consumption through face-to-face transactions and would prohibit automated or self-checkout sales of alcoholic beverages by such retailers.

The proposed law would alter the calculation of the fine that the Alcoholic Beverages Control Commission may accept in lieu of suspending any license issued under the State Liquor Control Act. The proposed law would modify the formula for calculating such fee from being based on the gross profits on the sale of alcoholic beverages to being based on the gross profits on all retail sales.

The proposed law would also add out-of-state motor vehicle licenses to the list of the forms of identification that any holder of a license issued under the State Liquor Control Act, or their agent or employee, may choose to reasonably rely on for proof of a person's identity and age.

A **YES VOTE** would increase the number of licenses a retailer could have for the sale of alcoholic beverages to be consumed off premises, limit the number of “all-alcoholic beverages” licenses that a retailer could acquire, restrict use of self-checkout, and require retailers to accept customers' out-of-state identification.

A **NO VOTE** would make no change in the laws governing the retail sale of alcoholic beverages.

PREGUNTA 3: LEY PROPUESTA POR UNA PETICIÓN DE INICIATIVA

¿Aprueba la ley que se sintetiza más abajo, respecto de la cual el Senado o la Cámara de Representantes votaron “No” el 3 de mayo de 2022 o antes?

RESUMEN

Bajo la ley propuesta, se incrementarían los límites estatales respecto de la cantidad combinada de licencias destinadas a la venta de bebidas alcohólicas para consume fuera de las instalaciones (incluidas las licencias para “todas las bebidas alcohólicas” y para “vinos y bebidas con malta”) que podría tener un solo minorista bajo su control y propiedad: de 9 a 12 licencias en 2023; a 15 licencias en 2027, y a 18 licencias en 2031.

A partir de 2023, según la ley propuesta, se establecería en siete (7) la cantidad máxima de licencias para “todas las bebidas alcohólicas” que podría tener un solo minorista

bajo su control o propiedad, excepto que un minorista actualmente tenga más de 7 de dichas licencias.

Bajo la ley propuesta, se requeriría que los minoristas realicen las ventas de bebidas alcohólicas para consumo fuera de las instalaciones por medio de transacciones presenciales, en tanto que se prohibirían las ventas automatizadas o con cajas de autoservicio de bebidas alcohólicas por parte de dichos minoristas.

Bajo la ley propuesta, se modificaría el cálculo de la multa que podría aceptar la Comisión de Control de Bebidas Alcohólicas en lugar de suspender cualquier tipo de licencia emitida de conformidad con la Ley Estatal de Control de Bebidas Alcohólicas. Bajo la ley propuesta, se modificaría la fórmula para calcular dicha tarifa y pasar de basarse en las ganancias brutas derivadas de la venta de bebidas alcohólicas a basarse en las ganancias brutas de todas las ventas minoristas.

Bajo la ley propuesta, también se agregarían las licencias de vehículos motorizados ajenos al estado a la lista de formas de identificación que cualquier titular de una licencia emitida en virtud de la Ley Estatal de Control de Bebidas Alcohólicas, o su agente o empleado, podría elegir como prueba razonable de la identidad y la edad de una persona.

UN VOTO SÍ se incrementaría la cantidad de licencias que podría tener un minorista para la venta de bebidas alcohólicas para consumo fuera de las instalaciones, se limitaría la cantidad de “bebidas totalmente alcohólicas” que podría adquirir un minorista, se restringiría el uso de cajas de autoservicio, y se exigiría que los minoristas acepten identificaciones de los clientes ajenas al estado.

UN VOTO NO no se aplicarían cambios en las leyes que regulan la venta minorista de bebidas alcohólicas.

QUESTION 4: REFERENDUM ON AN EXISTING LAW

Do you approve of a law summarized below, which was approved by the House of Representatives and the Senate on May 26, 2022?

SUMMARY

This law allows Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a standard driver's license or learner's permit if they meet all the other qualifications for a standard license or learner's permit, including a road test and insurance, and provide proof of their identity, date of birth, and residency. The law provides that, when processing an application for such a license or learner's permit or motor vehicle registration, the registrar of motor vehicles may not ask about or create a record of the citizenship or immigration status of the applicant, except as otherwise required by law. This law does not allow people who cannot provide proof of lawful presence in the United States to obtain a REAL ID. To prove identity and date of birth, the law requires an applicant to present at least two documents, one from each of the following categories: (1) a valid unexpired foreign passport or a valid unexpired Consular Identification document; and (2) a valid unexpired driver's license from any United States state or territory, an original or certified copy of a birth certificate, a valid

unexpired foreign national identification card, a valid unexpired foreign driver's license, or a marriage certificate or divorce decree issued by any state or territory of the United States. One of the documents presented by an applicant must include a photograph and one must include a date of birth. Any documents not in English must be accompanied by a certified translation. The registrar may review any documents issued by another country to determine whether they may be used as proof of identity or date of birth.

The law requires that applicants for a driver's license or learner's permit shall attest, under the pains and penalties of perjury, that their license has not been suspended or revoked in any other state, country, or jurisdiction.

The law specifies that information provided by or relating to any applicant or license-holder will not be a public record and shall not be disclosed, except as required by federal law or as authorized by Attorney General regulations, and except for purposes of motor vehicle insurance.

The law directs the registrar of motor vehicles to make regulations regarding the documents required of United States citizens and others who provide proof of lawful presence with their license application.

The law also requires the registrar and the Secretary of the Commonwealth to establish procedures and regulations to ensure that an applicant for a standard driver's license or learner's permit who does not provide proof of lawful presence will not be automatically registered to vote.

The law takes effect on July 1, 2023.

A **YES VOTE** would keep in place the law, which would allow Massachusetts residents who cannot provide proof of lawful presence in the United States to obtain a driver's license or permit if they meet the other requirements for doing so.

A **NO VOTE** would repeal this law.

PREGUNTA 4: REFERÉNDUM SOBRE UNA LEY EXISTENTE

¿Está de acuerdo con la ley que se resume a continuación y que fue aprobada por la Cámara de Representantes y el Senado el 26 de mayo de 2022?

RESUMEN

Esta ley permite a todos los residentes de Massachusetts que no puedan brindar prueba de presencia legal en los Estados Unidos obtener una licencia de conducir o un permiso de aprendiz estándares si reúnen todos los requisitos para solicitar una licencia de conducir o un permiso de aprendiz estándares, incluida una prueba en carretera y un seguro, y que presenten una prueba de su identidad, fecha de nacimiento y residencia. La ley estipula que, cuando se procese una solicitud para la licencia o el permiso de aprendiz mencionados o para registrar un vehículo a motor, el registrador de los vehículos a motor no realizará preguntas ni creará un registro sobre el estado de ciudadanía o inmigración del solicitante, excepto que así lo

requiera la ley. Esta ley no permite que las personas que no puedan brindar prueba de presencia legal en los Estados Unidos obtengan una IDENTIFICACIÓN REAL.

Para probar la identidad y la fecha de nacimiento, la ley exige que el solicitante presente como mínimo dos documentos, uno de cada una de las siguientes categorías: (1) un pasaporte extranjero válido y que no haya vencido o un documento de Identificación Consular válido y que no haya vencido; y (2) una licencia de conducir válida y que no haya vencido de cualquiera de los estados o territorios de los Estados Unidos, el original o una copia del certificado de nacimiento, una tarjeta de identificación nacional extranjera válida y que no haya vencido, una licencia de conducir extranjera válida y que no haya vencido o un certificado de casamiento o una sentencia de divorcio emitida por cualquier estado o territorio de los Estados Unidos. Uno de los documentos que presente el solicitante debe incluir una fotografía y uno debe incluir la fecha de nacimiento. Cualquier documento que no esté en idioma inglés debe estar acompañado por una traducción certificada. El registrador puede revisar todos los documentos emitidos por otro país para determinar si se pueden usar como prueba de identidad o de la fecha de nacimiento.

La ley exige que los solicitantes de una licencia de conducir o de un permiso de aprendizaje certifiquen, bajo apercibimiento de ley, que su licencia no fue suspendida ni anulada en ningún otro estado, país o jurisdicción.

La ley especifica que la información que proporcione un solicitante o titular de la licencia o esté relacionada con dicha persona no será un registro público y no se divulgará, excepto que así lo requiera la ley federal o que esté autorizado por disposiciones de un Fiscal General, y salvo a efectos del seguro del vehículo a motor.

La ley instruye al registrante de los vehículos a motor a cumplir con las disposiciones en relación a los documentos requeridos a ciudadanos de los Estados Unidos y a otras personas que brinden una prueba de presencia legal junto con su solicitud de la licencia.

La ley también requiere que el registrante y el Secretario de la Mancomunidad establezcan los procedimientos y las disposiciones para garantizar que un solicitante de una licencia de conducir o permiso de aprendizaje estándares que no brinde prueba de presencia legal no sea registrado automáticamente para votar.

La ley entra en vigencia el 1.º de julio de 2023.

UN VOTO SÍ mantendría vigente la ley que permite a los residentes de Massachusetts que no pueden brindar prueba de presencia legal en los Estados Unidos obtener una licencia de conducir o un permiso si reúnen los demás requisitos.

UN VOTO NO revocaría esta ley.

AND BE IT FURTHER ORDERED: That the following places be and hereby are designated as polling places for said meetings:

Y ADEMÁS ORDENARSE: Que los siguientes lugares sean y por la presente se designen como lugares de votación para dichas reuniones:

WARD ONE / DISTRITO UNO

Precinct 1 Bentley Academy Gymnasium, 25 Memorial Drive
Recinto 1 Gimnasio, Escuela Bentley Academy, 25 Memorial Drive
Precinct 2 Community Room, 135 Lafayette Street
Recinto 2 Sala Comunitaria, 135 Lafayette Street

WARD TWO / DISTRITO DOS

Precinct 1 & 2 Community Life Center, 401 Bridge Street
Recinto 1 & 2 Centro De Vida Comunitaria, 401 Bridge Street

WARD THREE / DISTRITO TRES

Precinct 1 & 2 Salem High School Auditorium, 77 Willson Street
Recinto 1 & 2 Auditorio, Salem High School, 77 Willson Street

WARD FOUR / DISTRITO CUATRO

Precinct 1 & 2 Witchcraft Heights School Gymnasium, 1 Frederick Street
Recinto 1 & 2 Gimnasio, Escuela Witchcraft Heights, 1 Frederick Street

WARD FIVE / DISTRITO CINCO

Precinct 1 & 2 Saltonstall School Auditorium, 211 Lafayette Street
Recinto 1 & 2 Auditorio, Escuela Saltonstall, 211 Lafayette Street

WARD SIX / DISTRITO SEIS

Precinct 1 & 2 Bates School Gymnasium, 53 Liberty Hill Avenue
Recinto 1 & 2 Gimnasio, Escuela Bates School, 53 Liberty Hill Avenue

WARD SEVEN / DISTRITO SIETE

Precinct 1 & 2 Salem State Enterprise Center, 121 Loring Avenue
Recinto 1 & 2 Salem State Enterprise Center, 121 Loring Avenue

AND BE IT FURTHER ORDERED: That the polls at said meetings be opened at 7:00 a.m. and closed at 8:00 p.m. and that the City Clerk be instructed to post this notice as required by law.

Y ADEMÁS ORDENARSE: Que las urnas en dichas reuniones se abran a las 7:00 a.m. y se cierren a las 8:00 p. m. y que se le indique al Secretario Municipal que publique este aviso según lo exige la ley.



CITY OF SALEM

In City Council October 13, 2022

ORDERED: That the Ralph Eleaser Whiteside Earl portrait of Andrew Jackson in the Salem City Council Chambers be temporarily relocated to the Josephine Fusco City Council Anteroom until such time as a permanent location for this painting may be secured.

And be it further Ordered that the City Council Committee on Government Services co-posted with the Committee of the Whole convene a meeting following the relocation to discuss and determine a possible permanent location of the painting and then refer the matter back to the full City Council with a recommendation.

City of Salem

In City Council, October 13, 2022

Resolution of the Salem City Council in opposition to the Peabody gas plant.

WHEREAS, too much of Massachusetts' energy comes from fossil fuels that pollute and endanger our air and water and contribute to the climate crisis. The rationale for "peaker plants" is to mitigate the stress on our power grid, which will be alleviated by expansion of renewables such as solar & wind of our energy portfolio and yet this plant is about to be built in the middle of an environmental justice community and within 2 miles of 7 more; and

WHEREAS, Salem was the first community in Massachusetts to pass a 100% clean energy resolution and we've passed resolutions supporting carbon pricing. We are already enduring the effects of the climate crisis and are attempting to do our part, but are dependent on our state and surrounding communities to do theirs so we can all enjoy a safe environment for future generations; and

WHEREAS, the new plant will emit nearly 51,000 tons of the carbon dioxide, a greenhouse gas, into the atmosphere every year - the equivalent of adding 11,000 combustion engine cars to Massachusetts' roads each year, require the installation of a natural gas compressor to increase natural gas pressure, a 90-foot smokestack and a 2,500 to 7,500 new tank to hold aqueous urea, spew tons of particulate matter into a region located within half a mile of at least two designated environmental justice areas including Salem and commit ratepayers to paying for 30 years of high priced capacity, at a time when lower cost and cleaner alternatives are readily available. Children growing up in zip codes containing a fuel-fired power plant have higher rates of hospitalization for asthma and respiratory infections than those in zip codes without a power plant; and

WHEREAS, we are concerned that MEPA is not following through on its mission to study the environmental impacts of projects and mitigate damage to the environment. The first and only public meeting for the community to ask questions and raise concerns about the project was held 2 months ago and the proposed peaking power plant in Peabody did not undergo the complete Environmental Impact Study process when it was filed in 2015; and

WHEREAS, Salem is an environmental justice community and is relying on the State to follow through on the mandate of the Next Generation Roadmap for Massachusetts Climate Policy to protect ours and other environmental justice communities; and

We, THEREFORE, strongly and urgently oppose the construction of the plant and urge the Governor and Secretary of Energy & Environmental Affairs to reopen the MEPA process and do a full environmental impact review.

BE IT FURTHER RESOLVED that the Clerk for the Salem City Council send confirmed copies of this Resolution to: Governor Charles Baker, Secretary of Energy & Environmental Affairs Bethany Card, Director of Massachusetts Environmental Policy Act Office Tori Kim, Representative Paul Tucker, Senator Joan Lovely, Salem Mayor Kim Driscoll



CITY OF SALEM

In City Council

October 13, 2022

That the November and December meetings be combined to be held on Thursday, November 17, 2022 and Thursday, December 8, 2022 (which will also include the tax rate).



CITY OF SALEM

In City Council October 20, 2022

ORDERED: That the Committee of the Whole meet to review and discuss updates the Rules and Orders of the City Council, sections 1-36.



City of Salem, Massachusetts

Police Department Headquarters

95 Margin Street

Salem, Massachusetts 01970

(978) 744-2204

CHIEF OF POLICE

LUCAS J. MILLER

October 1, 2022

Salem City Council
City Hall
93 Washington Street
Salem, Massachusetts 01970

Dear City Council Members,

In accordance with Chapter 32, Article 5, Section 32-121, of the Code of Ordinances of the City of Salem, the Salem Police Department respectfully requests authority to install video surveillance cameras or have access to the camera systems at the following locations:

- Access to the camera system at the South Harbor and Witch City Mall parking garages allowing the Department the ability to monitor them and deter criminal activity.
- Installation of cameras at the Salem Willows parking lots allowing the Department the ability to monitor traffic/traffic congestion and deter criminal activity.
- Access to the camera system at the Forest River Pool allowing the Department the ability to monitor the area and deter criminal activity.
- Installation of cameras along the Footprint Harbor Walk allowing the Department the ability to monitor the area for pedestrians and to deter criminal activity.

Per the Ordinance, the above listed security cameras will record video feed only; audio recording will not be conducted. Additionally, public notice of the installation and operation of video cameras will be published on social media and through the installation of signage at the specific locations identified above.

It is my belief that installation of / access to video surveillance cameras at the above locations will assist this Department in preventing criminal acts and should such acts occur, to take appropriate action.

Sincerely,

A handwritten signature in black ink, appearing to read "Lucas J. Miller".

Lucas J. Miller
Chief of Police



KIMBERLEY DRISCOLL
MAYOR

TOM DANIEL, AICP
DIRECTOR

CITY OF SALEM, MASSACHUSETTS

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

98 WASHINGTON STREET ♦ SALEM, MASSACHUSETTS 01970
TELE: 978-619-5685

October 13, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

RE: Framework of a Tenant Protection Ordinance

Ladies and Gentlemen of the City Council:

At the City Council meeting on February 24, 2022, the City Council unanimously adopted an order authorizing the City of Salem to enact a tenant protection ordinance for buildings containing two or more residential units. The home rule petition, H4453 is currently being reviewed by the state legislature.

In the interim, staff has been working with the Affordable Housing Trust Fund Board on the framework of a tenant protection ordinance. In April, a survey was distributed to over 8,000 households to request feedback. Over 200 residents responded to the survey, more than half of the responses were from renters.

On September 13, 2022, the Affordable Housing Trust Fund Board voted to submit an order for the Committee of the Whole to receive a presentation on the proposed framework of the tenant protection ordinance. To that end, staff is requesting the opportunity to attend a Committee of the Whole meeting to present the framework and to request input.

If you have any questions, please contact me at achiancola@salem.com or 978-619-5685.

Sincerely,

Amanda Chiancola, AICP
Deputy Director

Cc: Affordable Housing Trust Fund Board
Mayor Driscoll
Tom Daniel, DPCD Director

City of Salem

In the year Two Thousand and Twenty-two

An Ordinance to regulate weapons in City buildings.

Be it ordained by the City Council of the City of Salem, as follows:

SECTION 1. A new section of the City of Salem Code of Ordinances, Chapter II-Administration, Article IX. - Public Property, Division 1, Section 2-1532, Regulation of Weapons in Public Buildings is hereby enacted as follows:

“Section 2-1532. Possession of Weapons in City Buildings

No person, other than a sworn officer of the Commonwealth or the United States, a member of the military service on active duty performing official duties, or a sworn municipal or county public safety official having a license to carry firearms, shall in any part of City Hall or other municipal buildings, have possession of any dangerous weapon, which term shall include any firearm, and any item described in paragraphs (b) or (c) of Section 10 of Chapter 269 of the General Laws, unless authorized by the Director of Public Property or the Chief of Police. Any person violating the provisions hereof shall be punished by a fine of two hundred (\$200.00) dollars to be recovered through noncriminal disposition in accordance with Chapter 40, Section 21A of the General Laws of Massachusetts.”

SECTION 2. This ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022

Adopted for first passage and referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

In City Council October 13, 2022

Adopted as amended for second passage

ATTEST:

ILENE SIMONS
CITY CLERK

City of Salem

In the year Two Thousand and Twenty-Two

An Ordinance to ensure safe access to legally-protected reproductive and gender-affirming health care services

Section 1. Chapter 2 Administration is hereby amended by adding a new Article XVIII Ensuring Safe Access to Reproductive Health Care

“ARTICLE XVIII – ENSURING SAFE ACCESS TO LEGALLY-PROTECTED HEALTH CARE

Section 2-2064. Definitions

As used in this Article the definitions below apply to the following words and phrases:

‘Abusive litigation’, litigation or other action to deter, prevent, sanction or punish any person engaging in legally-protected health care activity that is: (i) filed or prosecuted in any state other than the commonwealth where liability, in whole or part, directly or indirectly, is based on legally-protected health care activity that occurred in the commonwealth, including any action in which liability is based on any theory of vicarious, joint or several liability derived therefrom; or (ii) an attempt to enforce any order or judgment issued in connection with any such action by any party to the action or any person acting on behalf of a party to the action; provided, however, that a lawsuit shall be considered to be based on conduct that occurred in the commonwealth if any part of any act or omission involved in the course of conduct that forms the basis for liability in the lawsuit occurs or is initiated in the commonwealth, whether or not such act or omission is alleged or included in any pleading or other filing in the lawsuit

‘City agent’, any employee of the City of Salem, whether full time or part time, regular or seasonal, any intern or volunteer when acting on behalf of the City of Salem, any contractor for the City of Salem while a contract between the City of Salem and said contractor is in effect, and any recipient of City funding, grants, awards, or appropriations.

‘Gender-affirming health care services’, all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature relating to the treatment of gender dysphoria.

‘Legally-protected health care activity’, (i) the exercise and enjoyment, or attempted exercise and enjoyment, by any person of rights to reproductive health care services or gender affirming health care services secured by the constitution or laws of the commonwealth; or (ii) any act or

omission undertaken to aid or encourage, or attempt to aid or encourage, any person in the exercise and enjoyment, or attempted exercise and enjoyment, of rights to reproductive health care services or gender-affirming health care services secured by the constitution or laws of the commonwealth, or to provide insurance coverage for such services; provided, however, that the provision of such a health care service by a person duly licensed under the laws of the commonwealth and physically present in the commonwealth, and the provision of insurance coverage for such services, shall be legally protected if the service is permitted under the laws of the commonwealth, regardless of the patient's location.

'Reproductive health care services', all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature relating to pregnancy, contraception, assisted reproduction, miscarriage management or the termination of a pregnancy.

Section 2-2065. Purpose

To ensure the city of Salem protects all individuals' access to legally-protected health care services.

Section 2-2066. Preamble

Access to reproductive health care services and gender-affirming health care services is recognized and declared to be a right secured by the constitution and laws of the commonwealth. Interference with this right, whether or not under the color of law, is against the public policy of the commonwealth. The City of Salem, as a corporation of the commonwealth, has a responsibility to codify protections to ensure safe access to reproductive and gender-affirming health care services.

Section 2-2067. Policy

- (a) Information related to the provision of reproductive health care services or gender-affirming health care services for any person, including individuals who are not residents of the City of Salem or the Commonwealth of Massachusetts, held by any city agent in their capacity as a city agent shall be kept confidential and shall not be subject to the disclosure provision of the Public Records Law pursuant to G. L. c. 4, § 7(26)(c).
- (b) Acting in their capacity as a city agent, no city agent may furnish information, assistance, or aid to any person or jurisdiction for the purposes of prohibiting, criminalizing, sanctioning, authorizing a person to bring a civil action against, or otherwise interfering with a person, entity or carrier that seeks, receives, causes, aids in access to, aids or abets or provides, or attempts or intends to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities. Additionally, no city resources, materials, or funds shall be so used.

- (c) No city agent may in their capacity as a city agent furnish information, assistance, or aid to any person or jurisdiction when such information, assistance, or aid is knowingly intended for use in abusive litigation as defined in this article. Additionally, no city resources, materials, or funds shall be so used.
- (d) No person, regardless of residency or citizenship status, shall be held in custody by the Salem Police Department for seeking, receiving, causing, aiding in access to, aiding or abetting or providing, or attempting or intending to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities, except as required by the order of a court of competent jurisdiction. This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under the laws of the Commonwealth if committed in this Commonwealth. Notwithstanding the general prohibition of this section, agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.
- (e) Any person held in custody by the Salem Police Department shall not be remanded, transferred, or extradited to another jurisdiction for having sought, received, caused, aided in accessing, aided or abetted or provided, or attempted or intended to seek, receive, cause, aid in access to, aid or abet, or provide reproductive health care services or gender-affirming health care services, if such services are legally-protected health care activities, except as required by the order of a court of competent jurisdiction. This restriction shall not apply to any investigation or proceeding where the conduct that is subject to potential liability under the investigation or proceeding initiated in or by the other State would be subject to civil or criminal liability or professional sanction under the laws of the Commonwealth if committed in this Commonwealth. Notwithstanding the general prohibition of this section, agencies and individuals acting on their behalf may provide information or assistance in connection with such an investigation or proceeding in response to the written request of a person who is the subject of such an investigation or proceeding.

Section 2-2068. Violations

- (a) Any city employee found to have violated this article shall be subject to the progressive discipline policies of the City of Salem and any applicable fines pursuant to section 1-10 of this Code.

(b) Any city contractor found to have violated this article shall be subject to review and potential termination of contract and any applicable fines pursuant to section 1-10 of this Code.

(c) Any recipient of city funds found to have violated this article shall cease to receive any further city funds for a period of twelve (12) months from the violation and shall repay any city funds received between the date of the violation and twelve (12) months prior and any applicable fines pursuant to section 1-10 of this Code.

Section 2-2069. Severability

As provided in section 1-9 of this Code, the sections, paragraphs, sentences, clauses and phrases of this article are severable, and if any phrase, clause, sentence, paragraph or section of this article shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this article."

Section 2. This Ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022
Adopted for first passage

ATTEST:

**ILENE SIMONS
CITY CLERK**

City of Salem

In the year ~~two thousand and~~ Twenty-two

An Ordinance to amend an Ordinance relative to Traffic, Chapter 42, Section 50B, "Handicap Zones, Limited Time"

Be it ordained by the City Council of the City of Salem, as follows:

Section 1.

Repeal - In Front of #11 English Street for a distance of 20 feet, "Handicap Parking, Limited Time, Tow Zone"

Section 2. This Ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022
Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK

City of Salem

In the year ~~two-thousand~~ and ~~Twenty-two~~

An Ordinance to amend an Ordinance relative to Traffic, Chapter 42, Section 50B, "Handicap Zones, Limited Time"

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. In Front of #5 Chase Street for a distance of 20 feet, "Handicap Parking, Limited Time, Tow Zone"

Section 2. This Ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022
Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK

City of Salem

In the year two thousand and ~~Twenty-two~~

An Ordinance to amend an Ordinance relative to Traffic, Chapter 42,
Section 50B, "Handicap Zone Limited Time"

Be it ordained by the City Council of the City of Salem, as follows:

Section 1.

In Front of #38 Lawrence Street for a distance of 20 feet, "Handicap
Parking, Limited Time, Tow Zone"

Section 2. This Ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022
Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK

City of Salem

In the year Two Thousand and Twenty-Two

An Ordinance Relative to Traffic

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Section 75 of Article V-A shall be amended by repealing the following:

Paradise Avenue – Parking Prohibitions Towing Zone (Resident Sticker) in its entirety, in a westerly direction, odd numbered side of the street only. Resident Sticker Parking, Tow Zone

Section 2. Section 51 of Article V shall be amended by inserting the following:

Paradise Avenue – Parking Prohibited on certain streets in its entirety, northerly side.

Section 3. This ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022
Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK

City of Salem

In the year Two Thousand and Twenty-Two

An Ordinance Relative to Traffic

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Section 13 of Article I be amended by repealing the following:

Boston Street – Service Zones – on the easterly side of Boston Street at No. 100 for a distance of thirty (30) feet as marked by signs. (6/6/61 DPW 10684)

Boston Street – Service Zones – on the easterly side of Boston Street at No. 74-76 Boston Street, for a distance of thirty (30) feet as marked by signs.

Boston Street – Service Zones - on the easterly side of Boston Street at No. 98 Boston Street for a distance of thirty feet (30) as marked by signs. (7/31/56 DPW 7777)

Boston Street – Service Zones – on the northeasterly side of Boston Street, beginning at the southwesterly property line at No. 80 and extending in a northwesterly direction for a distance of eighty (80) feet. (6/4/63 DPW 11850)

And inserting:

Boston Street – Service Zones – on the easterly side of Boston Street, beginning at a point one hundred and twenty-eight (128) feet north of the intersection with Bridge Street, and running in a northerly direction for a distance of sixty (60) feet.

Section 2. Section 13 of Article I be amended by repealing the following:

Bridge Street – Service Zones – easterly side, beginning at a point fifteen (15) feet from the intersection of Lathrop Street and extending in a southwesterly direction for a distance of thirty (30) feet as marked by signs. (3/31/77 DPW 5-1270)

Bridge Street – Service Zones – easterly side, beginning at a point fifty-six (56) feet from the intersection of Osgood Street in a southwesterly direction for a distance of twenty-five (25) feet. (12/3/84 DPW E5-258-2484)

Bridge Street – Service Zones – in front of #51 for a distance of seventy two (72) feet. (30 minute parking") (7-20-99)

Bridge Street – Service Zones – on the easterly side of Bridge Street at No. 41 Bridge Street for a distance of thirty (30) feet as marked by signs. (7/19/60 DPW 10175)

Bridge Street – Service Zones – on the easterly side of Bridge Street, beginning at a point sixty-five (65) feet from the southeasterly corner of Cromwell Street, and extending in a southerly direction for a distance of forty-five (45) feet. (1/3/72 DPW 5-527)

Bridge Street – Service Zones – on the easterly side of Bridge Street, beginning at a point twenty (20) feet south of the intersection of Bridge Street and Barton Street and extending in a northerly direction for a distance of forty-four (44) feet. (5/7/69 DPW 5-203)

Bridge Street – Service Zones – on the northerly side of Bridge Street at No. 101 Bridge Street for a distance of thirty (30) feet as marked by signs. (4/13/72 DPW 5-549)

Bridge Street – Service Zones – on the northerly side of Bridge Street at No. 44 for a distance of twenty (20) feet as marked by signs. (2/13/53 not approved by DPW)

Bridge Street – Service Zones – on the southeasterly side of Bridge Street at No. 103 for a distance of thirty (30) feet as marked by signs. (3/27/62 DPW 11135)

Bridge Street – Service Zones – on the westerly side of Bridge Street, beginning at a point seventy-two (72) feet north of the intersection of Ames Street and extending northerly for a distance of twenty-five (25) feet as marked by signs. (10/23/67 DPW 5-8)

Canal Street – Service Zones – easterly side beginning at a point twenty (20) feet from the corner of Ropes Street and extending fifty (50) feet in a northerly direction. (4/24/75 DPW 5-1017)

Canal Street – Service Zones – on the easterly side of Canal Street beginning at a point one hundred and sixty-one (161) feet south of Ropes Street and extending forty-five (45) feet in a southerly direction. (12/8/65 DPW 13277)

Canal Street – Service Zones – westerly side, starting at a point one hundred twenty-four (124) feet south of the intersection of Canal Street and Mill Street and extending in a southerly direction for a distance of fifty (50) feet. No Parking Service Zone. (5/10/78 DPW 5-1428)

Central Street – Service Zones – on the easterly side of Central Street for a distance of nineteen and one-half (19 ½) feet, extending northerly from the police station driveway as marked by signs.

Central Street – Service Zones – on the northeasterly side of Central Street, for a distance of forty-four (44) feet from the junction of New Derby Street. (12/20/60 DPW 10430)

Central Street – Service Zones – westerly side beginning at the corner of Derby Street and running in a northerly direction for a distance of twenty (20) feet. (11/8/76 DPW 5-1231)

Cleveland Street – Service Zones – on the northerly side of Cleveland Street at No. 10 for a distance of thirty (30) feet as marked by signs. (8/19/64 DPW 12546)

Congress Street – Service Zones – easterly side, beginning at a point ~~one~~ hundred (100) feet from the intersection of Derby Street and Congress Street ~~and~~ continuing for a distance of seventy (70) feet in a southerly direction. (10/30/72 DPW 5-633)

Congress Street – Service Zones – easterly side, for a distance of forty (~~40~~) feet from the southeasterly side of the bridge. (9/1/81 DPW 5-2005) (5/9/~~88~~) (1-10-13)

Congress Street – Service Zones – on the easterly side of Congress Street, beginning at a point one hundred (100) feet from Lynch Street and extending thirty (30) feet in a northerly direction. (2/28/69 DPW 5-191)

Congress Street – Service Zones – westerly side, starting at a point forty-two (42) feet from the intersection of Dow Street, for a distance of twenty-nine (~~29~~) feet, in a southerly direction. (11/30/83 DPW 5-2360)

Crombie Street – Service Zones – on the easterly side of Crombie Street, beginning at a point seventy-eight feet southerly from Essex Street and extending for a distance of fifty (50) feet in a southerly direction as marked by signs.

Derby Street – Service Zones – at No. 283 Derby Street of a frontage of twenty-five (25) feet. (10/10/52 Not approved by DPW)

Derby Street – Service Zones – eastbound in front of #201, for a distance of twenty (20) feet. (11-13-2001)

Derby Street – Service Zones – on the northerly side of Derby Street, beginning at the corner of Liberty Street and extending in an easterly direction for a distance of one hundred (100) feet. (7/16/69 DPW 5-235)

Derby Street – Service Zones – on the southerly side of Derby Street for a distance of forty (40) feet, extending easterly from Kosciuszko Street as marked by signs.

Derby Street – Service Zones – on the southerly side of Derby Street for a distance of forty (40) feet, extending westerly from Turner Street as marked by signs.

Endicott Street – Service Zones – on the southerly side of Endicott Street beginning at the easterly lot line of No. 21 and extending in a westerly direction a distance of fifty (50) feet as marked by signs. (6/11/54 Not approved by DPW)

Essex Street – Service Zones – northerly side, beginning fifteen (15) feet from the corner of Sewall Street and proceeding twenty (20) feet in a westerly direction. (5/9/88)

Essex Street – Service Zones – on the westerly side of Essex Street for a distance of twenty (20) feet, extending from a point two hundred and fifteen (215) feet from Webb Street, in a southerly direction. (9/5/72 DPW 5-600)

Essex Street – Service Zones – on the westerly side of Essex Street, for a distance of thirty-five (35) feet extending from a point two hundred (200) feet from Webb Street in southerly direction. (11/30/70 DPW 5-397)

Federal Street – Service Zones – on the southeasterly side of Federal Street for a distance of fifty-seven (57) feet running in a northwesterly direction beginning at a

point three hundred eighty-seven (387) feet from Washington Street. (8/20/73 DPW 5-754)

Federal Street – Service Zones – westerly side, beginning at a point fifty (50) feet from the intersection of Washington Street and Federal Street and continuing for a distance of thirty (30) feet in a southerly direction. (2/13/75 DPW 5-992)

Federal Street – Service Zones – 10 Federal Street, westbound on the northerly side beginning one hundred seventy-five (175) feet from the intersection with St. Peter Street and proceeding fifty-two (52) feet in a westerly direction to the driveway at 10 Federal Street. (currently two (2) metered spaces). (4/27/06)

Flint Street – Service Zones – easterly side beginning sixty-three (63) feet from the southerly side of Harrington Court for a distance of forty-four (44) feet, in a southerly direction. (6/26/75 DPW 5-1041)

Fort Avenue – Service Zones – in front of the business at #153 Fort Avenue for a distance of twenty (20) feet. (4/25/02)

Front Street – Service Zones – northerly side, beginning at a point one hundred and fourteen (114) feet from the intersection of Front Street and Washington Street and extending in an easterly direction for a distance of thirty (30) feet. (5/31/78 DPW 5-1433)

Gedney Street – Service Zones – on the northerly side of Gedney Street, beginning at a point one hundred and ninety (190) feet from Margin Street, in a westerly direction for a distance of forty (40) feet. (11/5/73 DPW 5-785)

Goodhue Street – Service Zones – westerly side, starting at a point seventy (70) feet from the northerly side of the driveway located at No. 18 Goodhue Street and extending in a northerly direction for a distance of thirty-five (35) feet. (1/7/80 DPW 5-1716)

Harrison Avenue – Service Zones – on the easterly side of Harrison Avenue at No. 1 Harrison Avenue, for a distance of thirty (30) feet as marked by signs. (7/31/56 DPW 7777)

High Street – Service Zones – on the westerly side of High Street adjacent to property at #20 High Street. (7/31/56 DPW 7777)

Highland Avenue – Service Zones – northerly side of Highland Avenue, beginning one hundred ten (110) feet from the intersection of Proctor Street and running twenty (20) feet easterly. No parking Service Zone 2:00 P. M. to 5:00 P. M., Monday through Friday. (8/13/90)

Jefferson Avenue – Service Zones – easterly side beginning at a point two hundred and seventy-five (275) feet in a northerly direction from Lawrence Street and continuing for forty (40) feet as marked by signs and painted curbing. (4/25/74 DPW 5-840)

Lafayette Street – Service Zones – on the westerly side of Lafayette Street beginning at a point one hundred and fifteen (115) feet from the intersection of

"Meier Hall Drive" and Lafayette Street and continuing for a distance of twenty-five (25) feet in a northerly direction. (4/14/92)

Lafayette Street – Service Zones – westerly side, beginning at the intersection of Ward Street and Lafayette Street and running in a northerly direction to the intersection of Peabody Street and Lafayette Street for a distance of ninety-three (93) feet. (5/27/76 DPW 5-1169)

Leach Street – Service Zones – northerly side, beginning at the intersection of Leach Street and Lafayette Street for a distance of forty (40) feet, in an easterly direction. (4/16/85 DPW E5-258-2528) (5/9/88)

Leach Street – Service Zones – on the northerly side of Leach Street at number No. 79 for a distance of thirty (30) feet as marked by signs.

Loring Avenue – Service Zones – on the northerly side of Loring Avenue, from a point twenty-two (22) feet from the westerly side of Broadway in a westerly direction for a distance of twenty-five (25) feet as marked by signs. (8/14/62 DPW 11342)

Margin Street – Service Zones – from Endicott Street in an easterly direction to a distance of sixty (60) feet. (4/2/82 DPW 5-2112)

Margin Street – Service Zones – on the westerly side of Margin Street, beginning at a point one hundred thirty (130) feet from Endicott Street in a southerly direction, for a distance of one hundred forty-five (145) feet in a southerly direction. (5/22/73 DPW 5-713)

Mason Street – Service Zones – on the southeasterly side of Mason Street, beginning at a point twenty-six (26) feet south of North Street and extending southwestward for a distance of thirty-five (35) feet as marked by signs. (9/2/52 Not approved by DPW)

Mason Street – Service Zones – on the southerly side of Mason Street at No. 67 for a distance of thirty (30) feet. (7/31/56 DPW 7777)

New Derby Street – Service Zones – on the northerly side of New Derby Street, starting at a point ninety-five (95) feet westerly from the corner of Lafayette Street, and continuing westerly for a distance of twenty (20) feet. (6/8/56 Not approved by DPW)

Ocean Avenue – Service Zones – on the southerly side of Ocean Avenue at No. 31 for a distance of thirty (30) feet as marked by signs.

Peabody Street – Service Zones – on the southerly side of Peabody Street, beginning at a point seventy (70) feet east of Lafayette Street and extending forty-five (45) feet in an easterly direction.

Planters Street – Service Zones – on the northerly side of Planters Street, beginning at a point thirty (30) feet from the easterly side of Bridge Street, and extending in an easterly direction for a distance of eighty (80) feet. (12/5/61 DPW 10932)

Raymond Road – Service Zones – on the easterly side of Raymond Road at No. 1 for a distance of seventy-two (72) feet. (5/17/60 DPW 10096)

Ward Street – Service Zones – from Congress Street to Lafayette Street, in a westerly direction.

Ward Street – Service Zones – on the southerly side of Ward Street, beginning at a point sixty-three (63) feet east of Lafayette Street and extending forty (40) feet in an easterly direction. (2/28/69 DPW 5-191)

Washington Square North – Service Zones – on the westerly side of Washington Square North for a distance of thirty (30) feet extending northerly from Essex Street as marked by signs. (12/12/52 Not approved by DPW)

Washington Square South – Service Zones – on the southerly side of Washington Square South, beginning at the easterly property line of No. 38 Washington Square South and extending in an easterly direction for a distance of eighty-eight and one half (88½) feet, as marked by signs. (12/18/67 Not approved by DPW)

Washington Street – Service Zones – easterly side, from a point beginning ten (10) feet from the northerly corner of New Derby Street and extending northerly at a distance of fifty (50) feet between signs. This space shall be marked "Service Zone". (9/8/88)

Washington Street – Service Zones – on the easterly side of Washington Street, for a distance of thirty (30) feet extending southerly from the entrance of First National Stores parking space as marked by signs.

Washington Street – Service Zones – on the westerly side of Washington Street, beginning at a point forty-eight (48) feet from the northerly junction of Lynde Street, and extending for a distance of thirty (30) feet in a northerly direction as marked by signs. (2/8/71 DPW 5-420)

Washington Street – Service Zones – westerly side, beginning at a point forty (40) feet from the southerly junction of E

And inserting:

Church Street – Service Zones – on the southerly side of Church Street, beginning at a point three hundred and five (305) feet east of Washington Street, and extending eastward for seventy (70) feet.

New Derby Street – Service Zones – on the northerly side of New Derby Street, beginning at a point one hundred and sixty-five (205) feet east of the intersection with Washington Street, and extending eastward fifty-five (55) feet.

New Liberty Street – Service Zones – on the westerly side of New Liberty Street, beginning two hundred and thirty (230) feet south of Brown Street, and extending sixty-five (65) feet to the south.

Central Street – Service Zones – on the easterly side of Central Street, beginning at a point one hundred and sixty (160) feet north of Derby Street, and extending forty (40) feet to the north, Monday through Saturday, 7:00 a.m. to 4:00 p.m.

Section 3. Section 13 of Article I be amended by repealing the following:

Federal Street – Service Zones – northerly side starting at a point of three hundred thirty-eight (338) feet west of St. Peter Street, in a westerly direction for twenty (20) feet in front of #20 Federal Street. (5/8/14)

And replacing it with:

Federal Street – Service Zones – on the northerly side of Federal Street, starting at a point three hundred and twenty-eight (328) feet west of St. Peters Street, and extending westward for one hundred and two (102) feet.

Section 4. Section 13 of Article I be amended by repealing the following:

Washington Street – Service Zones – #118, westerly side starting at a point of fifty-two (52) feet south of the junction of Essex Street, extending in a northerly direction for a distance of twenty (20) feet, "Service Zone". (4/26/07)

And replacing it with:

Washington Street – Service Zones – on the westerly side of Washington Street, beginning at a point twenty-two (22) feet south of Essex Street, and extending southward for forty-five (45) feet, Monday through Saturday, from 7:00 a.m. to 4:00 p.m.

Section 5. Section 13 of Article I be amended by repealing the following:

Central Street – Service Zones – in front of the Salem Fraternity Building. (10/13/98)

And replacing it with:

Central Street – Service Zones – in front of 15 Central Street.

Section 6. Section 13 of Article I be amended by repealing the following:

Lynde Street – Service Zones – beginning twenty-five (25) feet from Washington Street, in a westerly direction on the southerly side, for a distance of forty (40) feet. "Service Zone, thirty (30) minute limit."

And replacing it with:

Lynde Street – Service Zones – beginning twenty-five (25) feet from Washington Street, in a westerly direction on the southerly side, for a distance of forty (40) feet, Monday through Saturday, from 7:00 a.m. to 4:00 p.m.

Section 7. This ordinance shall take effect as provided by City Charter.

In City Council September 15, 2022
Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK

City of Salem

In the year two thousand and twenty two

An Ordinance to amend an Ordinance relative to Ch. 8 – Dogs

Be it ordained by the City Council as follows:

Section I. Article II Dogs, Division 1. GENERALLY by adding as a preamble:

“ This chapter is adopted pursuant to the authority of M.G.L. c. 140, §§ 136A to 137A, inclusive, and any other relevant statutes and regulations promulgated pursuant thereto. The purpose of this chapter is to establish regulations for the keeping of dogs in the City of Salem. The definitions of all words and terms used herein shall be as set forth in M.G.L. c.140, §§ 136A to 137A.”

Section II. Sec. 8-35 – Restraint Required subsection (c) is hereby amended by striking “\$25.00” and inserting with “\$50.00”.

Section III. Sec 8-77 - Penalty for violation is hereby amended by deleting in the first sentence “ fine of \$25.00 for a first offense” and replacing with “ fine of \$50.00”.

Section IV. By creating the following Article and sections

Article III. WILD ANIMALS, WILDLIFE AND BIRDS

DIVISION 1 - GENERALLY

Sec. 8.78 - Authority and Purpose

The purpose of these updates is to further protect the health and well-being of our wildlife, domesticated animals and our residents; and to minimize the disruption of our wildlife's natural feeding patterns.

Sec. 8-79. - Feeding of Wild Animals, Wildlife, And Birds

(a) Feeding of wild animals and/or wildlife is prohibited on city owned land.

(1). No person shall feed, bait, or in any manner provide access to food to any wild animal or birds within City of Salem on city owned land.

(2). No person shall leave or store any refuse, garbage, food product, pet food, forage product or supplement in a manner that would constitute an attractant to any wild animal or wildlife on city owned land.

(3). No person shall fail to take remedial action to avoid contact or conflict with wild animals, which may include the securing or removal of outdoor trash, cooking grills, or any other food source or product.

(b) Feeding of wild animals and/or wildlife on private property.

(1). The feeding of songbirds and other backyard birds shall be permitted on private property subject to the following conditions:

(a). Birds shall only be fed from bird feeders. It is strongly encouraged that bird feeders shall be installed at least five feet above the ground with catch basins.

(b). The feeding of wildlife is prohibited due to the detrimental effect it has on their health and the disruption and conflict it causes to their natural feeding patterns.

(c). Feeding that creates an unreasonable disturbance that affects the safety of surrounding property owners by attracting excessive rodents and other wildlife and renders other persons insecure in the use of their property is not permitted.

8.80 - Enforcement.

Inspectional services, Health Department and Board of Health, and/or animal control officer or designee shall enforce the provisions of this chapter.

8.81 - Penalties.

Any person violating any provision of this chapter shall be liable to a fine not less than twenty-five dollars or more than one hundred dollars for each offense.

Section V. This Ordinance shall take effect as provided by City Charter

In City Council September 15, 2022
Adopted for first passage

ATTEST:

ILENE SIMONS
CITY CLERK