

No. 11,826-3

An Ordinance to Amend the Revised Ordinances of the City of North Adams regarding the Fees and Fines established in the City Code.

IN CITY COUNCIL

July 23, 2024

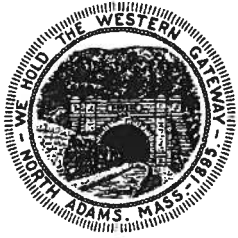
VOTED: by Rollcall vote to Adopt.
(9) Yeas: (Councilors Blackmer, Bona, Breen, Fitch, Morrow, Oleskiewicz, Sapienza, Shade & Wilkinson); (0) Nays (0) Abstained.

Attest, Bryan Sapienza
President

 Tina Marie Leonasio
City Clerk

Approved, August 15, 2024

 Jennifer A. Macksey
Mayor



City of North Adams

In City Council

Date: April 23, 2024

BE IT ORDAINED by the City Council of the City of North Adams as follows:

Sec 2-82.1 Fee Schedule.

Remove:

Sec. 2-82.1 **Fee schedule.**

[Ord. of 8-28-1984; Ord. of 7-9-1991; Ord. of 11-14-2000; Ord. of 6-10-2003]

Rezoning requests \$125	\$125
Site plan approval special permits, per application \$125	\$125
Other special permits, per application \$125	\$125
MGL 81-P plans not requiring approval (Form A subdivisions) \$75	\$75
Preliminary subdivision plan \$100	\$100
Definitive subdivision plan \$500	\$500
Application under Subdivision Control Law \$75	\$75

Replace with:

Sec. 2-82.1 **Fee schedule.**

(Refer to Appendix D)

Rezoning requests
Site plan approval special permits, per application
Other special permits, per application
MGL 81-P plans not requiring approval (Form A subdivisions)
Preliminary subdivision plan
Definitive subdivision plan
Application under Subdivision Control Law

Sec 2-102 Powers and Duties

City of North Adams

In City Council

Remove

Sec. 2-102 Powers and duties.

The Board of Health may exercise all the powers vested in the Board of Health under the law or prescribed to it by law and shall perform such duties as the City Council by ordinance may from time to time prescribe.

The Board of Health may make reasonable health regulations not inconsistent with law. Whoever violates any reasonable regulation of the Board of Health made under the authority of this section, for which no penalty by way of fine or imprisonment or both, is provided by law, shall be punished by a fine of not more than \$1,000.¹¹¹

Replace with:

Sec. 2-102 Powers and duties.

The Board of Health may exercise all the powers vested in the Board of Health under the law or prescribed to it by law and shall perform such duties as the City Council by ordinance may from time to time prescribe.

The Board of Health may make reasonable health regulations not inconsistent with law. Whoever violates any reasonable regulation of the Board of Health made under the authority of this section, for which no penalty by way of fine or imprisonment or both, is provided by law, shall be punished by a fine. (Refer to Appendix D.)

Sec 3-43 Violation of Chapter – Penalty.

Remove:

Sec. 3-43 Violation of chapter—Penalty.

Any person who shall violate a provision of the Basic Code or shall fail to comply, with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Inspector or of a permit or certificate issued under the provisions of the Basic Code shall be guilty of a misdemeanor, punishable by a fine not exceeding \$100. Each day that a violation continues shall be deemed a separate offense.

Replace with:

Sec. 3-43 Violation of chapter—Penalty.

[3-23-65, § 3.19.2]

City of North Adams

In City Council

Any person who shall violate a provision of the Basic Code or shall fail to comply, with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Inspector or of a permit or certificate issued under the provisions of the Basic Code shall be guilty of a misdemeanor, punishable by a fine (Refer to Appendix D). Each day that a violation continues shall be deemed a separate offense.

Sec 3-49.3 Registration Fee

Remove:

Sec. 3-49.3 **Registration fee.**

The fee for the registration of ownership of a vacant foreclosed property shall be \$15 per property.

Replace with:

Sec. 3-49.3 **Registration fee.**

Registration of ownership of a vacant foreclosed property (Refer to Appendix D)

Section 3-50.3 Taxes, Fees and Penalties

Remove:

Section 3-50.3

All short-term rental units shall pay a fee of \$200 per unit for Inspection with an Annual Fee of \$200 on all Owner-Occupied Properties: all non-owner-occupied properties shall pay a fee of \$350 per unit for Inspection with an Annual Fee of \$350.

Replace with:

Sec 3-50.3

Short-term rental and inspection fees (refer to Appendix D)

Sec 7-7.1 Charges

Remove:

Public Services Sec. 7-7.1 Charges.

City of North Adams

In City Council

The Commissioner of Public Services shall impose the following charges to consumers for the following services:

(1)

Resident, water pipe or meter thawing:

Business hours: \$40.

Nonbusiness hours: \$60.

(2)

Nonresident or commercial, water pipe or meter thawing: \$150 for the first hour and \$50 per hour thereafter.

(3)

Water meter shut off or turn on: \$40.

(4)

Street opening permit: \$100.

(5)

Sewer connections in Clarksburg:

(a)

One-family house: \$200 per year.

(b)

Two-family house: \$375 per year.

(c)

Three-family house: \$475 per year.

(d)

More than three families: \$175 per year per unit.

(e)

Entrance fee: \$1,000.

(6)

Curb cutting services:

(a)

Granite curb and cement concrete walk: \$4 per square foot.

(b)

Integral curb and walk, cement concrete: \$5 per square foot.

City of North Adams

In City Council

(c)

Concrete curb with cement concrete walk: \$4 per square foot.

(d)

Granite or concrete curb, no walk: \$10 per linear foot.

(e)

Granite or concrete curb, bituminous concrete walk: \$3 per square foot.

(7)

Sewer connections:

(a)

Connection fee (except for West Shaft Road): \$300.

Connection fee to existing West Shaft Road Line: \$2,000.

(b)

Gravel or dirt road excavation: \$15 per linear foot.

(c)

Surface treated road excavation: \$18 per linear foot.

(d)

Blacktop or Macadam surface excavation: \$20 per linear foot.

(e)

Concrete or brick surface excavation: \$26 per linear foot.

(f)

City labor force work to lay pipe: \$18 per linear foot.

(g)

Annual cross-connection test: \$50 per device.

Retest of failed device: \$25 per device.

(h)

Cross-connection survey: \$35 per hour.

Replace with:

Public Services Sec. 7-7.1 Charges.

City of North Adams

In City Council

The Commissioner of Public Services shall impose the following charges to consumers for the following services: (Refer to Appendix D)

Sec 7-19 Price of lots and perpetual care

Remove:

Sec. 7-19 Price of lots and perpetual care.

The Commissioner of Public Services shall sell lots in the name of the City and perpetual care for the same on a basis of the following schedule of prices:

Resident			
Type Lot	Price of Lot	Perpetual Care	Total Price
Single grave	\$400	\$100	\$500
2 graves	\$800	\$200	\$1,000
4 graves	\$1,600	\$400	\$2,000
Nonresident			
Type Lot	Price of Lot	Perpetual Care	Total Price
Single grave	\$700	\$200	\$900
2 graves	\$1,400	\$400	\$1,800
4 graves	\$2,800	\$800	\$3,600

Sec. 7-19.1 Resident to nonresident transfer fee.

Any cemetery lot transferred to a nonresident by a resident shall be subject to a fee in accordance with the following schedule:

Type Lot	Price of Lot	Perpetual Care	Total Price
Single Grave	\$260	\$60	\$320
2 Graves	\$520	\$120	\$640
4 Graves	\$1,040	\$240	\$1,280
8 Graves	\$2,080	\$480	\$2,560

Replace with:

Sec. 7-19 Price of lots and perpetual care.

The Commissioner of Public Services shall sell lots in the name of the City and perpetual care for the same on a basis of the following schedule of prices:

City of North Adams

In City Council

(Refer to Appendix D)

Sec 8-43.1 Same - Charges

Remove

Sec. 8-43.1 Same — charges.

The Building Inspector shall charge the following fees for the following permits issued:

(1)

New residential building, including additions: \$0.25 per square foot.

Minimum fee: \$20.

Maximum fee: \$1,000.

(2)

New accessory building (garages, barns, storage buildings, decks, etc.): \$0.15 per square foot.

Minimum fee: \$15.

Maximum fee: \$500.

(3)

New commercial/industrial building: \$0.30 per square foot.

Minimum fee: \$25.

Maximum fee: \$8,000.

(4)

New educational/religious building: \$0.20 per square foot.

Minimum fee: \$20.

Maximum fee: \$7,500.

(5)

Residential renovations: \$6 per \$1,000.

Minimum fee: \$15.

Maximum fee: \$1,000.

Nonresidential renovations: \$8 per \$1,000 (commercial and industrial).

Minimum fee: \$25.

Maximum fee: \$8,000.

(6)

City of North Adams

In City Council

Demolition.

Under 500 square feet: \$50.

Over 500 square feet \$75.

(7)

New elevator installations: \$50 per elevator.

(8)

Wood stoves: \$20 per stove.

(9)

Plumbing permits: \$25 per application, plus \$5 per fixture, not to exceed \$500.

(10)

Gas permits: \$25 per application plus \$10 per fixture, not to exceed \$500.

(11)

Sign permits: \$1.25 per square foot under 100 square feet; an additional \$2.25 per square foot over 100 square feet.

(12)

Aboveground pools: \$25.

Inground pools: \$0.20 per square feet of pool; minimum of \$25.

(13)

Zoning Board of Appeals (variance and special permits): \$125.

(14)

Zoning permits (fences, sheds, temporary signs): \$20.

(15)

Certificates of annual inspection: \$50.

Reinspection: \$25.

Certificates of Inspection (multifamily dwellings): \$100.

Reinspection: \$35.

(16)

Certificate of use and occupancy: \$25.

Replace with:

Sec. 8-43.1 Same — charges.

City of North Adams

In City Council

The Building Inspector shall charge the following fees for the following permits issued:
(Refer to Appendix D)

Sec 8-47 Rental Dwelling Units

Remove 4th paragraph.

Sec. 8-47 Rental dwelling units.

Any owner, managing agent or person in charge thereof who permits the reoccupancy of a rental dwelling unit in violation of the provisions of this section shall be guilty of a misdemeanor, punishable by a fine not exceeding \$50, and each day that a violation continues shall be deemed a separate offense.

Replace with:

Sec. 8-47 Rental dwelling units.

Any owner, managing agent or person in charge thereof who permits the reoccupancy of a rental dwelling unit in violation of the provisions of this section shall be guilty of a misdemeanor, punishable by a fine (refer to Appendix D), and each day that a violation continues shall be deemed a separate offense.

Sec 10-11 Public Safety permits, fees

Remove:

Sec. 10-11 Public safety permits, fees.

None of the hereinafter named substances or objects shall be stored, used or offered for sale or lease and none of the hereinafter named enterprises shall be engaged in or undertaken without first having obtained an annual permit therefor from the Department of Public Safety, the fee for which permit shall be \$5 per year:

Hoods over open fires or flames, spray finishing, dry-cleaning plant, dust hazards, fumigation and fogging, lumber yards and woodworking, ovens and furnaces, service stations and garages, tire rebuilding, welding and cutting, cylinder storage, calcium carbide, acetylene, cellulose nitrate film, cellulose nitrate plastics, combustible fibers, compressed gases, cryogenic liquids, flammable and

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In City Council

combustible liquids, hazardous materials and chemicals, L.P. gases, magnesium, matches, organic coatings.

None of the hereinafter named substances or objects shall be stored, used or offered for sale or lease and none of the hereinafter named enterprises shall be engaged in or undertaken without first having obtained a permit therefor on a per instance, as needed and/or required basis from the Department of Public Safety, the fee for which permit shall be \$5 per permit:

Bonfires, oil burner equipment repairs and/or installation, explosives, fireworks.

Replace with:

Sec. 10-11 Public safety permits, fees.

None of the hereinafter named substances or objects shall be stored, used or offered for sale or lease and none of the hereinafter named enterprises shall be engaged in or undertaken without first having obtained an annual permit therefor from the Department of Public Safety, the fee for which permit (refer to Appendix D):

Hoods over open fires or flames, spray finishing, dry-cleaning plant, dust hazards, fumigation and fogging, lumber yards and woodworking, ovens and furnaces, service stations and garages, tire rebuilding, welding and cutting, cylinder storage, calcium carbide, acetylene, cellulose nitrate film, cellulose nitrate plastics, combustible fibers, compressed gases, cryogenic liquids, flammable and combustible liquids, hazardous materials and chemicals, L.P. gases, magnesium, matches, organic coatings.

None of the hereinafter named substances or objects shall be stored, used or offered for sale or lease and none of the hereinafter named enterprises shall be engaged in or undertaken without first having obtained a permit therefor on a per instance, as needed and/or required basis from the Department of Public Safety, the fee for which permit (refer to Appendix D.):

Bonfires, oil burner equipment repairs and/or installation, explosives, fireworks.

Sec 10-12 Department of Public Safety charges

Remove:

Sec. 10-12 Department of Public Safety charges.

City of North Adams

In City Council

(a)

The Commissioner of Public Safety shall impose the following charges to consumers for the following nonemergency services:

(1)

Sump pump rental: \$5 per hour.

(2)

City personnel and equipment for basement pumping, flag pole adjustments, premises lock cuts, animal rescue: \$20 per hour, one hour minimum.

(3)

Alarm system terminal supervision at police division: \$100 per year, per alarm.

(4)

Smoke detector, certificate of compliance: \$10.

(5)

Supervision of gasoline tank removal: \$5.

(6)

Connect master fire alarm box to municipal system: \$300 per year, per box.

(7)

False fire alarm calls due to defective or improperly maintained alarm equipment, calls answered due to negligence: \$100 per call.

(8)

Monitoring of the following systems: boiler monitoring; tamper valve monitoring; heat monitoring; automatic dial systems: \$400 per system annually.

(9)

Disconnect and reconnect of electrical service or fire alarm system:

Normal business hours: \$25 per call.

Nonnormal business hours: \$40 per call.

Replace with:

Sec. 10-12 Department of Public Safety charges.

(Refer to Appendix D)

City of North Adams

In City Council

Sec 12-2.1 Additional fees of the City Clerk's office.

Remove:

Sec. 12-2.1 Additional fees of the City Clerk's office.

(a)

Furnishing a record of birth, death or marriage, certified: \$10.

(b)

Furnishing a record of birth, death or marriage, abstract: \$3.

(c)

Entering an affidavit and correction of birth, death or marriage, except when entered as a result of an adoption by a resident of the City: \$30.

(d)

Entering a delayed record of birth, except when entered in as a result of an adoption by a resident of the City: \$25.

(e)

Filing an intention to marry: \$20.

(f)

Filing a business certificate under the provisions of Chapter 110, Section 105, of the Massachusetts General Laws: \$25.^[1]

[1]

Editor's Note: See MGL c. 110, § 5.

(g)

Filing an amendment to or discontinuance of a business certificate: \$15.

(h)

Furnishing a certified copy of a business certificate: \$10.

(i)

Recording the certificate of a person licensed as a podiatrist, optometrist, physician or osteopath: \$20.

City of North Adams

In City Council

(j)

Recording pole: orders under the provisions of Chapter 166 of the Massachusetts General Laws: \$50.

(k)

Furnishing a certified copy of a pole location order: \$5.

(l)

Recording a burial lot deed: \$15.

(m)

Furnishing a certified copy of a burial lot deed: \$10.

(n)

Recording of resident-to-nonresident cemetery lot transfer.

Type of Lot	Price of Lot	Perpetual Care	Total Price
Single grave	\$260	\$60	\$320
2 graves	\$520	\$120	\$640
4 graves	\$1,040	\$240	\$1,280
8 graves	\$2,080	\$480	\$2,560
12 graves	\$3,120	\$720	\$3,840

(o)

Furnishing a certified copy of a voter registration: \$5.

(p)

Genealogical research: providing staff research time at preappointed scheduled times, per hour: \$10.

Reading of record, no certificate issued, per record: \$2.

(q)

Filing a certification of decision of the Board of Appeals or Planning Board: \$5.

(r)

Furnishing a certification of any record not previously listed: \$5.

Additional per page charge assessed for each page over 3: \$1.

(s)

City of North Adams

In City Council

Postage and handling for all documents returned via mail: \$0.50 minimum or exact mailing weight, whichever is greater.

(t)

Raffle and bazaar permit: \$25.

(u)

Receiving and filing complete inventory for "closing out sale": \$20.

Additional per page charge assessed for each page over 3: \$1.

(v)

Documents preprinted for distribution:

Zoning Pamphlets: \$15.

Zoning Map (3 sheets): \$5.

Revised Ordinances

City Council document: \$5.

Additional per-page charge assessed for each page over 3: \$1.

Ordinance Book (unbound): \$50.

Supplement to Ordinance Book, each: \$10.

City Map: \$1.

Map Street: \$0.50.

Street lists, persons 17 years and up

Per ward: \$0.25 per page.

Voter lists

Per ward: \$0.25 per page.

Disc: \$10.

Replace with:

Sec. 12-2.1 Additional fees of the City Clerk's office.

[Ord. of 9-28-1982; Ord. of 7-9-1991; Ord. of 9-24-1991; Ord. of 4-24-2001; Ord. of 3-13-2007]

(Refer to Appendix D)

City of North Adams

In City Council

Sec. 12-2.2 Weights and measures fees.

Remove:

Sec. 12-2.2 Weights and measures fees.

(a)

Balances and scales:

(1)

Over 10,000 pounds: \$85.

(2)

Five thousand to 10,000 pounds: \$50.

(3)

One thousand to 5,000 pounds: \$45.

(4)

One hundred to 1,000 pounds: \$25.

(5)

Zero to 100 pounds: \$15.

(b)

Weights:

(1)

Avoirdupois (each): \$2.

(2)

Metric: \$2.

(3)

Apothecary: \$2.

(4)

Troy: \$2.

(c)

Capacity measures:

(1)

Vehicle tanks:

a.

Each indicator: \$15.

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b.

Each 100 gallons or fraction thereof: \$15.

(2)

Liquid:

a.

One gallon or less: \$12.

b.

More than one gallon: \$15.

(d)

Liquid measuring meters:

(1)

Inlet 1/2 inch or less. oil, grease: \$18.

(2)

Inlet more than 1/2 inch to one inch. gasoline: \$20.

(3)

Inlet more than one inch:

a.

Vehicle tank pump: \$35.

b.

Vehicle tank gravity: \$45.

(4)

Bulk storage: \$65.

(5)

Company supplies prover: \$45.

(e)

Pumps. each stop on pump: \$8.

(f)

Other devices:

(1)

Taximeters: \$15.

(2)

City of North Adams

In City Council

Odometer-hubodometer: \$15.

(3)

Leather measuring (semiannual): \$10.

(4)

Fabric measuring: \$10.

(5)

Wire, rope, cordage: \$10.

(g)

Linear measures:

(1)

Yardsticks: \$5.

(2)

Tapes: \$5.

(h)

Miscellaneous:

(1)

Dry measures: \$15.

(i)

Coin redemption machine: \$25.

(j)

Reverse vending: \$25.

(k)

Retail checkout register scanners:

(1)

One to three scanners: \$75.

(2)

Four to 11 scanners: \$150.

(3)

Twelve or more scanners: \$250.

(l)

City of North Adams

In City Council

Adjustments (made or witnessed): \$60 per hour.

(m)

Reinspection:\$25.

Replace with:

Sec. 12-2.2 Weights and measures fees.

(Refer to Appendix D for list of fees)

Sec 12-2.3 Fees of the License Commission.

Remove:

Sec. 12-2.3 Fees of the License Commission.

Automatic amusement devices: \$50 per each device.

Lodging house: \$50.

Replace with:

Sec. 12-2.3 Fees of the License Commission.

(Refer to Appendix D)

Sec 12-2.4 Fees of the Wire and Alarm Division.

Remove:

Sec. 12-2.4 Fees of the Wire and Alarm Division.

(a)

New work, residential and commercial, including additions and renovations except garages:

(1)

Minimum permit fee: \$15.

(2)

New residential and commercial structures: \$75.

(3)

New multifamily house, hotels, motels and commercial structures: \$75.

Plus for each additional unit: \$25.

City of North Adams

In City Council

(4)

Temporary service: \$25.

(5)

Fixtures, switches, receptacles, each: \$1 (In excess of 15 not to exceed \$75 per permit)

(b)

Upgrading of existing residential and commercial services:

(1)

One hundred amps to 600 amps single meter: \$40.

Each additional meter: \$10.

(2)

Above 600 amps single meter: \$75.

Each additional meter: \$10.

(3)

220-volt appliances, each, all at: \$5.

(Also includes disposals, dishwashers, oil and gas burners, air conditioners).

(c)

Residential and commercial garages:

(1)

Stall: \$25.

Each additional stall: \$10.

(d)

Industrial:

(1)

New structure: \$400.

(2)

Blanket maintenance permit for one year (optional) or: \$300.

Minimum permit: \$15.

Fixtures, switches, receptacles, each: \$1.

(In excess of 15 not to exceed \$75 per permit)

Replace with:

Sec. 12-2.4 Fees of the Wire and Alarm Division.

City of North Adams

In City Council

(Refer to Appendix D for list of fees)

Sec 12-2 Fees

Remove:

Sec. 12-2 Fees.

SCHEDULE

Auctioneer

Resident of city, per year \$25

Nonresident, per day \$10

Bowling alleys, each alley \$5

Sunday license, each alley \$5

Inflammables

Garages

1 to 5 cars (MGL C. 148, §§ 13 - 14) \$2

6 to 10 cars \$5

11 to 25 cars \$10

26 to 50 cars \$20

More than 50 cars \$25

Keep, store and sell \$15

Not more than 1,000 gallons

1,001 - 2,000 gallons \$20

2,001 - 3,000 gallons \$30

3,001 - 10,000 gallons \$40

10,001 - 50,000 gallons \$80

50,001 - 100,000 gallons \$120

100,001 - 150,000 gallons \$150

150,001 - 200,000 gallons \$200

More than 200,000 gallons \$250

Private use \$10

City of North Adams

In City Council

The renewal fee for inflammables shall be 1/2 the amount assessed for the original license fee as shown above

Junk collector	\$50
Junk dealer in or keeper of a shop, each location	\$100
Pawnbrokers	\$50
April through October	\$100
November through March	\$50
Pool or billiard table	
1 to 4, each table	\$2
Over 4, each table	\$1
Secondhand dealer, each location	
April through October	\$100
November through March	\$50
Slaughtering	\$10
Taxicabs	
Driver	\$10
Temporary driver	\$5
Operator	
First cab	\$25
Each additional cab	\$10
Stand on street, each cab	\$75
Amendment to license, driver or operator, each	\$5
Transient vendor	
Per consecutive day up to three days	\$100
Per day for each additional consecutive day	\$50

Additional per-page charge
assessed for each page over 3: \$1.

Ordinance Book (unbound): \$50.

Supplement to Ordinance Book, each: \$10.

City Map: \$1.

Map Street: \$0.50.

City of North Adams

In City Council

Street lists, persons 17 years and up

Per ward: \$0.25 per page.

Voter lists

Per ward: \$0.25 per page.

Disc: \$10.

Replace with:

Sec. 12-2 Fees.

(Refer to Appendix D)

Sec 13-61 Fees for different parking zones.

Remove:

Sec. 13-61 Fees for different parking zones.

(a)

The fee for parking time in two-hour zones shall be \$0.25 for each hour.

(b)

(Reserved)

(c)

The fee for parking time in the St. Anthony Drive parking lot shall be \$1 for a period of 10 hours. \$0.25 for each 2 1/2 hours, with a maximum limit of 10 hours, commencing at 8:00 a.m. until 5:00 p.m. A monthly parking permit may be purchased for use of the St. Anthony Drive parking lot. The cost of a permit shall be \$20 from May through November and \$15 from December through April.

(d)

A certain number of long-term daytime parking spots shall be allotted in the Center Street Parking Lot annually at a rate of \$30 per month. Long-term and overnight parking spots shall also be designated at a rate of \$35 per month. If the demand for daytime or overnight long-term parking in the Center Street Lot exceeds the number of spots allotted, a lottery shall be held to determine the distribution of the spots. This lottery shall be held in December of each year. Businesses, or organizations purchasing in excess of two long-term daytime or overnight parking spaces shall pay a minimum of six months in advance. All others shall pay three months in advance.

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The balance of spaces in the Center Street Parking Lot which have not been designated as long-term daytime or overnight parking spaces shall be available free of charge for a maximum time limit of two hours. Parking time in excess of the free two-hour maximum in the Center Street Parking Lot shall be \$1 for a total of four hours and an additional \$0.50 per hour thereafter.

For the purpose of this section, long-term parking shall be defined as 7:00 a.m. to 6:00 p.m.

(e)

The fee for meters on both the easterly and westerly side of North Church Street shall be \$0.25 for each 2 1/2 hours, with a maximum limit of 10 hours, commencing at 8:00 a.m. until 6:00 p.m. These meters will take straight quarters only, no small change. East Main Street, southerly side at a point 152.5 feet from the easterly line of Church Street and extending easterly a distance of 148 feet.

Replace with:

Sec. 13-61 Fees for different parking zones.

(Refer to Appendix D)

Chapter 13, Section 13-61(b) **Event Parking**

Remove:

Chapter 13, Section 13-61

(b) Event Parking: At the discretion of the Mayor certain non-city sponsored events and locations shall be designated as non-city sponsored Event Parking at a rate of \$40 per day.

Replace with:

Chapter 13, Section 13-61

(b) Event Parking: At the discretion of the Mayor certain non-city sponsored events and locations shall be designated as Event Parking (refer to Appendix D)

Sec 21-25.2 **Shopping Carts**

Remove:

City of North Adams

In City Council

Sec. 21-25.2 Shopping carts.

[Ord. of 2-27-2001]

Owners of shopping carts shall not allow said shopping carts to be stored, kept, left, or abandoned upon or along any street, sidewalk, or way. The owner of any such shopping cart that is so stored, kept, left or abandoned, which is picked up by the City employees and not retrieved by the owner within 48 hours, shall pay a fee of \$2 to reclaim such shopping cart. It shall be the responsibility of shopping cart owners to contact the Commissioner of Public Services or his designee to claim such carts. Any such shopping cart that is not claimed by an owner within 10 days of being picked up by City employees may be disposed of.

Replace with:

Sec. 21-25.2 Shopping carts.

Owners of shopping carts shall not allow said shopping carts to be stored, kept, left, or abandoned upon or along any street, sidewalk, or way. The owner of any such shopping cart that is so stored, kept, left or abandoned, which is picked up by the City employees and not retrieved by the owner within 48 hours, shall pay a fee (refer to Appendix D) to reclaim such shopping cart. It shall be the responsibility of shopping cart owners to contact the Commissioner of Public Services or his designee to claim such carts. Any such shopping cart that is not claimed by an owner within 10 days of being picked up by City employees may be disposed of.

Sec 21-37.1 Fees.

Ch 21: Streets and Sidewalks/Ch 21 Art III: Pipes, Poles, Wires and Conduits in, Over or Under Public Ways

Remove:

The fee for an Order for Joint or Identical Pole Location Inspection shall be \$50 and re-inspection shall be \$25.

Replace with:

Order for Joint or Identical Pole Location Inspection Fees. (Refer to Appendix D)

City of North Adams

In City Council

Sec 24-22 Same – Classes; Application; Fees.

Remove:

Sec. 24-22 Same—Classes; application; fees.

There shall be two classes of building sewer permits: (a) For residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Commissioner. A permit and inspection fee of \$20 for a residential or commercial building sewer permit and \$20 for an industrial building sewer permit shall be paid to the City at the time the application is filed.

Replace with:

Sec. 24-22 Same—Classes; application; fees.

There shall be two classes of building sewer permits: (a) For residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make an application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Commissioner. Refer to Appendix D for permit and inspection fees for a residential or commercial building sewer permit, and for an industrial building sewer permit that shall be paid to the City at the time the application is filed.

Sec 27-2 Licensing of Dogs

Remove

(a)

The license fee for a dog that has not been spayed or neutered shall be \$20.

(b)

The license fee for a dog that has been spayed or neutered shall be \$8. A registered veterinarian's certification or reasonable facsimile of same as proof of spaying or neutering shall be presented at the time of licensing.

(c)

The fee for replacement of a lost dog tag shall be \$5 each.

City of North Adams

In City Council

(d)

Late fee for licensing a dog after May 1. \$5.

(b)

Not later than three days after the impounding of any dog, the Animal Control Officer shall notify the owner or keeper. If the owner or keeper of the dog is unknown or, after reasonable efforts, is not contacted, written notice shall be posted for 10 consecutive days in the location for the posting of public notices in the City Hall, which notice shall describe the dog and the place and time of taking. Dogs impounded and unclaimed by the owner or keeper after such ten-day period shall be disposed of in accordance with the provisions of MGL c. 140, s. 151A. Any person who owns or keeps a dog and who has received such notice that the dog has been impounded by the Animal Control Officer and does not within 10 days claim said dog at the City pound shall pay a fine of \$100 to cover the board and disposal of such dog. The owner or keeper shall be described as a person who has in his or her possession, for 11 consecutive days in any calendar year, a dog, licensed or unlicensed, and cannot show to the satisfaction of the Animal Control Officer that such dog was sold, killed, given away or otherwise disposed of. If such dog is claimed within 10 days, said owner or keeper will pay a fine of \$20 per day for each day such dog is housed at the City pound. All pound fees, veterinarian fees, fines and notification cost, if any, must be paid before the dog is released.

Replace with:

(Refer to Appendix D)

Not later than three days after the impounding of any dog, the Animal Control Officer shall notify the owner or keeper. If the owner or keeper of the dog is unknown or, after reasonable efforts, is not contacted, written notice shall be posted for 10 consecutive days in the location for the posting of public notices in the City Hall, which notice shall describe the dog and the place and time of taking. Dogs impounded and unclaimed by the owner or keeper after such ten-day period shall be disposed of in accordance with the provisions of MGL c. 140, s. 151A. Any person who owns or keeps a dog and who has received such notice that the dog has been impounded by the Animal Control Officer and does not within 10 days claim said dog at the City pound shall pay a fine to cover the board and disposal of such dog. The owner or keeper shall be described as a person who has in his or her possession, for 11 consecutive days in any calendar year, a dog, licensed or unlicensed, and cannot show to the satisfaction of the Animal Control Officer that such dog was sold, killed, given away or otherwise disposed of. If such dog is claimed within 10 days, said owner or keeper will pay a fine per day for each day such dog is housed at the City pound. All pound fees, veterinarian fees, fines and notification cost, if any, must be paid before the dog is released.

City of North Adams

In City Council

Remove:

Sec. 29-2 (d)

Any violation of any other City of North Adams ordinance or any rule or regulation of any municipal officer, board or department, as stated by ordinance.

All fines, forfeitures and penalties shall, unless otherwise provided by law, inure to the use of the city and be paid when received into the city treasury.

The following schedule of fines is provided for civil infractions pursuant to this section:

Open containers of alcohol, Chapter 14, Sec. 14-3.1:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): police officers.

Bicycle regulations, MGL c. 85, §§ 11A and 11B:

Fine: first offense, written warning; subsequent offense, \$20.

Enforcing person(s): police officers.

Canvassers and solicitors, Chapter 4:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): police officers, Inspector of Weights and Measures.

Certificate of compliance, Chapter 8, Sec. 8-47:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): Health Director, Building Inspector, Code Enforcement Officer.

Certificates of occupancy, Chapter 8, Sec. 8-42:

Fine: first offense \$50; subsequent offense, \$100.

Enforcing person(s): Health Director, Building Inspector, Code Enforcement Officer

Curfew, Chapter 14, Sec. 14-2:

Fine: first offense, \$50; said fine may be waived by the City Clerk upon evidence by the Commissioner of Public Safety that said person has performed 5 hours of community service; subsequent offense, \$100; said fine may be waived by the City Clerk upon evidence by the Commissioner of Public Safety that said person has performed 10 hours of community service. Enforcing person(s): police officers.

Dogs, licensing of, Chapter 27, Sec. 27-2:

City of North Adams

In City Council

Fine: first offense, \$5; subsequent offense, \$10.

Enforcing person(s): police officers. Animal Control Officer.

Dogs, restraint of. Chapter 27, Sec. 27-3:

Fine: first offense, \$25; subsequent offense, \$50.

Enforcing person(s): police officers. Animal Control Officer.

Dogs, additional violations. Chapter 27, Sec. 27-4.

Fine: first offense, written warning; subsequent offense, \$30.

Enforcing person(s): police officers. Animal Control Officer.

Dogs, kennels, Chapter 27, Sec. 27-5:

Fine: first offense, \$100; subsequent offense, \$100.

Enforcing person(s): police officers. Animal Control Officer.

Dogs, restraint of dogs; dogs in estrus (heat), Chapter 27, Sec. 27-6:

Fine: first offense, \$10; subsequent offense, \$25.

Enforcing person(s): police officers. Animal Control Officer.

Dogs, dangerous and potentially dangerous dogs: Chapter 27, Sec. 27-8:

Fine: first offense, \$100; subsequent offense, \$100.

Enforcing person(s): police officers. Animal Control Officer.

Dogs, removal if of dog litter: Chapter 27, Sec. 27-9:

Fine: first offense, written warning; subsequent offense, \$25.

Dumping, Chapter 15B, Sec. 15B-1:

Fines: \$500 or maximum allowed by law.

Enforcing person(s): police officers. Health Director. Code Enforcement Officer.

Board of Health, Food Service Establishment Regulation violations, Chapter 2, Sec. 2-102:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): Health Director. Code Enforcement Officer

Foreclosed residential properties, registration, Sec. 3-49:

Failure to register ownership:

Fine: first offense \$300; subsequent offenses, \$500.

Enforcing person(s): Building Inspector.

Failure to register with agent in charge:

City of North Adams

In City Council

Fine: first offense. \$300; subsequent offenses. \$500.

Enforcing person(s): Building Inspector.

Forest cutting, tree cutting, Chapter 25:

Fine: first offense. \$50; subsequent offense. \$100.

Enforcing person(s): Commissioner of Public Services, Conservation Commission.

Hawkers and peddlers, Chapter 9:

Fine: first offense, \$50; subsequent offense. \$100.

Enforcing person(s): police officers, Health Director, Inspector of Weights and Measures.

Disturbing highway surface, curbing or obstructing streets, Chapter 21, Secs. 21-5, 21-6, 21-8:

Fine: first offense. \$100; subsequent offense. \$200.

Enforcing person(s): police officers, Commissioner of Public Services.

Junk dealers, secondhand dealers, Chapter 10:

Fine: first offense, written warning; subsequent offense. \$50.

Enforcing person(s): police officers, Building Inspector.

Junked vehicles, Chapter 10:

Fine: first offense. \$100; subsequent offense. \$100.

Enforcing person(s): police officers, Building Inspector or his/her designee.

Keg license, Chapter 12, Sec. 12-13.3(a):

Fine: first offense. \$200; subsequent offense. \$300.

Enforcing person(s): police officers, Commissioner of Public Safety.

License, registrations and permits, Chapter 12:

Fine: first offense. \$50, subsequent offense. \$100.

Enforcing person(s): police officers, Building Inspector or his/her designee, Commissioner of Public Safety or his/her designee.

Littering, Chapter 15, Sec. 15-3:

Fine: first offense, written warning; subsequent offense. \$50.

Enforcing person(s): police officers, Health Director, Administrative Officer, Code Enforcement Officer.

Public consumption of marijuana and marijuana products, Chapter 14, Sec. 14-3.2:

City of North Adams

In City Council

Fine(s): first offense. \$50; subsequent offense(s). \$100.

Enforcing person(s): police officers.

Regulations of other nonmotorized conveyances. Chapter 21. Sec. 21-25:

Fine: first offense. written warning; subsequent offense. \$20.

Enforcing person(s): police officers.

Unlawful noise. Chapter 14. Sec. 14-4.1. Chapter 20:

Fine: first offense, written warning; subsequent offense. \$100.

Enforcing person(s): police officers. Building Inspector.

Parades. Chapter 13. Sec. 13-9.2; Sec. 13-9.3:

Fine: first offense. \$50; subsequent offense. \$100.

Enforcing person(s): police officers. Commissioner of Public Safety.

Rules for use of park and recreation facilities. Chapter 7:

Fine: first offense, written warning; subsequent offense. \$50.

Enforcing person(s): park police officers.

Injuring or interference with public water supply, sewer system. Chapter 24:

Fine: first and subsequent offense. \$300.

Enforcing person(s): Commissioner of Public Services.

Roller skating, in-line skating and skateboarding, in the Business District. Chapter 21, Sec. 21-25.1.

Fine: first offense, written warning; second offense the police officer taking possession of the roller skates, in-line skates or skateboard; subsequent offense: the police officer taking possession of the roller skates, in-line skates or skateboard and collection of a fine of \$5 to have the item taken returned.

Enforcing person(s): police officers.

Regulation of signs, Chapter 21, Secs. 21-29 through 21-34, Zoning Ordinance Section 14.

Fine: first offense, written warning; subsequent offense. \$50.

Enforcing person(s): Building Inspector.

Snow and ice removal from sidewalks. Chapter 21, Sec. 21-12. Residential Property:

Fine: first and second offense, written warning; subsequent offense. \$25.

Enforcing person(s): police officers. Commissioner of Public Safety.

Snow and ice removal from sidewalks. Chapter 21, Sec. 21-12. Commercial Property:

City of North Adams

In City Council

Commercial Districts CA, CB, CC, CP-1:

Fine: first offense, written warning; subsequent offense, \$50.

Enforcing person(s): police officers; Commissioner of Public Safety.

Planning Board, Special Permit violations, Zoning Ordinance, Sec. 3D:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): Building Inspector.

Streets and sidewalks, Chapter 21, Secs. 21-10, 21-11, 21-28:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): Building Inspector.

Taxicabs, Chapter 23:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): police officers.

Transfer station and recycling, Chapter 7, Secs. 7-11.1 through 7-11.2:

Fine: first offense, written warning; subsequent offense, \$50.

Enforcing person(s): Health Director, Administrative Officer.

Transient vendor

Fine: \$200 per day for the first three days; \$100 per day after three days.

Vehicle operation at crosswalks, Chapter 13, Sec. 13-41.1.

Fine: first offense: \$25.

Enforcing person(s): police officers.

Zoning Ordinance:

Fine: first offense, written warning; subsequent offense, \$100.

Enforcing person(s): Building Inspector or his designee

Other infractions not specified above or elsewhere:

Fine: first offense, \$50; subsequent offense, \$100.

Enforcing person(s): Police officers, Building Inspector, Health Director, Administrative Officer.

City of North Adams

In City Council

If any provision(s) of this chapter shall be invalid for any reason, said provision(s) shall be deleted and the remainder of the chapter shall continue in full force and effect.

Replace with:
Sec. 29-2 (d)

Any violation of any other City of North Adams ordinance or any rule or regulation of any municipal officer, board or department, as stated by ordinance.

(refer to Appendix D)
