



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: August 13, 2025, Time: 6 p.m.
Virtual Meeting

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 6:01p.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 Dane Kuttler. Member Molly Moses was absent on roll call but arrived at 6:02 p.m. 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**
There was no public comment.

4. **APPROVAL OF MINUTES**
Councilor Moulton moved to approve the July 30, 2025 meeting minutes.

Member Moses asked that the examples of ecological issues raised at the June 30, 2025 public forum on pg. 6 be placed in brackets to indicate that they were not specifically cited by her but were an editorial insert. **She seconded. The motion passed unanimously 5:0 by roll call vote. [Editor’s note: Change made]**

5. **HOUSEKEEPING DISCUSSION**
The administrative assistant proposed separating the ‘Housekeeping’ changes into two categories: Zoning Ordinance changes and General Ordinance changes. This will allow them to act on the Zoning Ordinance changes tonight since, as far she knows, those are now complete. She will compile the General Ordinance changes, including updating the ordinance to gender-neutral language and insertion of the word ‘the’ in the phrase “in charge of” in **§128-1 Wild Animals**, on a separate spreadsheet for presentation/action at a later date.

Some of the proposed general code changes, such as the removal of pedestrian ordinances related to hitch hiking and jaywalking, require further discussion, she pointed out. Councilor Moulton said he would like to hear from the police chief prior to considering removal of these, she reminded.

As far as the Zoning Ordinance Housekeeping changes, the package is exactly as submitted by the Office of Planning and Sustainability (OPS) except that amendments to **§350-2.1 Definitions - Frontage**, **§350-2.1 Definitions - Open Space** and **§350-7.4B(3) Main Wall Sign Requirements** have been removed since they were deemed to be more substantive.

An email today from Land Use Planner Nathan Chung questioned whether the amendment to **350-6.11C(2)(c) Form-based criteria for two-family and two single-family homes** (calling for a covered front entry on a second single-family dwelling on a lot if the first dwelling has a covered front entry) is also more substantive since it calls for deleting a requirement for Planning Board review, Ms. Krutzler noted.

She confirmed it was submitted by OPS as part of the original package of housekeeping changes.

Councilor Moulton said he didn't see a reason for further review; if the planning department feels it is a house-keeping change, he feels comfortable approving it as such. The administrative assistant said she would double-check with the planning director to make sure that is her intention.

Attorney Seewald said there should be a motion and a vote to recommend these changes as part of the Ordinance Review Committee's final report.

Councilor Moulton moved to recommend approval of the housekeeping changes from OPS as part of the final report with the exception of the removals (**§350-2.1 Definitions of Open Space and Frontage**, **§350-7.4B(3) Main Wall Sign Requirements** and **350-6.11C(2)(c)**), pending consultation with Director Misch). **Councilor Dubs seconded. The motion passed unanimously 5:0 by roll call vote.**

GENDER NEUTRAL LANGUAGE

Members decided at the July 30th meeting that updating the code to gender-neutral language is also appropriate for the Housekeeping category. Contrary to the assumption at that meeting that General Code would make that change based on general direction from the city, "We're going to have to tell General Code what changes to make; they won't make changes on their own," Solicitor Seewald advised. They will have to specifically go through the code and pick out the 'he' and 'she's,' he indicated.

She had volunteered for this assignment, Member Moses reminded.

Ms. Krutzler wondered if it could be accomplished by simply amending **§1-16 Rules of Construction and Definitions**, specifically, the definition of **'Gender Identity or Expression.'**

This might be something Molly would want to consult with Clerk Powers about in her continued work on this, Councilor Moulton suggested.

Member Moses read the definition of gender at **§1-16B(2)** as follows: "A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males."

She expressed her understanding that, in modern documents, it is not considered sufficient to simply substitute 'they' everywhere it says 'he.' She thinks to bring a document to present day and current local culture, it is best to get rid of the masculine pronouns and find a way to refer to gender that is inclusive of all genders.

This generally comes up when a statute describes what a 'person' can do, Attorney Seewald noted. Generally, a person is a natural person, a corporation, an LLC or other forms of non-natural persons. Neither section speaks to what Ace Tayloe is talking about, which is getting rid of 'he' and 'she' and going to a neutral word.

Member Moses expressed her understanding that they have two tasks: getting rid of the masculine and the question of whether they need to update the rules of construction. If §1-16A is not relevant to the code, she wondered if it could just be removed as a housekeeping measure.

With a caveat that they first need to double-check to make sure they are not accidentally running afoul of some other provision, **Member Moses moved to place striking Gender Identity or Expression as a definition from §1-16A on the list of housekeeping measures.**

Councilor Perry made the friendly suggestion that double-checking might be part of the general assignment of doing some of this work and getting information prior to bringing a motion for consideration. Member Moses readily agreed.

Member Moses confirmed her understanding that this is a housekeeping item she is taking responsibility for and that it has two parts: shifting pronouns throughout the document and updating the rules of construction and definition to reflect that change.

Councilor Dubs asked her to let him and Garrick know when she is ready to talk about it at a future meeting.

For **§128-1 Wild Animals**, **Member Moses moved to insert the word 'the' before the phrase 'in charge of as a housekeeping change. Councilor Moulton seconded. The motion passed unanimously 5:0 by roll call vote.**

6. **ASSIGNMENTS FOR ACTIONABLE ITEMS**

Members divvied up responsibility for further research on priority topics as follows:

Snow Removal/Impediments to Sidewalks - Councilor Dubs and Councilor Moulton

Sign Ordinance - Councilor Moulton, Director Misch and Attorney Seewald

Food Trucks - Councilor Perry and Member Kuttler

Gas-Powered Lawn Equipment – See below

Recycling - Member Moses and Councilor Perry

Tweaking Outdoor Lighting – See below

Form-based Code – Councilor Moulton suggested this is something they want to flag for further study to build on the discussion from the joint Planning Board/Legislative Matters Committee hearing in July about looking at the buffer between CB-side and residential zones. He didn't think it was something they should undertake but something they should reinforce as being worthy of further study.

Gas-Powered Lawn Equipment. Councilor Moulton said this is a big one as it would require a new ordinance. At least one email circulated to the committee (July 9th email sent by Ms. Krutzler) had examples of model ordinances from other communities.

As he said at the last meeting, addressing this would include both determining how the city deals with landscaping equipment and drafting regulations for the public, Councilor Perry reiterated. Members discussed that this would require a meeting with other departments, including CAPA and the DPW.

Members discussed that the Youth Commission, CAPA Director Ben Weil and sponsoring councilors such as Rachel Maiore should be consulted on any update to the recycling ordinance. Councilor Perry suggested that the business community also be included, since it is something that has been flagged by restaurant owners as needing to be reviewed. He proposed that he and Councilor Dubs pick a date for a future meeting to gather more information and coordinate with relevant departments and businesses.

Ms. Krutzler expressed her understanding that the original question was whether the continued use of black plastic takeout containers is an enforcement issue or requires a clarification/change to the ordinance. However, Councilor Perry said he had broadened the discussion based on concerns brought to him by the business community.

According to the ordinance, an exemption for up to a year can be granted at any time, Attorney Seewald noted.

Since this is something the business community has flagged, Councilor Moulton said he thinks they should go forward with a discussion with CAPA Director Weil, Councilor Maiore and someone from the Youth Commission. Councilor Dubs agreed.

Councilor Perry said there is an appetite from the business community to find out what the **Outdoor Lighting** ordinance means for them. If they want to do due diligence they could at least have a meeting to talk about it and see what the issues are. Councilor Dubs said that sounds good. Councilor Moulton said he wants to be as responsive as possible to all groups who have brought concerns or ideas to them. He liked the idea of hearing more from the business community and then suggesting it be further studied by OPS and advocates for outdoor lighting regulations. He thinks they can have that discussion but not as a major piece of work for them.

7. **ASSIGNMENTS FOR REFERRAL TO OTHERS:**

Noise Ordinance and Patrons past 1 a.m. - Councilor Dubs and Councilor Perry

Reserved signs/Replacements - Councilor Dubs. He said he would like to find out the status of work already done and would contact ADA Coordinator Keith Benoit.

E-bikes – George Kohout agreed that the best forum for a full and robust discussion is the Transportation and Parking Commission (TPC) and he will be taking it there, Councilor Moulton reported.

Member Kuttler said she is loathe to put more on this committee's plate, but they may get traction or community support around the idea of an ordinance against law enforcement officers masking so that their identities are obscured or an ordinance requiring police badge numbers to be visible.

Attorney Seewald advised her that the charter prohibits the City Council from directing how executive employees carry out their functions. That is not an ordinance they can pass; it is an executive function to decide how police officers operate.

It would be nice to be able to tell ICE and police officers that they can't wear masks here, Member Kuttler said. Today, a photograph was taken of somebody believed to be ICE who was masked, wearing dark sunglasses and dressed in what looked like a costume from a costume store. It turned out to be members of DA Sullivan's anti-crime, statewide crime force.

"We cannot control what ICE does," Attorney Seewald stressed.

Councilors Dubs said she could suggest this as a resolution. He said he would be happy to support it.

Councilor Moulton said he received an email from Claudia Lefko today reminding him of her request for a conservation ordinance. He understands her concern to actually be a dispute over state law with limited applicability to the Montview neighborhood and thinks it should be referred to OPS as the overseer of conservation land. In his opinion, it is not an ordinance that is needed.

The administrative assistant said she had not seen this request, and Councilor Moulton asked Councilor Dubs to forward the email to her for inclusion on the list of miscellaneous referrals.

8. NEXT MEETING DATE

Members scheduled their next regular meeting for Wednesday, September 3rd at 6 p.m.

Councilor Dubs said a group has formed to consider the idea of establishing 20 mph safety zones heard at their June 30th public forum. “We don’t have to do the work because there’s a group that’s working on it,” he reported.

9. ADJOURN

Councilor Perry moved to adjourn. Councilor Moulton seconded. The motion passed unanimously 5:0 by roll call vote. The meeting was adjourned at 7:21 p.m.

Respectfully submitted, Laura Krutzler.