



## 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: November 19, 2025, Time: 6 p.m.**  
**Virtual Meeting**

1. **MEETING CALLED TO ORDER/ROLL CALL:** At 6:03 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 Dane Kuttler. Member Molly Moses joined at 6:04 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 general public comment.

4. **APPROVAL OF MINUTES**  
**Minutes of the previous week’s meeting (November 12, 2025) were not available as they were not yet transcribed.**

5. **REVIEW MISCELLANEOUS REFERRALS AND COMMENTS FROM PUBLIC FORUM TO MAKE SURE ALL ISSUES RAISED WERE ADDRESSED**  
Member Moulton asked to be reminded of the categories or ‘buckets’ the committee established as options for assignment. Members recalled them as being ‘recommended for adoption,’ ‘not recommended for adoption’ and ‘recommended for further study.’ [Editor’s note: Actual buckets are 1) housekeeping, 2) recommendations (for adoption, removal, etc.) and 3) subjects recommended for further study.]

Members went through the Miscellaneous Referrals spreadsheet listing items referred to them for review item by item.

Councilor Dubs and Member Kuttler indicated they were favorably disposed to the recommendation relative to §285-18 to add an ordinance requiring property owners to keep sidewalks clear of vegetation. Member Moses suggested that if such an ordinance were added, it should specify that property owners clear vegetation only up

to a certain height, say six and a half feet, to allow for people to pass, since taller types of trees and bushes that might arch over are not an issue. They also need to specify that it's not just the three inches from the ground that are relevant to mobility.

Members discussed whether to vote on each item individually or simply reach informal consensus. Councilor Perry questioned the purpose of the exercise. Are they just making sure they didn't miss anything? He asked.

Councilor Dubs confirmed that is the point.

Members agreed in concept that sidewalk-clearing should include clearing vegetation.

Councilor Dubs proposed a motion to add the subject of vegetation obstructing sidewalks to the topic of sidewalk snow removal.

Mrs. Krutzler wondered if it made more sense to take votes on items they are not proposing for inclusion if the majority of items are going to be accepted.

Member Moses asked if this is where they need to delegate the task of drafting final language for each.

Councilor Dubs said he thought that would be part of the next discussion of the structure and format of the final report.

No action was taken.

Members discussed the three pedestrian-related ordinances proposed by Alex Bowman for removal as a group. Councilor Dubs said he is personally okay with removing all of them and Member Kuttler agreed.

Member Kuttler asked if anyone wanted to keep hitchhiking an ordinance offense and Councilor Perry and Councilor Dubs said 'no.'

Mrs. Krutzler reminded members that someone said they wanted to hear from the police chief if they were going to be changing any of the ordinances related to pedestrian crossings.

Councilor Perry said he would be seeing Police Chief Cartledge tomorrow and would mention it.

Councilor Moulton said he would be comfortable having Councilor Perry run these by Chief Cartledge to see if he's comfortable striking them or if he would like further study.

**GENDER-NEUTRAL LANGUAGE**

Regarding Ace Tayloe's suggestion to update the ordinance to replace 'he' and 'she' with gender-neutral 'they,' Member Kuttler expressed her understanding that the rule already exists, Ace just went to the trouble of going through the ordinance and listing all the places that hadn't been updated.

Member Moses said she had volunteered for the job of looking at the list Ace provided and making sure it is comprehensive and not just a subset.

Mrs. Krutzler shared her remembrance that Ace said they had only done a cursory search and did not represent the list to be all-inclusive.

Member Moses confirmed she would be compiling a list of all the needed updates.

Regarding the recommendation to add an ordinance to phase out gas-powered leaf blowers, Councilor Moulton noted that time did not allow them to make the progress on this he had hoped. He proposed putting it in the bucket of 'Subjects recommended for further study.'

Member Moses said she also feels quite strongly about pursuing this. She suggested saying something like, "We strongly suggest," or, "It is the committee's strong encouragement," that this be taken up on the sooner side but for the details to be established by the City Council.

Attorney Seewald said it sounds like there is consensus in favor of recommending it. He doesn't want them to feel constrained to recommend changes that aren't drafted. He wouldn't put it into further study just because they haven't actually drafted the language. If the committee supports banning gas-powered leaf blowers, he advised them to put it into the recommended category. If this is something this committee can recommend, he could draft the language for the City Council when they get to it.

"You're going to have a huge 'further study' pile and a very small actually drafted all the language pile," he pointed out.

If they are looking to him to draft this report, he's going to need time, he added. This is not going to happen the week between Christmas and New Year's.

**Councilor Moulton moved that the committee recommend banning gas-powered leaf blowers. Councilor Dubs seconded. The motion passed unanimously 5:0 by roll call vote.**

### **CONSUMING ALCOHOL IN PULASKI PARK**

Members discussed the suggestion to amend **§120-1 Consumption and possession of open containers in certain City facilities and locations** to allow the License Commission to issue special licenses to consume alcohol in Pulaski Park. Councilor Dubs said he personally didn't know enough about this to have a strong opinion.

Member Moses said that, as a therapist, she has a personal bias against increasing the ease of alcohol consumption, although consuming alcohol in public settings is arguably better than forcing people into self-isolating environments to consume it. She might recuse herself on this unless she is swayed by someone else's opinion.

Councilor Perry said he feels like this was a companion to Benjamin Spencer's suggestion to allow food trucks in the park. The vision is to have events in public parks. Although he thinks they should note it, he doesn't think there needs to be further action on it.

Attorney Seewald asked if it would go into further study. What happens to that? He wondered.

Councilor Perry shared his inclination to hopefully not send everything to further study. He proposed the idea of simply attaching the Miscellaneous Referrals list to the final report as a record of suggestions received.

Member Kuttler suggested the framing that, "These were the things that were suggested that we decided not to take up or recommend for further study."

We're not saying that they're bad ideas; we're just saying we don't think it's worth it at this moment, she elaborated.

**Members ultimately agreed to put the proposal about alcohol in Pulaski Park in further study.**

Councilor Moulton said he hopes to have a follow-up discussion on food trucks in general and suggested the possibility of the proposal to allow alcohol being part of that discussion.

Member Kuttler said she would like to recommend the prohibition against affixing notices to trees and telephone poles - **§241-2 Posting/advertising** - for removal

Attorney Seewald said he would foresee a great deal of opposition to allowing people to plaster their city with even more than what they plaster it with now. He has no specific opinion other than that "city property is city property." Once you open up a public forum, it's open to everyone, he added.

It's a venue that cannot be regulated by content, Councilor Moulton agreed. Some of it such as utility poles is not city property, he noted.

Attorney Seewald mentioned the flag pole in front of City Hall where people are not allowed to fly flags for any cause other than something that is part of a Mayoral proclamation for the very reason that it otherwise opens up a public forum unable to be controlled.

Councilor Perry said he is in agreement that it opens them up to a lot of stuff they might not want. He would not recommend it for removal.

Member Moses said that, if posting were allowed, the question would become when and how and by whom it gets removed since otherwise it becomes litter. Also, with the blanket prohibition, she wondered if there would be a way to allow something like a 'Lost Cat' poster.

Attorney Seewald suggested there is a measure of discretion in enforcing ordinances. He hasn't seen too much enforcement around lost cat flyers. This feels like, 'if it ain't broke; don't fix it.'

Councilor Moulton agreed except that he said he would remove the phrase, "except upon permit of the Board of Public Works," which no longer exists.

Member Moses suggested also deleting the reference to 'telegraph' poles upon the assumption these no longer exist.

Ms. Krutzler asked if there is any interest in adding this proposed amendment to the list of General Ordinance housekeeping changes.

**Councilor Moulton and Councilor Dubs said 'yes.'**

As far as removing the prohibition against obscene language (§241-4 Obscene or profane language in streets prohibited), Councilor Dubs said he thinks they talked about this being out of date. He asked Attorney Seewald if removing it would open them up to any problems.

Attorney Seewald said they are lessening restrictions on speech and he's not sure they know what the definitions of those things are, so he is not troubled by its removal.

Member Moses asked if there was any prohibition against harassing language generally.

There are criminal laws about this, Attorney Seewald confirmed. As a word of caution, somebody has to enforce these things, he pointed out. It's difficult to determine on the fly whether something constitutes harassment. People have recourse through the criminal process for harassment.

**Member Kuttler moved to strike or move §241-4 to the list of recommendations for removal. Councilor Dubs seconded. The motion passed unanimously 5:0 by roll call vote.**

It was clarified that the list is for recommendations in general, whether to not recommend, strike or adopt. [In other words, there are not separate lists for "Recommended for Adoption" and "Recommended for Removal."]

Molly noted that **§312-84 Traffic control signal legend for pedestrians** should be updated to reflect current pedestrian signage used in the city. [Mrs. Krutzler understood this as a direction from the committee to add this to the list of General Ordinance Housekeeping Changes.]

Regarding the suggestion from Amy Martyn that a public education campaign is needed to improve compliance with §285-17 Removal of Snow and Ice, Councilors Dubs said they will be discussing this as part of the larger discussion of this ordinance.

Regarding Jessy Lynn's email about enforcement of leash laws, Ms. Krutzler said she forwarded this to the Mayor's office since it does not involve a suggestion for changes to an existing ordinance but simply advocates for greater enforcement.

### **OUTDOOR LIGHTING**

Regarding possible changes to §350-12.2 Outdoor Lighting submitted by Christina K. White DVM and Catherine Moriarty, Councilor Moulton noted they are planning to discuss a list of recommended changes that came to them last week from the Village Hill Healthy Lighting Committee together with the response from Director Misch. These should probably be discussed at the same time, he suggested. Members agreed.

Regarding the suggestion from Jonathan Levin to adopt a local ordinance against idling, Councilor Moulton asked Attorney Seewald if it made sense to have a local ordinance when there is already a state law that would supersede it.

This is not a statute that asks cities and towns to regulate locally, Attorney Seewald advised. He said it sounds to him like an enforcement issue, and members agreed.

Regarding George Kohout's recommendation for a comprehensive ordinance update to regulate E-bikes on city streets, Councilor Moulton said this has gone to the Bicycle/Pedestrian Subcommittee of the TPC and is under discussion by that committee.

### **JUNE 30<sup>TH</sup> OPEN FORUM ON ORDINANCE-RELATED TOPICS.**

Ms. Krutzler screen-shared the minutes. Members reviewed public comments to make sure all were addressed. They agreed to attach the minutes to the final report as a record of comments received. In addition, the following topics were recommended **for further study**:

- ❖ **Ace Tayloe's suggestion that Northampton adopt an 'all-access toplessness' on beaches ordinance.** [Ace said that, in Massachusetts, it is only legal for men to be topless in public and they think that is a little unfair.]

- ❖ **Thomas Nuhfer’s suggestion for an ordinance requiring posted notices for areas where pesticides or herbicides are regularly applied on city-owned property.**
- ❖ **Thomas Nuhfer’s suggestion for an ordinance protecting ecosystems from invasive species.**
- ❖ **Colin Hoffmeister’s request to expand notification required under §350-3.5 Changes to Zoning Map.**
- ❖ **Randy Sailer’s suggestion to require temporary pedestrian access route planning for work areas that substantially block sidewalks for further study.**

In other action, **Colin Hoffmeister’s request for an ordinance to protect the solar rights of property owners was *not* recommended.**

Councilor Dubs noted that, in response to Meg Robbins’ advocacy for tenants of Hampton Court Apartments who were complaining of late-night noise from Tellus, the License Commission held a public hearing October 15, 2025 to allow residents to air their concerns. There is now an open dialogue between Tellus and the License Commission about ways to mitigate noise on the weekend, so this issue is being worked on.

Similarly, Dani McKahn’s suggestion of pursuing the process for establishing 20 mph safety zones in the city is being worked on by an ad hoc group, Councilor Perry reported.

Regarding Thomas Nuhfer’s comments, his follow-up email is linked in the Miscellaneous Referrals spreadsheet, Ms. Krutzler noted.

Regarding his recommendation to bolster Northampton’s ordinances around being a sanctuary/Safe City, Member Moses said she certainly thinks it is worth following up on. If they were to put this in further study, they could say that Thomas Nuhfer proposed looking at Greenfield’s ordinance as an example, she suggested.

Councilor Moulton said he would simply list it in the addendum as a suggestion that was made.

Regarding Northampton’s ‘Safe City’ ordinance, Attorney Seewald clarified that it is a policy. Its implementation is up to the Mayor, who gives specific direction to the police department. Their ordinance says city resources shall not be used to determine the immigration status of a person unless such inquiry is required by state or federal law, or to provide a public benefit, etc. [He quoted directly from the ordinance.] “We clearly do not honor detainer requests,” i.e. - requests to hold people after they are released so that immigration service can come pick them up. “Understand that it is the Mayor who gives specific direction on how all this happens,” he advised.

“For me, it does feel like our language is robust,” Member Moses observed. Councilor Dubs agreed, so no further action was proposed.

With regard to Thomas Nuhfer’s suggestion to explore an ordinance requiring posted notices for areas where pesticides or herbicides are regularly applied on city-owned property, Member Moses and Member Kuttler said they are in support. Councilor Perry suggested referring it to the Northampton Energy & Sustainability Commission (NESC).

Attorney Seewald said he doesn’t think this committee gets to refer things to committees; either they are recommending it or not recommending it. Members settled for recommending it for further study.

Regarding requiring nursing homes to have air-conditioning, the city can’t regulate through zoning that which is regulated by the building code, Attorney Seewald said. The question is whether they can supplement the building code to require this.

Member Moses referred to standards for long-term care facilities posted on Mass.gov, noting that they require air-conditioning. She volunteered to provide this reference to the administrative assistant.

As far as the city's ability to require landlords to provide air-conditioning, a lease is a civil relationship between a landlord and a tenant over which the city does not have jurisdiction, Attorney Seewald indicated.

With regard to Colin Hoffmeister's request for an ordinance to protect the solar rights of property owners, if landowners want to protect their access to light, they have to get an easement, Solicitor Seewald advised. The city doesn't own the property and can't prohibit somebody from putting up a building within its zoning regulations because somebody on another lot might be in shadow. He said he also doesn't know that they can control trees on Lot A to protect Lot B. That's an issue between two parties. Protecting someone's right to solar is tantamount to giving them an easement.

It is beyond their purview so this is not recommended, Councilor Moulton concluded.

Councilor Dubs said he has been in continued conversation with Erin Murray around her suggestions for updating signage related to accessible parking and will continue to talk to her about this. He has been trying to find out where the city is in this process.

Regarding Dan Breindel's suggestion to repeal the form-based code, Councilor Moulton said his strong opinion is that, after all the work done over years, he would not recommend its whole-sale removal. It may require some tweaks but certainly not rescindment. Councilor Dubs agreed. He said he was comfortable with not recommending it and just moving on.

Regarding Gwen Nabad's reference to the loudness of the train, the city has no jurisdiction over Amtrak or other railroads that operate in the city, Councilor Moulton volunteered. Her reference to outdoor lighting on state-owned buildings along King Street sounds like an enforcement issue, Attorney Seewald said.

## **6. DISCUSS STRUCTURE AND FORMAT OF FINAL REPORT**

Attorney Seewald confirmed he wrote the last two Ordinance Review Committee reports but said he had no pride of authorship and was willing to defer to the interest of any other member in drafting it. Councilor Dubs said he would feel comfortable with Attorney Seewald writing the report, and others agreed. Attorney Seewald said he is happy to do it but committee members have to finalize their recommendations. Aside from the sign ordinance, he sees the two big issues as being food trucks and snow and ice.

## **7. SCHEDULE NEXT MEETING**

Members agreed to meet at 4 p.m. for the next scheduled meeting Wednesday, December 3<sup>rd</sup> to accommodate Councilor Dubs' conflict with another meeting.

## **8. ADJOURN**

**Member Kuttler moved to adjourn. Councilor Moulton seconded. The motion passed unanimously 4:0 by roll call vote with Councilor Perry absent. The meeting was adjourned at 7:38 p.m.**

**Respectfully submitted, Laura Krutzler.**