



ORDINANCE REVIEW COMMITTEE

Members

Councilor Jeremy Dubs, Chair

Councilor Garrick Perry, Vice-Chair

Dane Kuttler, Citizen

Molly Moses, Citizen

Councilor Stanley Moulton, III

MEETING MINUTES

Date: July 30, 2025, Time: 6 p.m.

Virtual Meeting

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 6 p.m., Councilor Jeremy Dubs called the meeting to order. On a roll call, the following members were present: Councilor Dubs; Chair, Councilor Garrick Perry, Vice Chair; Councilor Stanley W. Moulton, III and Member Molly Moses. Member Dane Kuttler was absent. Also present were City Solicitor Alan Seewald and Administrative Assistant Laura Krutzler.

2. **ANNOUNCEMENT OF AUDIO/VIDEO RECORDING**
Councilor Dubs announced that the meeting was being audio/video recorded.

3. **PUBLIC COMMENT**
Meg Robbins thanked them for their last session, saying she hopes they are working on getting quieter trains. She heard back from residents who had contacted her about ongoing issues with weekend sleep because of Tellus noise. They are hoping this doesn't just get pushed down the pike but that the committee comes up with some suggestions as to what avenues they might take or what avenues committee members might take on their behalf so they can actually get a good night's sleep on Friday and Saturday nights, she related. "They're feeling a little bereft; last week's meeting was one where they had hoped to hear from you." She is hoping to come away from this meeting with something to share. She is sure they can imagine what it must be like lying in bed at night listening to the drumbeat and wondering when it is ever going to end.

George Kohout, speaking as **President of the Friends of Northampton Trails**, said members are raising their collective hand about electric bikes not only on the trail network but also on city streets. He hoped they all had a chance to look at the current ordinance, which he forwarded to the administrative assistant. As background, they are all grateful electric bike technology is evolving because it is moving people out of cars and onto battery-operated electric bikes which has a positive effect on the city's carbon signature. They don't want to dissuade people from using electric bikes but need to do something to regulate their usage not only on the bike trail but on city streets. Especially with the pending Main Street reconstruction and installation of bike lanes downtown, city officials might want to get out in front of electric bike usage, he suggested. He is not quite sure how to go about this but thought he would start with the ordinance committee. He also intends to go to the Transportation

and Parking Commission (TPC) and bike and pedestrian committee to share the concern and their willingness to help facilitate some kind of public dialogue. They don't want to inhibit the sale of electric bikes or discourage people who rely on them to get around but think they need to do something around education and enforcement. He doesn't think police have the capacity to begin enforcing a new ordinance but at least having something on the books would be helpful. There are different categories of electric bikes and they are getting bigger, faster and stronger. He is looking for advice on how to proceed. He knows they have a lot of work on their plate already and that this is a large discussion, not just a minor tweak. Right now, the ordinance only speaks to electric bikes on the rail trail and not to E-bikes on streets in general and needs to be expanded. Northampton Trails' folks are more than willing to be proactive and help with that dialogue. He wanted to make sure the topic was in their queue as an ordinance that needs to be reexamined.

4. APPROVAL OF MINUTES

Councilor Moulton moved to approve the revised June 30, 2025 meeting minutes. Member Perry seconded. The motion passed unanimously 4:0 by roll call vote with Member Kuttler absent.

5. FINALIZE PRIORITY LIST OF TOPICS FOR REVIEW

Ms. Krutzler screen-shared the Priority List of Topics, noting it was updated to include Member Moses' priorities, since she was not present at the July 9th meeting when other members shared their priorities for review.

With regard to Molly's stated priority of expanding and enforcing environmental/ecological policies such as the requirement that restaurant takeout containers be recyclable, she screen-shared the existing ordinance (**272-18 Environmental Protection and Solid Waste Reduction**) to show that **272-18B General Prohibition and Regulation** already requires takeout containers to be recyclable [see excerpt below]:

*B (2) Food establishments using any disposable food service ware shall use biodegradable, compostable, reusable or **recyclable** food service ware.*

Member Moses clarified that elsewhere in the ordinance, the definition of "recyclable" seems to be related to materials recyclable at a Springfield location. While the black plastic used by some restaurants is recyclable in some locations, she understands that it is not accepted in Northampton since it is not possible to scan it. It might be necessary to update the ordinance's definition of recyclable so it relates to what is recyclable in Northampton rather than in Springfield, she suggested.

Attorney Seewald clarified that Northampton's recyclables are ultimately brought to the Materials Recycling Facility (MRF) in Springfield, so "recyclable" in Northampton is defined by whatever is accepted there. He suggested they would need DPW Director LaScaleia to advise them before making a change to this.

Councilor Perry said they might also want to reach out to local businesses since this is a subject of interest to them.

Given that this has environmental implications, she would be very happy for it to be followed up on and grateful for it to be considered a priority of their work, Member Moses said.

ACTION PLAN

In terms of process, members discussed how to handle the topics identified as priorities. Councilor Perry shared his thinking that some topics are appropriate for referral to other bodies. For example, the topics of noise and re-entry/re-admittance to bars after 1 a.m. should be referred to the License Commission, he suggested. Similarly, he suggested the possibility of referring the idea of banning gas-powered leaf blowers to the Climate Action and Project Administration (CAPA).

A fundamental question is whether the committee's intention is to actually draft these ordinances themselves or to refer them back to the council or its committees, Attorney Seewald observed. If they are actually going to draft them, they are going to have to pare this list down significantly. "The devil is in the details and it takes a while to craft the language," he cautioned.

Councilor Moulton asked what the last Ordinance Review Committee's practice was.

Attorney Seewald said his recollection is that they drafted a number of ordinances but did not start from nearly as long a list. That committee's focus was shaped by a resolution of the City Council resolving to use the ordinance review process to review ordinances for potentially disproportionate impacts on marginalized communities, he recalled.

Member Moses questioned whether, if they didn't prioritize writing some ordinances themselves, there would be any assurance that their recommendations or referrals would be followed up on by a subsequent City Council.

Ms. Krutzler shared her recollection that the 2020 Ordinance Review Committee separated ordinances into three buckets: 1) housekeeping, 2) ordinances recommended for adoption and 3) subjects recommended for further study. Some ordinances recommended for adoption by the committee *were* later formally introduced to the full City Council and subsequently adopted, she confirmed.

The 2020 Ordinance Review Committee report also included ordinances *not* recommended for adoption, she added. She screen-shared the page from the 2020 report titled, "Ordinances Impacting Historically Marginalized Communities Not Recommended for Adoption." She gave the weapons manufacturing ban as a hypothetical example of a measure this Ordinance Review Committee might choose not to recommend because of obstacles discussed, such as the fact that it would not apply retroactively and that it would open the city to liability.

Councilor Dubs said he feels like a good goal would be to follow up in some way on all of the items on their list, whether by making a recommendation for no change or referral or by actually working to redraft an ordinance. He would like to at least try to answer to people in some way by following up with those who have reached out to them, even if it's just to say that they can't make changes at this time.

Councilor Moulton said he thinks Councilor Dubs is saying they need to be comprehensive in acknowledging the many suggestions for ordinance changes received and acting on them all in some way. This could take the form of putting them in different 'buckets' similar to what Laura described so that, at the end of the process, [they could say] 'here's what we heard this year and here's how we decided to deal with them in some fashion.'

Councilor Dubs said he loved that. Councilor Perry suggested going through the list of priorities and putting things into buckets. Initial categories proposed were 1) Housekeeping, 2) Ordinances recommended or *not* recommended for adoption/Actionable Items and 3) Items recommended for further study.

In the ensuing discussion, members sorted the 'Priority List of Topics' as follows:

Housekeeping	Actionable Items/Ordinances recommended or <i>not</i> recommended for Adoption	Recommended for further study
Miscellaneous OPS zoning changes	Snow removal/Parking Ban Trash removal in front of businesses (Councilor Perry suggested this overlaps with other sidewalk issues)	Ban on Weapons Manufacturing
Gender-neutral language	Cleaning up city sign ordinance to comply with recent legal decisions	Indoor Lighting
§128-1 Wild animals. Insert 'the' in phrase 'is in charge of'	Mobile Food Trucks	Review possible unintended consequences of §350-12.2 Outdoor Lighting
	Banning Gas-Powered Leaf Blowers	Consider tweaks to form-based code
	Changing Language on Handicapped Placards from 'handicapped/disabled' to 'reserved'	
	Clarifying if §272-18 prohibits black containers (meaning their use is an enforcement issue)	

Regarding the miscellaneous amendments submitted by the Office of Planning and Sustainability, Ms. Krutzler expressed her understanding that these are intended to be housekeeping changes. However, at least two of them – the change to Main Wall signs and change to the definition of Frontage - seem to be more substantive. Land Use Planner Nathan Chung explained to her that changing the definition of frontage would have the effect of making a number of lots pre-existing nonconforming, which would create repercussions for property owners. She said she thought that list had to be gone through a little more. Maybe the more substantive items could be returned to the Planning Department for introduction through the normal legislative process, she suggested.

Councilor Perry identified an additional category as items appropriate for referral to others. He put the following topics in this category; specifically, referral to the License Commission:

- ❖ Noise (Tellus)
- ❖ Re-entry/re-admittance to bars after 1 a.m.

Councilor Dubs said he thought the referral to the License Commission should be accompanied by a letter of explanation. He cited the License Commission provision that "Licensees for indoor and outdoor entertainment are required to be responsible neighbors and control the behavior of attendees and performers to avoid creating a nuisance."

Regarding the sign ordinance, Councilor Moulton volunteered to work with Director Misch and Attorney Seewald to bring a revised package back to this committee. Attorney Seewald confirmed that a redraft is in progress. He offered to meet with Carolyn and Councilor Moulton to review it before presenting it to the committee. It probably should go into the action bucket because he doesn't want it to lose momentum, he shared.

Councilor Perry clarified that 'trash removal' includes things like human feces in the downtown area.

'Pedestrian Ordinances' could be added to Housekeeping if the cited ordinances are being recommended for removal, Ms. Krutzler suggested. As of now, they are simply on the list of Miscellaneous Referrals received from the public. Councilor Moulton noted that, in keeping with the goal of responding to all suggestions received, they would need to act on the Miscellaneous Referrals somehow.

Member Moses said she noticed in a cursory search that Northampton's code doesn't seem to have ordinances related to indigenous rights or relationships with local tribal organizations. She doesn't know if that is something other cities have. She has an email drafted which she could send to Representative Sabadosa and Senator Comerford since she knows this issue is near and dear to their hearts to see if this is something that has been taken up by other communities.

Councilor Perry said he thinks that is an excellent idea. He noted that Jasmine Goodspeed, the current chair of the Human Rights Commission (HRC), is indigenous herself and very passionate about this issue. If it was before them, that is the first place he would refer it, so the HRC might be her first avenue.

Councilors directed Molly to work with the administrative assistant on communication with the HRC, and Councilor Perry said he was all for Molly reaching out to state representatives at the same time.

If they are considering removing the pedestrian ordinances on hitchhiking and jaywalking, he would like to hear from the Chief of Police, Councilor Moulton said.

In terms of communicating with city department heads like the Police Chief, Ms. Krutzler said she thought communication might be taken more seriously if it came directly from committee members. Councilor Dubs said he could reach out to Chief Cartledge.

Councilor Dubs questioned whether 'ordinances recommended for removal' should be a separate category but members decided this would fall under 'housekeeping.' Councilor Moulton noted they need to review the House-keeping bucket.

As far as she knows, the only thing in it at this time (other than the recently added pedestrian ordinances) are items referred by the planning department, Ms. Krutzler said. All of the other suggestions have been compiled in the 'Miscellaneous Referrals' spreadsheet.

Now that pedestrian ordinances are in the housekeeping bucket, the next step is to have a discussion with the police chief, Councilor Moulton proposed.

Councilor Dubs said he thinks gender-neutral language is actionable and other members readily agreed. Councilor Moulton said he thought it could be considered housekeeping. Molly Moses volunteered to take on the assignment of updating the language but the administrative assistant expressed her understanding that such a revision is usually done by General Code, the vendor for the city's digital codification services. She wondered if General Code would need more explicit instruction than simply being asked to replace 'he' or 'she' in every occurrence with 'they.'

Attorney Seewald expressed his confidence that if members are able to identify the proposed change and the City Council approves it, he will be able to draft an appropriate order.

One of his constituents has been very persistent in advocating for banning gas-powered leaf blowers, Councilor Moulton reported. He suggested sending the proposal to CAPA Director Ben Weil. The director's response is that he sees the wisdom of it but feels it should come from a political body rather than be initiated by CAPA.

He thinks it is actionable and would like to see some action on it, Councilor Moulton said. It would be good to hear from Director Weil how he feels it should be initiated.

Councilor Perry agreed it is a good direction. He thinks it should be considered from two perspectives: what the city itself is going to do and whether, as a city, they will focus on electric-powered landscaping equipment, and how to regulate it for the public. He is willing to have the CAPA director come.

Councilor Dubs referred to the suggestion heard at the public forum of changing the language on handicapped placards from 'handicapped' to 'reserved.' He thinks it's actionable but also needs further study. He thinks the city has made some progress and he'd like to find out the project's status.

Councilor Moulton said he would bring the Disability Commission into the conversation, noting, "This is one that perhaps they could handle." Councilor Dubs agreed with referring it to the Disability Commission.

Councilor Dubs invited Member Moses to expand on her priorities. Among other things, she referred to powerful statements made at the public forum by residents concerned about ecological issues; [i.e. - Thomas Nuhfer's comments in support of adding invasive species to the definition of wetlands alteration and elimination of peat products in city contracts, etc]. She would like to see those preserved and continued to be seen as actionable.

As far as her interest in removing religious/Sunday-related language, she wondered if this could be considered housekeeping or if further discussion is needed.

Ms. Krutzler said that, as far as she knows, the only place this language exists in the code is for the licensing of pool tables and bowling. However, this section tracks state law so she doesn't think it could be changed by local ordinance. Separate licenses are also required for entertainment occurring on Sunday, Attorney Seewald said. He confirmed this is according to state law.

Councilor Moulton expressed his understanding that the city would have to file a home rule petition in order to change it.

Parking is also free on Sundays but she personally doesn't feel the need to change that since it works in her favor, Member Moses said.

Councilor Moulton asked if she thinks they should look more closely at anything else on her list before losing sight of it.

Molly said she didn't think she would raise anything there to a level higher than miscellaneous referrals from other citizens. She found the wording of §128-1A funny since it refers to an animal being 'in charge of' a human instead of 'in the charge of.'

Ms. Krutzler said she could add this to housekeeping changes.

Members discussed whether the recycling issue should be considered actionable or referred for further study. Ms. Krutzler said she thought the city's solid waste coordinator would be able to clarify whether this requires a change to the ordinance or is simply an enforcement issue. Councilor Perry said he thought it should be actionable.

Councilor Moulton said he thinks it's a matter of interpreting the ordinance to see if the language as written prohibits black containers.

With regard to the Lighting ordinance, Councilor Moulton expressed his understanding that the speaker didn't realize Northampton recently passed a comprehensive update. Since they just did it last year, he doesn't know they need to do it again. However, he would categorize indoor lighting as an item that warrants further study.

For the record, Councilor Perry said this was a topic of note at one of the business forums after Pride flags were stolen outside of Thornes. Businesses were concerned about being forced to pay for more lighting. He is unsure where to put those questions to make folks feel like their concerns are being heard. He thinks there should be further study of the recently-updated ordinance since a number of business owners have expressed concern that it does not fit every district.

Councilor Moulton said he thinks that falls into the category of reviewing an ordinance after its adoption and making tweaks to address unintended consequences.

Councilor Moulton mentioned two other major items brought to them: 1) a request to repeal the form-based code, and 2) E-bikes.

While he would not recommend repealing the form-based code, he would certainly support looking at possible tweaks to it as well, Councilor Moulton shared. At the recent public hearing on a citizen's zoning petition, there was discussion about a possible need to look at the buffer/border between CB-side and residential districts.

Given Attorney Seewald's caution, he would recommend that E-bikes be referred to TPC for study and proposing changes, Councilor Moulton said.

6. STRUCTURE/FORMAT FOR MEETING ON SNOW REMOVAL ORDINANCE

Councilor Dubs said he wasn't sure they were ready to talk about this but thought it would be helpful to bring in Parking Administrator Nanci Forrestall whenever this is scheduled.

7. RESEARCH ASSIGNMENTS

This was somewhat covered in that he was going to look into the status of handicapped-accessible signage, Councilor Dubs said. Laura suggested he reach out to the Mayor's office to communicate/collaborate around the snow removal ordinance, he added.

Laura shared a new idea related to snow removal she thought might be worth discussing with the Mayor. She wondered if Division of Community Care (DCC) community responders could be used to respond to reports of uncleared sidewalks to educate residents about the snow removal ordinance and encourage their compliance. It

would require a change to §285-17 to list the DCC along with the Police Chief and DPW Director as parties responsible for administration/enforcement. The police and DPW keep running up against capacity issues and additional capacity might exist for this purpose at the DCC; also, it would be consistent with its stated purpose to take on police assignments not requiring an armed response. She also thought it would be helpful to bring Nanci Forrestall into the discussion to see if there is any data on the number of reports parking enforcement officers (PEO's) have made and to discuss the possibility of PEO's conducting more systematic monitoring following significant storms.

8. **NEXT MEETING DATE**

Members scheduled their next regular meeting for Wednesday, August 13th.

9. **ADJOURN**

Councilor Perry moved to adjourn. Councilor Moulton seconded. The motion passed unanimously 4:0 by roll call vote with Member Kuttler absent. The meeting was adjourned at 7:40 p.m.

Respectfully submitted, Laura Krutzler.