

COMMITTEE ON ORDINANCES - July 9, 2019

**MEETING AT 7:00 PM, City Hall, 133 William Street, New Bedford, MA City Council Chambers -
Room 214**

AGENDA

1. WRITTEN MOTION, Councillor Lopes requesting that the Committee on Ordinances begin the process of drafting and approving an Ordinance that would require multi-state and national chain stores that are 10,000 square feet or larger begin phasing out the use of single-use plastic bags in the City of New Bedford; said Ordinance would require multi-state and national chain stores that are 10,000 square feet or larger adhere to the proposed Ordinance that prohibit from providing lightweight, single-use plastic bags to customers in the city of New Bedford by December 31, 2019. (Ref'd 2/14/19)

INVITEES: David Gerwatowski, Legal Counsel Attorney; Mikaela McDermott, City Solicitor; Jamie Ponte, Commissioner, Department of Public Infrastructure

2. COMMUNICATION, Council President Morad, submitting a copy of an email from American Progressive Bag Alliance regarding the City Council's possible Ordinance that would ban the use of plastic bag. (Ref'd 2/28/19)

3. REPORT, Committee on Public Safety and Neighborhoods recommending to the City Council to refer to the Committee on Ordinances Committee the WRITTEN MOTION, Councillor Giesta, requesting that the Committee on Public Safety and Neighborhoods invite Police Chief Joseph Cordeiro, Executive Secretary to the Traffic Commission, Scott Downing and the Commissioner of Inspectional Services, Danny Romanowicz to a meeting to discuss the enforcement and effectiveness of the current Ordinance relative to heavy truck parking in residential zones under Chapter 23, Section 23-23 of the City Code. (Ref'd 12/13/18)

3a. WRITTEN MOTION, Councillor Giesta, requesting that the Committee on Public Safety and Neighborhoods invite Police Chief Joseph Cordeiro, Executive Secretary to the Traffic Commission, Scott Downing and the Commissioner of Inspectional Services, Danny Romanowicz to a meeting to discuss the enforcement and effectiveness of the current Ordinance relative to heavy truck parking in residential zones under Chapter 23, Section 23-23 of the City Code. (Referred to the Committee on Public Safety and Neighborhoods – August 16, 2018; To be Referred to the Committee on Ordinances.) (Ref'd 12/13/18) (4/9/19-tabled)

INVITEES: Laurie Alfonso, Senior Account Clerk, Traffic Commission; Joseph Cordeiro, Police Chief; David Gerwatowski, Legal Counsel Attorney; Danny Romanowicz, Commissioner, Inspectional Services

4. WRITTEN MOTION, Councillor Dunn, requesting, that the Committee on Ordinances explore drafting local codes that prohibit the siting of biosolids, municipal waste, and sewage sludge processing facilities, similar to the proposed Parallel Products facility, within the City of New Bedford going forward. (To be Referred to the

Committee on Ordinances.) (Ref'd 5/23/19)

INVITEES: David Gerwatowski, Legal Counsel Attorney; Mikaela McDermott, City Solicitor; Jamie Ponte, Commissioner, Department of Public Infrastructure; Tracy Wallace

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



Item Title:

WRITTEN MOTION re Single-Use Plastic Bags

Item Detail:

1. WRITTEN MOTION, Councillor Lopes requesting that the Committee on Ordinances begin the process of drafting and approving an Ordinance that would require multi-state and national chain stores that are 10,000 square feet or larger begin phasing out the use of single-use plastic bags in the City of New Bedford; said Ordinance would require multi-state and national chain stores that are 10,000 square feet or larger adhere to the proposed Ordinance that prohibit from providing lightweight, single-use plastic bags to customers in the city of New Bedford by December 31, 2019. (Ref'd 2/14/19)

Additional Information:



Item Title:

COMM re Single-Use Plastic Bags

Item Detail:

2. COMMUNICATION, Council President Morad, submitting a copy of an email from American Progressive Bag Alliance regarding the City Council's possible Ordinance that would ban the use of plastic bag. (Ref'd 2/2819)

Additional Information:

ATTACHMENTS:

Description	Type
2. COMM re Single-Use Plastic Bags	Cover Memo

Begin forwarded message:

Resent-From: <Linda.Morad@newbedford-ma.gov>
From: Erin Graziani <egraziani@plasticsindustry.org>
Date: February 22, 2019 at 6:17:52 PM EST
To: "NewBedfordCityCouncil@newbedford-ma.gov" <NewBedfordCityCouncil@newbedford-ma.gov>
Subject: Plastic Bag Legislation in New Bedford

Dear New Bedford City Council,

I am reaching out on behalf of the American Progressive Bag Alliance (APBA), which represents our country's plastic bag recyclers and manufacturers. I want to offer our organization as a resource to you as the New Bedford City Council considers a plastic bag ban, which has historically resulted in negative, unintended consequences.

As the City Council weighs its options, please feel free to review the attached factsheet and letter plus the quick facts below for more information. We are happy to be a part of the conversation and help inform New Bedford's approach based on our experience with other localities that have passed plastic bag regulations across the U.S.

- Plastic retail bags are 100% recyclable and have a 77.7% reuse rate. When looking at the [full lifecycle of a reusable shopping bag](#), they take far more resources to produce, aren't recyclable at all, and often end up in a landfill anyways. Plastic retail bags are quick and efficient to produce, and they can be dropped off at [nearby recycling locations](#) (including PriceRite, Target, Lowe's, and Walmart).
- Per EPA, plastic retail bags make up one half of one percent of the nation's solid waste. Therefore, plastic bag bans have been shown to have little to no impact on overall litter. In some cases, plastic bag bans have actually resulted in [increased landfill waste](#).
- Banning recyclable plastic bags creates more costs for those who can least afford it: families and seniors on fixed incomes. Small businesses are forced to comply with government regulations that mandate measuring, counting, reporting, and maintaining records related to enforcement of these unnecessary laws.

If we can answer any questions for you or provide you with any additional information, please don't hesitate to reach out.

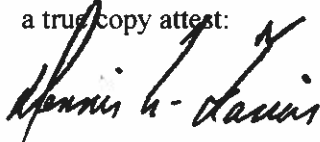
Best regards,
Erin Graziani

Erin Graziani
Communications Manager,
American Progressive Bag
Alliance
d. 202.974.5234 | m.
304.376.2916

IN CITY COUNCIL, February 28, 2019

Referred to the Committee on Ordinances.
a true copy attest:

Dennis W. Farias, City Clerk



City Clerk



Item Title:

WRITTEN MOTION re Heavy Truck Parking in Residential Zones

Item Detail:

3. REPORT, Committee on Public Safety and Neighborhoods recommending to the City Council to refer to the Committee on Ordinances Committee the WRITTEN MOTION, Councillor Giesta, requesting that the Committee on Public Safety and Neighborhoods invite Police Chief Joseph Cordeiro, Executive Secretary to the Traffic Commission, Scott Downing and the Commissioner of Inspectional Services, Danny Romanowicz to a meeting to discuss the enforcement and effectiveness of the current Ordinance relative to heavy truck parking in residential zones under Chapter 23, Section 23-23 of the City Code. (Ref'd 12/13/18)

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Additional Information:

ATTACHMENTS:

Description	Type
3. ORD re Heavy Truck Parking	Cover Memo

Sec. 23-23. - Heavy truck parking in residential zones.

No vehicle which is required under M.G.L.A. c. 90 to have other than a "Class D" license, as well as all tow trucks, also known as wreckers as defined by Webster's Dictionary: Tow Truck/Wrecker: Wreckers an automotive vehicle with hoisting apparatus and equipment for towing wrecked or disabled automobiles, or one that salvages junked automobiles, parts, and materials shall be parked or be left standing within residence zones AA, A, B or C at any time. The prohibition hereby imposed shall not apply to the parking or standing of such a vehicle for the purpose of making pickups or deliveries from or to any building or structure located within such residence districts, or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or construction of any such building or structure for which a building permit has been obtained. This prohibition shall apply not only on public streets but also on private property, driveways and parking areas, except garages.

(Ord. of 1-9-97, § 1; Ord. of 2-6-09, § 1)



Item Title:

WRITTEN MOTION re Processing Facilities

Item Detail:

4. WRITTEN MOTION, Councillor Dunn, requesting, that the Committee on Ordinances explore drafting local codes that prohibit the siting of biosolids, municipal waste, and sewage sludge processing facilities, similar to the proposed Parallel Products facility, within the City of New Bedford going forward. (To be Referred to the Committee on Ordinances.) (Ref'd 5/23/19)

Additional Information:



Item Title:
Accessibility Statement

Item Detail:

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Additional Information: