

**OCTOBER 11, 2018**

**CITY COUNCIL**

**REGULAR MEETING**

**“Know Your Rights Under the Open Meeting Law, M.G.L. Chapter 30A ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.”**

**Assistive Listening System Now Available for City Council Meetings.**

**Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk Ilene Simons at 978-619-5610 or isimons@salem.com.**

A Regular Meeting of the City Council held in the Council Chamber on Thursday, October 11, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on October 9, 2018, at 9:37 A.M. This meeting is being taped and is live on S.A.T.V.

Councillor Dominguez was records as an excused absent.

Council President Gerard presided.

Councillor Milo moved to dispense with the reading of the record of the previous meeting. It was so voted.

President Gerard requested that everyone please rise to recite the Pledge of Allegiance.

**PUBLIC TESTIMONY**

1. Gary Gill, 12 Pope St., Salem not present
2. Ben Winthrop, 3 Essex St., Salem, Kiddie Carnival
3. Jeff Cohen, 12 Hancock St., Salem, Short Term Rentals
4. Justin Whittier, 10 River St., Salem, Overlay District
5. Gary Santo, 25 Washington Sq. N., Salem, Kiddie Carnival
6. Elizabeth Aberg, 10 Forrester St., Salem, Kiddie Carnival
7. Patricia Slam, 9 Forrester St., Salem Kiddie Carnival
8. Russel Slam, 9 Forrester St., Salem, Kiddie Carnival

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**(#602) – REQUEST FOR EXTENDED HOURS FOR HONEY DEW DONUTS, 138 CANAL ST.**

The public hearing for Honey Dew Donuts located at 138 Canal Street for extended hours of operation continue to operate from 5:00 A.M. to 8:00 P.M. Monday through Sunday was moved to remain open until the next meeting on October 18, 2018.

**(#529) – APPOINTMENT OF REBECCA ENGLISH TO THE HISTORICAL COMMISSION**

Held from the last meeting, the Mayor's appointment of Rebecca English to the Historical Commission with a term to expire on March 1, 2019 was confirmed by roll call vote of 10 yeas, 0 nays and 1 absent. Councillor Dibble, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel, and Gerard were all recorded as voting in the affirmative. Councillor Dominguez was recorded as absent.

**#614 – APPROPRIATION FROM RETIREMENT BUYBACK FOR SCHOOL EMPLOYEE, PAUL L'HEUREUX**

The following Order recommended by the Mayor was adopted under suspension of the rules. Councillor Furey moved that a City Seal and letter of thanks be sent to Mr. L'Heureux. It was so voted.

ORDERED: That the sum of Seventy-One Thousand, One Hundred and Seventy-Three Dollars and fifty-four cents (\$71,173.54) be approved within the "Retirement Stabilization Fund – Vacation/Sick Leave Buyback" account to be expended for the FY2019 contractual buyback for a school department employee (Paul L'Heureux)

**#615 – APPROPRIATION TO DPS BURIAL ACCOUNT**

The following Order recommended by the Mayor was adopted under suspension of the rules.

ORDERED: That the sum of Thirteen Thousand (\$13,000.00) is hereby appropriated from the Receipts Reserved Funds listed below to the Department of Public Services Burial Account in accordance with the recommendation of Her Honor the Mayor

<b><u>From</u></b>	<b><u>To</u></b>	<b><u>Amount</u></b>
R/Res Sale of Lots	DPS Burial	\$9,000.00
R/Res Sale of Vaults	DPS Burial	<u>\$4,000.00</u>
	Total	\$13,000.00

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**#616 – DONATION TO THE RECREATION DONATION FUND**

The following Order recommended by the Mayor was adopted.

ORDERED: To accept the donations listed below totaling Two Thousand Eight Hundred Dollars (\$2,800.00). These funds will be deposited into the account listed below in accordance with the recommendation of Her Honor the Mayor

<b><u>From</u></b>	<b><u>Fund Name</u></b>	<b><u>Amount</u></b>
Heidi Cassista	Recreation Donation	\$1,400.00
Tammy Mace	Recreation Donation	<u>\$1,400.00</u>
	Total	\$ 2,800.00

**#617 – PARKING SPACES AT RILEY PLAZA FOR FLAT FEE AND OTHER STREETS FOR HALLOWEEN**

The following Order recommended by the Mayor was tabled by Councillor Milo until the next meeting on October 18, 2018. It was so voted.

ORDERED: The City of Salem metered parking spaces at Riley Plaza, east and west, shall be increased to a flat rate of \$20.00 for 12 hours on the remaining Saturdays and Sundays during the month of October 2018 and for October 31, 2018. Parking spaces on Fort Avenue; Jefferson Avenue from Margin St. to Dove Ave; Canal St. from Mill St. to Roslyn St., and Margin St. shall be increased to a flat of \$10.00 for 12 hours on the remaining Saturdays and Sundays during the month of October 2018 and for October 31, 2018, with the spaces on these streets (exclusive of Riley Plaza) remaining free to Salem residents using a vehicle registered in Salem provided there are no other restrictions, including any resident parking restrictions, that would otherwise prohibit parking. Users of these parking spaces on these days must remit payment via the Passport parking App.

**#618 – AMENDING ZONING ORDINANCE BY ADDING A MUNICIPAL AND RELIGIOUS ADAPTIVE REUSE OVERLAY DISTRICT**

The following Zoning Ordinance Amendment recommended by the Mayor was referred to the Planning Board to hold a joint public hearing with the City Council

ORDINANCE: An Ordinance to amend the Zoning Ordinance by adding an Municipal and Religious Adaptive Reuse Overlay District to facilitate the appropriate reuse of eligible buildings and thereby protect and advance the general public welfare (see below for full ordinance)

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**An Ordinance** to amend the zoning ordinance by adding an Municipal and Religious Adaptive Reuse Overlay District to facilitate the appropriate reuse of eligible buildings and thereby protect and advance the general public welfare.

**Section 1.** Section 8 - Special District Regulations of the City of Salem Zoning Ordinance ("Ordinance") is hereby amended by adding the following new section:

**8.7 Municipal and Religious Reuse Overlay District**

**8.7.1 Purpose.**

In addition to that set out in Section 1.1 of the Ordinance, it is the intent of this Section 8.7 to allow for reuse of municipal properties ("Municipal") and properties used for religious purposes and protected by G.L. c. 40A §3 ("Religious"). This overlay district provides zoning flexibility to allow for such redevelopment, while also facilitating historic preservation, economic development, housing production and environmental sustainability and resilience. When Buildings and Lots in Municipal or Religious use no longer serve such purposes, this Section envisions a process and zoning to allow for reuse, either by a public or private entity, which will best serve the community but will minimize impacts to surrounding neighborhoods.

**8.7.2 Location**

The Municipal and Religious Reuse Overlay District shall apply in all zoning districts to eligible Lots as defined in Section 8.7.3 herein.

**8.7.3 Eligibility**

The Municipal and Religious Reuse Overlay District shall apply to:

1. Any Lot improved with one or more Buildings currently in Municipal or Religious use;
2. Where the Building(s) in Municipal or Religious use and for which a change of use is proposed and the Building(s) is at least 3,000 square feet;
3. Where one or more of the Building(s) in Municipal or Religious use and for which a change of use is proposed is at least fifty (50) years old at the time of application under this Section and
4. Where the applicant seeks to change the use of the Lot and/or Building from Municipal or Religious use to one or more of the uses identified in Section 8.7.5.
5. Public parks shall not be considered in Municipal use for the purpose of this ordinance.

A Building shall be considered currently in Municipal or Religious use if the Building was actively used for at least 20 continuous years, including some point in the last 20 years, for Municipal or Religious purposes immediately preceding an Application under this section.

**8.7.4 Dimensional Requirements**

**Table of Dimensional Requirements**

	<i>Residential Uses or Mixed Use—Existing Buildings</i>	<i>Residential Uses or Mixed Use—New Construction</i>
Minimum lot area (square feet)	2,000	2,000
Minimum lot area per dwelling unit (square feet)	—	500
Minimum lot width (feet)	30	30
Maximum lot coverage by all buildings (percent)	100	50
Minimum width of side yard (feet)	—	standard of the underlying zone
Maximum height of buildings	—	50

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(feet)		
Maximum height of buildings (stories)	—	4*
Maximum height of fences and bordering walls	6	6
Minimum distance between buildings if more than 1 on a lot	Distance shall be equal to the height of the taller building. This distance may be reduced to a distance which is sufficient to provide adequate light, air and access, subject to the approval of the Planning Board. There shall be no requirement for individual row houses sharing a party wall or for existing buildings	

\* For new construction in a flood zone, a ground floor story of parking shall be allowed in addition to the 4 stories.

Any rooftop construction needed for building circulation, drainage, ventilation, utilities, accessibility features or passive recreation shall be excluded from the calculation of building height. New construction that is an addition or alteration to an existing building shall not exceed the height of the existing building or the applicable underlying zoning, whichever is greater. For the purpose of this ordinance, the height shall not include steeples or other ornamental features that are in no way used for living purposes.

To the extent that any eligible Lot and/or existing Building thereon does not conform to the applicable dimensional requirements, the non-conforming Lot and/or existing Building shall be considered legally existing nonconforming for purposes of an application under this Section 8.7. The Planning Board may grant a special permit pursuant to Section 9.4.1 in conjunction with an application made pursuant to this Section 8.7 to partially reconstruct, extend, alter or change a nonconforming Building if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

**8.7.5 Uses Allowed by Special Permit**

The Planning Board, upon a finding that a proposed use is in harmony with the purpose and intent of this Ordinance and Section 8.7, may grant a special permit pursuant to this Section 8.7 and Section 9.4 for one or more of the following uses on a Lot that meets the eligibility requirements of Section 8.7.3; provided, however that Commercial uses may only be located within a multifamily dwelling and may not exceed 30 percent of the gross floor area of said multifamily dwelling. In addition, for any Lot in the B2, B4, I and BPD Districts the Planning Board may grant such special permit only upon finding that the public good will be served and that (1) the residential use would not adversely affect the underlying nonresidential district and (2) the nonresidential uses permitted in the underlying nonresidential district are not noxious to the multi-family use. For any Lot in the R1, R2, R3, and RC Districts the Planning Board may grant such special permit that includes a Commercial use only upon finding that the public good will be served and that the Commercial use would not adversely affect the underlying residential district.

A project proposed under this Section 8.7 may, in addition to a change in use of a Building currently in Municipal or Religious use, authorize the construction of new and expanded Buildings.

**Special Permit Uses:**

1. Dwelling, Multi-family.
2. Meeting and gathering space accessory to a principal use or for use by residents or tenants of a Lot.
3. Artist lofts and living space, studios, workrooms and shops of artists, artisans and craftsmen, where products of the artistic endeavor or craft activity can be for sale on the premises or by specific off-premises commission from a sponsor or client.
4. Banks and savings and loan institutions.
5. Barber shops and beauty parlors.
6. Books, stationery and gift stores.

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7. Business and professional offices.
8. Crafts, related stores selling jewelry, crafts, etc. where production occurs on the premises.
9. Dwelling units above first floor retail, personal service, or office use.
10. Florist shops, but excluding greenhouses.
11. Galleries.
12. Laundromats/dry cleaning establishments.
13. Medical and dental offices.
14. Specialty food stores, including candy store, meat market, delicatessen, or bakery, but not those where food is served for consumption on the premises.
15. Tailor and custom dressmaking shops.
16. All uses permitted as of right or by special permit in the underlying zone or R2 zone.

**8.7.6 Site Plan Review**

Each project submitted hereunder shall require site plan approval under Section 9.5. Absent special circumstances, applications under Section 8.7.5 for a special permit and under 8.7.6 for site plan approval should be filed together for contemporaneous consideration by the Planning Board.

**8.7.7 Historical Commission and Design Review Board Review**

At the time of, or before filing, an application under this Section 8.7, the applicant shall provide a copy of this application to the City of Salem Historical Commission. The Historical Commission shall review the application at a public meeting and shall provide advisory comments to the Planning Board. The Planning Board shall not take final action on an application under this Section 8.7 until it receives written comment on the application from the Historical Commission, or at least forty-five (45) days have passed since delivery by the application of the application to the Historical Commission. Said forty-five (45) day period may be extended by written agreement between the Applicant and Planning Board. For any project in which a new detached building is proposed to be constructed this paragraph shall apply to both the Historical Commission and City of Salem Design Review Board.

Nothing set forth in this Section 8.7.7 is intended to alter or amend the rights and obligations of the Historical Commission pursuant to the G.L. c. 40C.

Failure of an applicant hereunder to timely deliver a copy of the application to the Historical Commission or Design Review Board may be grounds for denial of the application.

**8.7.8 Affordability**

Ten (10%) percent of the total units in any project proposed under this Section 8.7 shall be SHI Eligible Housing as defined by the Massachusetts Department of Housing and Community Development being affordable to a household of one or more persons whose maximum income does not exceed 80% of the area median income, adjusted for household size, or as otherwise established by DHCD guidelines for a period of 99 years as secured by a duly recorded deed restriction. When calculation of the ten (10%) percent of the total units results in a partial unit, the number of required affordable units shall be rounded up to the next whole number.

**8.7.9 Parking and Loading**

For new residential dwelling uses provisions shall be made for not less than one (1) parking space per dwelling unit for existing buildings and one and one-half (1.5) parking spaces per dwelling unit for new construction.

Nonresidential uses shall provide parking in accordance with Section 5.1.8 Table of Required Parking Spaces.

In mixed-use developments, applicants may propose a reduction in total parking requirements based on an analysis of peak demand for non-competing uses. In such cases the parking requirement for the largest of the uses (in terms of parking spaces required) shall be sufficient. An applicant may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Planning Board.

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The parking requirements may be accommodated by either one or a combination of on-site parking and/or parking at municipal or other parking facilities in the vicinity of the Lot. All municipal or other parking facilities which are used to satisfy the parking requirement must meet the following criterion: The parking facility must be less than one thousand (1,000) feet from the Lot as measured in a straight line from the two (2) closest points between the Lot and the parking facility. If using a municipal facility, the owner must purchase an annual parking pass to satisfy the parking requirement.

A new loading zone shall not be required if the existing Building does not have an existing loading zone.

**8.7.10 Conflict**

The provisions of this zoning overlay district are intended to modify the standards otherwise applied to the Lot and Buildings thereon by the underlying district. Unless specifically modified by this Section 8.7, all other existing standards shall apply to the Lot and Buildings.

**8.7.11 Severability**

The provisions of this Section 8.7 are severable. The invalidity of any paragraph, subsection or provision of this Section 8.7 shall not invalidate any other paragraph, subsection or provision hereof.

**#619 – RESOLUTION FOR ROGER LEGER**

The following resolution introduced by Councillor Flynn was adopted.

WHERE AS: Roger Leger, a Ward 4 resident and local Veteran, has been a part of the “No Veteran Dies Alone” program.

WHERE AS: Roger drives to the hospice unit at the Bedford Veterans Affairs hospital to spend time with Veterans in hospice care. He commits about 14 hours a week at the hospice unit visiting veterans, not all of whom are in their final days. One Veteran who has been with hospice for two years due to cancer from being exposed to Agent Orange, a herbicide and defoliant chemical used by the military in warfare during the Vietnam War, appreciates and looks forward to Rogers visits with him. Roger has also been recognized by the Bedford VA for volunteering “thousands of hours” over many years.

WHERE AS: Roger became determined to give back to the veterans after almost dying due to liver complications. He understands their need to connect with someone who truly understands. As a Veteran of the Air Force who served two years in Vietnam, he has been active for years with Veterans groups in the City of Salem, including his position as Commander of the Salem Veterans Council.

WHERE AS: He has taken his own life experiences and used them to help other veterans through their hard times. His dedication, sincerity, and kindness efforts are outstanding qualities. Not only does he volunteer his time to visit with the veterans you can also see him around the City fund raising for the VFW, DAV, and the Salem Veterans Council in the months of May, July and November.

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NOW THEREFORE BE IT RESOLVED: That the City Council of the City of Salem hereby extends to Roger Leger its sincere thanks for his humanitarian efforts to the Veterans.

BE IT FURTHER RESOLVED: That the City Council make this Resolution a matter of these proceedings and that suitable copy along with a City Seal be presented to Roger Leger as a token of respect and appreciation that he so well deserves.

**#620 – INCREASE PATROLS IN THE WITHCRAFT HEIGHTS AREA ON HALLOWEEN**

The following Order was withdrawn.

**ORDERED:** That the Police Department increase patrols in the Witchcraft Heights area and throughout the City on Halloween

**#621 – SALEM ORGANIZATIONS COLLECT FEES AT UNIVERSAL PARKING LOT**

The following Order introduced by Councillor Madore was adopted.

**ORDERED:** Salem Youth Organizations are hereby authorized to staff the parking lot at 297 Bridge Street and collect a parking fee of \$20.00 per vehicle on Halloween night, October 31, 2018 beginning at 6:00 P.M. and that the organization interested in staffing the lot is to schedule this date through the City of Salem's Traffic and Parking Department.

**#622 – TRAFFIC ORDINANCE PARKING PROHIBITED COUSINS STREET**

The following Ordinance introduced by Councillor McCarthy was adopted for first passage.

**ORDINANCE:** An Ordinance to amend an Ordinance relative to Traffic, Chapter 42, Section 51, "Parking Prohibited on Certain Streets"

Be it Ordained by the City Council of the City of Salem, as follows

**SECTION 1.** Chapter 42, Section 51- "Parking Prohibited on Certain Streets" is hereby amended by repealing the following:

Cousins Street – Parking Prohibited – easterly side

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





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- The Planning Board recommends non-owner occupied short-term rentals be allowed by special permit by the Board of Appeals in the NRCC zoning district. The Board recommends moving this cell into *Sec. 8.4.5 Table of Uses – NRCC District* of the Salem Zoning Ordinance with a “BA”.
- The Planning Board recommends by a four (4) to two (2) vote that non-owner occupied short-term rentals be allowed by special permit by the Board of Appeals in the R1 zoning district. Those voting in favor of recommendation were concerned that allowing this use in some, but not all residential zones presents an equity issue. They noted that the special permit process allows the special permit granting authority the ability to deny issuance of a special permit to ‘problem properties’ or in a location that this use is deemed not suitable. They do not agree with the argument that this use is the same as a boarding house or bed and breakfast. The dissenters noted that there are differences between the residential zones and that introducing this type of use in a property is more disruptive in an R1 zone than in an R2 or R3 zone. They noted that there is more turnover in R2 and R3 neighborhoods as well as more rental units.

#### **Section 10.0. Definitions**

Section 10.0 to be revised:

***Non-Owner-Occupied Short-Term Rental:*** A dwelling unit where the owner does not live in either the unit, the building, or otherwise on the property and which was being used as a Short-Term Rental prior to the date the general ordinance, Chapter 15 Short-Term Rentals, was filed with the City Clerk for consideration by the City Council. *A Short-Term Rental is the use of a dwelling unit for residential occupancy for a period of fewer than thirty (30) consecutive calendar days for a fee. A Short-Term Rental may or may not be facilitated through an online booking agent.*

~~***Short-Term Rental:*** A Short-Term Rental is the use of a dwelling unit for residential occupancy for a period of fewer than thirty (30) consecutive calendar days for a fee. A Short-Term Rental may or may not be facilitated through an online booking agent.~~

- The Planning determined it was not necessary to have a definition for a term that is not within the Salem Zoning Ordinance outside of another term’s definition. The Board recommends removing the definition for “Short-Term Rental” and adding the language in italics to the definition of “Non-Owner-Occupied Short-Term Rentals.”

The Zoning Ordinance was adopted as amended for first passage by roll call vote of 10 yeas, 0 nays, 1 absent. Councillor Dibble, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel, and Gerard were all recorded as voting in the affirmative. Councillor Dominguez was recorded as absent.

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Amended to include non-owner occupied short-term rentals be allowed by special permit by the Board of Appeals in the NRCC District with a “BA” (and R1 remain with an “N” and the definitions remain as originally submitted).

In the Year Two Thousand and Eighteen

**An Ordinance** to amend an Ordinance relative to Zoning

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

**Section 3.0 Table of Principal and Accessory Uses**

Amend *Section 3.0 Table of Principal and Accessory Uses* to include the following new uses:

The following uses shall be permitted as set forth in the Table of Principal and Accessory Use Regulations

	RC	R1	R2	R3	B1	B2	B4	B5	I	BPD	NRCC
Non-Owner Occupied Short-Term Rentals	N	N	BA	BA	BA	BA	BA	BA	N	N	BA

**Section 10.0 Definitions**

Amend *Section 10.0 Definitions* to include the following new definitions:

**Non-Owner-Occupied Short-Term Rental:** A dwelling unit where the owner does not live in either the unit, the building, or otherwise on the property and which was being used as a Short-Term Rental prior to the date the general ordinance, Chapter 15 Short-Term Rentals, was filed with the City Clerk for consideration by the City Council.

**Short-Term Rental:** A Short-Term Rental is the use of a dwelling unit for residential occupancy for a period of fewer than thirty (30) consecutive calendar days for a fee. A Short-Term Rental may or may not be facilitated through an online booking agent.

**#625 – COMCAST TO INSTALL A CONDUIT ON NORTHEY STREET**

A hearing was ordered for October 18, 2018 on the petition from Comcast to install a conduit on Northey Street

Deleted: ¶

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**#626 – REQUEST FROM SALEM COMMON NEIGHBORHOOD ASSOCIATION FOR A KIDDIE CARNIVAL**

A request from the Salem Common Neighborhood Association to hold a Children's Fair on the Salem Common on October 20<sup>th</sup> & 21<sup>st</sup> and also October 27<sup>th</sup> & 28<sup>th</sup>, 2018 from 11 am-5pm and for the use of 6 mechanical rides has been granted with the conditions that there only be 5 mechanical rides and the actual hours of operation are from 11AM – 5PM and the conditions set forth by the Police and Fire Chief. Councillor Flynn was recorded as opposed.

**#627 – BLOCK PARTY – SALTONSTALL SCHOOL – SALEM STREET**

A request from Saltonstall School to use the end of Salem Street to hold a Block Party on October 25, 2018 from 5:30 p.m. to 7:00 pm. was granted.

**#628 – ROAD RACE**

A request from the Wicked Running Club to hold a road race (Wicked Frosty Four) and use of city streets on January 1, 2019 was granted.

**#629 – LICENSE APPLICATIONS**

The following license applications were granted

PUBLIC GUIDES:

Terri Saunders, 3 ½ Essex St., Salem  
Kevin Harrington, 11 Mt. Vernon St., Salem  
Michael Keefe, 51 Lafayette St., Salem  
Kenneth Strickland, 210 Hemlock Park Dr., Groton  
Bella Baidak, 21 Water St., Medford  
Maria McQuaid, 51 Lafayette St., Salem

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**#630 - #633 – CLAIMS**

The Following Claims were referred to the Committee on Ordinances, Licenses and Legal Affairs.

Amanda Carrion, 32 Dearborn St., Salem  
Madeleine Jacobs, 11 Cogswell Ave., Cambridge  
Leo Connaghan Jr., 33 March St., Salem  
Kevin Hyde, property manager for, 43 Dow St., Salem

**#552 - SECOND PASSAGE ORDINANCE TRAFFIC – BUS STOPS – CONGRESS STREET**

The matter of a second passage of an ordinance amending traffic Ch. 42 Sec. 11 “Bus Stops”, Congress Street was then taken up. It was adopted for second and final passage.

**An Ordinance to amend an Ordinance relative to traffic Ch. 42 Sec. 11 “Bus Stops**

**Section 1.** Ch. 42, Sec.11 Bus Stops is hereby amended by repealing the following:

Congress Street Bridge – Bus Stops – outbound, southeasterly direction for a distance of one hundred sixty (160) feet starting at the beginning of the Bridge curbing. Near 26 Congress Street. Tour Bus Parking only, Tow Zone.

And replacing it with

Congress Street Bridge – Bus Stops – outbound, southeasterly direction for a distance of one hundred sixty (160) feet starting one hundred fifty (150) feet from the beginning of the Bridge curbing. Tour Bus Parking only, Tow Zone.

**Section 2.** Ch. 42, Sec. 11 Bus Stops is hereby amended by adding the following:

Congress Street – Bus Stop – Inbound, northwesterly direction for a distance of fifty (50) feet beginning eighty-six (86) feet from the intersection of Peabody Street. Tour Bus Parking Only. Tow Zone.

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

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**#587 – SECOND PASSAGE ORDINANCE SHORT TERM RENTALS REGISTRATION FEES**

The matter of a second passage of an ordinance amending Ch. 15 Sec. 15-6 was then taken up. It was adopted for second and final passage.

In the year Two Thousand and Eighteen

**An Ordinance** to amend the Ordinance regarding Short-Term Residential Rentals to allow registration fees for short-term rentals in the City of Salem.

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

**Section 1.** An amendment to **City of Salem Code, Ordinances, PART III, Chapter 15, Section 15-6 Requirements for Short-Term Rentals, Subsection a. Registration**, is hereby enacted to include the following additional language at the end of the subsection:

“To cover the expenses associated with monitoring compliance with the requirements of the ordinance, the Director of Inspectional Services shall be authorized to set an annual registration fee per Short-Term Rental unit, in addition to any fee that may be charged for certificate of fitness inspection(s), not to exceed the pro-rata cost to the City for monitoring and enforcement of this section.”

**SECTION 2.**

This ordinance shall take effect on April 15, 2019.

**#596 – SECOND PASSAGE OF AN ORDINANCE SALEM COMMON POLICY – PROHIBITED ACTIVITIES**

The matter of a second passage of an ordinance amending Ch. 26 Sec. 75 was then taken up. Councillor Sargent’s amendment to include specific associations, dates, times and number of rides did not pass by a roll call vote of 4 yeas, 6 nays and 1 absent. Councilor Dibble, Flynn, Milo and Sargent were recorded as voting in the affirmative. Councillor Furey, Madore, McCarthy, Peterson, Turiel and Gerard were recorded as voting in the negative. Councillor Dominguez was recorded as absent. It was adopted for second and final passage by roll call vote of 9 yeas, 1 nay and 1 absent. Councillors Dibble, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillor Flynn was recorded as voting in the negative and Councillor Dominguez was recorded as absent. A motion for immediate reconsideration in hopes that it does not prevail was made. The motion was denied.

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An Ordinance to amend an Ordinance relative to the Salem Common

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

Section I. Article III Salem Common - Division 2. Prohibited Activities; permitted and non-permitted events Section 26-75 Prohibited Activities; Subparagraph (8) be amended by adding the following to the end of the sentence:

“, except that a Children’s Fair may be held during the month of October with the approval of the City Council.”

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

On the motion of Councillor Furey the meeting adjourned at 8:55 P.M.

ATTEST:

ILENE SIMONS  
CITY CLERK