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2. Authorization for positions
3. Signs, Outdoor display structures & Marquees
4. Gas piping
5. Building Department - employees
6. Building Department - boilers
7. Bereavement Leave for City employees
8. Assistant Assessors

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4. DPW - Department of Public Works
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6. Rel to Sick Leave
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8. Relative to Massage Parlours
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10. Amending R.O. of 1963 Sec. 22-1 Divisions of  
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11. Chapter 20-A Assessment and User Charges for  
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15. Amending R.O. of 1963-Martin Luther King  
Holiday

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- 1 Amending Ordinance re: to Adding Martin Luther Kings Birthday to paid legal holidays
- 2 Revision of Sewer Ordinance
- 3 Amending R.O. of 1963 Bldg. Dept. - Article 25 of Chapter 2
- 4 Amending R.O. of 1963 Sec. 27-2 establishing the Forest Park Historic District
- 5 Amending R.O. of 1963 re: Bldg. & Fire Districts
- 6 Amending R.O. of 1963 re: Spfld Historical Comm.
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- 1 Amending Chap. 20, Sec. 20 of the R.O. of 1963 re: to discharging into the public sewer system
- 2 Amending Chap. 20A of the R.O. of 1963 establishing a Spfld Wastewater Facilities Fund
- 3 Amending Art. XII of R.O. of 1963 re: Reorganization of Law Department
- 4 Amending Chap. 13 R.O. of 1963 re: Alcoholic Beverages
- 5 Amending R.O. of 1963 Section 2-17 re: Residency Requirements
- 6 Amending R.O. of 1963, Chap. 1, Sec. 1-6 re: General Penalty for Violation of Ordinances
- 7 Amending R.O. of 1963 re: Significant Trees
- 8 Sewer Use Fees
- 9 Sewer Use Fees

1 9 7 7

- 1 Amending Chap. 27, Sec. 27-2, of the R.O. of the City of Spfld Chap. 1 1963 re: Lower Maple Historic District
- 2 Amending Chap. 27, Sec. 27-2 of the R.O. of the City of Spfld 1963 re: Ridgewood Historic District
- 3 Re: Dog Fines
- 4 Amending R.O. of 1963 re: Sick Leave and Sick Leave Conversion Upon Retirement or Death
- 5 Amending Chap. 23, Sec. 23-1 of the R.O. of 1963 re: Vehicles Used for Conveyance of Persons for hire, etc.
- 6 Amending R.O. 1963 re: to Horse & Carriages
- 7 Amending R.O. 1963 re: to Horse & Carriages
- 8 Amending Chap. 27, Sec. 27-2 of the R.O. of the City of Spfld 1963 re: Maple Hill Historical District

(OVER)

Amending R.O. 1963 Sec. 22-54 re: Parades and Motorcades

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# City of Springfield

In the Year One Thousand Nine Hundred and Seventy

## AN ORDINANCE

AMENDING CHAPTER 2, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD 1963

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

### ARTICLE XXII

#### HUMAN RELATIONS COMMISSION

Chapter 2, of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by striking therefrom Section 2-145 through Section 2-148 and substituting in place thereof the following new Sections:

"Section 2-145 ESTABLISHMENT; APPOINTMENT AND COMPOSITION; TERM OF OFFICE AND SALARY

There is hereby established a Human Relations Commission in the City of Springfield which shall consist of fifteen members to be appointed by the mayor no more than three of whom shall be non-residents. In the first instance five members shall be appointed for one year; five members shall be appointed for a term of two years; five members shall be appointed for a term of three years; annually thereafter, on or before January 15 of each year, five members shall be appointed for a term of three years. An appointment to fill a vacancy shall be for the unexpired term only of the vacating member. No member of the Commission shall receive any salary for his services rendered to said Commission.

#### Section 2-146 MEETINGS, OFFICERS AND MINUTES

The Human Relations Commission shall hold monthly meetings and shall elect a chairman, vice-chairman and secretary and such other officers it deems necessary. Minutes of the meetings shall be kept by the secretary.

The Human Relations Commission shall hold its annual meeting on the first Thursday in December at which time the officers for the ensuing year shall be elected.

Section 2-147 EXECUTIVE OFFICER

The person occupying the position of Intergroup Relations Specialist as established by the City Council shall serve as the executive officer of the Human Relations Commission. The office of Intergroup Relations shall have the responsibility for providing professional advice and assistance in the planning and development of policies and programs of the Human Relations Commission, and for providing professional leadership in executing and coordinating these policies and programs.

Section 2-148 POWERS AND DUTIES GENERALLY

The powers and duties of the Commission shall be:

- (a) To promote mutual understanding and respect among all racial, religious and nationality groups, and also to prevent and eliminate discriminatory practices against such group.
- (b) To make such studies as necessary to effectuate its general purposes; Disseminate information and educational materials and reports which will assist in the elimination of prejudice, intolerance, inter-group tensions and discrimination; Promote programs in community education and information with the objective of achieving better human relations.
- (c) To receive and investigate complaints of alleged discrimination because of race, creed, color or national origin and eliminate such practices through the process of conference and persuasion. The Commission may refer those complaints which fall within the jurisdiction of the Massachusetts Committee Against Discrimination to that body.
- (d) To inquire into incidents of tension and conflict among or between various racial, religious and nationality groups and to take such action as may be indicated to alleviate such tensions and conflicts.





# City of Springfield

In the Year One Thousand Nine Hundred and Seventy

## AN ORDINANCE

AMENDING CHAPTER 2, SECTION 160, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY EXCEPTING FROM THE MEANING OF "CONTRACTUAL SERVICES" CONTRACTS BY THE SCHOOL COMMITTEE FOR THE TRANSPORTATION OF SCHOOL CHILDREN.

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

Section 160 of Chapter 2 of the Revised Ordinances of the City of Springfield (1963), as amended, is hereby further amended by adding to the end of the last sentence thereof the following words: "... or the awarding of contracts by the school committee for the transportation of school children," so that as amended the sentence reads, "Contractual services, for the purpose of sections 2-153 to 2-174, shall not be construed to mean the hiring of departmental personnel, medical, legal, engineering, technical and other professional services, or awarding and administration of contracts for new public works projects where materials, supplies and equipment are furnished by the contractor as part of his contract, or the awarding of contracts by the school committee for the transportation of school children."

Approved: May 12, 1970

Effective: June 2, 1970

Attest: WILLIAM C. SULLIVAN, City Clerk

- Having inquired into the causes of intergroup tensions and discriminatory practices which may exist, it shall be the duty of the Commission to recommend to the mayor and city council the enactment of such ordinances and other legislation or action as in the judgment of the Commission will eliminate the conditions which cause these practices.
- (f) Inquire into alleged discrimination by any city official or city agency against any individual, corporation, association or racial, religious, or ethnic groups and to develop such programs and techniques designed to bring about elimination of such discrimination.
- (g) The Commission shall act, when requested, in an advisory capacity to the mayor, city council, or any commission or department in respect to city plans or the operations of any city department where questions of differences between citizens involving racial, religious and nationality matters arise.
- The Commission shall serve as a consultant to various groups and agencies in the community and cooperate in educational campaigns devoted to elimination of prejudice, racial or area tensions, intolerance or discrimination.
- (h) Hold conferences, hearings and other special meetings in the interest of constructive resolution of racial, religious, and nationality group tensions, prejudice and discrimination occasioned thereby.
- (i) The City, on behalf of the Commission, may accept grants and donations from foundations and others for the purpose of carrying out Commission functions.
- (j) The Human Relations Commission shall consult with and maintain relations with surrounding cities and towns and shall cooperate with them in the development and implementation of programs designed to foster good human relations.
- The Human Relations Commission shall adopt such rules

and regulations for the conduct of its business as are necessary to effectuate the purpose of this ordinance."

Approved: January 21, 1970

Effective: February 11, 1970

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy

## AN ORDINANCE

### AMENDING ARTICLE XVI OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963

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

Article XVI of the Revised Ordinances of the City of Springfield, 1963, as amended, entitled "Juvenile Delinquency Commission,"

Sections 2-119, 2-120 and 2-121, is hereby further amended by striking out said Article and inserting in place thereof the following new Article XVI:

#### "ARTICLE XVI YOUTH SERVICE COMMISSION

##### Section 2-119 ESTABLISHMENT AND COMPOSITION

There is hereby established in the City of Springfield a Youth Service Commission composed of nine members.

##### Section 2-120 APPOINTMENT AND TERMS OF MEMBERS

The members of the Youth Service Commission shall be appointed by the mayor, one such member from each ward of the City and one at large. All members shall be residents of the City. The term of office shall be co-existent with the mayor who appoints them. The nine members of the commission shall elect a chairman and a secretary and such other officers as they deem feasible.

##### Section 2-121 POWERS AND DUTIES

The Commission shall continuously study the problem of juvenile delinquency in all its aspects in the City; it shall consider and study local conditions conducive to the growth of juvenile delinquency and available sources and agencies to combat its existence and growth, and shall consider all matters bearing directly and indirectly on the elimination of juvenile delinquency in the City.

The Commission shall also take an active part in the planning and implementation of new programs in the prevention, control and treating of juvenile delinquency. It shall, under the advice of its Juvenile Delinquency Specialist, become directly involved in services to all youth when, after thorough study and investigation, it deems that such services are non-existent or inadequate.

The Commission and its staff shall work with any and all agencies, organizations, or individuals in the Springfield community toward the prevention, control, and treatment of juvenile crime.

Prior to December fifteenth of each year, the Commission shall make an Annual Report, together with its recommendations, to the Mayor and such other reports to the mayor and the City Council as they may, from time to time, deem advisable.

Section 2-121A JUVENILE DELINQUENCY SPECIALIST

The Youth Service Commission shall engage the services of a Juvenile Delinquency Specialist under the provisions of Chapter 31 of the General Laws, who shall be skilled in professional social work involving administrative responsibility in the field of juvenile delinquency. He shall be responsible for providing professional advice and assistance in the planning and development of policies and programs of the Youth Service Commission and for providing professional leadership in exercising and coordinating these programs. He shall be charged with the supervision of assigned personnel.

Approved: July 21, 1970

Effective: August 11, 1970

Attest: WILLIAM C SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy

## AN ORDINANCE

### AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, CHAPTER 10

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

Chapter 10 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by

deleting from said Chapter 10 the following sections:

#### "Section 10-7 ASSISTANT ASSESSOR - APPOINTMENT AND TERM.

There shall be appointed by the board of assessors, before the last day of December in each year, assistant assessors to the number decreed necessary by the board, who shall hold office for one year from the first day of January in the year following their appointment.

#### Section 10-8 SAME - RESIDENCE REQUIREMENTS: CLASSES: COMPENSATION

The assistant assessors shall be resident citizens of the city. The assistant assessors may be divided by the board of assessors into three classes, designated as classes A, B and C. Assistant assessors belonging to each class shall receive the following compensation: Assistant assessors in class A, ten dollars per day; assistant assessors in class B at the current rate for clerk and typist; and assistant assessors in class C at the current rate for principal clerk.

Section 10-9 SAME -- CORRECTIONS OF OMISSIONS.

Each assistant assessor shall, whenever called upon by the board of assessors to do so, remedy any defect or omission in his work without extra compensation.

Section 10-10 SAME - WHEN TO COMMENCE WORK.

Each assistant assessor shall on the first day of January in each year begin the work of his office and shall prosecute such work with all reasonable dispatch until the same is completed."

Approved: September 22, 1970

Effective date: October 13, 1970

Attest: WILLIAM C SULLIVAN, City Clerk

# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-



## AN ORDINANCE

AMENDING CHAPTER 11, ARTICLE V, SECTION 11-21  
OF THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD, 1963.

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

Chapter 11, Article V, Section 11-21 of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by striking out said Section 11-21 in its entirety and inserting in lieu thereof the following new Section 11-21.

"Section 11-21. PARKING TIME LIMITS AND REQUIRED DEPOSITS.

During the hours that parking time limit restrictions are in effect, the fee to be deposited in a parking meter adjacent to a parking meter space shall be as follows:

In those zones restricted to a maximum of thirty minutes of parking, one nickel each fifteen minutes.

In those zones restricted to a maximum of sixty minutes of parking, one nickel for thirty minutes or two nickels for sixty minutes of parking.

In those zones restricted to a maximum of two hours of parking, four nickels for two hours, or two nickels for one hour.

The number of minutes for which parking will be permitted in any zone shall be set by order of the council"

Approved: January 19, 1971

Effective Date: February 9, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-

## AN ORDINANCE

AMENDING CHAPTER 13 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, AS AMENDED, BY  
ADDING A NEW SECTION 13-22

Be it ordained by the City Council of the City of Springfield  
as follows:

Chapter 13 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto the following new section:

"Section 13-22

1. A committee to be known as "Committee on Adult Classified Movies" is hereby established.
2. The Committee on Adult Classified Movies shall consist of three members, each of whom is to be appointed by the Mayor. One member shall be a member of the City Council and the other two members shall be residents of Springfield. Such member of the committee as the Mayor shall designate shall serve as chairman of the committee. The appointment of all members shall be for a term of one year.
3. The committee shall have as its purpose the viewing of the adult classified movies and the reporting forthwith to the District Attorney for the County of Hampden of its recommendations as to the obscenity of movies viewed by the committee.

Approved: February 4, 1971

Effective: February 25, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING CHAPTER 10, ARTICLE II, SECTION 10-11 OF  
THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD

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

Chapter 10, Article II, Section 10-11 of the Revised Ordinances of the City of Springfield, 1963, as amended is hereby further amended by striking out paragraphs (a), (b) and (c) and inserting in place thereof the following new paragraphs numbered (a), (b) and (c) setting forth a revised schedule for the fees to be charged for licenses granted and registrations filed under the provisions of sections 9, 13 and 14 of chapter 148 of the Massachusetts General Laws as amended:

"(a) To manufacture, keep, store and use crude petroleum or any of its products, any explosive or inflammable fluid or any inflammable compound:

1 to 2,000 gallons or 1 to 8,000 pounds.....	\$15.00
2,001 to 5,000 gallons or 8,001 to 40,000 pounds.....	\$25.00
5,001 to 10,000 gallons or 40,001 to 80,000 pounds.....	\$30.00
10,001 to 20,000 gallons or 80,001 to 1,600,000 pounds.....	\$40.00
in excess of 20,000 gallons of 1,600,000 pounds.....	\$50.00

(b) To manufacture, keep, store, use and sell petroleum or any of its products, any explosive or inflammable fluid or any inflammable compound:

1 to 1,000 gallons or 1 to 8,000 pounds.....	\$ 15.00
1,001 to 5,000 gallons or 8,001 to 40,000 pounds.....	\$ 25.00
5,001 to 10,000 gallons or 40,001 to 80,000 pounds.....	\$ 40.00
10,001 to 30,000 gallons or 80,001 to 240,000 pounds.....	\$ 60.00
30,001 to 50,000 gallons or 240,001 to 400,000 pounds.....	\$ 80.00
50,001 to 100,000 gallons or 400,001 to 800,000 pounds.....	\$100.00
100,001 to 200,000 gallons or 800,001 to 1,600,000 pounds...	\$120.00
200,001 to 500,000 gallons or over 1,600,000 pounds.....	\$150.00
500,001 to 1,000,000 gallons.....	\$250.00
over 1,000,000 gallons.....	\$500.00

(c) When the license covers crude petroleum or any of its products or other inflammable liquids to be stored in the tanks of motor vehicles, the fees shall be as follows:

"1 to 4 vehicles .....	\$ 2.00
5 to 10 vehicles .....	\$ 5.00
11 to 50 vehicles .....	\$ 10.00
51 to 100 vehicles .....	\$ 20.00
101 to 500 vehicles .....	\$ 30.00
501 to 1,000 vehicles .....	\$ 50.00
over 1,000 vehicles .....	\$100.00"

Approved: June 8, 1971

Effective: June 1, 1971

ATTEST: William C. Sullivan, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING ARTICLE II, CHAPTER 22, SECTION 17,  
OF THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD, 1963, AS AMENDED

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

Article II., Chapter 22, Section 17, of the Revised  
Ordinances of the City of Springfield, 1963, as amended  
is hereby further amended by adding at the end thereof  
the following words: "or by the City Planning Director  
or the City Engineer" so that as amended said Section 17  
reads as follows:

"Whenever a new street, or an alteration,  
widening, change of grade, discontinuance or  
location anew of an existing street is wanted  
in the city, application therefor shall be  
made by petition in writing to the city council  
signed by not less than six inhabitants of the  
city or by the City Planning Director or the  
City Engineer."

Approved: September 10, 1971

Effective Date: October 1, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING ARTICLE XXIII, CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963

Be it ordained by the City Council of the City of Springfield as follows:

Article XXIII, Chapter 2 of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by inserting after Chapter 2-179 the following new section:

"SECTION - 2-179A

SALE OF LAND-TAX TITLE

The custodian of tax title property shall publish a notice in a daily newspaper at least fourteen (14) days prior to public sale of tax title property including land of low value; publication shall state the date, time, place of sale, a description of the land to be sold, and the number and street of such land; and further that the custodian of tax title property shall forthwith furnish to the City Council through the City Clerk a copy of the publication."

Approved:           October 13, 1971

Effective:          November 3, 1971

Attest:             WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING SECTION 2-40 OF CHAPTER 2 OF THE  
REVISED ORDINANCES OF THE CITY OF SPRINGFIELD,  
1953, AS AMENDED.

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

Section 2-40 of Chapter 2 of the Revised Ordinances of the  
City of Springfield, 1953, as amended, is hereby further amended  
striking therefrom the third, or last, paragraph, which reads:

"The provisions of this section shall not apply to  
building tradesmen and helpers of the City whose rate  
of pay is determined with reference to the prevailing  
rate of pay paid to non-municipal employees in similar  
trades."

and substituting therefor the following paragraph:

"The provisions of this section shall not apply to  
building tradesmen of the City whose rate of pay is  
determined according to the wages being paid to non-  
municipal union building tradesmen employed in  
private industry in the City of Springfield."

Approved: October 12, 1971

Effective: November 2, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING CHAPTER 19 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED  
BY ADDING THERETO SECTION 19-14.

Be it ordained by the City Council of the City of Springfield as follows:

Chapter 19 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto a new Section 19-14, as follows:

Section 19-14. Hours of Employment and Working Conditions of Building Tradesmen.

The hours of employment and working conditions of building tradesmen shall be the same as the hours of employment and working conditions that are set forth in the contracts in effect in the City of Springfield between private employers and non-municipal employed union building tradesmen to the same extent as if the building tradesmen were employed in private industry."

Approved: October 12, 1971

Effective: November 2, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield *Chap. 92*

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING SECTION 2-42 OF CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

Be it ordained by the City Council of the City of Springfield as follows:

Section 2-42 of Chapter 2 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking therefrom the first sentence thereof, which reads:

"All city employees excepting (a) building tradesmen and helpers in any departments now receiving the prevailing rate of pay paid by private employers to employees performing similar work and (b) members of the police and fire departments for whom provision is made by other laws, shall be entitled to a holiday with pay on each of the ten legal holidays enumerated in this section."

and substituting therefor the following sentence:

"All city employees excepting (a) building tradesmen in any departments whose rate of pay is determined according to the wages being paid to non-municipal union building tradesmen in private industry in the City of Springfield, (b) members of the police and fire departments for whom provision is made by other laws, shall be entitled to a holiday with pay on each of the ten legal holidays enumerated in this section."

Approved:            October 12, 1971

Effective:           November 2, 1971

Attest:              WILLIAM C. SULLIVAN, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING SECTION 19-12 OF CHAPTER 19 OF THE  
REVISED ORDINANCES OF THE CITY OF SPRINGFIELD,  
1963, AS AMENDED.

Be it ordained by the City Council of the City of  
Springfield as follows:

Section 19-12 of Chapter 19 of the Revised Ordinances of  
the City of Springfield, 1963, as amended, is hereby further  
amended by striking out the said section in its entirety and  
substituting therefor the following new section:

Section 19-12

The superintendent of public buildings shall employ such  
janitors, firemen, engineers, building tradesmen, mechanics  
and all other labor for the proper care, maintenance and  
operation of property in his charge, and in accordance with  
the ordinances or orders of the city council. He may  
also, except as otherwise provided by law, remove, transfer  
or discharge any employee, of whom he has the power to  
appoint or employ, when in his opinion the interests of  
the city require such action."

Approved:           October 12, 1971

Effective:           November 2, 1971

Attest:             WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING CHAPTER 19 OF THE REVISED ORDINANCES OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW SECTION 19-13

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

Chapter 19 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto the following new Section 19-13:

"Section 19-13. Definition

For the purpose of these ordinances and all pay orders of the City of Springfield the words building tradesmen shall be the trade classifications listed below.

Mason Tender  
 Journeyman Carpenter  
 Working Foreman Carpenter  
 Journeyman Electrician  
 Electrician Foreman  
 Journeyman Mason  
 Working Foreman Mason  
 Journeyman Painter  
 Journeyman Plumber  
 Working Foreman Plumber  
 Journeyman Sheet Metal Worker  
 Working Foreman Sheet Metal Worker  
 Journeyman Steamfitter  
 Working Foreman Steamfitter  
 Thermostat Mechanic  
 Journeyman Glazier  
 Working Foreman Painter."

Approved: October 12, 1971

Effective: November 2, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-one

## AN ORDINANCE

AMENDING CHAPTER 17, SECTIONS 17-1, 17-2,  
17-4 and 17-5 OF THE REVISED ORDINANCES OF  
THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Sections 17-1, 17-2, 17-4 and 17-5 of Chapter 17 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking out in its entirety said Sections of Chapter 17 and inserting in place thereof like new Sections 17-1, 17-2, 17-4 and 17-5, as follows:

"Section 17-1. Authority to grant right to construct and maintain conduits, cables and wires; erection of poles.

The City Council may authorize any utility company to construct and maintain underground conduits, cables and wires for the conduct of its business in such of the streets of the city or in such of the public properties of the city as the city council may deem advisable, and to construct therein and maintain the necessary manholes and house connections; also to erect and maintain distributing poles at the termini of such conduits and at suitable distributing points. Upon authorization of any such construction on vegetated public properties, the city council shall notify, by copy of such authorization, the city forester who shall advise and give supervision to such construction and who shall cause to have the disturbed public properties restored by the utility company causing such disturbance. All of the above shall be done in accordance with the regulations hereinafter provided and subject to such ordinances in addition to or in amendment hereof as may hereafter be passed.

Section 17-2. Approval of conduits and poles

The conduits shall be of suitable kind and construction

such as the city council shall approve, and the work shall be done in a thorough manner, and to the approval of the superintendent of the department of streets and engineering and the city forester as provided in the instant chapter, section 17-1. The distributing and other poles shall be of such height and other dimensions and of such form and material, and so located to be satisfactory to the city council and shall be subject to its approval or the approval of any person whom it may select.

Section 17-4. Interference with other work.

Any such company in laying, repairing or removing its wires on conduits shall not disturb or in any way interfere with the wires of any other utility company or any gas or water pipes or sewers or pipes therewith connected.

Section 17-5. Change of location when required by public works.

In case the city finds it necessary to construct or enlarge sewers or other public works in streets or areas where conduits are laid, which shall require changing the location of such conduits, such changing shall be at the expense of the company owning the conduits, which shall forthwith carry out the same."

Approved: November 19, 1971

Effective: December 10, 1971

Attest: WILLIAM C. SULLIVAN, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING CHAPTER 9, SECTIONS 1 THRU 19 INCLUSIVE AND CHAPTER 13, SECTION 20 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

Be it ordained by the City Council of the City of Springfield as follows:

Chapter 9, sections 9-1 thru 9-19 inclusive and Chapter 13, section 13-20 of the Revised Ordinances of the City of Springfield, 1963, as amended is hereby further amended by striking in the entirety said sections and inserting in place thereof the following new sections as follows:

"Chapter 9  
Solid Waste, Litter and Weeds  
Article I, In General

### Section 1. Definitions

For the purpose of this chapter, the following definitions shall be applicable:

Abandoned vehicles. The words "abandoned vehicles" shall be construed to mean a class of waste which includes passenger automobiles, trucks and trailers which are useless, unwanted and/or discarded by their owners and have been left on city streets, other public places and on private premises.

Animal waste. The words "animal waste" shall be construed to mean all wastes from stables, kennels, pet pens, chicken coops, veterinary establishments and the like.

Ashes. The word "ashes" shall be construed to mean the residue from the burning of wood, coal, coke and other combustible materials.

Bulky wastes. All large items of refuse such as appliances, furniture, large auto parts, boilers or furnaces shall be construed to be "bulky wastes."

Handbill. A "handbill" is any printed or written matter, any sample or device, circular, leaflet, pamphlet, paper booklet, or any other printed or otherwise reproduced original or copies of any matter of literature.

Construction and demolition wastes. All wastes that are the result of construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures shall be deemed to be "construction and demolition wastes."

Container.<sup>2</sup>

Dead animals. "Dead animals" are those that die naturally or from diseases or are accidentally killed. Condemned animals or parts of animals from slaughter houses, dog hospitals or similar places are not included in this term, but are regarded as industrial refuse. It is the intent of this section to describe only small animals such as dogs, cats, rabbits, squirrels, chickens and rats that often serve as household pets or find their homes within the wooded areas of our city.

Garbage. All animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food shall be deemed to be "garbage."

Hazardous waste. All waste of a pathological, explosive, radioactive or toxic nature shall be deemed to be "hazardous waste."

Industrial waste. "Industrial waste" consists of the solid waste materials from factories, processing plants and other manufacturing enterprises.

Litter. "Litter" is construed to mean "garbage", "refuse" and "rubbish" as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety, welfare, or appearance.

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See "Standard Legal Container" defined herein.

Litter Receptacles. A "litter receptacle" is a litter storage and collection receptacle as required and authorized by regulations and ordinance of the Waste Disposal Division of the Department of Streets and Engineering.

Market waste. "Market waste" is that waste which generates from the wholesale and retail markets as a result of handling, storage, and selling of poultry, fish, meat, vegetables, and fruit. Included are large quantities of putrescible garbage along with some rubbish such as wooden crates and cardboard boxes.

Newspapers. A "newspaper" shall be deemed to be any newspaper of general circulation as defined by general law; any newspaper duly entered with the Postal Service Department of the United States, in accordance with federal statute or regulation; any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

Paper. The word "paper" shall be construed to mean all combustible material excluding newsprint but including books, magazines, wrapping paper, cardboard boxes, cartons, rags and cast-off clothing.

Park. The word "park" shall mean a park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city and devoted to active or passive recreation.

Person. The word "person" shall be construed to mean any person or his servant, agent, employee or representative, as well as, firm, partnership, association, corporation, company or organization of any kind.

Private premises. The words "private premises" shall be construed to mean any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continually uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public place. The words "public place" shall be construed to mean any and all streets, sidewalks, boulevards, alleys or public ways and any and all grounds and buildings.

Refuse. The word "refuse" shall be construed to mean the total solid waste of the community.

Rubbish. The word "rubbish" shall be construed to mean all waste consisting of a variety of both combustible and non-combustible solid waste materials of households, stores, and institutions. **COMBUSTIBLE RUBBISH** consists of miscellaneous burnable materials; and, in general, it is the organic component of rubbish such as paper, rags, cartons, boxes, wood, excelsior, bedding, rubber, leather, grass, leaves and other yard trimmings, as well as, combustible inorganic materials such as plastics. **NON-COMBUSTIBLE RUBBISH**, for the most part, consists of the organic components of rubbish such as tin cans, metals, dirt, ceramics, glass and similar or like substances.

Standard legal container. A "standard legal container", acceptable for use in the City of Springfield, shall substantially adhere to the following specifications:

1. An **ASH AND RUBBISH CONTAINER** shall be a barrel, substantially made of metal, approximately eighteen inches (18") in diameter and twenty-six inches (26") in height, free from all jagged or sharp edges, equipped with two carrying handles, and weighing not more than twenty-six (26) pounds when empty; or a standard container used in connection with automatic stokers, the use of which has been approved in writing by the Superintendent of the Department of Streets and Engineering.
2. A **GARBAGE CONTAINER** shall substantially be a watertight metal can, having a capacity of not less than ten (10) gallons nor more than twenty-five (25) gallons, with a tightfitting metal cover and carrying handle.
3. A **HOUSEHOLD RUBBISH CONTAINER** shall be either: (a) A light metal barrel, the approximate dimensions of which shall be twenty inches (20") in diameter and thirty-five inches (35") in height, and which shall weigh no more than thirty (30) pounds when empty; or, (b) A plastic barrel, the approximate dimensions of which shall be twenty-four inches (24") in diameter and thirty-one inches (31") in height and be of a thirty (30) gallon capacity with climate proof guarantee able to withstand normal use in temperatures of minus thirty degrees (-30°) to plus one hundred and forty degrees (+140°) fahrenheit, inclusive.
4. A **PAPER REFUSE SACK** shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty pound (50#) wet strength with reinforced self-supporting square bottom closure.



5. A PLASTIC TRASH BAG shall be a sanitary polyethylene (plastic) bag having a dart impact strength at folds and seals not less than sixty (60) grams, and a film thickness strength of two (2.0) mils, a minimum capacity of thirty (30) gallons and capable of supporting material having a total weight of thirty (30) pounds with a density of fifteen (15) pounds per cubic foot and having openings closed by means of wire ties, string or rope.

Vehicle. A "vehicle" shall be construed to mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationery rails or tracks.

Yard Rubbish. "Yard rubbish" consists of prunings, grass clippings, weeds, leaves, tree branches up to and including three inches (3") in diameter, and general yard and garden wastes.

Section 2. Garbage to be drained of liquids and placed in containers.

No garbage shall be collected by the Waste Disposal Division of the Department of Streets and Engineering or its authorized agent, unless the garbage is drained of all water and liquids and placed in one or more standard containers at some convenient place in the yard area.

Section 3. Placement of underground containers.

Underground containers shall be so placed and constructed so as to avoid the accumulation of rain water and seepage.

Section 4. Method of collection of paper.

(a) All newspapers as defined in section 1 of the instant chapter shall be separated and tied securely into bundles of no more than fifty (50) pounds per bundle and placed next to the refuse containers on regular collection days.

(b) All cardboard boxes, cartons, and wooden boxes shall be knocked down, collapsed or broken up. If the accumulation of such boxes and cartons is of a greater amount than that which is allowed to be placed in a standard legal container then such boxes and cartons shall be securely tied in bundles, the greatest dimension of which shall not be more than three feet (3') and the weight of which shall not be more than fifty (50) pounds; and, they shall be stacked near said container on regular collec-

tion days. The bundle herein referred to may be collected by the Waste Disposal Division of the Department of Streets and Engineering.

**Section 5. Prerequisites generally to collection of ashes and rubbish.**

(a) All ashes and small articles of rubbish which will not bind in the barrel shall be placed in a standard ash or rubbish container.

(b) Yard rubbish and all odd pieces of lumber, completely free of nails, shall be securely tied in bundles, the greatest dimension of which shall not exceed three feet (3') in length and the weight of which shall not exceed fifty (50) pounds. Said bundle shall be stacked near the standard ash and rubbish container on the regular collection day.

(c) The gross weight of any ash, rubbish or garbage container or a piece or bundle of bulky rubbish shall not exceed one hundred pounds.

(d) All ashes and rubbish in storage for collection shall be kept dry and protected from the elements. Barrels containing hot ash will not be collected.

(e) The collection of bulky wastes from residences may be arranged by calling the Waste Disposal Division of the Department of Streets and Engineering for an appointment. No bulky items are to be placed on the treebelt unless a previous appointment has been made with the department. This service shall apply to resident owned items only.

(f) Animal wastes created in large quantities shall not be collected by the department, but the City may accept them at the disposal facility, if in the opinion of the City such acceptance would not adversely affect the operation of the disposal facilities.

**Section 6. Placement of containers for ashes and rubbish.**

(a) Standard ash and rubbish containers shall be placed on the treebelt, so as to be readily accessible to collection crews, no later than 7:30 a.m. on the day of collection except that no such container shall be placed upon said treebelt sooner than sunset on the day prior to collection nor shall said containers be caused to remain on said treebelt later than midnight on the day of said collection. On streets or ways not possessing an

area readily determinable as a treebelt, said containers shall be placed at or near the boundary of the traveled portion of such streets or ways, in such a manner so as not to interfere with the full use for travel of such streets or ways. No such containers when presented for collection shall be filled beyond their water level capacity, nor placed in such a manner as to interfere with the collection of mail from any mailbox located on the street and way.

(b) No person except employees of the Department of Streets and Engineering or its authorized agent shall remove, molest, handle or otherwise disturb the container or containers or other materials which have been placed on the city treebelt, for servicing by the refuse collectors; provided, however, that this section shall not prohibit the owner, agent, occupant, lessor or tenant of a residence, dwelling, or business establishment from removing the contents of a container or other material placed on the treebelt thereof for servicing by said refuse collectors.

(c) Any violation of this section or any part thereof shall be punishable by a fine not to exceed fifty dollars (\$50.00).

Section 7. Sidewalks and passageways to be kept free from obstructions, snow and ice.<sup>3</sup>

Unless sidewalks and passageways are kept free from obstructions and kept clear of snow and ice for a reasonable width from the curb line to the location of the standard garbage container, the Division of Waste Disposal need not collect garbage.

Section 8. No extra service when collection refused for non-compliance.

When the collection of garbage, paper, ashes or rubbish is refused because of failure to comply with any of the provisions of this article, the Division of Waste Disposal of the Department of Streets and Engineering shall not furnish collection service again until the next regular period and the owner shall remove from the curb such garbage, paper, ashes and rubbish.

<sup>3</sup>For law of the Commonwealth relative to snow removal from private ways open to public use, see G.L., c. 40, sec. 6c.

As to authority to issue a proclamation to remove vehicles interfering with service vehicles in connection with the removal of snow and ice, see sec. 11-12 et seq. of this Revision. As to the removal of snow and ice, see ch. 21., of this Revision

Section 9. Notification of possible fire and health hazards.

When the collection of garbage, paper, ashes or rubbish is refused because of failure to comply with any of the provisions of this article, the Superintendent of Streets and Engineering or the Deputy Superintendent of Waste Disposal shall notify the Commissioner of Public Health, the Housing Commissioner or the Chief of the Fire Department, if, in the opinion of such superintendent or deputy superintendent, a health or fire nuisance may result from the failure of an owner, agent, occupant, lessor or tenant of a premises to comply with such provisions.

Section 10. Chapter not applicable to industrial plants, etc.

The service rendered by the Department of Streets and Engineering in collecting garbage, paper, ashes, and rubbish shall not extend to manufacturing industrial plants or generators of hazardous waste nor shall it include the removal of any material which has accumulated as a result of construction, building or market operations.

Section 11. City not liable for damages.

Nothing in this article shall be construed as holding the city liable in any manner for any loss or damage resulting from the entrance of collection crews on private property in performance of their duties.

Section 12. Litter.

(a) Litter in public places. No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the City except in public receptacles for that purpose, authorized private receptacles for collection, or in an official city disposal area.

(b) Placement of litter in receptacles so as to prevent scattering. Persons placing litter in public receptacles shall do so in such a manner so as to prevent such litter from being carried or deposited by the elements on any streets, sidewalks, or other public place or upon private property.

(c) Sweeping litter into gutters prohibited. No person shall sweep into or deposit into any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk, driveway or property. Persons owning or occupying property shall keep the sidewalk and or treebelt abutting their premises free of litter.

(d) Merchants duty to keep sidewalks free of litter.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk, driveway or property. Persons owning or occupying a place of business within the city shall keep the sidewalk and/or treebelt abutting their business free of litter.

(e) Litter thrown by persons in vehicle. No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or any other public place within the city, or upon private premises.

(f) Truck loads causing litter. No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded so as to prevent any such load, contents or litter thereof from being blown or deposited upon any street, alley or other public place or upon any private premises. Nor shall any person drive or move any vehicle or truck within said City, the wheels or tires of which carry onto or deposit in any street, alley, or other public place, any mud, dirt, sticky substances, litter or foreign matter of any kind.

(g) Litter in parks and property under control of Parks Department.

1. No person shall throw or deposit or cause to have thrown or deposited litter of any kind within any park or on a terrace, triangle, traffic island, circle or dingle under control of the Park Department of the City except in public receptacles provided for the purpose therefor and it shall be deposited in such a manner that the litter will be prevented from being carried and/or deposited by the elements upon any part of said parks or the aforementioned public properties.
2. No leaves, tree branches, grass or evergreen clippings, winter sand and/or sand and salt mixture, rocks, litter, rubbish, garbage or any other material shall be brought to, and deposited in any manner on, any park property.
3. No person, herein designated as a firm, individual, corporation, organization, employee, agent or servant of any kind, shall deposit or cause to have deposited on public property or in public receptacles within the confines of any parks or public property by any such person any litter, other than that obtained as a result of use in said park or said public property.

(h) Litter in lakes, rivers, streams, fountains, etc. No person shall throw or deposit, abandon or leave, or cause to have thrown or deposited, abandoned or left, along the shoreline or abutting property of any lake, river, stream or like body of water situated within or bounding on the limits of said city, or in any fountain or like structure situated within said city, any automobiles, or parts thereof, building materials, litter, garbage, rubbish or material of any kind.

(i) Handbills, posters, political signs, etc. No handbills, posters, political signs, or articles or any kind promoting businesses or organizations, shall be affixed to any building, tree, fences, or any other structures in any park or property controlled by the Park Department of said city or affixed to any trees, shrubs or structures owned or maintained by said city on a public treebelt or other public property within the confines of said city nor shall any such handbills, posters, political signs or other articles as described herein, be erected or placed in or upon any public property within the confines of said city.

(j) Throwing or distributing handbills in public places. No person shall throw, deposit, or discard any handbills in or upon any sidewalk, street, alley or other place to which the public has a right of access within the City or cause to have thrown deposited or discarded any handbill in or upon any sidewalk, street, alley or other place to which the public has a right of access within the City. This section shall not be construed to prohibit the right guaranteed by the First Amendment of the Constitution of the United States.

(k) Placing handbills on vehicles. No person shall throw or deposit any handbill or cause to have thrown or deposited any handbill in or upon any unoccupied vehicle in or upon any public property or property to which the public has a right of access.

(l) Prohibiting distribution of handbills where posted. No person shall throw, deposit or distribute or cause to have thrown, deposited or distributed any handbill upon any private premises if requested by anyone thereon not to do so, or if there is a sign, placed in a conspicuous position near the entrance of said private premises, bearing the words: "No Trespassing", "No Peddlars or Agents", "No Advertisement", or any similar notice which indicates in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon said premises.

(m) Depositing handbills on uninhabited or vacant premises. No person shall throw, deposit or dispose or cause to be thrown, deposited or disposed any handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant; nor shall any person post or cause to have posted any handbills except with the permission of the owner on any such private premises.

(n) Distributing handbills at inhabited private premises. No person shall throw, deposit or distribute or cause to have thrown, deposited or distributed any handbill in or upon private premises which are inhabited except by handing or transmitting any such handbill directly to the owner, occupant, or other person then present in or upon such private premises provided, however, that in the case of any prohibition as set forth in the instant chapter, section 12, paragraph 1, a person may place or deposit any such handbill in or upon such inhabited private premises, provided such handbill is so placed or deposited so as to assure or prevent said handbill from causing littering of said premises or sidewalks, streets, alleys or other public places except that mailboxes may not be so used when prohibited by federal postal laws or regulations.

Exemption for mail and newspapers. The provisions of this section shall not apply to the distribution of mail in the United States, nor to newspapers (as defined herein) except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any sidewalk, street, alley, or other public place or upon any private property.

(o) Dropping litter from aircraft. No person in any aircraft shall throw out, drop or deposit or cause to have thrown out, dropped or deposited within the city any litter, handbills or any other materials.

(p) Posting notices prohibited. No person shall post or affix any notices, poster, handbill or other paper or device calculated to attract the attention of the public to any traffic or lamp post, public utility pole or public shade tree or upon any public structure or building except as may be authorized or required by law.

(q) Litter on occupied private property. No person shall throw or deposit or cause to have thrown or deposited any litter on ~~any occupied private property within the city, whether owned~~ by such person or not, except that the owner or person in con-

trol of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street sidewalk, alley or other public place, or upon any private property. The owner or person in control of any private property shall at all times maintain the premises free from litter.

(r) Litter on vacant lots. No person shall throw or deposit or cause to have thrown or deposited any litter on any open or vacant property within the city whether owned by such person or not. The owner or person in control of any such vacant property shall at all times maintain the premises free from litter.

(s) Clearing of litter from open private property by City.

1. Notice to remove. The Housing Department shall have, as provided by Chapter 139 and Chapter 111 of the Massachusetts General Laws, the power to abate a nuisance or health hazard caused by any such litter; and, shall have said powers by virtue of said General Laws and any ordinance relative thereto or in amendment hereof as heretofore or hereinafter ordained. Further, nothing contained herein shall be construed to be in conflict with any provisions of said laws or ordinances but in addition to and in compliance with the provisions therein set forth. The Commissioner of Housing is hereby authorized to notify the owner, his agent or any person in control of said property, vacant or otherwise within the City, to remove and dispose of litter located on said property. Such notice shall be by Registered or Certified Mail, return receipt requested, addressed to said owner, agent, or person in control of said property by any person authorized to serve civil process, or posted on said property for a period of not less than seven (7) days.
2. Action upon non-compliance. Upon the failure, neglect or refusal of any owner, agent, or person in control of said property, so notified, to properly dispose of said litter within five (5) days after receipt of written notice as hereinbefore provided, or within seven (7) days after the date of such notice in the event the same is returned to the Post Office Department because of the inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, agent or person in control of said property, or within seven (7) days after the end of the period for posting said property; the Commissioner of Housing is hereby authorized and empowered to pay any and all costs incidental to the removal and disposition of said litter or to order the removal of said litter by the City.



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3. Charge for removal. When the City has effected by itself or its duly authorized agent the removal of said litter or has paid for the removal of said litter a bill for the actual cost thereof, if not paid by such owner prior thereto, shall be forwarded to such owner by the City and such charge shall be due and payable within thirty (30) days.
  4. Charge included in tax bill; recordation constitutes lien. In the event that the full amount due the City is not paid by such owner within said thirty (30) days from the date of billing, as hereinbefore provided, the Commissioner of Housing shall cause to be recorded in the Office of the City Clerk a sworn statement showing the cost and the expense incurred for the work, the date the work was done, the location of the property on which the said work was done, and the date of the billing as hereinbefore provided in sub-section three (3) of paragraph s of section twelve (12). The City Clerk shall forthwith cause said statement to be recorded in the Hampden County Registry of Deeds in the manner required.

Upon such recordation of said statement by the City Clerk in the Hampden County Registry of Deeds, the actual cost for the removal of said litter shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the City, and said charge shall be due and payable by said owner at the time of payment of such bill.

The recordation of said statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus cost of the court, if any, for collection, until final payment has been made. Said cost and expense shall be collected in the manner fixed by law for the collection of taxes and shall be subject to a delinquent penalty at the same rate as that on unpaid tax bills in the event the same is not paid in full on or before the date the tax bill upon which said charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions as set forth herein shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be sufficient notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectable as provided by law.

(t) Penalties. Any person violating any provision of section

12a through section 12s inclusive of the instant chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in an amount not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under the provisions set forth herein. In the event a motor vehicle is used in the violation of any of the provisions of this section, it shall, upon conviction, be reported by the court to the Registrar of Motor Vehicles and action requested on suspension of the license of the operator of such vehicle, and if it appears from the records of the Registrar of Motor Vehicles that the person so convicted is the owner of said motor vehicle, a request to suspend for a period of time specified by the Registrar of Motor Vehicles the certificate of registration of said vehicle shall be made. The provisions of this section shall not be applicable to any dumping ground approved by the Superintendent of the Department of Streets and Engineering.

Section 13. Allowing an unregistered motor vehicle to remain on premises in excess of ninety (90) days.

Whoever being the owner, occupant, or in control of real estate permits, allows or suffers an unregistered motor vehicle or a substantial part of such motor vehicle, to remain on said premises for a period in excess of ninety (90) days shall be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00); and, each day that such unregistered motor vehicle or a substantial part thereof is permitted, allowed or suffered to remain on said premises in excess of ninety (90) days shall constitute a separate offense.

This section shall not apply to an unregistered motor vehicle or part thereof which is stored within a garage or other closed structure nor shall it apply to an unregistered motor vehicle or part thereof upon the premises of the following persons:

1. One who is duly licensed to deal in motor vehicles under Section 58 of Massachusetts General Laws Chapter 140.
2. One whose principal business is the towing and storage of motor vehicles.

Section 14. Licensing and registration of private transporters of garbage, offal and offensive substances.

No person, except city employees in the prosecution of their

employment, shall remove or transport through any street or passageway in the city any garbage, offal or other offensive substances, unless he shall have registered with the commissioner of health and paid the sum of two dollars (\$2.00) for such registration, and unless he shall remove and transport such substances in accordance with the rules and regulations of the public health council. The commissioner of health shall issue to each person so registering a certificate of such registration and payment.

Section 15. Same--Statement of conditions and record of license; application for service.

Every license and every certificate issued under the provisions of section 14 of the instant chapter shall state that it is issued subject to the provisions of the city ordinances and all rules of the public health council now existing, or which shall hereafter be made, and subject to forfeiture for any violation thereof. All such licenses and certificates shall be recorded by the Commissioner of Health in a book to be kept for the purpose. A book shall also be kept in the office of such commissioner wherein application for the services of the parties licensed herein shall be entered, and such applications shall receive attention in the order in which they are made.

Section 16. Same--Penalty and revocation of license.

Any person violating any of the provisions of sections 14 and 15 of the instant chapter shall be punished as provided in Chapter 1, section 1-6 and by a forfeiture of his license hereof.

Article II. Weeds

Section 17. Declaration of nuisance and order of abatement.

Whenever there shall be growing on any property ragweed or other species of weed, plant or growth which is noxious or detrimental to the public health, or the seed, pollen or other emanation whereof, when carried through the air or otherwise dispersed, is noxious or detrimental to the public health, the commissioner of public health may take and file upon his records what he shall regard as sufficient proof to authorize a declaration that the existence of any such growth is a nuisance or is dangerous to the public health, and may thereupon enter the same upon his records as a nuisance and order the same to be removed, destroyed or otherwise abated on any property wherever found.

The commissioner of public health shall notify, in writing, the owner, lessee, occupant of, or principal person or persons interested in such property of the nuisance created by such weeds, plants or growth, and order them, in writing, to remove, destroy or otherwise abate such nuisance.

#### Section 18. Declaration of danger from pollination.

The commissioner of public health may also take and file among his records, what he shall regard as sufficient proof to authorize a declaration that at any season or period of the year there exists a particular and imminent danger to the public health by reason of the approaching period of pollination of any such growth and may enter such determination upon his records.

#### Section 19. Effect of failure to comply with order given pursuant to article.

If any order issued under this article is not complied with within five days after receipt of the same, or within such shorter time as the commissioner of public health may specify, the commissioner may enter upon any such property and remove and destroy any weeds, plants and growth noxious or detrimental to the public health.

#### Section 20. Park department acting as agent of commissioner of health; expenses.

In removing and destroying such weeds, plants or growth, the park department is hereby authorized and shall act as agent and a means of the commissioner of public health in affecting such removal, destruction or abatement. In the event that the park department is so employed, it shall certify and transmit to the commissioner of public health its expense in the execution of the order of the commissioner of public health separately in respect of each separately owned parcel of property on which such nuisance was abated.

### Article III. Enforcement

#### Section 21. Enforcement of Chapter..

This chapter shall be enforced by the Police Department of the City of Springfield and especially by the Commissioner of Health and by the Commissioner of Housing or their duly authorized agents."

Approved: April 6, 1972

Effective: April 27, 1972

Attest: WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

UNDER AUTHORITY OF CHAPTER 43, SECTION 5 OF THE GENERAL LAWS OF MASSACHUSETTS, ACCEPTED BY SAID CITY OF SPRINGFIELD AS ITS CHARTER, CHAPTER 22 AND CHAPTER 11 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, ARE HEREBY FURTHER AMENDED TO EFFECTUATE THE TRANSFER OF AUTHORITY HERETOFORE VESTED IN THE TRAFFIC ENGINEER AND BUREAU OF TRAFFIC ENGINEERING TO THE SUPERINTENDENT OF STREETS AND ENGINEERING.

Be it ordained by the City Council of the City of Springfield as follows:

That certain sections or parts thereof of Chapter 11 and Chapter 22 of the Revised Ordinances of the City of Springfield, 1963, as amended be and are hereby further amended, in accordance with the provisions of and by virtue of the authority granted by Chapter 43, section 5 of the General Laws of Massachusetts and consistent with the laws and ordinances relative to the ordaining of such measures.

Section 1. Said Chapter 22 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by inserting in said chapter a new section 22-8A, as follows: "Section 22-8A. Authority of Traffic Engineer and Bureau of Traffic Engineering Transferred to the Superintendent of Streets and Engineering.-- The Superintendent of Streets and Engineering shall have and assume all powers, duties and authorities, however granted, which were heretofore or shall be hereinafter vested in the Traffic Engineer of the City of Springfield or in the Bureau of Traffic Engineering of said City. The Superintendent of Streets and Engineering shall, however, appoint, in accordance with the rules and regulations of the Civil Service Commission and the provisions of Chapter 31 of the General Laws of Massachusetts, a Traffic Engineer to assume said powers and duties, and who shall have said authorities as herein transferred: provided, however, that the Superintendent of Streets and Engineering shall have the power to revoke such delegation of said powers, duties and authorities in conformity with and not inconsistent with the provisions of the General Laws, Chapter 31."

Section 2. Said Chapter 22 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by inserting in said chapter a new section 22-8B, as follows: "Section 22-8B. Qualifications of Traffic Engineer.--The person appointed to hold the position of Traffic Engineer as herein set forth shall be a registered professional engineer. He shall also have six (6) years of experience in a professional status in traffic engineering with at least two (2) of said years in responsible charge. In the event such appointee does not have six (6) years of experience with at least two (2) years in responsible charge as aforesaid, he shall be a graduate of a recognized engineering college with a Bachelor of Science degree with a reasonable number of credit hours in engineering or a graduate of a recognized traffic engineering school and three (3) years of experience in a professional status in traffic engineering with at least one (1) year in responsible charge.

A person so appointed, if not a resident of the City on the date of such permanent appointment, shall hereby be required to become a resident of the City within two (2) years from said date as aforesaid"

Section 3. Section 22-1, entitled "Divisions of department and persons in charge thereof," of Article 1 of said Chapter 22 of the Revised Ordinances of the City of Springfield, 1963, as amended, and most recently amended by Chapter 5 of 1971, is hereby further amended by adding in line three (3) the words "traffic engineering" before the word "sewer", by adding in line nine (9) the words "Traffic Engineer" after the word "Sewers", and by deleting the word "deputy" from line eleven (11) and inserting in place thereof the words "such person", so that said section 22-1 as amended, reads as follows: "The Department of Streets and Engineering shall be divided into the following divisions, namely; Engineering, streets, traffic engineering, sewers and waste disposal. Each of such divisions shall be in the charge of a person who shall be expert in the duties which may devolve upon him and shall be appointed by the Superintendent, subject to General Laws, Chapter 31.

The titles of such persons shall be as follows: Deputy Superintendent of Engineering, Deputy Superintendent of Streets, Deputy Superintendent of Sewers, Traffic Engineer and Deputy Superintendent of Waste Disposal. Each such person shall devote his entire time to the work of his office."

Section 4. Chapter 11 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by deleting in their entirety section 11-1, entitled "Bureau of traffic engineering" and section 11-4, entitled "Traffic engineer--Qualifications; devotion to duty; term of office, etc."

Section 5. Section 11-2 of Chapter 11 of said Revised Ordinances is

hereby further amended by striking from lines one (1) and two (2) the words "within the bureau of traffic engineering" and by further striking from line seven (7) the words "the traffic engineer," so that the first paragraph of said section 11-2 reads as follows: "There is hereby established a traffic commission consisting of the Chief of the Fire Department or his duly deputized representative, the Chief of Police or his duly deputized representative; the Superintendent of Streets and Engineering or his duly deputized representative; the City Solicitor or one of his assistants; three residents of the City, to be appointed by the Mayor; and one member of the City Council, to be appointed by the Mayor who shall serve for the duration of his term of office unless sooner removed by the Mayor in accordance with law or ordinance. Each member of such commission shall be entitled to one vote."

Section 6. Chapter 11 of said Revised Ordinances is hereby further amended by striking section 11-5 from said Chapter 11 in its entirety and adding to section 22-3 of said Chapter 22 of the said Revised Ordinances the following three (3) paragraphs: "The Superintendent of Streets and Engineering or his designee shall investigate, study and render reports and recommendations on all matters pertaining to traffic in the City, including the location of traffic signals, stop signs, establishment of overpasses and underpasses, the width, grade, location and design of streets and safety islands, traffic noises, elimination of heavy trucking in congested areas, establishment of parking lots and all other matters pertaining directly or indirectly to traffic conditions in the City. He shall have charge of the records of the former Bureau of Traffic Engineering and of the records of the Division of Traffic Engineering as established in section 22-1 of the instant chapter, and he shall discharge such other duties as may properly relate to the management of said division. He shall attend all meetings of the Traffic Commission, prepare the agenda for each meeting and keep a properly indexed docket of all investigations, reports and recommendations. He may call upon other departments for assistance in the performance of his duties, provided that the granting of such assistance would not unreasonably interfere with the normal function of such other department. He shall procure through the Purchasing Department materials and supplies needed for his department.

The Superintendent of Streets and Engineering or his designee shall install, erect or cause to be maintained all necessary and properly authorized traffic control devices, traffic and parking regulatory signs and all highway pavement markings.

The Superintendent of Streets and Engineering or his designee shall establish and determine the design, timing, type, size and location of any and all signs, signals, markings, pylons, channels, islands and other devices for guiding, directing or otherwise regulating and controlling vehicular and pedestrian traffic."

Section 7. Section 11-18 of Chapter 11 of said Revised Ordinances is



hereby further amended by striking from line four (4) of said section the word "bureau" and inserting in place thereof the word "division" and, further, by inserting in line four (4) after the words "traffic engineering" the words "of the Department of Streets and Engineering".

Section 8. Section 11-19 of Chapter 11 of said Revised Ordinances is hereby further amended by striking from line one (1) of said section the word "bureau" and inserting in place thereof the word "division"; and, further, by inserting after the words "traffic engineering" in line one (1) the words "of the Department of Streets and Engineering".

Section 9. Section 11-26 of Chapter 11 of said Revised Ordinances is hereby further amended by striking from the last line of paragraph (d) of said section the words "traffic engineer" and inserting in place thereof the words "the Superintendent of Streets and Engineering or his designee".

Section 10. Section 11-30 of Chapter 11 of said Revised Ordinances is hereby further amended by striking from line one (1) the words "traffic engineer" and inserting in place thereof the words "Superintendent of Streets and Engineering or his designee".

Approved: June 8, 1972

Effective: June 29, 1972

WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING CHAPTER 8, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW SECTION REGARDING PAY FOR WORKING OUT OF GRADE TO BE KNOWN AND DESIGNATED AS SECTION 8-10a

Be it ordained by the City Council of the City of Springfield as follows:

Chapter 8 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding a new section to be known and designated as Section 8-10a, as follows:

"SECTION 8-10a

A City Employee who is performing, pursuant to assignment, temporary intermittent service in a position occupied by an incumbent, which incumbent is classified in a grade higher than the grade of the position in which the performing Employee performs regular service, and an Employee occupying a vacant position of higher rank, shall be compensated for such service at the rate to which he would be entitled had he been promoted to such position. Compensation hereunder shall be payable to the Employee only for each full hour in which he so performs. A period of performance of less than one hour in the course of a working day shall not be compensable; however, if the same Employee is required to perform for two or more periods in a day, regardless of duration, he shall be compensated for time spent in the out of grade position. Notwithstanding the above, an Employee so serving in a position of higher grade as aforesaid shall receive a minimum of 30 cents per hour of service."

A True Copy of an Ordinance passed by the City Council July 17, 1972 and approved by the Mayor August 21, 1972 and passed by the City Council notwithstanding the Mayor's Veto on August 21, 1972.

Effective: September 11, 1972

Attest: WILLIAM C. SULLIVAN

City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW CHAPTER XXVII ENTITLED "SPRINGFIELD HISTORICAL COMMISSION".

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

The deferred passage of an ordinance establishing a Springfield Historical Commission and an historic district, the latter to be known as the "Cuadrangle-Mattoon Street Historic District", would tend to defeat and frustrate the reason for the passage thereof which is to "promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the Commonwealth and . . . the City of Springfield or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith" (G.L., c. 40C, section 2), therefore this ordinance is hereby declared under section 20 of Chapter 43 of the General Laws of Massachusetts, to be of an emergency nature, necessary for the immediate preservation of the aforementioned historic district, planning, convenience and betterment of the City of Springfield.

Section 27-1. Springfield Historical Commission--establishment; membership; etc.

There is hereby established under the provisions of the Historic Districts Act, General Laws, Chapter 40C, as amended by Chapter 359 of the Acts of 1971; and General Laws, Chapter 40, section 8D, a Springfield Historical Commission, to be governed by and operated in accordance with the provisions relative thereto of the General Laws or any special act or amendment thereto. Said Commission shall consist of seven (7) members to be appointed by the Mayor subject to the confirmation by the City Council, including

one (1) member from two (2) nominees submitted by the Springfield Art Commission, or in the absence thereof, from the Society for the Preservation of New England Antiquities; one (1) member from two (2) nominees submitted by the chapter of the American Institute of Architects covering Springfield; one (1) member from two (2) nominees submitted by the Springfield Board of Realtors. It is recommended that the remaining four (4) members be selected so as to include a lawyer, a landscape architect, a banker, and a public relations specialist, or in the absence of any one (1) or more of the aforementioned, a person or persons interested in historic preservation. Each such member of said Commission shall be a resident of the City, and any such member removing his residence from said City shall be considered thereby to have resigned his membership of the Springfield Historical Commission. The members of said Commission shall also include one (1) or more residents of or owners of property in an historic district administered by said Commission. When the Commission is first established, two (2) members shall be appointed for a term of one (1) year; two (2) shall be appointed for a term of two (2) years; and, three (3) shall be appointed for a term of three (3) years. At the expiration of the respective terms of the first appointees, the Mayor shall appoint a successor for each office for a term of three (3) years or until a successor is appointed and qualified. In the event a vacancy shall occur, it shall be filled in the same manner as that of an original appointment for the unexpired term.

#### Section 27-2. Historic District--establishment.

There is hereby established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, the Quadrangle-Mattoon Street Historic District as shown on the map, labeled Exhibit 27-2A, entitled "Quadrangle-Mattoon Street Historic District"; said map to be considered a part hereof. In accordance with section 8, paragraph b of said Historic Districts Act, so called, the authority of said Commission shall, however be limited so as not to extend to any buildings, structures or properties however owned or controlled by the Springfield Library and Museum Association and Roman Catholic Bishop of the Diocese of Springfield.

#### Section 27-3. Springfield Historical Commission--powers.

Said Commission shall have the power, subject to appropriation or receipt of money gifts, to conduct a survey of buildings and sites in the City of Springfield to determine which are historically significant, and revise detailed listings of historic sites and buildings in said City; to devise a system of markers for historic sites and buildings, to arrange for the manufacture and installation

of such markers, and to arrange care for such markers; and, to arrange for the preparation and publication of printed matter relating to the historic sites and structures of said City, whether for walking tours, general public information or otherwise. Said Commission shall, also, have the power, in accordance with the provisions of the Historic Districts Act, so-called, as aforementioned, to propose the establishment of additional historic districts or change in existing historic districts; and, to consult with and advise the Planning Board, the Springfield Redevelopment Authority and other departments or agencies of said City in matters concerning historic sites and structures.

Section 27-4. Rules and regulations.

Said Commission shall adopt rules and regulations for the conduct of its business, not inconsistent with the provisions of the Historic Districts Act, so-called, as aforementioned, or with the provisions of the instant chapter. The original copy of all such rules and regulations, and all amendments, deletions or additions thereto, shall be filed with the City Clerk and shall be typewritten on standard 8  $\frac{1}{2}$ " x 11" three (3) hole-punched paper.

Section 27-5. Action on request for certificate of appropriateness, etc.

Said Commission shall take action within sixty (60) days of the filing of an application for a certificate of appropriateness; a certificate of non-applicability or a certificate of hardship, as the case may be, in accordance with the provisions of section eleven (11) of the Historic Districts Act, so-called, as aforementioned, or any section relative thereto or in amendment thereof.

Approved: August 22, 1972

Effective: August 22, 1972

WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING CHAPTER 2, SECTION 2.92 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Section 2.92 of Chapter 2 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking out the present ordinance and inserting in place thereof the following:

"Section 2.92. Associate City Solicitors.

There shall be three (3) Associate City Solicitors appointed by the Mayor for a term of four (4) years; one (1) is to be appointed during the month of January 1971 and in every fourth year thereafter; one (1) is to be appointed in January 1972 and in every fourth year thereafter; and one (1) shall be appointed in September 1972 and in every fourth year thereafter. The persons thereto appointed shall hold office until their successors are appointed and qualified. Any vacancy in the office of Associate City Solicitor shall be filled in the manner of an original appointment for the remainder of the unexpired term.

The persons so appointed shall be residents of the City, shall be admitted attorneys and counsellors of the courts of the Commonwealth, and shall have been engaged in the actual practice of law for at least five (5) years. They shall perform such duties as the City Solicitor shall require, and when requested by him so to do, shall perform the duties of the City Solicitor. The persons so appointed may be removed at any time by the Mayor. The Associate City Solicitors

shall devote their entire time to the duties of the office. (R.O. 1963, ch. 2, section 92; 1964, ch. 4; 1968, ch. 1.)

Under the direction of the City Solicitor, the Associate City Solicitor appointed in September shall be primarily concerned with matters arising out of collective bargaining by municipal employees and municipal employee relations generally."

Approved: September 26, 1972

Effective: October 17, 1972

WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING CHAPTER 13 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED BY ADDING A NEW SECTION 13-23 RELATIVE TO TAG SALES, SO-CALLED: ETC.

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

Chapter 13 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding the following new section 13-23 relative to Tag sales, so-called; etc.:

"Section 13-23. Tag sales, so-called; etc.

It shall be unlawful for any person, group, unincorporated association, firm or corporation to conduct a tag sale, cellar sale, attic sale, garage sale, lawn sale or their equivalent, more than on two (2) separate occasions in any calendar year at any one (1) residence. Each such sale shall not be of a duration of more than three (3) consecutive days."

A True Copy of an Ordinance passed by the City Council September 5, 1972 and presented to the Mayor for approval on September 26, 1972. After ten days, the Ordinance not having been approved or vetoed, passed without his signature on October 7, 1972.

Effective: October 28, 1972

WILLIAM C. SULLIVAN  
CITY CLERK





# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW CHAPTER 28 ENTITLED "CONSUMER ADVISORY COMMISSION".

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

That the Revised Ordinances of the City of Springfield, 1963, as amended, be hereby further amended by adding a new Chapter 28 as follows:

"Section 1. Establishment and composition.

In accordance with the provisions of and by the authority granted by Section 8F of Chapter 40 of the General Laws of Massachusetts, there is hereby created and established in the City of Springfield, a Consumer Advisory Commission, composed of five (5) members who shall be appointed by the Mayor. Of the five (5) members so appointed, one (1) shall be the Sealer of Weights and Measures or his designee, one (1) shall be the Health Commissioner or his designee and the three (3) remaining members from interested and qualified residents of the City of Springfield. The terms of the members so appointed shall be co-terminus with that of the Mayor and all such members shall be residents of said City.

Section 2. Organization; rules and regulations.

Said Consumer Advisory Commission shall annually elect, from among the members of said Commission, a Chairman and Vice-Chairman. They shall hold regular meetings at least quarterly, and at other times at the discretion of said Chairman. They shall have the power to adopt rules and regulations for the conduct of business within the jurisdiction of said Commission, and shall keep a record of all proceedings. An

original copy of said rules and regulations so adopted shall be filed with the City Clerk in accordance with the applicable provisions of the ordinances of said City.

**Section 3. Powers and duties.**

Said Consumer Advisory Commission shall conduct studies, investigations and research in matters affecting consumer interests; said Commission shall also act as an educational vehicle in the area of consumer affairs; shall keep consumers in said City informed on matters affecting their interests, using for that purpose such media of communication as said Commission shall, from time to time, adjudge appropriate; and, shall pursue a course of action to insure to the fullest possible extent that all laws enacted for the benefit of consumers are duly enforced.

**Section 4. Assistance by other municipal departments, etc.**

Said Consumer Advisory Commission shall have the power to call upon any other municipal department, agency, board, commission or committee for assistance in the performance of the duties of said Commission; and, it shall be the duty of such other department, agency, board, commission or committee, as aforesaid, to comply with a proper request of said Commission. Any question as to what constitutes a proper request for assistance shall be decided by the City Council of said City.

**Section 5. Exercise of powers and duties.**

The powers and duties of said Consumer Advisory Commission shall be exercised and performed as herein provided and in conformity with the provisions of the laws of the Commonwealth of Massachusetts."

Approved: November 16, 1972

Effective: December 7, 1972

WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD, 1963, SECTION 2-45.

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

Section 45 of Chapter 2 of the Revised Ordinances of the City  
of Springfield, 1963, as amended, is hereby further amended  
by deleting the word "twenty-five" and inserting in place  
thereof the words "thirty" so that, as amended, said section  
reads:

"Sec. 2-45 COMPENSATION

The annual compensation of the mayor shall be thirty  
thousand dollars.

Upon passage, this Ordinance shall become effective on January 1,  
1973.

A True Copy of an Ordinance passed by the City Council on  
December 4, 1972, vetoed by the Acting Mayor on December 15,  
1972 and passed by the City Council notwithstanding the  
Acting Mayor's veto on December 26, 1972

Effective: January 1, 1973

WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and Seventy-two

## AN ORDINANCE

AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, BY INCREASING THE SALARIES OF MEMBERS OF THE CITY COUNCIL

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

Section 2-18(1) of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking out the words "three thousand" in the first sentence thereof and inserting "fifty-five hundred" and striking out the words "two thousand five hundred" and inserting in the place thereof "five thousand" so the Section 2-18(1) as amended, reads:

"Section 2-18(1)

The president of the city council shall receive for his services the sum of five thousand five hundred dollars per annum and all other members of the city council shall receive the sum of five thousand dollars per annum. Said sums shall be paid in equal monthly installments at the termination of each month of service."

A True Copy of an Ordinance passed by the City Council on December 4, 1972, vetoed by the Acting Mayor on December 15, 1972 and passed by the City Council notwithstanding the Acting Mayor's veto on December 26, 1972.

Effective: January 16, 1973

WILLIAM C. SULLIVAN  
CITY CLERK



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING CHAPTER 2, SECTION 2-85 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

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

Chapter 2, section 2-85 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking in its entirety said section 2-85 and inserting in place thereof a similar new section 2-85 as follows:

"Section 2-85. APPEARANCE OF SOLICITOR BEFORE LEGISLATURE; LEGAL OPINIONS; OTHER DUTIES

The city solicitor shall, when directed to do so by the mayor or city council, appear before the legislature of the Commonwealth, or any committee thereof, whether of either or both branches of the same, when the interest or welfare of the city is directly or indirectly affected; and he shall, when required, furnish the mayor, the city council, any member thereof, or any committee thereof, the school committee, any member thereof, or any committee thereof, or the head of any department who may require it in the discharge of his official duties, his legal opinion in writing on any subject touching the duties of their respective offices, and shall discharge such other duties as may properly pertain to the legal department of the city."

Approved: February 8, 1973

Effective: February 28, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING SECTIONS 2-134 and 2-135 OF CHAPTER 2  
OF THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD 1963.

Be it ordained by the City Council of the City of Springfield as follows:

Sections 2-134 and 2-135 of Chapter 2 of the Revised Ordinances of the City of Springfield 1963 as amended, are hereby amended by striking from the second sentence of each of said sections, the word "nine" and substituting in place thereof the word "twelve", so that said sections, as hereby amended, will read as follows:

Sec. 2-134. Establishment, composition and compensation.

There is hereby established in the city a board to be known as the "Council for the Aging". Such board shall consist of twelve members, all of whom shall be citizens of the city and none of whom shall be members of the city council. Such members shall serve without compensation.

Sec. 2-135. Appointment and terms of members.

The chairman of the council for the aging shall be designated from time to time by the mayor. The twelve members shall be appointed by the mayor and shall hold office for a term co-extensive with the mayor. Any vacancy which shall occur in such board shall be filled in like manner.

Approved: April 19, 1973

Effective: May 10, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING AN ORDINANCE RELATIVE TO THE CONSTRUCTION, ALTERATION, REPAIR, MAINTENANCE AND USE OF BUILDINGS IN THE CITY OF SPRINGFIELD, MASSACHUSETTS, APPROVED BY THE MAYOR JUNE 16, 1939 AND AS LATER AMENDED.

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

SECTION 1. Section 1213.0 of Article 12 is hereby amended by the inserting of the following additional subsection:

### 1213.1.1 FIRE PROTECTION IN HIGH RISE BUILDINGS

a. Every building in excess of seventy (70) feet in height for which building permits are hereinafter issued shall be equipped with an approved system of automatic sprinklers and a sprinkler alarm meeting the standards of the National Fire Protection Association for the Installation of Sprinkler Systems. In multi-residential occupancies, these standards may be modified by the Building Commissioner and Fire Chief.

b. Such sprinkler system shall be installed so as to initiate a signal over a direct line connection to the Fire Department and to a centrally supervised station and an audible alarm shall be installed for the notification of the occupants upon actuation of the sprinkler system.

c. The provisions of this section shall not apply in any instance where it can be shown that the application of water from a sprinkler would be especially harmful to sensitive equipment or materials, in which other means of fire protection may be required by the Building Commissioner and Fire Chief.

### 1213.1.2 TRADE-OFF

Concessions may be made provided the building is sprinklered throughout and is constructed of Type I-A or I-B construction as defined in Article 3 of the Building Code.

a. Fireresistive time periods will be reduced by one (1) hour for the assemblies and components of interior bearing walls, exterior bearing walls, all non-bearing walls, floors, roofs and beam support-floors and roofs.

Note: No walls or partitions shall have less than a one (1) hour fire rating.

b. Interior partitions shall be of one (1) hour non-combustible fire-resistive construction.

c. First-aid cabinets and hose lines may be omitted from standpipe installations.

d. Travel distance to horizontal exits or to enclosed stairways may be extended to three (3) hundred feet.

e. Smokeproof enclosures may be eliminated if each required stairway is pressurized in accordance with code requirements.

f. Fire dampers shall be installed in those areas as required by the Building Commissioner and Fire Chief.

g. Sprinkler heads must be installed in janitor closets, supply closets and in general storage spaces, but may be omitted in clothes closets or other similar spaces.

h. Sprinkler risers may be used for the Fire Department hose connections.

i. The voice communication system shall be actuated by the sprinkler system.

Approved: April 26, 1973

Effective: May 17, 1973

Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING CHAPTER 9, SECTIONS 1-19 INCLUSIVE AND  
CHAPTER 22, SECTIONS 1-69 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

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

Chapter 9, Sections 1-19 inclusive and Chapter 22, Sections 1-69 inclusive, and in such other sections where the term "Department of Streets and Engineering" appear, such Department shall henceforth be known as the "Department of Public Works"; and, any place where the designation of position in the ordinances appear as "Superintendent of Streets and Engineering", it shall henceforth be referred to as "Director of Public Works".

Approved: June 5, 1973

Effective: June 25, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING SECTION 11-17(a) of ARTICLE V OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD 1963.

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

Section 11-17(a) of Article V of the Revised Ordinances of the City of Springfield 1963 is hereby amended by adding to the same the following two streets:

Lyman Street  
Fairbanks Place

that the Ordinance shall read:

"(a) Both sides of the following streets for their entire length:

Alderman Street	East Court Street
Auburn Street	Edward Street
Barnes Street	Elliot Street
Beaumont Street	Elm Street
Beaumont Terrace	Emery Street
Berendo Street	Essex Street
Bliss Street	Fairbanks Place
Bond Street	Ferry Street
Boylston Street	Fort Street
Bradford Street	Grays Avenue
Bridge Street	Greenwood Street
Broadway	Grenada Terrace
Burlington Street	Hampden Street
Cliftwood Street	Harrison Avenue
Clinton Street	Hillman Street
Congress Street	Holyoke Street
Continental Street	Howard Street
Court Square Avenue	Kaynor Street
Court Street	Lenox Street
Crossett Lane	Lyman Street
Cross Street	Market Street
Cypress Street	Mattoon Street

New Dwight Street  
New Street  
Ormond Street  
Park Street  
Parkwood Street  
Patton Street  
Pearl Street Court  
Pomona Street  
Fynchon Street  
Railroad Street  
Salem Street  
Sanford Street  
Sargeant Street  
Seventh Street

Sharon Street  
Sorrento Street  
Stearns Square  
Stockbridge Street  
Temple Street  
Tenth Street  
Trenton Street  
Ventura Street  
Vernon Street  
Vine Street  
Walden Street  
Willow Street  
Winter Street

Approved: June 19, 1973

Effective: July 9, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and ~~SEVENTY-TWO~~ SEVENTY-THREE

## AN ORDINANCE

AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963.

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

Chapter 2 of the Revised Ordinances of the City of Springfield 1963 is hereby amended by striking Section 2-33 in its entirety and by inserting in its place the following:

"Section 2-33. Sick - Leave for new employees.

During the first six months of employment, no sick leave pay shall be granted; however, during such period, sick leave credit of one and one-fourth sick leave days with pay per each completed month of service shall be credited to the employee's account at the commencement of his seventh month of employment less the days or fractions thereof that he was absent from work for whatever cause during said six months of completed employment. The employee will acquire the sick leave credit but will not be paid for any days that he might have lost during the first six months of employment."

Chapter 2 of the Revised Ordinances of the City of Springfield 1963 is hereby amended by striking Section 2-34 in its entirety and inserting in its place thereof the following section:

"Section 2-34. Accrued monthly credit generally.

An employee in the service of the city shall be allowed a credit of one and one-fourth sick leave days with pay per each completed month of service. An employee shall be entitled to sick leave payment starting with the seventh month of completed service

in accordance with the provisions of Section  
2-33 set forth above."

The above amendments to become effective upon passage.

Approved: August 23, 1973

Effective: September 12, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING CHAPTER 8 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW SENTENCE EXCLUDING UNIFORMED MEMBERS OF THE FIRE DEPARTMENT.

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

Chapter 8 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding the following sentence:

"Section 8-10A.

The provisions of this section do not apply to uniformed members of the Fire Department."

This amendment to become effective upon passage.

Approved: August 23, 1973

Effective: September 12, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-THREE

## AN ORDINANCE

AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE  
CITY OF SPRINGFIELD, 1963

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

Chapter 2 of the Revised Ordinances of the City of Springfield  
1963 is hereby amended by the addition of Section 2-38A which will  
be as follows:

"Section 2-38A. Sick-Leave conversion upon retirement  
or death.

Upon retirement or death, an employee shall be paid for  
accumulated sick leave in excess of twenty-five (25)  
days at the rate of pay such person is earning upon the  
date of retirement or death. Such payment will be made  
in one sum which amount will not, under any circumstances,  
exceed twelve hundred dollars (\$1,200.00). In the event  
of death, the sum that otherwise would have been payable  
to the employee, shall be paid to the person whom such  
employee has designated as his beneficiary on his muni-  
cipal life insurance policy, and, if none, then to his  
estate. This section shall not apply to the uniformed  
members of the fire department and police department  
other than parking meter supervisors as well as persons  
appointed by the School Committee as specifically ex-  
cluded by Section 21A of Chapter 40 of Massachusetts  
General Laws. The provisions of this section shall not  
apply to building tradesmen and helpers of the city  
whose rate of pay is determined with reference to the  
prevailing rate of pay paid to non-municipal employees  
in similar trades.

The above amendment to become effective upon passage.

Approved: August 23, 1973

Effective: September 12, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and ~~SEVENTY-THREE~~

## AN ORDINANCE

Chapter 2 of the Revised Ordinances of the City of Springfield pertaining to Sick Leave Credits and Payments.

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

Chapter 2 of the Revised Ordinances of the City of Springfield is hereby amended by the addition of the following sentence to the second paragraph of Section 2-39:

"The City Auditor is authorized to make such payments and cause to be maintained permanent records of accumulated sick leave credits based on an hourly computation to facilitate the implementation of the provisions set forth in Section 2-31 of this division.

The amended Section 2-39 is to read in its amended form as follows:

SECTION 2-39 Employee records and information; manner of making payments.

Each department head shall maintain a permanent record for his employees affected by this division which shall contain all pertinent sick leave data. An employee's record shall be available for inspection by the employee or his elected representative, the city auditor or his representative and the personnel director or his representative.

Sick leave payments under this division shall be designated on the payrolls as sick leave payments in such manner as the city auditor shall prescribe. The city auditor is authorized to make such payments and cause to be maintained permanent records of accumulated sick leave credits based on an hourly computation to facilitate the implementation of the provisions set forth in Section 2-31 of this division.

The payment of sick leave shall be reported to the personnel department at such times and in such manner as the personnel director shall prescribe.

Each department head shall furnish his employees affected by this division a statement every year of the number of sick leave days accumulated and due such employee.

Approved: September 7, 1973

Effective: September 27, 1973

Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and ~~SEVENTY-TWO~~

## AN ORDINANCE

Chapter 2 of the Revised Ordinances of the City of Springfield pertaining to Sick Leave.

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

Chapter 2 of the Revised Ordinances of the City of Springfield is hereby amended by striking the provisions of Section 2-31 and substituting the following Section therein:

### Section 2-31 DEFINITIONS:

For the purposes of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A DAY - That duration of time that constitutes the normal, regularly scheduled hours of employment for the day in question.

SICK LEAVE - The absence from duty of any employee due to a disabling sickness or injury or confinement due to contagious disease.

Absence due to an employee's sickness commencing during the hours of employment will be charged to his accumulated sick-leave credit, if any. The period of time actually worked will not be charged to accumulated sick-leave credit but will be paid for by the City as time actually worked.

Approved: September 7, 1973

Effective: September 27, 1973

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and ~~SEVENTY-THREE~~

## AN ORDINANCE

AMENDING ARTICLE XXIII, CHAPTER 2, OF THE REVISED  
ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS  
AMENDED

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

Article XXIII, Chapter 2, of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by inserting after Chapter 2-175 the following section:

"SECTION - 2-175A      PREFERENCE TO VETERANS AND  
CITIZENS

In the preparation of specifications for all Public Works contracts and in the contracts themselves the provisions of Chapter 149 § 26 of the Massachusetts General Laws shall be explicitly included and stated, said section providing that in the employment of mechanics, apprentices, teamsters, chauffeurs and laborers in the construction of public works, whether they are to work for the City, or for a contractor or subcontractor on public work, preference must be given to veterans and citizens resident in the city for whom the work is being performed.

The requirements of this section shall not be satisfied by a general reference to compliance with the applicable provisions of Chapter 149".

Approved:      September 7, 1973

Effective:      September 27, 1973

Attest:      Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING SECTION 2-18 (2) OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963 AS AMENDED BY CHAPTER 15 OF THE ORDINANCES OF 1968, BY EXCLUDING THE WASTE WATER TREATMENT PLANT ENGINEER FROM THE PROVISIONS OF SAID ORDINANCE.

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

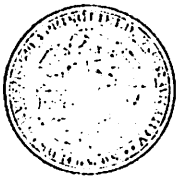
Section 2-18 (2) of the Ordinances of the City of Springfield, as amended by the addition of the following sentence at the end of the conc. full paragraph.

"The provisions of this ordinance shall not apply to the waste water treatment plant engineer."  
(Job Code Number 1450)

Approved: March 5, 1974

Effective: March 26, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

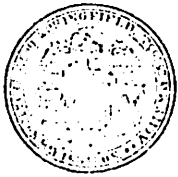
Be it ordained by the City Council of the City of Springfield, as follows:

Chapter 2, Article 1, Sections 2-11 and 2-12 of the Revised Ordinances of the City of Springfield, 1963, as amended February 18, 1964, is hereby repealed.

Approved: April 2, 1974

Effective: April 23, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING CHAPTER 2, ARTICLE 5 OF  
THE REVISED ORDINANCES OF THE CITY  
OF SPRINGFIELD, 1963

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

Chapter 2, Article 5 of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by adding thereto the following new sections:

2-58A Retirement Board - Establishment, Composition, Powers and Duties

There is hereby established in the City, subject to the provisions of Chapter 728, Acts of 1960 and further pursuant General Laws, Chapter 32, Section 20, subparagraphs 4 (a) through (f) and 5 inclusive, a municipal board to be known as the Retirement Board of the City of Springfield.

2-58B Administrator - Retirement System Division - Establishment, Duties and Authority

There is hereby created and established the position of Administrator of the Retirement System of the City of Springfield, the Retirement System of which shall be a division of the Department of the City Auditor, the Administrator of whom shall be under the management, control and operation of the City Auditor; but in no event shall the Administrator be a member of the Retirement Board, nor shall such Administrator be compensated for services rendered in excess of regularly scheduled hours of employment.

Approved: April 2, 1974

Effective: April 23, 1974

Attest: Rose A. Pollard, City Clerk

# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED BY DELETING DIVISION 2 SECTION 2-107 THROUGH AND INCLUDING SECTIONS 2-113 IN ITS ENTIRETY AND SUBSTITUTING IN ITS PLACE THEREFORE A NEW DIVISION 2 - NON-COLLECTIVE BARGAINING PERSONNEL SECTION 2-107

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

That Division 2 - Collective Bargaining Section 2-107; 2-108; 2-109; 2-110; 2-111; 2-112 and 2-113 is hereby deleted in its entirety. The following section 2-107 is hereby inserted under Division 2 - Non-Collective Bargaining Personnel.

Division 2 - NON-COLLECTIVE BARGAINING PERSONNEL: Section 2-107:

The purpose of this division is to acknowledge the need of those municipal employees who are not otherwise included in an employee bargaining unit. Those employees whose wages, hours and conditions of employment are not within the jurisdiction of a collective bargaining unit shall meet with the Mayor, or his designee or submit their requests or proposals concerning wages and other conditions of employment during the month of October, annually.

Annually, the personnel director will conduct a survey of wages, and other conditions of employment of those employees whose interests are not within the jurisdiction of a collective bargaining unit. Such survey shall consist of a study of wages and such other conditions of employment that prevail for like occupations or professions with governmental employers as well as private employers locally and in the north-eastern region. The results of such study shall be submitted to the

Mayor during the month of October.

The Mayor, in the exercise of his discretion as the chief financial officer of the municipality shall review the report of the personnel director as well as the proposals or requests from the employees. He, no later than the first regularly scheduled City Council meeting in December shall advise the City Council, in the form of a report, of his recommendations as to salary increments, adjustments, or other conditions of employment for those employees covered by this section.

Approved: April 9, 1974

Effective: April 30, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

DELETING SECTION 14 OF CHAPTER 19 OF  
THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD, 1963 AS AMENDED.

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

Chapter 19 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by deleting Section 14 thereof which had been passed by the City Council October 12, 1971. Relative to Hours of Employment and Working Conditions of Building Tradesmen.

Approved: April 9, 1974

Effective: April 30, 1974

Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW CHAPTER XXVIII ENTITLED "SPRINGFIELD RIVERFRONT DEVELOPMENT COMMISSION".

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

### Section 28-1. Definition.

For the purposes of this ordinance the term "riverfront" shall mean that portion of land extending from the Longmeadow town line on the South to the Chicopee city line on the North and West Columbus Avenue on the East and the Connecticut River on the West.

### Section 28-2. Springfield Riverfront Development Commission - establishment; membership; etc.

There is hereby established in the City of Springfield the Springfield Riverfront Development Commission, for the purpose of promoting, coordinating and developing as hereinafter provided the area abutting the Connecticut River or any part thereof in the City of Springfield. Such commission shall consist of five residents of the City of Springfield, all of whom shall be appointed by the Mayor and confirmed by the City Council pursuant to the provisions of the City Charter. The chairman of the commission shall be designated by the Mayor.

The members of the commission shall serve for terms of five years unless sooner removed; provided, however, the initial appointees shall serve for terms of one, two, three, four and five years, respectively. Members unless sooner removed, shall serve until the appointment of their successors, and vacancies other than by reason of expiration of a term shall be filled by appointment by the Mayor for the balance of the unexpired term. Any member of the commission may be removed by the Mayor pursuant to the provisions of the city charter and in accordance with the procedures therein provided. Members of the commission shall serve without compensation, but shall be allowed their reasonable and necessary expenses incurred in the performance of their duties as such members.

Section 28-3. Powers and Duties Generally.

(a) The commission, shall submit all plans for approval to the City Council and the Mayor for the development of the riverfront as outlined in the boundaries heretofore mentioned. This plan shall include recommendations for the design, location, relocation, construction, equipment, alteration, enlargement, use, maintenance, operation or lease, either as lessee or lessor, of facilities or open-space for the development of the Connecticut Riverfront, whenever and to the extent that the commission deems such facilities or openspaces to be necessary or desirable in the City of Springfield. Such riverfront development facilities may consist of one or more single or multi-purpose buildings with or without off-street parking facilities incorporated thereon or in close proximity thereto. If such off-street parking facilities are so provided by the Commission they shall remain subject to the Commission's jurisdiction; provided, however, that nothing contained herein shall prohibit the commission from permitting public or special purpose off-street automobile parking as defined in section two of chapter four hundred and eighty-six of the Acts of nineteen hundred and fifty-five as amended therein with or without a reasonable charge for the same.

(b) For the purposes of this ordinance, the commission shall in the first instance use the personnel and services of other departments of the City of Springfield where available; provided, that the cost of such services and personnel is properly charged against the commission. If these department services are not available, reason for the unavailability shall be submitted in writing to the Commission who will in turn submit them to the City Council.

(c) The commission shall, when municipal personnel and services are unavailable, submit any proposal to contract with such firms and for such studies and surveys as it deems necessary to the accomplishment of the purposes of this ordinance subject only to limitations and procedures established by section twenty-nine of Chapter forty-three of the General laws.

(d) The Commission, shall present plans to the Mayor and the City Council to lease, exchange, demolish or otherwise dispose of property and property rights of the City of Springfield if in so doing it deems that the interest of the City of Springfield will be best served and that the same is no longer needed for strictly public purposes in the overall riverfront development.

(e) For the purposes of making surveys, planning, acquiring land for, erecting, equipping or furnishing open space areas or recreational or entertainment facilities on the Connecticut Riverfront, the Commission, on behalf of the City of Springfield, is authorized to accept and use such Federal funds, credits and benefits as may now or hereafter be available for the same and to secure the benefits in regard to the riverfront of the provisions of Chapter seventy-four of the Acts of 1945, as amended, but in all events subject to the applicable provisions of federal law.

(f) The Commission is hereby authorized and empowered subject to the limitations of general or special laws of the Commonwealth:-

(1) To promote, maintain, operate, repair and improve such open-spaces along the Connecticut riverfront with the assistance of the necessary city departments.

(2) To provide through employees of the City under the Commission's supervision or by the grant of one or more concessions to private persons or firms or in part through such employees of the City and in part by the granting of one or more concessions to private persons or firms for the furnishing of services and things for the accomodation of persons using the riverfront open-space property, or any facility of function thereof.

Section 28-4. Annual Reports.

The Riverfront Development Commission shall on or before the fifteenth day of December in each year submit a written report to the Mayor and the City Council outlining the progress made to date and the future goals and plans for the Springfield Riverfront property.

Section 28-5. Meetings, Rules and Regulations.

The Commission shall adopt rules, not inconsistent with the provisions of any statute or ordinance, for conducting its business and meetings and otherwise carrying out the purpose of this ordinance. Meetings of the Commission shall be held at the call of the chairman or in such other manner as may be set forth in said rules but not less often than monthly. All decisions of the Commission, including the adoption of said rules, shall be by vote of a majority of the members thereof.

Approved: April 9, 1974

Effective: April 30, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

ADDING ARTICLE XX-A TO THE REVISED  
ORDINANCES OF THE CITY OF SPRING-  
FIELD, 1963, PROVIDING FOR A COUNCIL  
FOR THE PHYSICALLY HANDICAPPED

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

### ARTICLE XX-A COUNCIL FOR THE PHYSICALLY HANDICAPPED

#### Section 2-134-A Establishment, Composition and Compensation

There is hereby established in the city a board to be known as the "Council for the Physically Handicapped." Such board shall consist of nine members, all of whom shall be citizens of the city. Such members shall serve without compensation.

#### Section 2-135-A Appointment and term of members

The chairman of the council for the physically handicapped shall be designated by the mayor. The nine members shall be appointed by the mayor and shall hold office for a term co-extensive with the mayor. Any vacancy which shall occur in such board shall be filled in like manner.

#### Section 2-136-A Council for the Physically Handicapped

The council for the physically handicapped shall act in an advisory and consultative capacity with the general objective of co-ordinating within the city departments and interested organizations, the concerns of the physically handicapped, and may promote, assist and co-ordinate all activities designated to meet such concerns at community levels.

Approved: April 9, 1974

Effective: April 30, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING THE REVISED ORDINANCE OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING A NEW CHAPTER XXIX ENTITLED "PERSONS IN THE BUSINESS OR OCCUPATION OF MASSAGE; POWER OF COMMISSIONER OF PUBLIC HEALTH; REQUIREMENT OF LICENSE; FEE; TERM; PROCEDURE IN GRANTING, MODIFYING, REVOKING, SUSPENDING SAME; RESTRICTION; SANCTION."

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

No person shall practice massage, or conduct an establishment for the giving of vapor, pool, shower, or other baths for hire or reward, or advertise or hold oneself out as being engaged in the business or occupation of massage or the giving of said baths without receiving a license therefor from the Commissioner of Public Health of the City of Springfield. The Commissioner shall have the authority to grant said license to qualified applicants upon such terms and conditions as he finds necessary and may make such rules and regulations in regard to said business or occupation as he finds proper; provided that within twenty-one (21) days after receipt of a formal application accompanied by a fee set annually by the Commissioner, the Commissioner shall conduct a hearing on said application. Reasonable notice of the time and place of the hearing shall be given and the applicant may be represented by counsel of his choice and may present any witnesses or evidence material to the application.

The Commissioner shall, within ninety (90) days from the close of the hearing give a written decision whether to issue such license containing a statement of reasons.

Any license issued hereunder shall be valid for a period of one (1) year from the date of issue and may be renewed by paying the fee set by the Commissioner.

If any licensee hereunder fails to comply with the law of the Commonwealth or with the rules and regulations of the Department of Public Health or with any other laws, ordinances, rules or regulations the Commissioner may, after giving notice to the licensee informing him of the alleged violation, and after an opportunity for hearing, modify, suspend or revoke said license. Said decision shall be made within twenty-one (21) days after the date of hearing and shall contain a statement of reasons.

It is further provided that no licensee shall practice massage upon a person of the opposite sex; nor shall a licensee give vapor baths to a person of the opposite sex.

Any person who violates any of the provisions of this ordinance shall be punished by a fine not to exceed Fifty Dollars (\$50.00) for each offense.

If any provision or clause of this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions of applications of this ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

Nothing in this chapter shall be construed as conflicting with any license issued under the authority of the Commonwealth.

Approved: May 8, 1974

Effective: May 29, 1974

Attest: Rose A. Pollard, City Clerk

# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING CHAPTER 20, SECTION 1 THROUGH 18  
INCLUSIVE OF THE REVISED ORDINANCES OF THE  
CITY OF SPRINGFIELD AS AMENDED.

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

Chapter 20, Sections 20-1 through 20-18 inclusive of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking in its entirety said section and inserting in place thereof the following new sections as follows:

SEWERS, DRAINS AND WASTEWATER TREATMENT<sup>1</sup>

## Article I Definitions

Sec. 20 - 1 Definitions.

## Article II Public Sewers and Drains

Sec. 20 - 2 Street openings not to interfere with sewers and drains, removal, etc., of other pipes.

Sec. 20 - 3 Work to be done by Director, etc., including cost of sewer entry permit.

Sec. 20 - 4 Requiring building sewer or drain connection, etc., prohibition of cesspools, etc.

Sec. 20 - 5 Procedure for laying out or constructing new public sewers and drains by the City.

Sec. 20 - 6 Reference of proposed sewers or drains to the Board of Public Works; consent of persons interested for sewers or drains outside of streets.

Sec. 20 - 7 Plans for public sewers or drains.

Sec. 20 - 8 Location in streets; materials and dimensions.

Sec. 20 - 9 Connection of private sewer to public sewer or private drain to public drain.

Sec. 20 - 10 Private sewers or drains to become City property when connected; size requirements, etc.

Sec. 20 - 11 Permits.

## Article III Building Sewers and Private Sewers

Sec. 20 - 12 Installation, maintenance, repair or replacement charges.

Sec. 20 - 13 Independent building sewers.

Sec. 20 - 14 Approval and recording of private sewers.

Sec. 20 - 15 Reuse of existing building sewers.

Sec. 20 - 16 Construction requirements for building sewers and private sewers.

<sup>1</sup>For law of the Commonwealth relative to sewers and drains, see G. L. C. 83, Sections 1 to 24. For law of the Commonwealth authorizing cities to pass ordinances establishing common sewers and regulating the use thereof, see G.L. c. 40, Section 21, paragraphs (5) and (6). For law of the Commonwealth authorizing boards of health to make regulations relative to house drainage see G.L. C. 111, Section 127. For law of the Commonwealth relative to betterments, see G.L. c. 83, Section 28 and c. 80, Sections 1 to 17.

For special act authorizing the City to supplement its sewerage system by a sewage treatment plant in the Town of Agawam and by other means, see Acts of 1939, c. 52. For special act authorizing the City to construct certain drains, see Acts of 1863, c. 107. For special act authorizing repayment of certain sewer fees, see Acts of 1914, c. 162.



- Sec. 20 - 17 Depth of building sewer.
- Sec. 20 - 18 Sanitary building sewer restrictions.
- Sec. 20 - 19 Connection of building sewer or private sewer to public sewers.

Article IV Private Drains

- Sec. 20 - 20 Requirements.

Article V Use of Public Sewers

- Sec. 20 - 21 Unpolluted discharges.
- Sec. 20 - 22 Polluted discharges - prohibited.
- Sec. 20 - 23 Polluted discharges - restricted.
- Sec. 20 - 24 Polluted discharges - options of Director.
- Sec. 20 - 25 Industrial wastewaters containing metals.
- Sec. 20 - 26 Industrial wastewaters containing grease, oil, or sand.
- Sec. 20 - 27 Maintenance and operation of pretreatment or flow equalizing facilities.
- Sec. 20 - 28 Industrial wastewaters - control manholes.
- Sec. 20 - 29 Industrial wastewaters - measurement, testing and analyses.
- Sec. 20 - 30 Industrial wastewaters - treatment by City.
- Sec. 20 - 31 Disposal of septic tank solids.

Article VI Wastewater Works

- Sec. 20 - 32 Protection from damage.

Article VII Inspection on Private Properties

- Sec. 20 - 33 Powers and authority of inspectors.

Article VIII Powers and Duties of Director

- Sec. 20 - 34 Powers and Duties of the Director of Public Works in Respect to Sewers, Drains, and Wastewater Treatment.

Article IX Offenses

- Sec. 20 - 35 Penalties

Article X Validity

- Sec. 20 - 36 Defined

Article XI Licenses

- Sec. 20 - 37 Required
- Sec. 20 - 38 Grant of License.
- Sec. 20 - 39 Manner and time of transporting.
- Sec. 20 - 40 Transportation without License.
- Sec. 20 - 41 Vehicles and utensils.
- Sec. 20 - 42 Charges for removal.

## ARTICLE I DEFINITIONS

### 20 - 1 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- Applicant** - any Person requesting approval to discharge wastewaters into Municipal facilities or for a new connection to the public system.
- Biochemical Oxygen Demand (BOD<sub>5</sub>)** - the quantity of dissolved oxygen, expressed in milligrams per liter, used in the biochemical oxidation of wastewater in five (5) days at 20°C (68°F) under standard laboratory procedures.
- Building Drain** - that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and/or other stacks inside the building and terminates ten (10) feet outside the inner face of the building wall.
- Building Sewer** - that part of the horizontal piping which begins ten (10) feet outside the inner face of the building wall and extends to a public sewer, private sewer or other place of wastewater disposal.
- Chemical Oxygen Demand (COD)** - measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand.
- Chlorine Demand** - the amount in milligrams per liter of chlorine required to be added to water, wastewater, or other liquids to achieve a combined chlorine residual after fifteen (15) minutes contact, of one (1.0) milligram per liter.
- City, Municipality or Municipal** - the City of Springfield or pertaining or belonging to said City.
- Combined Sewer** - a sewer receiving and conveying both sanitary wastewater and surface runoff from storms.
- Director** - the Director of Public Works of the City of Springfield or his authorized deputy, or representative.

- Domestic Wastewater** - the liquid wastes and liquid borne wastes discharged from the sanitary conveniences such as toilets, washrooms, urinals, sinks, showers, drinking fountains, laundry rooms, kitchens, cafeterias and floor drains essentially free of industrial wastes or toxic materials.
- Drain** - (See Storm Drain.)
- Excessive** - amounts or concentration of a constituent of a wastewater which in the judgment of the Municipality: (a) will cause damage to any facility, (b) will be harmful to a wastewater treatment process, (c) cannot be removed in the treatment works to the degree required in the limiting stream classification standards of the Connecticut River and/or its tributaries, (d) can otherwise endanger life or property, or (e) can constitute a nuisance.
- Facilities** - shall include structures, conduits, pumping stations, treatment and disposal works, and other appurtenances for the purpose of collecting, treating and disposal of domestic and/or industrial wastewater.
- Garbage** - the wastes resulting from the handling, preparation, cooking and serving of food. It is composed largely of putrescible organic matter, usually with a high natural moisture content.
- Industrial Wastewater** - the liquid wastes from industrial manufacturing processes, laboratories, trades or businesses which predominate as distinct from domestic wastewaters.
- Industry** - an establishment with facilities for mechanical, testing, trade, or manufacturing purposes.
- Interceptor Sewer** - a sewer, located in public and/or private property, which collects the entire flow from a number of public and/or private sewers, conveys the flow to a suitable collection point for final discharge to a place of wastewater treatment and is entirely controlled by the Municipality.
- Licensed Contractor** - any contractor licensed by the Director of Public Works to install building sewers, private sewers and public sewers in the City of Springfield.
- Natural Outlet** - any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- Person** - any individual, firm, company, association, society, corporation, group, trust, municipality or governmental authority.

- pH - the negative logarithm (to the base ten) of the hydrogen ion concentration in grams per liter (gm/l) of solution.
- Private Drain - any drain located on private property and is not under the full care and control of the Department of Public Works.
- Private Sewer - any sewer located on private property that collects and conveys wastewater from two (2) or more building sewers, discharges into a public sewer, and is not under the full care and control of the Department of Public Works.
- Properly Shredded Garbage - garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- Public Drain - a drain located in a public, private way, or easement in which all owners of abutting properties have equal rights, and is under the full care and control of the Department of Public Works.
- Public Sewer - a sewer, located in a public, private way, or easement in which all owners of abutting properties have equal rights, and is under the full care and control of the Department of Public Works.
- Receiving Waters - any watercourse, river, pond, ditch, lake, aquifer, or other body of surface or groundwater receiving discharge of wastewaters.
- Sanitary Sewer - a sewer which carries domestic and/or industrial wastewaters and to which surface runoff from storms and groundwater is not intentionally admitted.
- Sewer - a pipe or conduit for carrying wastewater.
- Shall - is mandatory; "may" is permissive.
- Slug - any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration, or flow, during normal operation.
- Storm Drain - shall mean a pipe or conduit for conveying rainwater, groundwater, subsurface water, condensate, cooling water, or other similar discharge.

**Suspended Solids (SS)** - solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering, and are referred to as nonfilterable residue in the laboratory test prescribed in "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association.

**Turbidity** - (1) condition in water or wastewater caused by the presence of suspended matter, resulting in the scattering and absorption of light rays. (2) measure of fine suspended matter in liquids. (3) analytical quantity usually reported in arbitrary turbidity units determined by measurements of light diffraction.

**Wastes** - substances in liquid, solid or gaseous form that can be carried in water.

**Wastewater** - the spent water of the Municipality and may be a combination of the liquid and liquid-borne wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater and surface water that may be present.

**Wastewater Treatment Works** - any arrangement of devices and structures used for treating wastewater.

**Wastewater Works** - all structures, equipment and processes for collecting, pumping, treating and disposing of wastewater.

## ARTICLE II PUBLIC SEWERS AND DRAINS

**Sec. 20 - 2** Street Openings Not to Interfere with Sewers and Drains, Removal, etc., of Other Pipes.

Whenever any street shall be opened for the laying of pipes for water, gas or other purposes, or for the performance of any works of construction or repairs, such laying of pipes and repairs and work connected therewith, or such work of construction shall be executed so as not to obstruct the course, capacity or construction of a public sewer or drain, and whenever pipes for any purpose or any work of construction shall hereafter be found to exist at such depth or in such location as to interfere with any existing sewer or with the building of any public sewer of the required size, and at the proper depth and grades, the person maintaining the same shall, upon notice thereof, at once remove, change and alter such pipes or other works in such manner as the Director of Public Works may direct. If such person neglects to immediately remove, change or alter such pipes in accordance with the terms of notification, then the Director of Public Works may make such removal, change or alteration, and the cost thereof shall be paid by such person.

Sec. 20 - 3 Work to be Done by Director, etc., Including Cost of Sewer Entry Permit.

No person other than the Director of Public Works through his employees or a Contractor with written authorization by the Director acting under his directions, shall be allowed to excavate within the limits of any street or open any public drain or sewer for any purpose whatever. The connection of all private drains or sewers within the street limits and all connections to any public drain or sewer shall be performed by the Director of Public Works, or his agent, and all material therefor shall be furnished by the City, and the cost thereof and of the labor of laying the same shall be included in the sum paid for the permit. (See Sec. 20-11 and Sec. 20-12).

Sec. 20 - 4 Requiring Building Sewer or Drain Connection, etc., Prohibition of Cesspools, etc.

The Mayor, City Council, and the Commissioner of Public Health, are each hereby authorized, in all cases where there is a public sewer or drain in any street of the City or easement held by the City, to cause every owner of land adjoining such street, or easement, his agent or tenant to provide, subject to the provisions of this Chapter, a sufficient building sewer or drain from his house, yard or lot, to and into such public sewer or drain, whenever, in the opinion of the City Council and the Commissioner of Health, the same shall be necessary for the protection of the public health, and shall, thereupon, give such owner, agent or tenant notice in writing, specifying the time within which such building sewer or drain shall be constructed. The City Council and the Commissioner of Public Health may, whenever, in their opinion, the protection of the public health requires, prohibit the maintenance of any privy or cesspool on any premises connected with a public sewer or drain. Any person who neglects to construct a building sewer or drain under the provisions of this section within the time specified in such notice to do so, or maintains a privy in violation of such prohibition, shall forfeit and pay a penalty as provided in Section 12(t) of Chapter V of 1972 Revised Ordinances of Springfield.

Sec. 20 - 5 Procedure for Laying Out or Constructing New Public Sewers and Drains by the City.

Whenever the laying out or construction of a new public sewer or drain by the City is wanted, application therefor shall be made by petition in writing to the Mayor or City Council, signed by not less than six (6) inhabitants of the City or by the City Planning Director, or by the City Engineer.

Upon filing of said petition, the Mayor or City Council may refer the petition to the Board of Public Works for investigation, hearing and report thereon. Before holding any hearing on said petition, the Board of Public Works shall give all parties notice in the same manner as required by Sec. 22 - 19 (See Chapter 22) of these Revised Ordinances.

After hearing all interested parties in the same manner as provided in Sec. 22 - 18 and Sec. 22 - 19, the Board of Public Works shall report to the Mayor or City Council whether in the Board's opinion, the public convenience or the public health require the laying out or construction of a new public sewer or drain by the City. (See also Sec. 20 - 6).

**Sec. 20 - 6 Reference of Proposed Sewers or Drains to the Board of Public Works; Consent of Persons Interested for Sewers or Drains Outside of Streets.**

No new public sewer or drain shall be constructed by the City unless the question of such construction or making shall first be referred to the Board of Public Works; who shall report to the Mayor and City Council an estimate of its cost, the materials of which, and the manner in which the same should be constructed or made, and an estimate of the damage likely to be occasioned by construction, taking land, or encroachment of watercourses, and if the sewer or drain or any portion thereof shall be outside the limits of the streets, it shall not be constructed or made otherwise then by the consent of all persons interested, without the same proceedings being followed as are required for laying out streets as provided in new Sections 22 - 22 through 22 - 27, hereinafter. (See also Sec. 20 - 5).

In addition to the aforementioned procedure the Board of Public Works shall conduct a hearing for all interested parties, in accordance with the notification procedure set forth in new Sec. 22 - 23 of these Revised Ordinances, after the estimate for damages and estimate of assessments is complete, but before final enactment by the City Council.

**Sec. 20 - 7 Plans for Public Sewers or Drains.**

Whenever any public drain or sewer is to be built, the Director of Public Works, shall make or cause to be made a plan of the same, showing the form, mode of construction, depth below the surface, relation of the sewer invert elevations to the City base, the alignment and general direction of the drain or sewer relative to the street lines or neighboring property, and the sill elevations of all houses to be served, which plan shall be kept on file in his office. This plan shall be the basis of the evaluation and report by the Board of Public Works required under Sec. 20 - 6 above.

**Sec. 20 - 8 Location in Streets, Materials and Dimensions.**

All public sewers which shall be ordered by the Mayor and City Council in any street or highway shall, whenever practical, be laid out as nearly as is practicable in the center of such street or highway, and shall be constructed of such materials and of such dimensions as the Mayor and City Council shall direct.

Sec. 20 - 9 Connection of Private Sewer to Public Sewer or Private Drain to Public Drain.

No connection shall be made between any private sewer or building sewer and any public sewer, or between a private drain and any public drain unless it is of such size, material, construction, depth and location, as the Director of Public Works may direct, and until the appropriate permit has been obtained from the Director of Public Works and all fees, charges, and assessments have been paid.

Sec. 20 - 10 Private Sewers or Drains to Become City Property when Connected; Size Requirements, etc.

All private sewers and drains laid by private parties in any street, court or way, open, or proposed to be opened for public travel and accommodation, shall become public sewers or drains when connected to public sewers or drains. After the adoption of this Ordinance, no such sewer shall be connected with a public sewer and no such drain shall be connected with a public drain until plans showing size, material, construction, depth and location are approved by the Director of Public Works and until the owner shall convey in writing to the City exclusive control over the same, with the right to enter such street, court or way and dig up the same so far as necessary for repairing and controlling such sewer or drain and making connections therewith.

Sec. 20 - 11 Permits.

No person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or drain or appurtenance thereof without first obtaining an appropriate written permit from the Director of Public Works. Applicants shall apply for separate permits for sewers and drains.

Classes of permits shall be as follows:

- Class A: Residential, Sewers
- Class B: Commercial Service and Institutional, Sewers
- Class C: Industrial Waste Producing Establishments, Sewers
- Class D: Drain Permit

The owner or his agent shall make application on a special form furnished by the Director. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the Director. A permit and inspection fee for each type of permit shall be paid to the City at the time the application is filed. The fee schedule will be established by the Director and approved by the City Council and Mayor. Fees shall include the total cost of making the connections as provided in Sec. 20-3.



### ARTICLE III BUILDING SEWERS AND PRIVATE SEWERS

#### Sec. 20 - 12 Installation, Maintenance, Repair or Replacement Charges.

The City shall be reimbursed by the owner for all costs incurred by the City for installation, maintenance, repair or replacement of building sewers and/or private sewers. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by such installation, maintenance, repair or replacement. If reimbursement is not made, the costs shall be considered a lien upon the property served by the said building sewer and/or private sewer.

#### Sec. 20 - 13 Independent Building Sewers.

A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on a single lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. Under these circumstances, and upon approval of the Director, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Any such approval shall be by written agreement and shall be recorded in the Hampden County Registry of Deeds.

#### Sec. 20 - 14 Approval and Recording of Private Sewers.

- (a) A private sewer for the collection of two or more building sewers shall be constructed only upon receipt of written approval by the Director and shall be recorded in the Hampden County Registry of Deeds.
- (b) A copy of such approval and a plan prepared in accordance with all the requirements of this ordinance shall be kept on file in the office of the Director.

#### Sec. 20 - 15 Reuse of Existing Building Sewers.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director, to meet all requirements of this ordinance.

**Sec. 20 - 16 Construction Requirements for Building Sewers and Private Sewers.**

- (a) The size, slope, alignment and materials of construction of a sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall conform to the applicable rules and regulations of the Director of Public Works. The private sewer or building sewer shall not be connected to the Public Sewer prior to certification by the Director that the entire sewer has been properly constructed, inspected for conformance, and tested, and is ready for use. In the absence of specific rules and regulations or in amplification thereof, the materials and procedures set forth in appropriate specifications of the latest edition of the ASTM and WPCF Manual of Practice No. 9, on file with the Director, shall apply.
- (b) All excavations for sewer installation shall be adequately guarded by the licensed contractor with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Director of Public Works
- (c) No person or persons shall construct a building sewer or a private sewer without first obtaining the appropriate permit from the Director of Public Works. The Director reserves the right to install any building sewer or private sewer with City forces.

**Sec. 20 - 17 Depth of Building Sewer.**

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any plumbing connection is too low to permit gravity flow to the private sewer or public sewer, domestic wastewater discharged by such connection shall be lifted by a suitable means (which has been approved by the Director of Public Works) and shall be discharged to the building sewer.

**Sec. 20 - 18 Sanitary Building Sewer Restrictions.**

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or to interior piping which in turn is connected directly or indirectly to a public or private sanitary sewer.

Sec. 20 - 19 Connection of Building Sewer or Private Sewer to Public Sewer.

- (a) The connection of the building sewer or private sewer into the public sewer shall conform to applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the latest edition of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Director before installation.
- (b) The applicant for the sewer permit shall notify the Director when the sewer is ready for inspection and connection to the public sewer. The private sewer or building sewer shall not be connected to the Public Sewer prior to certification by the Director that the entire sewer has been properly constructed, inspected for conformance, and tested, and is ready for use. The connection shall be made under the supervision of the Director or his representative. (See also Sec. 20-3, Sec. 20-9 and Sec. 20-11.)

ARTICLE IV PRIVATE DRAINS

Sec. 20 - 20 Requirements.

The requirements of Sections 20 - 12, 20 - 14, 20 - 15, 20 - 16, and 20 - 19 shall also apply to private drains.

ARTICLE V USE OF PUBLIC SEWERS

Sec. 20 - 21 Unpolluted Discharges.

- (a) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer other than such discharge as is present at the time of passage of this Ordinance. All new or altered connections, excluding ordinary repairs, to the sanitary wastewater system shall conform with this section.

- (b). Stormwater and all other unpolluted drainage shall be discharged to such drains as are specifically designated as storm drains or combined sewers, or to a natural outlet approved by the Director. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Director, to a storm drain, combined sewer, or natural outlet.

Sec. 20 - 22 Polluted Discharges - Prohibited.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
- (c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Sec. 20 - 23 Polluted Discharges - Restricted.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Director that such wastes can harm either the sewers, wastewater treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater

treatment plant, degree of treatability of wastes in the wastewater treatment plant, and other pertinent factors. The substances restricted are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) F. (65°C.).
- (b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°) and one hundred fifty degrees (150°)F. (0 and 65°C.).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Director.
- (d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations as to exceed the limits established by the Director and/or the requirements of the State, Federal or other public agencies or jurisdictions for such discharge to the receiving waters.
- (f) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable State or Federal regulations.
- (g) Any waters or wastes having a pH in excess of 9.0.
- (h) Materials which exert or cause:
  - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
  - (2) Color or turbidity in such an amount that it will prevent the City from discharging a treated effluent in compliance with the Water Quality Standards.
  - (3) Unusual BOD, chemical oxygen demand, or chlorine demand in such quantities as to constitute a significant load on the wastewater treatment plant.
  - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

- (i) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (j) Septic tank solids that are not diluted sufficiently to assure that all particles will be carried freely under all flow conditions in the wastewater facilities.

Sec. 20 - 24 Polluted Discharges - Options of Director.

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances in excess of the limits which may be established by the Director or possess the characteristics which, in the judgement of the Director, may have a deleterious effect upon the wastewater works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers,
- (c) Require control over the quantities and rates of discharge, and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this Ordinance. The amount to be assessed shall include not only the aforementioned costs but also costs of ascertaining responsibilities.

If the Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director, and subject to the requirements of all applicable codes, ordinances and laws.

Sec. 20 - 25 Industrial Wastewaters Containing Metals.

Any waters or wastes containing heavy metals including but not limited to arsenic, barium, cadmium, chromium, cobalt, copper, lead, nickel, tin, silver, gold, or zinc will require pretreatment before discharge to the City's system. Pretreatment shall be such as to reduce the concentration of heavy metals by appropriate methods in the pretreatment system effluent to a level equal to or less than the solubility of the oxide or hydroxide of the heavy metal.

Sludges resulting from the pretreatment process may not be discharged to the sewerage system. The above requirement is in compliance with the policy of the Massachusetts Division of Water Pollution Control. Stricter limits may be imposed if it is found necessary to meet Water Quality Standards. Industries discharging or requesting to discharge beryllium, mercury, arsenic or selenium in any quantity will additionally obtain approval of the Division of Water Pollution Control or their appointed successors.

**Sec. 20 - 26 Industrial Wastewaters Containing Grease, Oil or Sand.**

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director, and shall be located as to be readily and easily accessible for cleaning and inspection.

**Sec. 20 - 27 Maintenance and Operation of Pretreatment or Flow-Equalizing Facilities.**

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in a condition satisfactory to the Director and be effectively operated by the owner at the owner's expense.

**Sec. 20 - 28 Industrial Wastewaters - Control Manholes.**

When required by the Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manholes, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

**Sec. 20 - 29 Industrial Wastewaters - Measurement, Testing and Analyses.**

- (a) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer or private sewer to the point at which the building sewer is connected.

Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the wastewater works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

- (b) Furnishing required analyses, flow data, etc. shall be the responsibility of the Applicant. The Director will stipulate the minimum analyses and other data that shall be obtained and shall conduct such wastewater sampling and measuring programs as are requested by the Applicant. Expenses thus incurred by the City shall be assessed to the Applicant.

Sec. 20 - 30 Industrial Wastewaters - Treatment by City.

No statement contained in this article shall be construed as preventing any agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern. Such agreement or arrangement shall first be approved by the City Council and the Mayor.

Sec. 20 - 31 Disposal of Septic Tank Solids.

No septic tank solids shall be discharged to the City's wastewater system except by specific permission of the Director. The Director shall designate the locations where septic tank solids may be discharged to the wastewater system and the conditions for such discharge.

ARTICLE VI WASTEWATER WORKS

Sec. 20 - 32 Protection from Damage

No person shall maliciously or willfully break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater works. Any person violating this provision shall be subject to arrest and a fine to the extent permitted by law.



## ARTICLE VII INSPECTION ON PRIVATE PROPERTIES

### 20 - 33 Powers and Authority of Inspectors. .

- (a) The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance.

The Director or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastes treatment.

- (b) While performing the necessary work on private properties referred to in Item (a) above, the Director or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company.
- (c) The Director and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the easement pertaining to the private property involved.

## ARTICLE VIII POWERS AND DUTIES OF DIRECTOR

### Sec. 20 - 34 Powers and Duties of the Director of Public Works in Respect to Sewers, Drains, and Wastewater Treatment.

The Director of Public Works shall be responsible for the operation and maintenance of the wastewater works, the administration of contracts and agreements between the City and municipalities and industries served by the City, and the administration of this Ordinance. He shall make all rules and regulation required to satisfactorily implement and enforce the provisions of this Ordinance as the intent

thereof. The rules and regulations shall include, but not limited to the following:

- (a) Standards for public sewers and drains.
- (b) Standards for private sewers and drains.
- (c) Standards for building sewers.
- (d) Licenses, permits, application forms, and fees.
- (e) Leakage tests.
- (f) Discharges allowed to public sewer.
- (g) Monitoring of discharges to public sewer.
- (h) Operation and maintenance of facilities.
- (i) Safety.

#### ARTICLE IX OFFENSES

##### Sec. 20 - 35 Penalties

- (a) Any person found to be violating any provision of Chapter 20 of the City Ordinance, except Article VI, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (b) Any person who shall continue any violation beyond the time limit provided for in Item (a) above, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in accordance with City Ordinance. Each day in which any such violation shall continue shall be deemed a separate offense.
- (c) Any person violating any of the provisions of this Ordinance and regulations shall become liable to the City for any fine assessed to the City, any expense, loss, or damage occasioned the City by reason of such violation.

#### ARTICLE X VALIDITY

##### Sec. 20 - 36 Defined.

- (a) All provisions of prior Ordinances inconsistent with this Ordinance are hereby repealed.
- (b) The invalidity of any section, clause, sentence, or provision of Chapter 20 of this Ordinance shall not affect the validity of any other part of this Chapter which can be given effect without such invalid part or parts.

## ARTICLE XI LICENSES

### Sec. 20 - 37 Required.

No Contractor or person shall be allowed to install or repair a building sewer and/or private sewer or drain unless properly licensed by the Director of Public Works. Such licenses shall be valid for one year unless cancelled by the Director for cause after a hearing. Fees for such licenses shall be established by the Director and approved by the City Council and the Mayor.

## ARTICLE XII POWERS AND DUTIES OF PUBLIC HEALTH COUNCIL

### Sec. 20 - 38 Grant of License.

The Commissioner of public health shall, from time to time, license some person to remove night soil, the contents of privy vaults and cesspools, and to remove dead animals, subject to the provisions of the city ordinances, and all the rules of the public health council relating thereto.

### Sec. 20 - 39 Manner and time of transporting.

No person shall remove or transport through any street or passageway in the city any substances mentioned in section 20-38, except in such manner, at such time, and in such vessels or vehicles as the public health council may prescribe.

### Sec. 20 - 40 Transportation without License.

No person, not licensed under the provisions of section 20-38, unless permitted to do so under the provisions of General Laws, chapter 111, section 31A, shall remove or transport through any street or passageway in the city of any substances specified in section 20-38.

### Sec. 20 - 41 Vehicles and utensils.

No person shall at any time whatsoever carry into or through any public street of the city, any part of the contents of any privy vault or cesspool, in any cart, wagon, or other vehicle or utensil which shall not be closely covered, watertight and keep clean upon the outer surface.

### Sec. 20 - 42 Charges for removal.

Every person licensed under the provisions of section 21-38 shall be entitled to collect from the owner, occupant, or person having charge of the premises from which he has removed any of the substances mentioned in such section, such compensation as shall be fixed by the rules of the

public health council, whether such removal is made upon the application of such owner, occupant or agent, or by or by order of the Commissioner of health.

Approved: July 17, 1974

Effective: August 7, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING SECTION 22-1 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, 1963

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

Section 22-1 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking it in its entirety and inserting in lieu thereof the following:

"Sec. 22-1: Divisions of department and persons in charge thereof.

The Department of Public Works shall be divided into such divisions as the Director of Public Works shall deem administratively and operationally necessary. Each of the major functions of engineering, streets, traffic engineering, sewers and waste disposal shall be in the charge of a person who shall be an expert in the duties which may devolve upon him, and shall be appointed by the Director, subject to General Laws, Chapter 31. Each such person in charge shall devote his entire time to the work of his office, or such other duties as the Director may assign."

Approved: September 4, 1974

Effective: September 25, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING CHAPTER 20 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD AS AMENDED"

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

Chapter 20 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding a new chapter 20-A entitled "ASSESSMENTS AND USER CHARGES FOR WASTE AND WATER FACILITIES" as follows:

City of Springfield, Massachusetts

SEWER ORDINANCE

CHAPTER 20A

July 9, 1974

CHAPTER 20A

ASSESSMENTS AND USER CHARGES FOR WASTEWATER FACILITIES

Article I Definitions

Sec. 20A-1 Definitions

Article II Assessments - Sanitary Sewers

Sec. 20A - 2 Calculations and method of assessments for new public sewers

Sec. 20A - 3 Project costs to be paid by the City

Sec. 20A - 4 Capacity charge to be paid by commercial and industrial users.

Sec. 20A - 5 Wastewater service from a municipal sewer.

Sec. 20A - 6 Methods of payment of assessments and charges.

Sec. 20A - 7 Exemptions and reductions in assessments under special cases.

Sec. 20A - 8 Deferment of payment of assessments

Article III Assessments - Drains

Sec. 20A - 9 Drains.

Article IV User Charges

Sec. 20A - 10 Those subject to user charges

Sec. 20A - 11 Schedule of user charges

Sec. 20A - 12 Effective date of user charges

Sec. 20A - 13 Credit shall be given for prior payment of sewer entrance fees.

Sec. 20A - 14 Grace period for payment of user charges.

Article V Powers and Duties of Director

Sec. 20A - 15 Authority to collect all charges and payments.

Sec. 20A - 16 Establishment of Wastewater Facilities Fund



## ARTICLE I - DEFINITIONS

### Sec. 20A-1 Definitions

- Abutter -** one who holds title to real property within the limits of a Sewer Improvement Area and his successors in title.
- Applicant -** any Person requesting approval to discharge wastewaters into Municipal facilities or for a new connection to the public system.
- Biochemical Oxygen Demand (BOD<sub>5</sub>) -** the quantity of dissolved oxygen, expressed in milligrams per liter, used in the biochemical oxidation of wastewater in five (5) days at 20°C (68°F) under standard laboratory procedures.
- City -** City of Springfield
- Commercial -** a classification of user which includes all retail and wholesale establishments, businesses, and offices including but not limited to office buildings, restaurants, retail and wholesale outlets, service agencies, agents, brokers, professional offices, etc., both profit and non-profit.
- Developed Property -** property that generates wastewater.
- Director -** the Director of Public Works of the City of Springfield.
- Dry Industry -** a classification of user which includes all industries which do not use water for processes, do not use large volumes of water for cleaning, or for which total annual wastewater production is less than 100,000 cubic feet.
- Industry -** an establishment with facilities for manufacturing, processing, fabricating, finishing, assembly, testing, or packaging goods including materials, chemicals, by products, and finished and unfinished products.
- Institutional -** a classification of user which includes all schools, hospitals, churches, governmental buildings and offices, religious organizations, and similar facilities, both profit and non-profit.
- Lot -** real property which is described by deed, or filed subdivision plan, as a single entity and can not be further subdivided.
- Parcel -** real property consisting of one lot, or two or more contiguous lots, under one ownership.

**Sewer Improvement Area** - all that land contained with boundaries which shall include all areas served by an extension of the sewerage system (areas to be serviced by pumping facilities shall be considered separate sewer improvement areas, the boundaries of the sewer improvement area shall include only those parcels and portions of parcels which can be directly served by the public sewer (public sewer is located in a right-of-way, street, public way or easement which is adjacent to the parcel and the public sewer abutts an extension of the nearest property line of the parcel) and which will require a building sewer not exceeding one hundred (100) feet in length between the property line and the public sewer, measured along the shortest route between the public sewer connection point and the intersection of the building sewer at the property line, such that the building sewer does not pass through adjacent private land.

**Suspended Solids (SS)** - shall mean solids that either float on the surface of, or are in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering, and are referred to as nonfilterable residue in the laboratory test prescribed in "Standard Methods for the Examination of Water and Wastewater".

**Total Abutter Frontage** - the summation of individual abutter frontages in a sewer improvement area, whether or not some parcels may be deferred or excluded from assessment; city streets and ways shall not be included.

**Undeveloped Property** - property that is void of any buildings, does not have wastewater facilities, and does not require a connection to the public sewer.

**User** - the Person (as defined herein) who holds title to real property with the City, and his successors in title, who discharges a wastewater.

**Wastewater** - the spent water of the Municipality and may be a combination of the liquid and liquid-borne wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater and surface water that may be present.

**Wet Industry** - a classification of user which includes all industries which produce large volumes of wastewater; any industry which produces more than 100,000 cubic feet of wastewater per year, or one which produces a wastewater of greater strength than residential wastewater (or contains constituents which require pretreatment in accordance with Chapter 20) shall be classified as a wet industry for purposes of this Ordinance.

ARTICLE II ASSESSMENTS - SANITARY SEWERS

Sec. 20A - 2 Calculation and Method of Assessments for New Public Sewers.

A proportionate cost of each extension of the public sewer system, including the cost of all required pumping stations and appurtenances thereto, shall be distributed between the City and the abutters in an equitable manner, based on the estimated cost of the project.

(a) The proportionate cost shall be the sum of the following:

- (1) The estimated cost of all 8-in diameter and smaller public sewers, including appurtenances thereto.
- (2) The proportionate share of the estimated costs of pumping facilities, including appurtenances thereto, determined by a direct ratio of design capacities as established by the Director.
- (3) The proportionate share of the costs (as hereinafter stated) of sewers larger than 8-in diameter. For all public sewers larger than 8-in diameter, the Director shall estimate the cost of 8-in diameter public sewers required to serve the parcels within the Sewer Improvement Area. The Director shall use the estimated cost of 8-in diameter sewers to establish the proportionate share of the costs of sewers larger than 8-in diameter.

(b) The assessment for an individual parcel shall be the sum of a frontage charge and an area charge.

- (1) The frontage charge shall be the product of the assessable abutter frontage and a charge per foot.

The assessable abutter frontage shall be the actual street frontage, but not less than the minimum frontage required by the Zoning Ordinance.

Where a lot has frontage on more than one street, the shortest frontage, but not less than the minimum frontage required by the Zoning Ordinance, shall be the assessable abutter frontage. One half of the length of any curve connecting two intersecting streets shall be included in the assessable abutter frontage.

Where a parcel which has been (or could be under the zoning ordinance) subdivided into two or more lots has frontage on more than one street, the total frontage shall be the assessable abutter frontage. Where one or more lots can be classified as undeveloped property, a deferment of a portion of the assessment may be granted under Sec. 20A-8(c).

The charge per foot shall be the quotient of 20 percent of the estimated proportionate cost of all sewers, pump stations, and all other appurtenances that are required to serve that particular "Sewer Improvement Area" divided by the "Total Abutter Frontages" in the sewer improvement area, whether or not some parcels may be deferred or excluded from assessment.

- (2) The area charge shall be the product of the assessable parcel area and a charge per square foot.

The assessable parcel area shall be equal to the total parcel area where the parcel depth is less than one hundred (100) feet; for parcels with lot depth greater than one hundred (100) feet, only that portion of the total area of the individual lots within one hundred (100) feet measured perpendicular to the street line shall be used for assessment purposes.

The charge per square foot shall be 1.5 percent of the above frontage charge per foot.

- (3) In no case shall the assessment exceed the benefit received by the land assessed.

**Sec. 20A - 3 Project Cost to be Paid by the City.**

The City will pay the difference between the actual total project cost and the summation of all calculated abutter costs within the Sewer Improvement Area, as described in Sec. 20A - 2 above.

- (a) The amount of assessments granted exemptions under Sec. 20A - 7 will be paid by the City.
- (b) All assessments deferred under Sec. 20A - 8 will be assumed by the City for the period of deferment; the City shall be reimbursed by the parcel owners for all deferred assessments as provided under Sec. 20A - 8.
- (c) The full amount of any abatement granted will be paid by the City.

- (d) The assessments computed in accordance with Sec. 20A-2 and approved by the City Council after the proceedings outlined in Sec. 20 - 6 (Refer to Chapter 20) shall not be increased as a result of exemptions, deferments, or abatements granted on some parcels.

Sec.20A - 4 Capacity Charge to be Paid by Commercial and Industrial Users.

A one-time Capacity Charge shall be paid upon connection to the City's wastewater works by all commercial and industrial users who contribute wastewater at a peak rate in excess of 10 cubic feet per minute according to the following schedule for each cubic foot per minute or fraction thereof of peak wastewater flow anticipated from the property:

from 10 cfm to 15 cfm - \$100 per cfm for every cfm over 10 cfm  
from 15 cfm to 30 cfm - \$500 plus \$50 for each cfm over 15 cfm  
over 30 cfm - \$1250 plus \$25 for each cfm over 30 cfm

- (a) Upon application for these services, the applicant shall submit an estimated peak wastewater flow together with the information required in Article V of Chapter 20 plus any additional information requested by the Director for verification of the estimate.
- (b) If the Capacity Charge computed above exceeds \$500, the first \$500 shall be paid with the application and the balance may be paid in the same manner as a betterment assessment.
- (c) At such time that the peak rate of discharge exceeds the amount paid for in the Capacity Charge, application shall be made for the increased capacity required; upon approval by the City an additional Capacity Charge shall be paid. This new Capacity Charge shall be calculated in accordance with the above schedule. The amount due shall be equal to the total calculated Capacity Charge less credit for all previous payments under this Section. In the event that the City does not approve the application for additional capacity, the applicant shall within 60 days reduce its discharge to within the approved capacity. Each day after the 60-day period allowed for reduction of flow that the actual discharge exceeds the approved capacity, shall be considered a separate violation of this Ordinance; discharger shall be subject to fine and penalty in accordance with Sec. 12(t) of Chapter V of 1972 Revised Ordinances of Springfield. At any time upon inspection by the City it is found that the discharge exceeds the approved capacity, he shall be subject to fine in accordance with Sec. 12(t) of Chapter V of 1972 Revised Ordinances of Springfield for each day that the approved flow is exceeded until a new application is approved; each day shall be considered a separate offense.

- (d) No reimbursement will be made by the City for reduction of peak rate.
- (e) The Capacity Charges calculated above shall reimburse the City for capacity provided in the existing wastewater works; however, it will not obligate the City to enlarge the capacity of the existing wastewater works for the benefit of an individual user. Should such enlargements be required, a separate agreement must be entered into with the City. Such agreement must provide for equitable cost recovery by the City.
- (f) The dollar amount of the above Capacity Charge schedule will be revised annually and become effective on the first Monday in January of each year by the ratio that the Engineering News Record Construction Cost Index for that date bears to 1850.
- (g) All commercial and industrial users who are connected to the public sewer on the date that this Ordinance is adopted shall within 180 days from the date of adoption make application for capacity on an official application form obtained from the Director. Required capacity shall be computed taking fully into account the reduction in peak discharge anticipated by July 1977 through the separation of cooling water and the provision of equalization and surge facilities to minimize peak discharges. Prior to June 30, 1977 the Director will review the application, verify the peak discharge, and establish the capacity charge. The capacity charge for an existing user shall be paid prior to July 1, 1977. In the event that the charge exceeds \$500, an initial \$500 payment shall be made prior to July 1, 1977, and the balance shall be paid in accordance with paragraph (b), above.
- (h) Any user who qualifies for delayed payment of the capacity charge under paragraph (g), above, shall forfeit such right if modifications are made (to the wastewater facilities, building, processes, production capability, etc.) which will result in an increase in the peak flow over that discharged during the six month period prior to the adoption of this Ordinance.
- (i) ANY user may add wastewater storage facilities which will store all peak discharges for automatic release (controlled by time clock) during times specified by or approved by the Director. If the facilities provided result in a discharge of peak flows during the hours of normal city low flow (1 a.m. to 5 a.m.) and do not create a peak flow in the public sewers greater than the average daily peak upstream of the user's discharge, than the Director may give an appropriate reduction in the capacity charge.

Section 20A - 5 Wastewater Service from a Municipal Sewer.

The owners of all properties who desire service of a public sewer or who by law are required to have service, shall pay the assessments and capacity charges (where applicable) existing at the time of issuance of the permit (if the full assessments and charges have not already been paid) and user charges, plus the cost of installing the necessary building sewers and private sewers (if required) including lifting devices where required (Chapter 20, Sec. 20-17), the cost of making the connection(s) to the public sewer, and all applicable fees, as determined by the Director of Public Works.

Sec. 20A - 6 Methods of Payment of Assessments and Charges.

All assessments and charges arising from the extension of and/or the connection to the City's wastewater works become liens against the properties to which they apply in accordance with the provisions of the General Laws. The abutters, whether or not they wish to connect to the wastewater works, shall pay the full assessment as a lump sum payment, or a portion of the assessment in a lump sum payment and the balance, with interest in annual payments in accordance with the provisions of Chapter 80 of the General Laws.

Sec. 20A - 7 Exemptions and Reductions in Assessments under Special Cases.

In the event that property is included in the Sewer Improvement Area which cannot be completely served by a gravity connection between the building sewer and the public sewer or cannot be served in its entirety — the assessment against that property shall be adjusted accordingly:

- (a) Owners of properties served only partially by new sewers shall pay an assessment based on the abutter frontage and assessable area computed for the number of minimum-sized lots (in accordance with the requirements of the Zoning Ordinance) which can be served (providing the portion not served is not in common use with the portion served).
- (b) An owner of a developed parcel which cannot be served by a gravity connection between the building sewer and public sewer will pay an assessment which is reduced by the amount equal to the extra cost of providing a suitable pumping or lifting device adequate to lift the wastewater from the building plumbing system and discharge it to the public sewer. The owner shall fully document the extra cost involved to the satisfaction of the Director of Public Works. The resulting reduction in the assessment shall not exceed the least of:
  - (1) the reasonable extra cost to the owner,
  - (2) 1/2 of the full assessment, or
  - (3) the full assessment due on a minimum size lot allowed under the Zoning Ordinance.

The City shall reserve the option of furnishing and installing the required sewage lifting or plumbing installation in lieu of granting the reduction in the assessment.

- (c) Property owned by charitable organizations and non-profit organizations shall not be exempt from payment of assessments and charges.

Sec. 20A - 8 Deferment of Payment of Assessments.

An abutter may make application to the City Council for a deferment of all or a portion of his assessment in accordance with the conditions provided for herein.

- (a) Assessments may be deferred on those parcels or portions of parcels of land which are developed and whose actual use is solely agricultural or which are developed as cemeteries, golf courses, or parks which are open to public use. Portions of parcels occupied by buildings shall be charged a full assessment based on minimum sized lots which could be subdivided out of the parcel (in accordance with the Zoning Ordinance) to accommodate the buildings.
- (b) A portion of the assessment on an undeveloped parcel may be deferred. The deferred amount shall not exceed the greater of the following: (1) one-half of the assessment or (2) the amount eligible for deferment on the undeveloped portion of a parcel as calculated under (c) below.
- (c) A parcel which is partially developed may be granted a partial deferment on the undeveloped portion of the parcel provided that: (1) the total assessment exceeds \$600\* and (2) one or more lots can be subdivided out of the undeveloped portion in accordance with the requirements of the Zoning Ordinance. On those parcels for which a deferment is granted, the minimum initial payment shall equal the full assessment on the developed portion of the parcel plus the payment on the undeveloped portion as calculated by the following table:

<u>Total Assessment for the Entire Parcel</u>	<u>Percent Paid on Undeveloped Property</u>
\$600* - \$2000	50% of the amount greater than \$600*
\$2000 - \$5000	the sum of: (1) 50% of the amount greater than \$600* but less than \$2000 (2) 40% of the amount greater than \$2000
\$5000 or greater	the sum of: (1) 50% of the amount greater than \$600* but less than \$2000 (2) 40% of the amount greater than \$2000 but less than \$5000 (3) 25% of the amount greater than \$5000

\*or the assessment computed for the developed portion of the parcel, whichever amount is greater.



The above schedule of deferment for undeveloped land shall apply only to the individual assessment on single parcels or on contiguous parcels; the total assessment on holdings of several individual scattered parcels shall not be considered.

If the parcel is improved in such a manner that there is not enough undeveloped land area remaining for an additional lot in accordance with the Zoning Ordinance, then the owner must pay the full assessment on the entire parcel.

- (d) All deferments granted under subparagraphs (b) and (c) above shall be subject to an annual payment of the interest calculated at the rate provided by law on the total amount deferred. Such rate shall be determined at the time of request for deferment and shall be clearly stated in the request submitted to the City Council for approval. Such annual interest payments shall be added to the City property tax bill and shall be paid in the same manner as property taxes; delinquent payments shall become liens on the property and shall be recorded and collected in the same manner as assessments in accordance with the provisions of Chapter 80 of the General Laws.

All deferments shall be duly recorded in the Hampton County Registry of Deeds and shall be due and payable in full immediately upon the change of land use to one which deed not qualify for deferment under this Ordinance. Upon failure to pay the deferred assessment when due, it shall automatically become a collectable lien on the property.

### ARTICLE III ASSESSMENTS - DRAINS

#### Sec. 20A - 9 Drains

All Sections contained in Article II, except Section 20A - 4, shall apply to drains in the same manner as for sewers, with Section 20A - 2, revised as provided herein:

For every instance where the term "8-in diameter or smaller public sewer" is used in Section 20A-2 "12-in diameter or smaller public drain" will be substituted. Also for every instance where the term "8-in diameter" is used in Section 20A-2 "12-in diameter" will be substituted. The cost of 12-in drains will be used as the proportionate share of the costs of public drains.

## ARTICLE IV USER CHARGES

### Sec. 20A - 10 Those Subject to User Charges.

All users, abutters, and owners, each with developed property which can be directly served (as defined in definition of "sewer improvement area" in Sec. 20A - 1) by a public sewer, whether or not the building plumbing is actually connected to the public sewer, shall pay regular charges for service as enumerated in this Article (Sec. 20A - 11 through 20A - 13) in addition to charges and assessments for construction of the sewers, connection to the public sewer (if connection has been made), and for permits, as provided for elsewhere in this Ordinance. Within this Article, the term "user" shall apply to all who are subject to the user charges, as defined above.

### Sec. 20A - 11 Schedule of User Charges.

User charges shall consist of flat rate charges plus surcharges for excess volume and/or strength of wastewater discharged into the public sewers. The charges which follow apply to all classes of users including residential, commercial, institutional, industrial, governmental, charitable, and non-profit. Where metering devices are not installed by the owner for the purpose of measuring the actual quantity of wastewater discharged, the water use measured by a meter approved by the City shall be used for billing purposes. Wastewater volume, determined from City water consumption, shall be established from the usage determined by the City's Water Department.

#### (a) Flat Rates:

The schedule of flat rates given in Table 2CA-A shall apply to all users. The minimum annual rates indicated in the table shall be the base charges for normal service and normal strength wastewater. The applicable surcharges presented in paragraph (d) below shall be added thereto.

#### (b) Conditions for Abatement:

Application for abatement will not be considered unless the following conditions are met:

1. The total annual water consumption is less than the volume allowed in Table 20A-A under the minimum annual rate for the designated type of service.
2. The living unit for which an abatement has been requested (dwelling unit or rental unit) shall have been continuously unoccupied through a complete billing period.
3. The total annual abatement for which application is made is equal to at least five dollars (\$5.00) total or not less than two dollars (\$2.00) per unoccupied living unit, whichever figure is greater.
4. No City seals on meters shall be broken.

## TABLE 20A-A

## SCHEDULE OF FLAT RATES

<u>Type of Service</u>	<u>Designation</u>	<u>Volume Allowed<sup>(2)</sup> Under Minimum Annual Rates (cu ft/yr)</u>	<u>Minimum Annual Rate</u>
Single-family residence <sup>(1)</sup>	R-1F	10,000	\$ 27.00
Two-family residence <sup>(1)</sup>	R-2F	18,000	46.00
Three-family residence <sup>(1)</sup>	R-3F	26,000	65.00
Four-family residence <sup>(1)</sup>	R-4F	33,000	82.00
Multiple family <sup>(3)</sup>	R-MF	40,000 + (n-5)x(7,500)	99 + (n-5)(18)
Trailer Park <sup>(3)</sup>	R-TP	40,000 + (n-5)x(7,500)	98 + (n-5)(18)
Commercial	C	20,000	54.00
Institutional <sup>(4)</sup>	I	50,000	118.00
Dry Industry	DI	50,000	118.00
Wet Industry	WI	100,000	226.00

(1) Trailer courts with provision for less than five trailers shall be charged the same and given the same volume allowance as the appropriate residential schedule.

(2) For residential account and other accounts which do not have metering devices for measuring the actual quantity of wastewater discharged, the water meter readings shall be used for billing purposes.

(3) n= number of family units in apartment house.

(4) Exceptionally small institutions which use substantially less than the 50,000 cu ft. per year can petition to the Director to be reclassified as a commercial user and be charged under that rate schedule.

The abatement shall be calculated as follows:

1. The applicant shall not have received an abatement for the subject service for the previous twelve month billing period.
2. The applicant must file for an abatement within 60 days after the billing date.
3. Subtract actual water consumption for the twelve month billing period from the volume allowance under the minimum annual rates for the designated type of service as shown in Table 20A-A.
4. Divide the unused volume (obtained above by subtraction) by 100 to obtain the number of billing units for abatement calculation.
5. Multiply the number of billing units subject to abatement obtained in (4) above by \$0.10 per billing unit to obtain the amount of the abatement.
6. The maximum abatement allowed will be six dollars per year per each continuously unoccupied living unit.
7. The actual abatement shall be the lesser of the amounts calculated under (5) and (6) above.

(c) Special Allowance (for non-wastewater producing usage):

1. An allowance will be established for non-residential users consuming metered water which is not discharged into the wastewater collection system discharge (such as coolant water), provided that a separate (City approved) sealed meter is provided to meter this water.
2. No allowance shall be made if the City seals on meters have been broken.

(d) Surcharges:

Surcharges over and above the flat rates listed in subparagraph (a) above will be levied against domestic, commercial and industrial users who discharge above average volumes and/or concentrations of wastewater into the system. Surcharges shall be assessed at the following rates:

<u>Type of Surcharge</u>	<u>Unit</u>	<u>Surcharge per Unit</u>
<b>Residential &amp; Non-Residential</b>		
1. Volumetric charge	100 cu ft excess wastewater discharge or water use	\$0.22/100 cu. ft.
<b>Non-Residential Surcharge</b>		
1. BOD*	lb of BOD	\$0.025/lb.
2. Suspended Solids**	lb of SS	0.018/lb.

\*Pounds of BOD<sub>5</sub> subject to a surcharge are calculated by the following equation:

$$(C_1-240) \times 0.00624 \times Q = \text{lb of BOD}_5 \text{ subject to surcharge}$$

where C<sub>1</sub> is the concentration of BOD in mg/l of the wastewater, and Q is the actual metered water use or wastewater discharge measured in units of 100 cu ft.

\*\*Pounds of SS subject to a surcharge are calculated by the following equation:

$$(C_2-300) \times 0.00624 \times Q = \text{lb of SS subject to surcharge}$$

where C<sub>2</sub> is the concentration of suspended solids in mg/l of the wastewater, and Q is the actual metered water use or wastewater discharge measured in units of 100 cu ft.

(e) Metering and billing shall be as follows:

- (1) All rates are based on metered use of water where applicable.
- (2) The surcharges given in the Table 20A-A for water usage in excess of the volume allowance will be determined on an annual basis for residences, apartment complexes and trailer courts billed semi-annually.
- (3) Charges for residential, apartment complexes and trailer courts billed semi-annually shall be billed in accordance with this paragraph. The first billing will be equal to one-half of the minimum annual rate. The amount of the second billing will be determined by subtracting the first billing from the computed total annual charge (flat rate plus surcharges). All other users shall be billed in accordance with Paragraph (4) below.
- (4) Billing periods for all other users shall be in accordance with the billing procedures of the City Water Department, except if a different billing method is approved by the Director. The flat rate volumetric charge for each billing period shall be based upon a fraction of the total annual rate. This part of the billing amount shall be determined by dividing the annual allowable volumetric rate by the number of billing periods.

Surcharge for excess water shall be determined by subtracting the allowable volume for the billing period from the total billable volume for the same period. Surcharges for BOD and suspended solids shall be rendered concurrently with the volumetric charges.

#### Sec.20A - 12 Effective Date of User Charges.

User charges shall be levied in accordance with the rate schedule presented in Sec.20A - 11 above on all property subject to the charges as defined in Sec.20A - 10 above, beginning July 1, 1974.

Sec. 20A - 13 Credit Shall be Given for Prior Payment of Sewer Entrance Fees.

Credit will be given for prior payment of sewer entrance fees under the "Order for Sewer Entrance Fees" dated June 21, 1943, upon submittal to the Director of Public Works of a completed application for such credit on a form provided by or approved by the Director of Public Works stating the amount of the sewer entrance fee, date paid, and accompanied by suitable proof of payment. Application must be made prior to July 1, 1975. Full credit for the amount of prior payment of sewer entrance fee shall be applied toward the payment of the user charges (until the amount of prior payment is expended) in accordance with the following schedule:

<u>Number of Years Lapsed Since Building Sewer Became Operational</u>	<u>Percentage of Sewer Entrance Fee Which Is To Be Applied Toward User Charges</u>
Less than 1	100%
1 to 2	80%
2 to 3	60%
3 to 4	40%
4 to 5	20%
Longer than 5	None

Sec. 20A - 14 Grace Period for Payment of User Charges.

Those users (as defined in Sec. 20A - 10) whose building plumbing is not connected to the public sewer shall make payment of the user charges beginning July 1, 1977, or beginning three years from the date a public sewer becomes available (within 100 feet from the property, as defined in Sec. 20A - 10); whichever date is later.

Sec. 20A - 15 Authority to Collect all Charges and Payments

The Director shall forward to the City Collector for collection, all assessments and charges for wastewater facilities, including the collection of capital, maintenance and operation, and other payments from industries and municipalities as specified in the contracts, agreements, and amendments thereto, between the City and individual industries and municipalities receiving service from the City and participating in the Sewerage Works Improvements. The City Collector shall have the authority to use all legal means available to collect charges and payments when due, including the collection of delinquent payments through property liens.

A late payment fee will be charged on accounts which have not been paid within 60 days after issuance of the bill. An additional demand fee will be charged on accounts which have not been paid 75 days after issuance of the bill. The owner of the property will be charged for all sewer use fees, late payment fees and demand payment fees. Late payment and demand fees will be in accordance with the following schedule:

		<u>Late Payment Fees</u>	<u>Demand Payment Fees</u>
Any amount up to and including	\$ 19.99	\$ 2.00	\$ 3.00
Excess of \$20.00 "	39.99	4.00	6.00
" 40.00 "	59.99	6.00	9.00
" 60.00 "	79.99	8.00	12.00
" 80.00 "	99.99	10.00	15.00
" 100.00 "	499.99	30.00	45.00
" 500.00 "	999.99	60.00	90.00
" 1,000.00 "	4,999.99	210.00	300.00
" 5,000.00 "	9,999.99	450.00	600.00
" 10,000.00 "	49,999.99	1,500.00	1,800.00
Any amount in excess of	50,000.00	2,000.00	2,000.00

All charges and payments collected shall be deposited to the appropriate account of the Wastewater Facilities Fund established for the operation, maintenance and improvement of the wastewater facilities under the "Sewers, Drains and Wastewater Treatment Division of the Department of Public Works".

Approved: September 18, 1974

Effective: October 9, 1974

Attest: Rose A. Follard, City Clerk

# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

### COMMISSION ON WOMEN'S AFFAIRS

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

#### Article XXII

Section 2-141 Establishment; Appointment and Composition; Term of Office and Salary.

There is hereby established a Commission on Women's Affairs in the City of Springfield which shall consist of nine members to be appointed by the Mayor, all of whom shall be residents of the City of Springfield. In the first instance, three members shall be appointed for one year; three members shall be appointed for a term of two years; three members shall be appointed for a term of three years; annually thereafter, on or before January 15 of each year, three members shall be appointed for a term of three years. An appointment to fill a vacancy shall be for the unexpired term only of the vacating member. No member of the Commission shall receive any salary for services rendered to said Commission.

Section 2-142 Meetings, Officers and Minutes

The Commission on Women's Affairs shall hold monthly meetings and shall elect a chair-person, a vice chair-person and secretary and such other officers as it deems necessary. Minutes of the meetings shall be kept by the secretary. The Commission on Women's Affairs shall hold its annual meeting on the first Thursday in December at which time the officers for the ensuing year shall be elected.

Section 2-143 Executive Office

The person occupying the office of chair-person shall serve as the coordinator of the Commission on Women's Affairs and shall have the responsibility of advising and assisting in the planning and development of policies and programs of the Commission on Women's Affairs, and for providing leadership in executing and coordinating these policies and programs.

Section 2-144 Powers and Duties Generally

The powers and duties of the Commission shall be:

a) To engender, encourage and promote in the community as amongst the business and professional persons and organizations,



together with the educational, religious, political and civic leaders of our City a more profound understanding of the need for and the value of the contributions women can and do make within all such areas of endeavor, nationally as well as locally; and further to prevent and eliminate any and all discriminatory practices as against women in our society, wherever their spirit and talents may lead them.

b) To make such studies as necessary to effectuate said general purposes as is hereinabove set forth; to disseminate information and educational materials and reports which will assist in the elimination of prejudice, intolerance, and discrimination as against the women of our area; and to further promote programs in community education and information with a view to achieving a healthier and more rewarding lifestyle for the modern-day woman in the City of Springfield.

c) To recommend to the Mayor and City Council the enactment of such ordinances and other legislation or action as in the judgment of the Commission shall eliminate such conditions as result in discriminatory practices against women in our society and more specifically the City of Springfield.

d) The Commission shall act, upon request only, and solely in an advisory capacity to the Mayor, City Council, or any commission or department in respect to City plans or the operation of any City department where questions of conflicts or differences between citizens involving discriminatory practices by reason of sex shall arise; and may further serve as a consultant to such groups and agencies within the municipality and/or community through cooperating in educational campaigns devoted to the elimination of prejudice, intolerance or discrimination as such is or becomes applicable to women's rights.

e) Hold conferences, hearings, workshops and other special meetings in the interest of addressing itself to problems which are peculiar to the needs of the area's women and with a view to resolving in an equitable fashion and manner such problems as may have been occasioned by virtue of distinctions of sex.

f) The City on behalf of the Commission, may accept grants and donations from foundations and others for the purpose of carrying out the Commission's functions.

g) The Commission may consult with and maintain relations with surrounding cities and towns and where feasible cooperative with them in the development and implementation of programs designed to further equal protection for women in pursuit of their recognized aspirations.

h) The Commission on Women's Affairs shall adapt such rules

and regulations for the conduct of its business as are necessary  
effectuate the purpose of this ordinance.

Approved: September 18, 1974

Effective: October 9, 1974

Attest: Rose A. Pollard, City Clerk

# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING CHAPTER 2, ARTICLE I, SECTION I OF  
THE REVISED ORDINANCES OF THE CITY OF SPRING-  
FIELD, 1963, AS AMENDED.

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

Section 2-1 of the Revised Ordinances of the City of Springfield, 1963, as amended is hereby further amended by striking the word "8:00" as appearing in the first sentence of said section 2-1 and substituting in place thereof the word "7:30" so as to read as follows:

"Regular meetings of the Council shall be held on the first and third Mondays of each month at 7:30 P.M. unless otherwise ordered from time to time."

Approved: September 18, 1974

Effective: October 9, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR

## AN ORDINANCE

AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, CHAPTER 6-1 THROUGH 6-6; CHAPTER 2 ARTICLE XVI SECTIONS 119 THROUGH 121A; CHAPTER 2 ARTICLE XXII SECTIONS 145 THROUGH 148; CHAPTER 2 ARTICLE XXV SECTIONS 186 THROUGH 189; CHAPTER 26 SECTIONS 1 THROUGH 7; AND CHAPTER 28 SECTIONS 1 THROUGH 5.

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

Chapter 6, sections 1 through 6 entitled "City Planning"; Chapter 2 Article XVI sections 119 through 121A entitled "Youth Services Commission"; Chapter 2 Article XXII sections 145 through 148 entitled "Human Relations Commission"; Chapter 2 Article XXV sections 186 through 189 entitled "Housing Department"; Chapter 26 sections 1 through 7 entitled "Model Cities"; and Chapter 28 sections 1 through 5 entitled "Consumer Advisory Commission", of the Revised Ordinances of the City of Springfield, 1963, as amended are hereby further amended by deleting said sections in their entirety and substituting in place thereof the following new Chapter 6 sections 6-1 through 6-18 entitled "Community Development", said chapter to read as follows:

### CHAPTER VI

#### Community Development

##### Article I

#### Commissioner of Community Development

##### Section 6-1. Establishment.

The position of Commissioner of Community Development is hereby established, such commissioner to serve at the pleasure of the Mayor.

##### Section 6-2. Powers and Duties generally.

The Commissioner shall be responsible for policy direction and coordination of the City's activities in the general areas of economic development, planning, human services, housing and renewal.

## Article II

### City Planning

Section 6-3. Planning Board - establishment; powers and duties generally.

A Planning Board under the provisions of General Laws, Chapter 41, section 81A is hereby established. Such Planning Board shall have all the powers and duties granted by General Laws, Chapter 41, sections 81A to 81GG.

Section 6-4. Planning Board - composition; appointment and terms of members, vacancies,

Said Planning Board shall consist of nine (9) members. Seven (7) members shall be appointed by the Mayor for a term of five (5) years. The remaining two (2) members shall be the Chairman of the Board of Public Works or a board member designated by him, ex-officio, and the Chairman of the Board of Park Commissioners or a board member designated by him, ex-officio. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as in the case of an original appointment.

Section 6-5. Planning Board - officers and employees.

The Planning Board shall elect annually a Chairman and a Clerk from its own number.

Section 6-6. Referring matters to Planning Board before final action.

The City Council as provided in section 81G of Chapter 41 of the General Laws, may, by ordinance or vote provide for the reference of any matter or class of matters to the Planning Board before final action thereon, with or without the provision that final action shall not be taken until the Planning Board has submitted its report or has had a reasonable fixed time to submit the same. Said Planning Board shall have full power to make such investigations, maps and reports and recommendations in connection therewith, relating to the planning and development of the City, as it deems desirable.

Section 6-7. City Planning Department - establishment; powers and duties generally.

A city planning department is hereby established. This department shall be responsible for the provision of technical planning services to all pertinent municipal agencies and boards.

Section 6-8. Planning Department - studies, plans, reports.

The Planning Department shall from time to time make careful studies and when necessary propose plans of the resource possibilities and needs of the City, and, upon completion of such study and following a review by the Planning Board, shall submit to the City Council a report thereon with its

recommendations. It shall submit annually a report approved by the Planning Board to said City Council giving information regarding the condition of the City and any plans or proposals for its development and estimates of the costs thereof, and shall at the same time furnish a copy of such report to the state Planning Board.

Section 6-9. Master or study plan of City.

The Planning Department is hereby ordered and directed to make a master or comprehensive plan of the City or such part or parts thereof as the Planning Board may deem advisable and from time to time may extend or perfect such plan. Said master or comprehensive plan to be subject to the approval of the City Planning Board and to be in the detail set forth by Section 81D of Chapter 41 of the General Laws, and may be made, added to and changed from time to time as provided by section 81D.

Section 6-10. Planning Director.

The position of Planning Director is hereby created. The Planning Director shall be appointed by the Mayor and serve a term concurrent with the Mayor. The planning director shall be responsible for the administration of the planning department and the direction of its planning activities. The Planning Board shall be advisory to the director except where otherwise prescribed by city ordinance or state statute.

ARTICLE III

Housing Code Enforcement

Section 6-11. Establishment.

There is hereby established in the city a municipal department to be known as the Housing Code Enforcement Department.

Section 6-12. Housing Code Enforcement Director.

The position of housing code enforcement director is hereby created. The housing code enforcement director shall be responsible for the administration of the housing code enforcement department. In this function, he shall be designated the housing commissioner for the purposes of Chapter 842 of the Acts of 1967. The housing code enforcement director shall be appointed by the Mayor and serve a term concurrent with the Mayor.

Section 6-13. Powers and duties.

It shall be the duty of the Housing Code Enforcement Department and the Housing Code Enforcement Director to enforce the provisions of Articles I and II of the Sanitary Code of the Commonwealth of Massachusetts.

## ARTICLE IV

### Human Services Department

#### Section 6-14. Establishment.

There is hereby established in the City a municipal department to be known as the Human Services Department.

#### Section 6-15. Human Services Director.

The position of human services director is hereby created. The human services director shall be responsible for the administration of the human services department. The human services director shall be appointed by the Mayor and serve a term concurrent with the Mayor.

#### Section 6-16. Powers and Duties.

It shall be the responsibility of the human services department to provide, through direct service or contract, the City's human service activities; these activity areas shall include, but not be limited to, elderly, youth, consumer protection, handicapped, intergroup relations, equal opportunity, programming, community organization and citizen participation. The department shall provide staff support to all city boards and commissions responsible for the aforementioned activities as well as assisting other city departments. The Human Services Department shall be the successor agency to the Model Cities Agency for the purposes of all pertinent contracts and other financial agreements.

#### Section 6-17. Human Services Board - establishment; composition; terms of office.

A Human Service Board is hereby established. Such board to consist of fifteen (15) members, five (5) of whom shall be appointed by the Mayor, five (5) of whom shall be appointed by the elected neighborhood councils from designated target areas, and five (5) of whom shall be appointed by and representatives of private non-profit agencies designed by the board in conformance with any applicable federal guidelines. When the board is first established, five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of three (3) years. At the expiration of the respective terms of the first appointees, successors shall be appointed for a term of three (3) years or until a successor is appointed and qualified. In the event a vacancy shall occur, it shall be filled in the manner as that of an original appointment for the unexpired term. The five private non-profit agencies to be represented on the Board at the time of its establishment, shall be selected jointly by the initial five mayoral appointees and initial five elected neighborhood council representatives.

Section 6-18. Same - powers and duties.

The Human Services Board shall exercise those powers stipulated by federal and state guidelines in the awarding and contracting of human services monies. In all other matters the Human Services Board shall serve in an advisory capacity to the director of human services.

Approved: November 19, 1974

Effective: December 10, 1974

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FOUR.

## AN ORDINANCE

AMENDING SECTION 2-42 OF CHAPTER 2 OF  
THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD OF 1963 AS AMENDED.

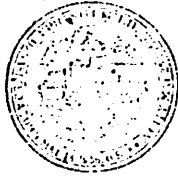
Be it ordained by the City Council of the City of Springfield, as follows:

Section 2-42 of Chapter 2 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking from the first paragraph the word, ten, and substituting therefore the word, eleven, and adding to the list of legal holidays the name of Martin Luther King's Birthday.

Approved: January 7, 1975

Effective: January 23, 1975

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AMENDING SECTION 2-42 OF CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD OF 1963, AS AMENDED, AND AS FURTHER AMENDED BY VOTE OF THE CITY COUNCIL DATED JANUARY 6, 1975, APPROVED BY THE MAYOR ON JANUARY 7, 1975.

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

Section 2-42 of Chapter 2 of the Revised Ordinances of the City of Springfield of 1963, as amended, and as further amended by vote of the City Council dated January 6, 1975, approved by the Mayor on January 7, 1975, is hereby further amended as follows:

The deferred passage of the amendment of ordinance voted by the City Council on January 6, 1975, approved by the Mayor on January 7, 1975, would defeat and frustrate the reason for its passage, in that certain municipal employees might unequally be denied compensation for a legal holiday enacted by the General Court; therefore, the amendment of ordinance voted by the City Council on January 6, 1975, approved by the Mayor on January 7, 1975, is hereby declared to be an emergency measure which shall be effective as of January 7, 1975.

Approved: January 22, 1975

Attest: Rose A. Pollard, City Clerk

# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AMENDING CHAPTER 20, SECTIONS 19 AND 29  
OF THE REVISED ORDINANCES OF THE CITY OF  
SPRINGFIELD AS AMENDED

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

Section 20-19 entitled "Connection of Building Sewer or Private Sewer to Public Sewer," is hereby further amended by adding after sub-section (b) the following:

"(c) Any person proposing a new discharge into the system or a substantial change in the volume or characteristic of pollutants that are being discharged into the system shall notify the Director of the Department of Public Works at least forty-five (45) days prior to the proposed change or connection."

Be it further ordained, as follows:

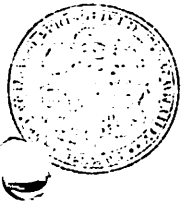
Section 20-29 entitled "Industrial Wastewaters, Measuring, Testing and Analyses," is hereby further amended by adding after sub-section (b) the following:

"(c) All industries discharging into a public sewer system shall perform such monitoring of their discharges as the Director and/or other duly authorized employees of the City may reasonably require, including installation, use, and reporting the results of such monitoring to the Director. Such records shall be made available upon request by the Director to other agencies having jurisdiction over discharges to receiving water."

Approved: February 5, 1975

Effective: February 26, 1975

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AMENDING CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, BY ADDING THERETO A NEW ARTICLE XXV

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

### ARTICLE XXV. BUILDING DEPARTMENT

#### Section 2-186. Supervision, Permits and Records

(a) There shall be in the City of Springfield a department, to be called the Building Department, which shall be under the charge and supervision of a Building Commissioner, hereinafter referred to as the Commissioner.

(b) All permits issued by the Department shall bear the signature of the Commissioner, which signature shall be affixed by the Commissioner or by a member of the Department thereunto specifically authorized by the Commissioner.

(c) The Commissioner shall cause to be kept a record of the business of the Department, and shall submit to the Mayor and City Council, on or before the first day of March of each year, a report on such business. The records of the Department shall be open to public inspection.

#### Section 2-187. Building Commissioner

The Commissioner, who shall be a professional engineer registered under the provisions of Chapter 643 of the Acts of 1941, as amended, or an architect registered under the provisions of Chapter 696 of the Acts of 1941, as amended, and who shall have been domiciled in Springfield for three (3) years immediately prior thereto, shall be appointed in accordance with the Civil Service law, by the Mayor, and shall hold office until removed for cause by the Mayor. (See special Acts of 1918, Chapter 116, accepted by the City Council in 1918, placing the Commissioner under the Civil Service law.)

#### Section 2-188. Deputy Building Commissioner

There shall be a Deputy Building Commissioner who shall be appointed by the Commissioner in accordance with the Civil Service law. The Deputy Building Commissioner shall, during the absence or disability of the Commissioner, exercise all of the powers of the Commissioner.

Section 2-189. Employees

The Commissioner may appoint such number of inspectors, assistants and other employees in accordance with the Civil Service law as shall be authorized by the Mayor and City Council from time to time.

Section 2-190. Restrictions on Employees

No officer or employee of the Department, except a member of the Board of Appeals, shall engage in any work on any building or structure located in the City of Springfield, nor shall he furnish any material for the construction, repair, or maintenance, nor prepare plans or specifications therefor, unless he is owner of the building or other structure, provided such activity does not interfere with his duties and responsibilities to the Department.

Section 2-191. Duties and Powers of the Commissioner

The Commissioner shall have control and supervision of the Building Department, its personnel, records and equipment, and all drawings received with applications for permits. It shall be his duty to so enforce the provisions of this Article, State Building Code, and all other related laws, regulations and ordinances; or as they may be hereafter amended, as to secure their intent. He shall have jurisdiction and authority to perform any and all acts or rights and powers which are prescribed to be so performed and exercised by him under the provisions of Chapter 143 of the General Laws, Chapter 802 of the General Law Acts of 1972, Chapter 349 of the Acts of 1910, Chapter 262 of the Acts of 1911, and Chapter 334 of the Acts of 1912. The Commissioner is hereby designated as the inspector of wires, as provided in General Laws (Ter. Ed.) Chapter 166, Section 32, and shall have all the powers and supervision set forth in said chapter and section. The inspection and supervision of wiring, plumbing and gas piping is hereby placed under the supervision and control of the Commissioner as provided in Chapter 349 of the Acts of 1910 and Chapter 262 of the Acts of 1911. The Commissioner may, subject to the approval of the Mayor, engage such expert opinion as he may deem necessary to pass upon unusual issues which may arise.

Section 2-192. Permit Fees and Certificates

A permit for the erection, alteration, repair, demolition, or removal of; or the addition to; a building or other structure; or a permit for the installation, alteration, repair, or removal of any equipment or appurtenances which are regulated by this article and the State Building Code; shall not be issued until the fee prescribed in this section shall have been paid to the City Collector; and any amendment to a permit which necessitates an additional fee because of an increase in the square footage or appurtenance of the building or structure that is involved shall not be approved until the additional fee shall have been paid thereto.

Section 2-192 shall not apply to permits issued to the City of Springfield.

Section 2-193. Special Fees

The payment of any fee which is required by the above Section 2-192 shall not relieve the applicant or holder of the permit from the payment of any other fee or assessment that may be prescribed by law or ordinance

for a water tap, sewer connection, inspection, or other privilege or requirement, both within and without the jurisdiction of the Building Department.

Section 2-194. New Construction and Additions to Buildings other than One and Two-family Dwellings

The fee for a building permit for the erection of, or the addition to, a building, or other structure shall be based upon the square footage per floor including basement or cellar as determined by the following uses and occupancies which are classified and defined in the Massachusetts State Building Code.

- (a) Category A (.03¢ per square foot per floor)
  - (1) Business Building
  - (2) Assembly
  - (3) Institutional
  - (4) Mercantile
  - (5) Schools
- (b) Category B (.02¢ per square foot per floor)
  - (1) Residential (other than one and two-family dwellings)
- (c) Category C (.01¢ per square foot per floor)
  - (1) Industrial
  - (2) Storage (including garages)
  - (3) Hazardous

The minimum fee for a permit for the use and occupancy listed in Section 2-194 shall be twenty-five (25) dollars and the maximum fee for a permit shall be fifteen (15) thousand dollars.

Section 2-195. Alterations and Repairs for other than One and Two-Family Dwellings

The fee for a building permit for the alteration or repair of a building other than a one or two-family dwelling shall be based on the square footage of the area of the building to be altered or repaired.

- (a) Category A (rate of  $.01\frac{1}{2}$ ¢ per square foot per floor including basement)
- (b) Category B (rate of .01¢ per square foot per floor including basement)
- (c) Category C (rate of  $.0\frac{1}{2}$ ¢ per square foot per floor including basement)

The minimum fee for a permit for the use and occupancy listed above in Section 2-195 shall be ten (10) dollars and the maximum fee for a permit shall not exceed seventy-five (75) hundred dollars.

- (d) For other alterations and repairs which do not involve square footage, such as changing doors, replacing windows, etc., the minimum fee shall be six (6) dollars.

Section 2-196. Other Structures. (See definition of structure as defined in the Massachusetts State Building Code.)

The minimum fee for a building permit for a structure, such as retaining walls, radio antennas, towers, as defined in the Massachusetts State Building Code shall be ten (10) dollars.

Section 2-197. Open Buildings

The fee for a building permit for an open shed, carport, open storage shed or building of similar character with large overhanging roofs or marquees, the square footage shall be measured to the outer edge of the roof or overhang.

Section 2-198. Moving of Building

The fee for a building permit for the removal of a building from one lot to another or to a new location on the same lot shall be six (6) dollars.

Section 2-199. Demolition of Buildings and Structures

(a) The fee for a permit for the demolition of a one or two-family dwelling shall be six (6) dollars.

(b) The fee for buildings or structures other than one or two-family dwellings shall be six (6) dollars per floor including basement.

Section 2-199 shall not apply to buildings or structures that are condemned and demolished by the Building Department in accordance with Chapter 143 of the General Laws of Massachusetts, Section 6 through 12 inclusive, or Chapter 802 of the Acts of 1972.

Section 2-200 Permit Fees for One and Two-family Dwellings - New and Additions

The fee for a building permit for the erection of, or addition to, a one or two-family dwelling shall be based upon the square footage per floor, excluding basement or cellar not used for habitable rooms, as determined by the following:

- (a) One and two-family dwellings up to 1000 square feet of gross floor area shall be:
  - (1) Building Permit \$10.00
  - (2) Electrical Permit \$ 5.00
  - (3) Plumbing Permit \$ 5.00
  - (4) Gas Permit \$ 5.00
- (b) One and two-family dwellings from 1000 to 2000 square feet of gross floor area shall be:
  - (1) Building Permit \$20.00
  - (2) Electrical Permit \$10.00
  - (3) Plumbing Permit \$10.00
  - (4) Gas Permit \$10.00
- (c) One and two-family dwellings 2000 square feet and over of gross floor area shall be:

(1) Building Permit	\$40.00
(2) Electrical Permit	\$20.00
(3) Plumbing Permit	\$20.00
(4) Gas Permit	\$20.00

Section 2-201 Permit Fees for Alterations and Repair to One and Two family Dwellings

The fee for a permit to alter or repair a one or two-family dwelling shall be ten (10) dollars which shall include building, electrical, plumbing and gas permits.

Section 2-202. Accessory Use Structures and Additions and Alterations

Permit fees for building structures, additions and alterations to accessory use buildings for one and two-family dwellings shall be five (5) dollars, which shall include building, plumbing, electrical and gas permits.

Section 2-203. Elevator, Dumbwaiter and Escalator Fees

The fee for a permit for the installation, alteration, or repair of an elevator, dumbwaiter, or escalator shall be at the rate of ten (10) dollars.

Section 2-204. Plumbing Permit Fees for which Building Permits are Not Required

The fee for a plumbing permit for which a building permit is not required shall be at the rate of one (1) dollar and fifty (50) cents; plus one (1) dollar and twenty-five (25) cents for each fixture, water heater, water tank, or septic tank installed.

Section 2-205. Gas Piping Permit Fees for which Building Permits are Not Required.

The fee for a gas piping permit for which a building permit is not required shall be at the rate of one (1) dollar and fifty (50) cents; plus one (1) dollar and twenty-five (25) cents for each appliance installed.

Section 2-206. Electrical Wiring Fees for which Building Permits are Not Required.

The fee for an electrical wiring permit for which a building permit is not required shall be at the rate of five (5) dollars.

Section 2-207. Fire Extinguishing Equipment Fees for which Building Permits are Not Required

The fee for a permit for which a building permit is not required shall be at the rate of three (3) dollars; plus fifteen (15) cents for each sprinkler head installed or relocated.

Section 2-208. Sign Permit Fees

(a) The fee for a sign permit shall be as set forth in the following schedule:

(1) Non-illuminated wall sign	\$3.00
(2) Illuminated wall sign	\$5.00



- (3) Illuminated double faced projecting sign \$10.00
- (4) Illuminated ground sign \$10.00
- (5) Illuminated roof sign \$10.00
- (6) Illuminated directional sign such as exit, entrance \$ 3.00
- (7) Non-illuminated double faced projecting signs, ground signs, roof signs, and directional signs such as exit, entrance \$ 6.00

(b) Sign Removal: The fee for a permit for the removal of an unbonded sign shall be three (3) dollars; and the fee for the removal of a bonded sign shall be six (6) dollars.

(c) Sign Alteration: The fee for a permit to alter or repair a sign shall be three (3) dollars.

Section 2-209. Fees for Work Started Prior to Obtaining Permits

Except in an emergency, as determined by the Commissioner, where work for which a permit is required by this Article is started or proceeded with prior to obtaining said permit, the above fee shall be doubled but the payment of such fee shall not relieve a person, firm or corporation from fully complying with the requirements of this Article in the execution of the work nor from any penalty prescribed herein.

Section 2-210. Permit Fees not Covered

Fees which are not specifically covered or defined by this Article shall be set as determined by the Building Commissioner.

Section 2-211. Fees for Board of Appeal

(a) The fee for an appeal for a variation from the requirements of the State Building Code shall be forty-five (45) dollars.

(b) The fee for an appeal for a variation from the requirements of the Zoning Ordinance shall be eighty-five (85) dollars.

(c) The fee for an appeal for a variation from the requirements of both the State Building Code and the Zoning Ordinance shall be eighty-five (85) dollars.

Section 2-212. Accounting

The Commissioner shall keep a permanent, accurate record of all fees which are charged under this Article, the names of the persons upon whose accounts the same were paid, the dates and amounts thereof, together with the locations of the structures or premises to which they relate.

Section 2-213. The present existing structure of the Board of Appeals duly enacted by the City shall remain in effect, to wit:

(a) Appointment: The Board of Appeal established under the provisions of Section 2 of Chapter 349 of the Acts of 1910, as amended by Chapter 243 of the Acts of 1945 shall consist of three members to be appointed by the Mayor. One member shall be representative of the

Building Trade Unions or a builder; one shall be either a registered architect or registered professional engineer; and one shall be an attorney at law. There shall also be six associate members to be appointed by the Mayor. Two associate members shall be representatives of the Building Trade Unions or builders; two shall be either registered architects or registered professional engineers; and two shall be attorneys at law. When a member is disqualified or absent, an associate member of like qualification to the disqualified or absent member shall serve. All members and associate members shall have had at least five (5) years experience in their respective vocations.

(b) Term of Office: The appointment of members first made hereunder shall be for the term of one, two or three years, respectively, so that the term of one member shall expire each year. All subsequent appointments of members shall be for the term of three years. The appointment of associate members first made hereunder shall be for the term of one, two or three years, respectively, so that the term of one associate member shall expire each year. All subsequent appointments of associate members shall be for the term of three years.

#### Section 2-214. Building and Fire Districts

(a) Building District: The entire territory comprised within the city limits as the same now are or may be established is hereby designated as the Building District under authority of Chapter 126 of the Acts of 1873.

(b) Fire Districts: For the purposes of this Article, there shall be established Fire Districts or zones which shall be known as the Inner Fire District and General Fire Districts.

(1) Inner Fire District: This district comprises the area within the following boundaries: Beginning at the intersection of the center line of Union Street extended with the east bank of the Connecticut River; thence extending northerly along the east bank of said river to the center line of Sargeant Street extended; thence continuing easterly on the center line of Sargeant Street extended and the center line of Sargeant Street to the center line of Main Street; thence continuing easterly on the center line of Carew Street to the center line of Chestnut Street; thence continuing southerly on the center line of Chestnut and Maple Streets to the center line of Union Street, thence continuing westerly on the center line of Union Street and the center line of Union Street extended to the point of beginning.

(2) General Fire Districts: Such districts shall comprise the entire areas of "Business A," "Business B," "Business C" district not included in Inner Fire District, and "Commercial A" districts or zones as the same now are, or may be established by zoning ordinance.

#### Section 2-215. Projecting Marquees and Signs

(a) Restrictions

(1) A projecting marquee that extends into or over a public way more than twelve (12) inches shall be subject to the regulations provided in Section 2-216, Permits, Bonds and Licenses for Projecting Signs and Marquees.

(2) A projecting marquee may project beyond the street line within twelve (12) inches of the outside face of the curb, but no part shall be located less than ten (10) feet, nor more than eighteen (18) feet, above the curb.

(b) Supports and Attachment

A projecting marquee shall be assembled and attached to a building or other structure in such a manner so as not to be or become dangerous to property or persons. It shall safely support its own weight plus a superimposed uniformly distributed live load of thirty (30) pounds per square foot in addition to any concentrated loads to which it may be subject.

(c) Protection

(1) A projecting marquee shall not discharge water, snow, or ice onto the street.

(2) The roof, if glazed, shall be glazed with safely supported wire glass that is not less than one-quarter (1/4) of an inch in thickness.

Section 2-216. Permits, Bonds and Licenses for Projecting Signs and Marquees

(a) Application

(1) Except as otherwise provided, a person, firm or corporation shall not place or maintain a sign or marquee that projects into or over a public way more than twelve (12) inches without furnishing and signing a bond and securing a permit as provided in this section. This section, however, shall not apply to a sign or marquee that projects into or over a public way twelve (12) inches or less; nor to poles, wires, conduits and appurtenances of railroad, railway, telegraph, water, gas, electric, heat and power companies.

(2) The provisions of this section, except as to safety, shall not be so construed as to compel the alteration or removal of any sign or marquee that was legally erected prior to the passage of this ordinance.

(b) Permits

(1) A permit for the placing and maintaining of such a sign or marquee shall not be issued until the plans for same have been approved by the Commissioner, nor until the applicant for such a permit has filed with the City Treasurer a bond conforming to the provisions of this section.

(2) An application for a permit shall set forth the purposes for which such a sign or marquee is to be used and the manner in which it will project into or over a public way; and shall describe accurately in writing, and by drawings made to scale, the design and construction of the sign or marquee and the method of its attachment to a building or other structure.

(A) Drawings shall be submitted in triplicate and, when approved by the Commissioner, one copy shall be retained by him, one shall be returned to the applicant, and one shall be filed with the City Treasurer.

(c) Bonds

(1) A bond required by provisions of this section for a sign or marquee shall be satisfactory to the City Treasurer; and shall be duly executed by the applicant and a surety company that is qualified to do a surety company business in the Commonwealth of Massachusetts. Said bond shall indemnify the City against any and all claims for personal injury or damage to property that in any way result from such a sign or marquee. It is further stipulated that the person, firm, or corporation who owns such a sign or marquee shall also pay all judgments and damages that result from or arise out of the collision with or falling of such a sign or marquee.

(2) The sum of the bond, or bonds, for each projecting sign or other advertising device shall be five thousand (5000) dollars for each two hundred (200) square feet or fraction thereof of the combined face areas.

(3) The sum of the bond for each projecting marquee shall be ten thousand (10,000) dollars for one (1) foot up to and including ten (10) feet in length, plus three thousand (3000) dollars for each additional ten (10) feet in length or fraction thereof.

(4) The clerk of a firm or corporation shall furnish, in addition to the required bond, a copy of the minutes of the meeting or certificate of vote which authorizes the signee to place his signature on the applications and bond.

(d) License

The granting of a permit under the provisions of this section shall not relieve the applicant, owner, or agent of procuring from the Director of the Department of Public Works a license to occupy or use a portion of a public way in the City of Springfield under the provisions of Chapter 369 of the Acts of 1911. A person, firm, or corporation who has procured a permit from the Commissioner under the provisions of this section shall not erect a sign or marquee until and unless a license to occupy or use a portion of a public street in the City of Springfield has been granted by the Director of the Department of Public Works and the fee for such licenses, as determined by said Director, has been paid.

(e) Permit not Transferable

A permit which was issued under this section shall not be transferable. If an owner of a projecting sign or marquee transfers ownership of such a sign or marquee to a new owner, the new owner shall within ten (10) days furnish and sign a bond and secure a permit as required in this section. Upon transfer of ownership, the former owner shall at once notify the Commissioner in writing of such transfer, giving the name and address of the new owner and the date of the transfer; and the former owner and his surety shall remain liable after such

transfer for maintenance of such sign or marquee until the new owner has obtained a new permit from the Commissioner under this section. The City Treasurer, after such new permit has been granted, shall obtain from the City Solicitor a statement that no claims or suits are pending against the City arising out of the erection or maintenance of such sign or marquee; and, not earlier than three (3) days after the receipt of such statement may issue to the former permittee or his surety a statement that liability on the bond which was filed with the application for such former permit has ceased on a day subsequent to three (3) days after the filing of the City Solicitor's statement to the City Treasurer.

(f) Permit for Removal

If a sign or marquee, erected or maintained under a permit issued under the provisions of this section, is to be removed, a permit to do so must first be obtained from the Commissioner who, after an inspection of the premises and after the completion of such removal, shall notify the City Treasurer in writing that the sign which was erected under the terms of a particular permit has been removed. The City Treasurer, upon receipt of such notice from the Commissioner, shall obtain from the City Solicitor a statement that no claims or suits are pending against the City arising out of the erection, maintenance or removal of such sign or marquee, and may, not earlier than three (3) days after the receipt of such statement, issue to the former permittee or his surety a statement that liability on the bond which was filed with the application for such former permit has ceased on a day subsequent to three days after the filing of the City Solicitor's statement to the City Treasurer.

Approved: February 5, 1975

Effective: February 26, 1975

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED BY CHAPTER XXVII ENTITLED "SPRINGFIELD HISTORICAL COMMISSION"

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

Chapter 27, Section 27-2, of the Revised Ordinances of the City of Springfield, as amended, entitled "HISTORIC DISTRICT -- establishment be amended to read as follows:

- (1) That the existing first paragraph under said Section 27-2 be designated as subsection "A".
- (2) That a subsection "B" be added to read as follows:

"Section 27-2. B.

There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, The Forest Park Heights Historic District as shown on the map, labeled Exhibit 27-2B, entitled "Forest Park Heights Historic District"; said map to be considered a part hereof."

### Exemptions from Controls

- a. Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting removal, and similar matters as the Commission may reasonably specify.
- b. Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- c. Storm windows, screens, window air conditioners, antennae and similar appurtenances.
- d. The color of paint.
- e. The color of materials used on roofs.
- f. Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated, is only illuminated ~~only~~ indirectly.

g. The reconstruction, substantially similar in exterior design, of a building structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

(3) That the following section be added at the beginning of Section 27-4 - "Rules and regulations"

Section 27-4

That the Springfield Historical Commission hold its meetings twice a month at a regularly scheduled time and place.

Approved: February 21, 1975

Effective: March 14, 1975

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, CHAPTER 2, ARTICLE XXV, SECTION 2-214, BY DELETING IT IN ITS ENTIRETY AND INSERTING IN ITS PLACE THEREOF THE FOLLOWING:

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

Article XXV. - BUILDING DEPARTMENT, Section 2-214 - Building and Fire Districts - be deleted in its entirety and inserted in place thereof the following:

Section 2-214. Building and Fire Districts

(a) Building District: The entire territory comprised within the city limits as the same now are or may be established is hereby designated as the Building District under authority of Chapter 126 of Acts of 1873.

(b) Fire Districts: For the purposes of this Article, there shall be established Fire Districts or zones which shall be known as the Inner Fire District and General Fire Districts.

(1) Inner Fire District: This district comprises the area within the following boundaries: Beginning at the intersection of the center line of Union Street extended with the east bank of the Connecticut River, thence extending northerly along the east bank of said river to the center line of Sargeant Street extended; thence continuing easterly on the center line of Sargeant Street extended and the center line of Sargeant Street to the center line of Main Street; thence continuing easterly on the center line of Carew Street to the center line of Chestnut Street; thence continuing southerly on the center line of Chestnut and Maple Streets to the center line of Union Street, thence continuing westerly on the center line of Union Street and the center line of Union Street extended to the point of beginning.

(2) General Fire District: Such districts shall comprise the entire areas of "Business A," "Business B," "Business C" district not included in Inner Fire District, "Commercial A," and "Residence - Office" districts or zones as the same now are, or may be established by ordinance.

Approved: April 24, 1975  
 Effective: May 15, 1975  
 Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD 1963 AS AMENDED BY CHAPTER XXVII ENTITLED "SPRINGFIELD HISTORICAL COMMISSION"

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

Chapter 27 Section 27-1 of the revised ordinances of the City of Springfield as amended entitled "Springfield Historical Commission -- establishment; membership; etc." be amended to read as follows.

Section 27-1 Springfield Historical Commission - establishment; membership; etc.

There is hereby established under the provisions of the Historic Districts Act General Laws Chapter 40C as amended by Chapter 359 of the Acts of 1971 and General Laws Chapter 40 Section 8D, a Springfield Historical Commission, to be governed by and operated in accordance with the provisions relative thereto of the General Laws or any special act or amendment thereto. Said Commission shall consist of seven (7) regular members to be appointed by the Mayor subject to the confirmation of the City Council, including one (1) member from two (2) nominees submitted by the Springfield Historical Society, or in absence thereof, from the Society for the Preservation of New England Antiquities; one (1) member from two (2) nominees submitted by the chapter of the American Institute of Architects covering Springfield; one (1) member from two (2) nominees submitted by the Springfield Board of Realtors. It is recommended that the remaining four (4) members be selected so as to include a lawyer, a landscape architect, a banker, and a public relations specialist, or in the absence of any one (1) or more of the aforementioned, a person or persons interested in historic preservation.

Each such member of said Commission shall be a resident of the City and any such member removing his residence from said City shall be considered thereby to have resigned his membership in the Springfield Historic Commission. The members of said Commission shall also include one (1) or more residents of or owners of property in an Historic District administered by said Commission. When the Commission is first established, two (2) members shall be appointed for a term of one (1) year; two (2) shall be appointed for a term of two (2) years; and three (3) shall be appointed for a term of three (3) years. At the expiration of the respective terms of the first appointees, the Mayor shall appoint a successor for each office for a term of three (3) years or until a successor is appointed and qualified. In the event a vacancy shall occur, it shall be filled in the same manner as that of an original appointment for the unexpired term.

Approved: May 9, 1975

Effective: May 30, 1975

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED BY CHAPTER XXVII ENTITLED "SPRINGFIELD HISTORICAL COMMISSION."

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

Chapter 27, Section 27-2, of the Revised Ordinances of the City of Springfield, as amended, entitled "HISTORIC DISTRICT -- establishment" be further amended to read as follows:

1. That a subsection "C" be added to Section 27-2 to read as follows:

"Section 27-2. C

There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, the McKnight Historic District as shown on the map, labeled Exhibit 27-7c, entitled McKnight Historic District;" said map to be considered a part hereof.

### Exemptions from Controls

- a. Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting removal, and similar matters as the Commission may reasonably specify.
- b. Terraces, walks, driveways, and sidewalks, provided that any such structure is substantially at grade level.
- c. Storm windows, screens, window air conditioners, antennae and similar appurtenances.
- d. The color of materials used on roofs.
- e. Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation, or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated, is illuminated only indirectly.
- f. The reconstruction, substantially similar in exterior design, of a building structure, or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence."

Approved: January 6, 1976

Effective: January 27, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-FIVE

## AN ORDINANCE

AMENDING CHAPTER 2, ARTICLE 1 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED BY SECTION 2-14A OF SAID CHAPTER 2, ARTICLE 1.

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

Chapter 2, article 1, section 2-14A, of the Revised Ordinances of the City of Springfield, 1963, amended, is hereby further amended by striking in its entirety said section 2-14A and inserting in place thereof a new section 2-14A as follows:

"Section 2-14A - ANNUAL REPORTS.

Every department, board, commission, committee, sub-committee and agency of the city, hereinafter referred to as 'department', however elected, appointed or otherwise constituted shall annually on or before September 1; submit to the Mayor and to the City Clerk, an annual report concerning the preceding fiscal year, as hereafter prescribed or as required otherwise by ordinance or statute. The report shall contain such general information relating to the activities, projects, transactions and programs of the department necessary to provide an adequate accounting of the same; an accurate accounting of all its receipts and expenditure not covered in the budget; of the progress and stage of development of programs undertaken by said department, however, funded; the condition of all structures, if any, under the supervision of said department including those which are in the process of construction or have been completed during the previous fiscal year; a detailed description of the public property, if any, under the supervision of said department; and, said report shall contain such recommendations relative to said department as may be deemed necessary.

Said annual reports shall be typewritten and submitted on unbound, standard 8½" x 11" paper with (3) hole punch. The original copy of said annual report shall be submitted to the City Clerk who shall maintain a copy thereof for inspection by the public.

This section shall not be construed to amend or modify any ordinance or statute presently or hereafter existing which specifically prescribes the manner and contents of an annual report by any one such department; provided, however, that this section may be construed to require and enlarge upon those matters not required by any ordinance or statute presently or hereafter existing and not inconsistent therewith."

Approved: January 6, 1976  
Effective: January 27, 1976  
Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING CHAPTER 20, SECTION 20,  
OF THE REVISED ORDINANCES OF THE  
CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Chapter 20, Section 20 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by inserting after Section 20-19(b) the following new sub-section, Section 20-19(c) and by inserting after Section 20-29(b) the following new sub-section, Section 20-29(c):

"Section 20-19(c)

Any person proposing a new discharge into the system or a substantial change in the volume or characteristic of pollutants that are being discharged into the system shall notify the Director at least forty-five (45) days prior to the proposed change of connection."

"Section 20-29(c)

All industries discharging into a public sewer system shall perform such monitoring of their discharges as the Director and/or other duly authorized employees of the City may reasonably require, including installation, use, and maintenance of monitoring equipment, keeping records and reporting the results of such monitoring to the Director. Such records shall be made available by the Director, upon request, to other governmental agencies or city departments having jurisdiction over discharges to receiving water."

Approved: February 4, 1976

Effective: February 25, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

### AMENDING CHAPTER 20A OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Chapter 20A of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by inserting after Section 20A-15 the following new section, Section 20A-16:

"Section 20A-16 (a) Springfield Wastewater Facilities Fund ('Local') - Establishment; Operation

There is hereby established in the city treasury a fund in which shall be deposited the fees, charges, receipts and any and all payments collected or received from the operation of the Springfield Wastewater Facilities, and all such funds shall be received by the city treasurer and kept in a fund known as 'the Springfield Wastewater Facilities Fund' ('Local'), which shall be separate from all other monies, funds or property of the city, and the principal and interest of which shall only be expended, subject to appropriation with the approval of the mayor and the city council of the city, for the operation and maintenance of and improvements to a waste water treatment facility system and for any bonded indebtedness and interest of said Springfield Wastewater Facilities or for transfer to the Greater Springfield Regional Wastewater Facilities Fund for purposes hereinafter stated, all to be done in accordance with Chapter 520 of the Acts of 1975 of the General Court of the Commonwealth.

Section 20A-16 (b) Greater Springfield Regional Wastewater Facilities Fund ('Regional') - Establishment; Operation

The City does hereby establish, and there is hereupon established, in the city treasury a fund in which shall be deposited the fees, charges, receipts and any and all payments collected or received from the operation of the Greater Springfield Regional Wastewater Facilities, and

any and all such funds shall be received by the city treasurer and kept in a fund known as 'the Greater Springfield Regional Wastewater Facilities Fund' ('Regional'), which shall be kept separate from all other monies, funds or property of the city, and the principal and interest of which shall only be expended, subject to appropriation with the approval of the mayor and the city council of the city, for the operation and maintenance of and improvements to a waste water treatment facility system and for any bonded indebtedness and interest for said Greater Springfield Regional Wastewater Facilities, all to be done in accordance with Chapter 520 of the Acts of 1975 of the General Court of the Commonwealth.

Section 20A-16(c) Annual Report of Auditor

The auditor of the city shall file an annual report of all receipts and expenditures pertaining to said Greater Springfield Regional Wastewater Facilities with each of the member municipalities, in accordance with Chapter 520 of the Acts of 1975 of the General Court of the Commonwealth.

Section 20A-16(d) Miscellaneous Provisions Relative to Expenditures

The Director shall submit an annual budget request in detail to the Mayor, which shall be reviewed by the mayor and council in the same statutory manner as are other annual budget requests. The Director shall report to the mayor and council, in addition to the annual report, at intervals of not less than three (3) years, relative to any surpluses available, projected expenditures, and when adjustment of charges and fees are, in his opinion, required to meet projected expenditures."

Approved: February 4, 1976

Effective: February 25, 1976

Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING SECTIONS 2-92 AND 2-93 OF ARTICLE XII  
OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

SECTION 1. Section 2-92 of Article XII of the Revised Ordinances of the City of Springfield 1963 is hereby amended by striking out the title of said Section 2-92, which reads "Associate City Solicitors", and inserting in place thereof the following:

"Sec. 2-92. DEPUTY CITY SOLICITOR: ASSOCIATE CITY SOLICITORS."

SECTION 2. Section 2-92 of Article XII of the Revised Ordinances of the City of Springfield 1963 is hereby further amended by adding the following two paragraphs:

"There shall be one deputy city solicitor. During the month of May, 1976, and during the month of May of every fourth year thereafter, the Mayor shall appoint a deputy city solicitor for a term of four years. The person thereto appointed shall hold office until his successor is appointed and qualified. In case of a vacancy in the office of deputy city solicitor, it shall be filled in the manner of an original appointment for the remainder of the unexpired term.

The person so appointed shall be a resident of the City, and an admitted attorney and counsellor of the Courts of the Commonwealth, and shall have been engaged in the actual practice of law for at least five years. He shall perform such duties as the City Solicitor shall require, and when requested by him so to do, shall perform the duties of the City Solicitor; he shall, under the direction of the City Solicitor, be the administrator of the department. The person so appointed may be removed

at any time by the Mayor. The Deputy City Solicitor shall devote his entire time during normal business hours to the duties of the office."

SECTION 3. Section 2-93 of Article XII of the Revised Ordinances of the City of Springfield 1963 is hereby amended by striking said Section 2-93 in its entirety and inserting in place thereof the following:

"Sec. 2-93. ASSISTANT CITY SOLICITORS.

Eight assistant city solicitors shall be appointed by the Mayor annually in the month of January, or whenever a vacancy shall occur. The persons so appointed shall be residents of the City, and admitted attorneys and counsellors of the Courts of the Commonwealth. They shall perform such duties as the City Solicitor or the Deputy City Solicitor shall require. Any assistant city solicitor may be removed at any time by the Mayor. In case of a vacancy in a position of assistant city solicitor, it shall be filled in the manner of an original appointment for the remainder of the unexpired term. Each assistant city solicitor shall hold office until his successor is appointed and qualified."

Approved: May 5, 1976

Effective: May 26, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING CHAPTER 13 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

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

Chapter 13 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto a new Section 24, as follows:

### "Section 13-24. ALCOHOLIC BEVERAGES

It shall be unlawful for any person to possess, consume from and or transport an open container of alcoholic beverages on any public street, public sidewalk or public way, or on any grounds owned by the City, within the limits of the City; except that this section shall not apply at events or festivals duly licensed by the Board of License Commissioners of the City and approved in writing by the board, commission, department or official of the City having the care and custody of the premises so licensed, to the extent of such license and approval."

Approved: July 20, 1976

Effective: August 10, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING CHAPTER 1, SECTION 1-6 OF THE REVISED  
ORDINANCES OF THE CITY OF SPRINGFIELD, 1963,  
as amended

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

Chapter 1, section 1-6 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by striking out the words "twenty dollars" and inserting in its place the words "two hundred dollars". The amended section 1-6 shall be as follows:

### SECTION 1-6 GENERAL PENALTY FOR VIOLATION OF ORDINANCES.

Any person violating any chapter or section of the Revised Ordinances in which no specific penalty is provided shall be punished by a fine not exceeding two hundred dollars.

Approved: September 8, 1976

Effective: September 29, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

### AMENDING CHAPTER 13 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED

Be it ordained by the City Council of the City of Springfield, as follows:  
Chapter 13 of the Revised Ordinances of the City of Springfield, 1963, as Amended, is hereby further amended by adding thereto a new Section 25, as follows:

#### "Section 13-25            SIGNIFICANT TREES

- 1.) Except as provided by Chapter 87 of the General Laws, it shall be unlawful for any person other than the City Forester, or his designees, to cut, trim or remove, in whole or in part, any Significant Tree, even if such person be the owner of the fee in the land on which such tree is situated, except upon a permit in writing from the City Forester, and only to the extent of the terms and conditions of such permit. The City Forester shall grant such permit only upon a showing by a preponderance of the evidence that the continued present state of such tree endangers persons or property, or, in his discretion, if such tree is diseased or damaged.
- 2.) For purposes of this Section, a Significant Tree is defined as any tree which is seventy-five (75) years old or older, or which is three (3) feet in diameter or more.
- 3.) Each person is held responsible for ascertaining the age and diameter of any tree prior to such person cutting, trimming or removing same, in whole or in part.
- 4.) A person who is aggrieved by the provisions of this ordinance and for cause shown may apply directly to the Board of Park Commissioners for a permit to cut, trim or remove in whole or in part, any significant tree, which is otherwise protected hereunder so long as such Commission in the exercise of its discretion is satisfied that such applicant would sustain a hardship, financial or otherwise, which outweighs any detriment to the public interest that would result in the application of this ordinance.

- (a) For the purpose of this Section "hardship" is defined as the loss of an advantage. It may include; but not be limited to, a monetary advantage or the advantage to put property to a particular use."

Approved: October 20, 1976

Effective: November 10, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING SECTION 11 OF CHAPTER 20A OF THE  
REVISED ORDINANCES OF THE CITY OF SPRINGFIELD  
1963, AS AMENDED.

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

Section 20A-11 of Chapter 20A of the Revised Ordinances of the City of Springfield 1963, as Amended be deleted in its entirety and the following Section 20A-11 be substituted in place thereof.

Section 20A-11. User charges, classification and abatement.

Sewer use fees shall consist of standby charges, flat rate charges and surcharges. The charges which follow apply to all classes of users, including residential, commercial, institutional, industrial, governmental, charitable and nonprofit uses.

Where metering devices are not installed by the owner for the purpose of measuring the actual quantity of wastewater discharged, the water use measured by a meter approved by the City shall be used for billing purposes. Wastewater volume, determined from City water consumption, shall be established from the usage determined by the City's water department.

Water consumption of each user which is served by a well shall be deemed to be equal to the average water consumption of comparable City dwelling units as determined by the Director, subject to the appeal process set forth below.

The Director may require a user served by a well to submit a sworn statement of water consumption for the year; such statement to be supported by available records or other evidence of water consumption.

The Director may require any non-residential user served by a well to install and maintain a metering or measuring device to determine wastewater strength or usage at the sole expense of such user as a condition of using the Sewer Facilities.

(a) Standby Charge:

The standby charge is a charge made to each property owner who has property which is not connected to the sewage facilities of the City but for which sewage facilities have been made available. The standby charge given in Table 20A-A shall apply to all property specified in said table which is not eligible for another user charge. This section shall be subject to the grace period allowed by Section 20A-14.

(b) Flat Rates:

The schedule of flat rates given in Table 20A-A shall apply to all users who discharge wastewater. The minimum annual rates indicated in the table shall be the flat rate charges for normal strength wastewater. The applicable surcharges set forth in Section (c) below shall be added thereto.

(c) Surcharges:

Surcharges as set forth in Table 20A-A will be assessed against all users who discharge a larger volume of wastewater and/or wastewater of a higher concentration than is allowed under the flat rate charge. Surcharges shall be over and above and in addition to the flat rate charge.

(d) Special Allowance (for non-wastewater producing water usage):

1. An allowance will be made for any user consuming metered water which is not discharged into the Wastewater Collection System provided that a separate (City approved) sealed meter is provided by the user to measure this water. Single, two- and three-family residences which are owner occupied shall not be required to provide a meter in order to be entitled to a special allowance.

2. No allowance shall be made if the City seals on meters have been broken.

(e) Metering and billing shall be as follows:

1. All rates are based upon the metered use of water where applicable.

2. Billing periods for all users shall be the billing periods of the water department. The flat rate charge for each billing period shall be an amount which represents a proportional fraction of the annual flat rate charge. This fraction shall be determined by dividing the annual flat rate charge by the number of billing periods per year. Surcharges shall be determined and billed for each billing period. The volumetric surcharge shall be determined by subtracting the allowable flat rate volume for the billing period from the total billable volume for the same period.



Surcharges for BOD and suspended solids shall be rendered concurrently with the volumetric charges.

(f) Procedures and conditions for abatements, reclassifications and special allowances; appeals.

1. All requests for reclassification, special allowances and abatements shall be made in writing to the Director or his nominee on an approved form obtained from the office of the Director within forty-five (45) days of the date of the billing.

2. Upon receipt of a request for abatement, reclassification or special allowance, the Director or his nominee shall determine whether such abatement, reclassification or special allowance shall be granted in accordance with the criteria listed in paragraph six of this subsection. The director or his nominee shall notify the applicant in writing whether the requested abatement, reclassification or special allowance has been granted or denied and the reasons therefor. The burden of proving eligibility for an abatement, reclassification or special allowance shall be upon the applicant.

3. Any user who has qualified for a property tax abatement under the provisions of clause 41 or 41A of Section 5 of Chapter 59 of the General Laws of Massachusetts and whose residential discharge of wastewater is less than that allowed by the flat rate, may apply and if qualified be granted an abatement of that part of the flat rate base charge per year which exceeds the standby charge. This abatement shall be granted only with respect to the discharge of wastewater from the applicant's residence. This abatement must be applied for on an annual basis and the Director or his nominee may accept information provided by the assessors office of the City of Springfield to determine eligibility.

4. There shall be established a Sewer Use Review Board which shall hear appeals to the decision of the Director or his nominee. Such Board shall be composed of three (3) residents of the City; to be appointed by the Mayor of the City; one member of the said Board shall be appointed from those residential users designated as single family residences and two-family residences and one member shall be appointed from those users designated as three family residence, four family residence, multiple family residence and trailer park, the remaining board member shall be chosen from industrial, commercial and institutional users of the sewer system. \*

Each member of the Board shall serve a term of two (2) years with the exception that the first appointment of a member of the Board from the non-residential users of the sewer system shall be for one (1) year. The members of the Board shall serve without stipend.

5. Any user who has filed for an abatement, reclassification or special allowance and who is aggrieved by the decision of the director or his nominee may appeal the decision of the director or his

nominee to the Sewer Use Review Board.

Any appeal to the Sewer Use Review Board shall be filed within twenty-one (21) days of the date of the decision of the director or his nominee unless the Sewer Use Review Board, for good cause shown, allows otherwise.

6. An abatement reclassification or special allowance shall be granted if the applicant shows that failure to do so would result in a charge which is not equitable, reasonable and proportional. The criteria which shall be used to determine if a charge is not equitable, reasonable and proportional are: the volume of water including surface or drain water discharged into the system; the character of the sewage or industrial or other wastes discharged into the system; and the nature of the use made of the sewage system including any use of the sewage facilities.

No abatement shall be granted where the volume of wastewater is greater than the allowable flat rate volume for the user as shown on Table 20A-A.

Where more than one (1) dwelling unit is being billed, such as a multi-family dwelling, an abatement on the grounds that the apartment is unoccupied on one (1) dwelling unit will reduce the number of dwellings used in the billing formula by one (1) dwelling. In the case of two, three and four family dwellings, the bill with one (1) unit abated shall be computed as if the dwelling were a one, two or three family dwelling respectively. In no event shall such an abatement reduce the user fee below the standby charge in effect prior to the change in formula.

When an abatement has been requested for a residential dwelling unit of any type, the dwelling unit shall be completely unoccupied for a period of three (3) months in any calendar year to be eligible for the abatement.

7. The decisions of the Sewer Use Review Board shall be rendered in written form within thirty (30) days of receipt of application and shall state the reasons for the action taken. The decision of the Sewer Use Review Board shall be binding upon the Director.

8. All bills shall be paid pending decision by the Director and the Sewer Use Review Board.

Approved: November 16, 1976

Effective: December 7, 1976

Attest: Rose A. Pollard, City Clerk

TABLE 20A-A  
SCHEDULE OF ANNUAL RATES

<u>Type of Service</u>	<u>Designation</u>	<u>Volume Allowed<sup>(2)</sup> Under Minimum Annual Rates (cu ft/yr)</u>	<u>User Charge Minimum Annual Rate</u>	<u>Standby Charge Annual Rate Applicable To Developed Property Only (See § 10)</u>
Single-family residence <sup>(1)</sup>	R-1F	10,000	\$ 27.00	\$ 18.00
Two-family residence <sup>(1)</sup>	R-2F	18,000	46.00	30.00
Three-family residence <sup>(1)</sup>	R-3F	26,000	65.00	45.00
Four-family residence <sup>(1)</sup>	R-4F	33,000	82.00	56.00
Multiple family <sup>(3)</sup>	R-MF	40,000 + (n-5)x(7,500)	98+(n-5)(18)	12.00 (per unit)
Trailer Park <sup>(3)</sup>	R-TF	40,000 + (n-5)x(7,500)	98+(n-5)(18)	12.00 (per unit)
Commercial	C	20,000	54.00	same as minimum Annual Rate
Institutional <sup>(4)</sup>	I	50,000	118.00	" "
Dry Industry	DI	50,000	118.00	" "
Wet Industry	WI	100,000	226.00	" "

(1) Trailer courts with provision for less than five trailers shall be charged the same allowance as the appropriate residential schedule.

(2) For users who do not have metering devices for measuring the actual quantity of wastewater discharged, the water meter readings shall be used for billing purposes.

(3) n= number of family units in apartment house.

(4) Exceptionally small institutions which use substantially less than the 50,000 cu ft. per year can petition to the Director to be reclassified as a commercial user and be charged under that rate schedule.

Surcharge

<u>Type of Surcharge</u>	<u>Unit</u>	<u>Surcharge per Unit</u>
1. Volumetric Surcharge - Applied where the volume of wastewater exceeds the volume allowed under Minimum Annual Rates.  All measurements shall be rounded to the closest unit.	100 cubic feet -	\$ 0.22 per 100 cu. ft.
2. BOD <sub>5</sub> Surcharge - A surcharge shall be applied for BOD <sub>5</sub> as defined in Chapter 20 Section 1. Pounds of BOD <sub>5</sub> subject to a surcharge are calculated by the following equation:  $(C_1 - 240) \times 0.00624 \times Q =$ lb. of BOD <sub>5</sub> subject to surcharge  where C <sub>1</sub> is the concentration of BOD in mg/l of the wastewater, and Q is the actual metered water use or wastewater discharge measured in units of 100 cu. ft.  All measurements shall be rounded to the closest unit.  This surcharge shall not apply to normal residential use.	1 lb. of BOD <sub>5</sub> -	\$ 0.025 per lb.
3. Suspended Solids - A surcharge shall be applied to suspended solids as defined in Chapter 20 Section 1. Pounds of SS subject to a surcharge are calculated by the following equation:  $(C_2 - 300) \times 0.00624 \times Q =$ lb. of SS subject to surcharge  where C <sub>2</sub> is the concentration of suspended solids in mg/l of the wastewater, and Q is the actual metered water use or wastewater discharge measured in units of 100 cu. ft.  All measurements shall be rounded to the closest unit.  This surcharge shall not apply to normal residential use.	1 lb. of SS -	\$ 0.018 per lb.



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING CHAPTER 20A, SECTION 15, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Chapter 20A, Section 15, of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby amended by striking the second, third and fourth sentences of the second paragraph, which have read as follows: "An additional demand fee will be charged on accounts which have not been paid 75 days after issuance of the bill. The owner of the property will be charged for all sewer use fees, late payment fees and demand payment fees. Late payment and demand fees will be in accordance with the following schedule:", and inserting in lieu thereof the following:

"The owner of the property will be charged for all sewer use fees and late payment fees. Late payment fees will be in accordance with the following schedule:"

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

Said Chapter 20A, Section 15, is hereby further amended by striking in its entirety the following, and inserting nothing in lieu thereof:

"Demand Payment Fees

\$	3.00	
	6.00	
	9.00	
	12.00	
	15.00	
	45.00	
	90.00	
	300.00	
	600.00	
	1,800.00	
	2,000.00	"

Approved: December 22, 1976

Effective: January 12, 1977

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

AMENDING CHAPTER 27, SECTION 27-2, OF THE REVISED ORDINANCES OF  
THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Chapter 27 Section 27-2 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto a new subsection "D", as follows:

### "Section 27-2.D

There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, The Lower Maple Historic District as shown on the map, labeled Exhibit 27-2D, entitled '~~Lower~~ Maple Historic District'; said map to be considered a part hereof.

### Exemptions from Controls

a. Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.

b. Storm windows, screens, window air conditioners, antennae and similar appurtenances.

c. Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly.

d. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence."

Approved: April 5, 1977

Effective: April 26, 1977

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

AMENDING CHAPTER 27, SECTION 27-2, OF THE REVISED ORDINANCES OF  
THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Chapter 27 Section 27-2 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto a new subsection "E", as follows:

### "Section 27-2.E

There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, The Ridgewood Historic District as shown on the map, labeled Exhibit 27-2E entitled 'Ridgewood Historic District'; said map to be considered a part hereof.

### Exemptions from Controls

- a. Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- b. Terraces, walks, driveways and sidewalks provided, that any such structure is substantially at grade level.
- c. Storm windows, screens, window air conditioners, antennae and similar appurtenances.
- d. The color of materials used on roofs.
- e. Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly.
- f. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

Approved: April 5, 1977  
 Effective: April 26, 1977  
 Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

CHAPTER 2 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD OF 1963 IS HEREBY AMENDED BY ADDING NEW SECTION 2-38B AS HEREINBELOW SET FORTH AND RE-CITED.

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

### "Section 2-38B Non-Collective Bargaining Personnel.

The purpose of this ordinance is to acknowledge the need of those municipal employees who are not otherwise included in an employee bargaining unit, but limited to all full-time personnel whose regular compensation is paid by the City of Springfield and who are eligible to participate under the provisions of the retirement system and pensions established and set forth in Chapter 32 of the General Laws.

An employee in the service of the City shall accrue a credit of one and one-fourth sick leave days with pay per each completed month of service, provided further that anything herein to the contrary notwithstanding, in any calendar month in which an employee accumulates three (3) or more separate absences, due to illness and/or any unauthorized absence whether with or without pay, such employee shall not accrue such credit nor be entitled to said one and one-fourth sick leave days for that month in which said absences occur.

Separate absences shall consist of any period of successive days or portions thereof the absence of which shall be considered terminated upon the occasion of the employee's return to work immediately thereafter following said absence.

### SICK LEAVE CONVERSION UPON RETIREMENT OR DEATH

Upon retirement or death, an employee irrespective of the position held shall be paid at the rate of \$15.00 per day for all sick leave accrued by said employee at the time of the employee's death while in the service of the City, or retirement from the municipal service. Such payment will be made in one lump sum, provided further that in the event of death, such sum as would otherwise have been payable to the employee shall be paid to that person whom such employee has designated as his beneficiary on his municipal life insurance policy, and, if none, then to his estate.

This section shall not apply to the uniformed members of the fire department and police department as well as persons appointed by the school committee as specifically excluded by Section 21A of Chapter 40 of the General Laws of Massachusetts; provided further that this section shall not apply to anyone adjudged to be within the scope of any bargaining unit, or anyone who does not qualify for regular sick leave payments.

Approved: June 23, 1977

Effective: July 14, 1977

Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

### CHAPTER 23, SECTION 23-1 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED

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

Chapter 23, Section 23-1 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by inserting after the words "Every motor vehicle" the words "or horse and carriage." The amended section 23-1 shall be as follows:

"Section 23-1 Definition

Every motor vehicle or horse and carriage used or to be used for the conveyance of persons for hire shall be deemed to be a taxicab within the meaning of this chapter, except a motor vehicle operated in a manner and for the purposes stated in General Laws Chapter 159A."

Approved: July 22, 1977

Effective: August 12, 1977

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED, ARE HEREBY FURTHER AMENDED BY ADDING TO CHAPTER 23, ARTICLE IV, CONSISTING OF SECTIONS 32, 33, 34, 35 AND 36.

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

The Revised Ordinances of the City of Springfield, 1963, as amended, are hereby further amended by adding to Chapter 23, Article IV, consisting of Sections 32, 33, 34, 35 and 36, to read as follows:

### ARTICLE IV. HORSE AND CARRIAGE

#### Section 23-32. Removal of Animal Waste

The owner of said horse and carriage shall be responsible for the collection and removal of all animal excrement either by having the horse wear diapers or providing for means of collection on the carriage.

#### Section 23-33. Competency of Driver

The traffic commission shall issue licenses for drivers upon such terms and conditions as they deem proper to insure the safety of passengers.

#### Section 23-34. Grazing Animals in Street.

No person shall permit any horse, cow, swine, goat, or other grazing animal to go at large in any street.

#### Section 23-35. Protection of Trees, Lamp-post and Hydrants

No person shall climb, or tie a horse or other animal to, a tree, lamp-post, or hydrant in any street; or attach a wire to a tree belonging to the city or in a street, except by bending wire around a part of the tree over blocks painted substantially the color of the tree and so placed as to protect the tree from injury."

Approved: August 9, 1977

Effective: August 30, 1977

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

AMENDING CHAPTER 23, SECTIONS 1,3,5,6,7,8,9,10,11,12,13, 14,15,16,17,18,19,21,23,24,25,26,27,29 and 30, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

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

Chapter 23, Sections 1,3,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,21, 23,24,25,26,27,29 and 30, of the Revised Ordinances of the City of Springfield, 1963, as amended, are hereby further amended by adding after the words "motor vehicle", "car" or "taxicab" the words "horse and carriage".

Approved: August 9, 1977

Effective: August 30, 1977

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and **SEVENTY-SEVEN**

## AN ORDINANCE

AMENDING CHAPTER 27, SECTION 27-2, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

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

Chapter 27 Section 27-2 of the Revised Ordinances of the City of Springfield, 1963, as amended, is hereby further amended by adding thereto, a new subsection "F", as follows:

### Section 27-2. F

There is further established under the provisions of and in accordance with the Historic Districts Act, so-called, as aforesaid, the Maple Hill Historic District as shown on the map, labeled Exhibit 27-2F, entitled 'Maple Hill Historic District'; said map to be considered a part hereof.

### Exemptions from Controls

- a. Temporary structure or signs, subject, however to such conditions as to duration of use, location, lighting, removal and similar matters as the Commission may reasonably specify.
- b. Terraces, walks, driveways and sidewalks, provided that any such structure is substantially at grade level.
- c. Storm windows, screens, window air conditioners, antennae and similar appurtenances.
- d. The color of materials used in roofs.
- e. Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for professional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly.
- f. The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

Approved: September 9, 1977

Effective: September 30, 1977

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

### AMENDING CHAPTER 22, ARTICLE III SECTION 54 OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1963, PERTAINING TO PARADES

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

Article III, Chapter 22, Section 54 of the Revised Ordinances of the City of Springfield, 1963, is hereby amended by striking out the entire section 22-54, and inserting in place thereof the following sections:

#### Section 22-54. PARADES AND MOTORCADES

Section A. Definitions. Parade. Parade means any march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.

Motorcade. Motorcade means an organized procession containing twenty-five or more vehicles, except funeral processions, upon any public street, sidewalk or alley.

Section B. Permits. It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the city or knowingly participate in any such parade or motorcade unless and until a permit to conduct such parade or motorcade has been obtained from the Chief of Police, or, as hereinafter provided, from the city council.

Section C. Application for permit. Any person who wants to conduct a parade or motorcade shall apply to the chief of police for a permit at least thirty days in advance of the date of the proposed parade or motorcade. The chief of police may in his discretion consider any application for a permit to conduct a parade or motorcade which is filed less than thirty days prior to the date such parade or motorcade is to be conducted. The application for such permit shall be made in writing on a form approved by the chief of police. In order that adequate arrangements may be made for the proper staging of the parade or motorcade, the application shall contain the following information:

(1) The name of the applicant, the sponsoring organization, the parade or motorcade chairman and the addresses and telephone numbers of each.

(2) The purpose of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.

(3) A description of the individual floats, marching units, vehicles, bands, including a description of any sound amplification equipment to be used.

(4) Such other information as the chief of police may deem reasonable necessary.

Section D. Issuance or denial of permit. (1) Standards for issuance. The chief of police shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the chief of police finds that:

(a) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.

(b) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the city to properly police the line of movement and the area contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the city.

(c) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

(2) Standards for denial. The chief of police shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

(a) The chief of police makes any finding contrary to the findings required to be made for the issuance of a permit.

(b) The information contained in the application is found to be false or nonexistent in any material detail.

(c) The applicant refuses to agree to abide by or comply with all conditions of the permit.

Section E. Contents of permit. In each permit the chief of police shall specify:

(1) The assembly area and time therefor;

(2) The starting time;

(3) The minimum and maximum speeds;

(4) The route of the parade or motorcade;

(5) What portions of streets to be traveled may be occupied by such parade or motorcade;

(6) The maximum number of platoons or units and the maximum and minimum intervals of space to be maintained between the units of such parade or motorcade;

(7) The maximum length of such parade or motorcade in miles or fractions thereof;

(8) The disbanding area, and disbanding time;

(9) The number of persons required to monitor the parade or motorcade;

(10) The number and type of vehicles, if any;

(11) The material and maximum size of any sign, banner, placard or carrying device therefor;

(12) The materials used in the construction of floats used in any parade shall be of fire-retardant materials and shall be subject to such requirements concerning fire safety as may be determined by the fire chief.

(13) That permittee advise all participants in the parade or motorcade her orally or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade;

(14) That the amplification of sound permitted to be emitted from sound trucks, or bull horns, be fixed and not variable;

(15) That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade or motorcade, except when reasonably required for the safe and orderly conduct of the parade or motorcade, shall constitute a violation of the permit, and;

(16) Such other requirements as are found by the chief of police to be reasonably necessary for the protection of persons or property.

All conditions of the permit shall be complied with so far as reasonably practicable.

Section F. Appeal procedure. Upon a denial by the chief of police of an application made pursuant to section C of this chapter, the applicant may appeal from the determination of the chief of police within five days thereafter to the city council by filing a written notice of appeal for hearing by the city council at its next meeting. Upon such appeal, the city council may reverse, affirm, or modify in any regard the determination of the chief of police.

In the event an application is not filed within the required time, as specified in section C, the applicant may request a waiver of such requirement by the city council at its next regular meeting, or at a special meeting which

may be called prior thereto by said City Council to consider such matter, and the city council, if it finds unusual circumstances and in the exercise of its sound discretion, may waive such requirement.

Section G. Officials to be notified. Immediately upon the granting of a permit for a parade or motorcade, the chief of police shall send a copy thereof to the following:

- (1) The mayor
- (2) The fire chief
- (3) The public works director

Section H. Revocation of permit. Any permit for a parade or motorcade issued pursuant to this chapter may be summarily revoked by the chief of police at any time when by reason of disaster, public calamity, riot or other emergency, the chief of police determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail.

Approved: December 23, 1977

Effective: January 13, 1978

Attest: Rose A. Pollard, City Clerk





# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SIX

## AN ORDINANCE

AMENDING CHAPTER 2, SECTION 2-17 OF THE REVISED ORDINANCES  
OF THE CITY OF SPRINGFIELD, 1963, AS AMENDED.

### RESIDENCY REQUIREMENTS

it ordained by the City Council of the City of Springfield, as follows:

Chapter 2, Section 2-17 of the Revised Ordinances of the City of Springfield 1963, as amended, is hereby amended by striking out the same and inserting in place thereof the following new Sections 2-17, 2-24 inclusive.

Section 2-17. Subsequent to May 28, 1976, all personnel employed initially, reappointed by the City of Springfield, and/or accepting promotion to a position exceeding that compensation provided for at the top of Range 6 Schedule D of the municipal pay plan, and any amendments thereto, and each person appointed by the Mayor, except those persons appointed by the Mayor under the provisions of Section 2-20, Paragraph 2, as a term and condition of said employment shall, within the two years next following the date of his or her acceptance of employment, promotion or reappointment become a resident of the City of Springfield, and each such employee shall continue to maintain residency in the City of Springfield during his or her term of employment; provided further that if any such employee shall during his or her term of employment remove from the City of Springfield, such employee shall be deemed to have become disqualified from holding employment with the City of Springfield as of the date of cessation of residency, said employee's name shall be stricken from the payroll, and no further payments of salary or other compensation shall be made hereafter. Those employees who are non-tenured employees in their particular grade shall be treated the same as those employees who are tenured prior to May 28, 1976.

Section 2-18. Each employee affected by Section 2-17 shall, upon acceptance of employment, promotion and/or reappointment, or within two years next following thereupon, in writing and under the penalties of perjury, certify to the Personnel Director that he or she is a resident of the City of Springfield. If upon the expiration of the two years next following acceptance of employment, promotion and/or re-appointment and such employee shall not have so certified to the Personnel Director that he or she is a resident of the City of

Springfield; said employee shall be deemed disqualified from holding employment with said City, and the Personnel Director shall forthwith so notify the Mayor, the Auditor and the City Treasurer. Upon receipt of such notification, the Auditor shall strike from the payroll the name of any such employee and shall cause no further payments of salary or other compensation to be made thereto. No person deemed disqualified hereunder shall be re-employed or reappointed for a period of one year next after the date he or she becomes disqualified unless he or she shall before the date of employment, promotion and/or reappointment have become a resident of the City of Springfield.

Section 2-19. Applicants at the time of filing an application for employment by the City of Springfield, shall not as a condition of filing said application be required to be a resident of the City of Springfield, provided further however that, if said applicant is subsequently employed, said applicant-employee shall as a term and condition of employment within the two years next following the date of acceptance of employment become a resident of the City of Springfield, and each such employee shall continue to maintain residency in the City of Springfield during his or her term of employment.

Section 2-20. All persons appointed to membership on boards and commissions of the City of Springfield shall be residents of the City of Springfield during the terms for which they are appointed.

This section shall not apply to persons appointed to advisory committees or to committees established under Federal or State Grant-In-Aid programs except where otherwise specified.

Section 2-21. All personnel currently employed and maintaining residency within the City of Springfield on the date of adoption of this ordinance shall continue to maintain residency in said City; provided further that if any such employee shall during his or her term of employment remove from the City of Springfield such employee shall be deemed to have become disqualified from holding employment with the City of Springfield as of the date of cessation of residency, and said employee's name shall be stricken from the payroll, and no further payments of salary or other compensation shall be made thereto.

Section 2-22. All employees residing without the City of Springfield on the date of adoption of this ordinance shall within sixty (60) days thereafter adoption certify to the Personnel Director under the penalties of perjury the employee's residency on the date of passage of said ordinance, and shall thereafter certify annually as to their residency.

Subsequent to May 28, 1976, an employee residing without the City, regardless of incidence of title, shall as a term and condition of employment upon voluntarily relocating his or her residency as certified above, remove to the City of Springfield, and thereupon certify to the Personnel Director under penalties of perjury that he or she has become a resident of the City.

Section 2-23. This Ordinance shall not apply to such municipal employees of the Water Department as are engaged and rendering official services at the following installations and/or locations; Borden Brook Reservoir, Granville, Massachusetts; West Parish Filters, Westfield, Massachusetts; Provin Mountain Reservoir, Agawam, Massachusetts and Ludlow Reservoir, Ludlow, Massachusetts.

Section 2-24. The provisions of this ordinance are severable, and if any of its provisions shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Section 2-25. In the event that any collective bargaining contract is executed subsequent to the date of adoption of this ordinance, and such collective bargaining contract permits any of its members to reside outside of the City, then this entire ordinance shall be null and void.

Approved: July 20, 1976

Effective: August 10, 1976

Attest: Rose A. Pollard, City Clerk



# City of Springfield

In the Year One Thousand Nine Hundred and SEVENTY-SEVEN

## AN ORDINANCE

AMENDING PART II, CHAPTER 3, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD 1963, AS AMENDED, BY THE ADDITION OF SECTION 10, ENTITLED "A SCHEDULE OF FINES FOR VIOLATION OF ORDINANCES 3-4 DOG-TAGS; 3-5 BITING, ATTACKING, ETC.; 3-7 DOGS ON SCHOOL PREMISES; 3-8 DUTY OF OWNER TO KEEP DOG ON PREMISES, EXCEPTIONS; AND 3-9 DOGS - ANTI RABIES VACCINATION."

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

In accord with the authority vested in the City of Springfield by virtue of General Laws Chapter 140 Section 173A, there is hereby provided an alternate schedule of fines for the violation of ordinances as follows:

"Whenever a complaint is sought in a district court for a violation of ordinance 3-4, 3-5, 3-7, 3-8 and 3-9, the clerk shall send a written notice to the person complained against stating that such a complaint has been sought and will issue unless such person appears before such clerk and confesses the offense either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the notice the fine provided herein. If is the first offense subject to this section committed by such person within a calender year, the payment to the clerk of a fine of ten dollars shall operate as a final disposition of the case; if it is the second offense so committed in such city or town in the calender year the payment to the clerk of a fine of fifteen dollars shall operate as a final disposition of the case; if it is the third offense so committed in such city or town in a calender year payment of a fine of twenty dollars shall operate as a final disposition of the case; and if it is the fourth of subsequent offense so committed in such city or town in the calender year the payment of a fine of twenty five dollars shall operate as a final disposition of the case. Such payment shall be made only by postal note, money order or check.

Proceedings under this section shall not be deemed criminal; and no person notified to appear before the clerk of a district court as provided herein shall be required to report to any probation officer, and no record of the case shall be entered in the probation records.

If a person notified to appear, as hereinbefore provided, fails to appear or pay the fine within twenty-one days of the sending of the notice, or having appeared, does not desire to avail himself of the procedure established by this section, the clerk shall issue the complaint and the procedure established for criminal cases shall be followed.

If any person fails to appear in accordance with the summons issued upon such complaint, the clerk of the court shall send such person, by registered mail, return receipt requested, a notice that the complaint is pending and that, if the person fails to appear within twenty-one days from the sending of such notice, a warrant for his arrest will be issued."

Approved: April 22, 1977

Effective: April 22, 1977

Attest: Rose A. Pollard, City Clerk

C I T Y   O F   S P R I N G F I E L D

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In the City Council, April 19, 1977

WHEREAS, the attached ordinance entitled: "Amending Part II, Chapter 3, Of The Revised Ordinances Of The City Of Springfield 1963, As Amended, By The Addition Of Section 10, Entitled "A Schedule Of Fines For Violation Of Ordinances 3-4 Dogs-Tags; 3-5 Biting, Attacking, Etc.; 3-7 Dogs On School Premises; 3-8 Duty Of Owner To Keep Dog On Premises, Exceptions; and 3-9 Dogs-Anti-Rabies Vaccination", was voted through all three steps at the regular session of the City Council at its meeting on April 4, 1977 in accord with the provisions of Section 22 of Chapter 43 of the General Laws, and Rule 29 of the Rules of The City Council, and

WHEREAS, It is the intent of the Council to have this ordinance effective immediately, and

WHEREAS, Section 20 of Chapter 43 of the General Laws requires that in order to be an emergency measure, it is necessary that such ordinance be declared in a preamble to be an emergency measure and such emergency be defined.

NOW THEREFORE, BE IT ORDERED that the emergency to which this preamble addresses itself is defined as the intolerable situation of stray dogs throughout the City of

Springfield, which pose a threat to the public safety and health, and the ordinance attached hereto is aimed at immediate relief of this problem, and

BE IT FURTHER ORDERED that this Order is enacted so as to render the ordinance effective immediately and for the purpose of suspending Section 23 of Chapter 43 as well as rule 30 of the Rules of the City Council so that the attached ordinance will be effective upon enactment of this emergency preamble which is being voted on separately from the ordinance as required by the provisions of law.