



# Watertown City Council

Administration Building  
149 Main Street  
Watertown, MA 02472  
Phone: 617-972-6470

## ELECTED OFFICIALS:

Mark S. Sideris,  
Council President

Vincent J. Piccirilli, Jr.,  
Vice President &  
District C Councilor

John M. Airasian,  
Councilor At Large

Caroline Bays,  
Councilor At Large

John G. Gannon,  
Councilor At Large

Anthony Palomba,  
Councilor At Large

Nicole Gardner,  
District A Councilor

Lisa J. Feltner,  
District B Councilor

Emily Izzo,  
District D Councilor

## JOINT COMMITTEES ON PUBLIC WORKS AND RULES & ORDINANCES MEETING

**MONDAY, OCTOBER 17, 2022 AT 6:00 PM**

**RICHARD E MASTRANGELO COUNCIL CHAMBER  
ADMINISTRATION BUILDING, 149 MAIN STREET**

## AGENDA

### ACCESS INFORMATION:

A. The meeting will be televised through WCATV (Watertown Cable Access Television):

<http://vodwcatv.org/CablecastPublicSite/?channel=3>

B. The Public may join the virtual meeting online: <https://watertown-ma.zoom.us/j/89073830758>

C. The Public may join the virtual meeting audio only by phone: (877) 853-5257 or (888) 475-4499 (Toll Free) and enter Webinar ID: 890 7383 758

D. The Public may comment through email: [apalomba@watertown-ma.gov](mailto:apalomba@watertown-ma.gov)

1. Call to Order
2. Meeting Discussion - Action
  - A. Continue Discussion to Make Recommendations on a Sidewalk Snow Shoveling Ordinance
3. Adjournment

**Watertown Ordinance.**

**SUBCHAPTER II Snow and Ice Removal**

**§ 96.25 Snow and ice on public way.**

[1982 Code, Ch. VII, § 5; amended Ord. 90, passed 12-10-1991; amended Ord. 4, passed 1-28-1992; amended Ord. 38, passed 5-13-1997; amended Ord. 13, passed 3-11-2003]

No person or entity, regardless of its ownership, tenancy, or other status or relationship to any real property, nor any agent, employee, contractor, or servant of any such person or entity, shall place, throw, plow or in any way move, any snow or ice onto any portion of the city's streets and ways. Without limiting the generality of the foregoing, streets and ways shall include the vehicular pavement, sidewalks, ramps, islands, and medians, whether or not used by vehicles or pedestrians. Notwithstanding the foregoing, however, this section shall not be construed to prohibit owners or lawful occupants of residential premises from placing snow and ice on the sidewalks immediately adjacent to the driveway opening as long as a minimum 42 inch pathway along the sidewalk, or the full width of the sidewalk if narrower, is provided for passage within 24 hours of cessation of snow, sleet or freezing rain.

**§ 96.26 Removal of snow and ice on sidewalks by abutting property owners**

[Ord. 39, passed 5-13-1997]

**(A)** Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**SIDEWALK**

That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, paved and intended for the use of pedestrians.

**SMALL RESIDENTIAL PROPERTY**

Any residential property with one, two or three residential units contained within.

**(B)** Snow and ice to be removed from sidewalks by abutting property owners.

**(1)**

**(a)** In order to provide for safe pedestrian passage and universal access, abutting property owner shall remove and clear away, or cause to be removed and cleared away, snow and ice from a path of at least 42 inches, or to the full width of the sidewalk if narrower, from that portion of the sidewalk which abuts their property. For properties abutting sidewalks with curb cuts, ramps, and other access points, the abutting property owner shall provide unimpeded access to the street.

**(b)** Except as provided in (B)(2), snow, and ice shall be removed from sidewalks within 24 hours of cessation of snow, sleet or freezing rain.

**(2)** In the event that snow and ice on a sidewalk have become so hard that it cannot be removed without likelihood of damage to the sidewalk, the abutting property owner shall, within the time mentioned in this section, cause enough sand or melting agent to be put on the sidewalk to make travel thereon reasonably safe, and thereafter, as soon as weather permits, shall cause a path to be cleared of such snow and ice of at least 42 inches in width, or to the full width of the sidewalk if narrower.

(3) In the event of a declaration of a State of Emergency by the Governor, applicable to an area of the Commonwealth which includes the City of Watertown, as a result of snow, sleet or freezing rain, the provision of this section shall be suspended for a period of 24 hours after the cessation of the fall of such snow, sleet or freezing rain or until the end of the State of Emergency, whichever is the latest to occur. The City Manager may extend the deadlines set forth above as conditions may warrant.

**§ 96.27 Enforcement of snow and ice removal.**

[1982 Code, Ch. VII, § 5(C); amended Ord. 90, passed 12-10-1991; amended Ord. 4, passed 1-28-1992; Ord. 39, Sec. C(2), passed 5-13-1997; amended Ord. O-2016-47, passed 8-9-2016]

**(A)** The City Manager, the Superintendent of Public Works, all Watertown police officers, the Code Enforcement Officer, and any other city employees from time to time designated by the City Manager, are empowered and authorized to enforce § 96.25 and § 96.26.

**§ 96.99 Penalty.**

[1982 Code, Ch. VIII, § 24; 1982 Code, Sec. 5(B); amended Ord. 90, passed 12-10-1991; amended Ord. 4, passed 1-28-1992; Ord. 39, passed 5-13-1997; amended Ord. O-2016-47, passed 8-9-2016]

(A) And (B) unchanged

**(C)** Anyone violating § 96.26 of this chapter shall be fined as follows:

**(1) For Small Residential Projects**

- a. First Violation: documented warning
- b. Second Violation: \$50 shall be imposed
- c. Third and Subsequent Violations: \$100 shall be imposed for the third and all subsequent violations in the same winter season

**(2) All Other Properties**

- a. First Violation: documented warning.
- b. Second Violation: \$100 shall be imposed
- c. Third Violation: \$200 shall be imposed

**d.** Fourth and Subsequent Violations: \$300 shall be imposed for a fourth and all subsequent violations during the same winter season.

**(D).** Exemptions. The City Manager may issue Regulations providing exemptions from this Section for residents who are unable to meet the physical requirements of this section, particularly for low income elderly or disabled residents, or for other unusual circumstances.

**(E)** These penalties may be enforced by non-criminal disposition procedures pursuant to Mass. Gen. Laws Ch. 40, § 21D and § 36.05 of this code.

**(F)** Any person violating any other provision of this chapter shall be punished according to **§ 10.99** of this code.

## Sidewalk Snow Shoveling Exemptions

DRAFT: 4-22-22

### **Regulations for Exemptions from Watertown Ordinance, SUBCHAPTER II Snow and Ice Removal, § 96.26 Removal of snow and ice on sidewalks by abutting property owners**

The Watertown City Manager or designee may exempt certain property owners from the requirements of **§ 96.26 Removal of snow and ice on sidewalks by abutting property owners** for reasons of physical and financial limitations that prevent them from clearing snow from abutting sidewalks. Applicants must be over 65 OR have a disability, AND be income eligible, and must show proof. Income limits are set at 50% of median income as determined by HUD and updated from time to time. Acceptable proof of income includes a copy of SNAP EBT card, MassHealth Card, fuel assistance authorization, Watertown property tax exemption, or other income limited program, or your most recent tax return showing gross household income. Proof of disability includes information from a doctor or other health care provider, or SSDI documentation. All members of the household must be qualified.

The City Manager or designee may also exempt property owners and properties from the requirements of § 96.26 for other unusual or extenuating circumstances including physical constraints of the property.

Application for Exemption is available online or from the Council on Aging. Call 617 972-6490. Certified exemptions will be kept at the Zoning Office for enforcement. The Recreation Department may also be able to provide shoveling assistance.

#### **HUD Income Limits 2021**

Household size	1	2	3	4	5
Very Low Income (50% of median)	\$47,000	\$53,700	\$60,400	\$67,100	\$72,500