



Medford City Council
The Twenty-sixth Regular Meeting
Medford, Massachusetts
July 19, 2016

Frederick N. Dello Russo, Jr., Council President
Breanna Lungo-Koehn, Vice President
Richard F. Caraviello
John C. Falco, Jr.
Adam Knight
Michael J. Marks
George A. Scarpelli

Council President Frederick N. Dello Russo Jr., called the Twenty-sixth Regular Meeting of the Medford City Council to order at 7:00 P.M at the Howard F. Alden Memorial Auditorium, Medford City Hall.

ROLL CALL

SALUTE TO THE FLAG

RECORDS

The Tabled Records of the Meeting of June 14, 2016 were passed to Councillor Marks.

The Records of the Meeting of June 28, 2016 were passed to Councillor Knight.

MOTIONS, ORDERS AND RESOLUTIONS

16-586-Offered by Vice President Lungo-Koehn

Be It Resolved that the City Solicitor provide a written opinion on how the Board of Appeals was granting "use" variances considering that the city council revoked the use variance in 1998 after an initiative petition in November 1987.

Be it further resolved that an opinion be issued with regards to how this affects the most recent use variance issued for the development on Middlesex Ave.

16-587-Offered by Vice President Lungo-Koehn

Be It Resolved that the City administration provide an update to the Medford City Council with regard to why Wrights Pond had an unexpected closure last week and what is being done to make sure that the pond remains open for the rest of the summer.

16-588-Offered by Vice President Lungo-Koehn

Be It Resolved that the office of community development update the Medford City Council with regard to the speed bump that was suppose to be installed on South Street. Be it further resolved that the Medford City Council be provided a list of any locations that will have speed bumps installed within the next 6 months.

16-589-Offered by Vice President Lungo-Koehn

Be It Resolved that the Medford City Council request that the MWRA take samples of our water in multiple locations like they did in August of 2015 to check for current lead levels.

16-590-Offered by Vice President Lungo-Koehn

**City of Medford
Call for
State Primary
September 8, 2016**

BE IT ORDERED that the City Clerk be and he is hereby authorized and directed to notify and warn such of the inhabitants of the City of Medford, as were qualified by law to vote for candidates at the State Primary on **Thursday , Sept 8, 2016**, to assemble at the polling places in their respective wards and precincts, then and there to give in their votes for: US REPRESENTATIVE IN THE 5TH DISTRICT ; GOVERNORS COUNCIL IN THE 6TH DISTRICT; STATE SENATOR OF GENERAL COURT ;2ND MIDDLESEX DISTRICT ; STATE REPRESENTATIVE IN GENERAL COURT 23RD,34TH,AND 35TH MIDDLESEX DISTRICT; SHERIFF MIDDLESEX COUNTY and such other vacancies as may exist or occur and the polls of said State Primary shall open at 7:00 A.M. and remain open until 8:00 P.M.

BE IT FURTHER ORDERED: that the following named polling places be, and they are hereby designed for use at the State primary on **SEPTEBER 8, 2016**.

Voting Precincts

Ward 1	Precinct 1	Andrew Middle School, 3000 Mystic Vly. Pkwy.
Ward 1	Precinct 2	Fire Fighter's Club, 340 Salem Street
Ward 2	Precinct 1	St. Francis Parish Center, Fellsway and Fulton St.
Ward 2	Precinct 2	Roberts Elementary School, 35 Court St.
Ward 3	Precinct 1	Lawrence Memorial Hospital, 170 Governors Ave.
Ward 3	Precinct 2	Temple Shalom, 475 Winthrop Street
Ward 4	Precinct 1	Tufts University, Gantcher Center Rear, 161 College Ave.
Ward 4	Precinct 2	Walkling Ct./Auburn and North Street (Fondacaro Center)

Ward 5	Precinct 1	Columbus Elementary School, 37 Hicks Ave.
Ward 5	Precinct 2	Columbus Elementary School, 37 Hicks Ave.
Ward 6	Precinct 1	West Medford Fire Station, 26 Harvard Ave.
Ward 6	Precinct 2	Brooks School, 388 High Street
Ward 7	Precinct 1	Mystic Valley Towers, North Building Entrance
Ward 7	Precinct 2	McGlynn K-8 Public School, 3004 Mystic Vly. Pkwy.
Ward 8	Precinct 1	Senior Center, 101 Riverside Ave.
Ward 8	Precinct 2	Veterans of Foreign Wars Hall – 114 Mystic Ave.

16-591-Offered by Councillor Knight

Be It Resolved the Medford City Council congratulate Jack Dempsey on being named the Boston Globe 2016 High School Girls Softball Coach of the Year.

Be it further resolved that in recognition of this momentous achievement he be invited to a future Council meeting for the presentation of a Council Commendation

16-592-Offered by Councillor Knight

Be It Resolved the Medford City Council congratulate Ashley Eisnor on being named a Boston Globe 2016 High School Girls Softball All-Scholastic.

Be it further resolved that in recognition of this momentous achievement she be invited to a future Council meeting for the presentation of a Council Commendation

16-593-Offered by Councillor Knight

Be It Resolved the Medford City Council hereby congratulate Marian King Marotta on her recent retirement from the Medford Public Schools.

Be it further resolved that Mrs. Marotta be invited to a future council meeting for presentation of an official Council commendation recognizing her service to the community.

16-594-Offered by Councillor Knight

Be It Resolved the Medford City Council hereby recognize and thank Cosmo Volpe on his service to the City of Medford as the City Council Appointee to the Hormel Commission.

Be it further resolved that Mr. Volpe be invited to a future council meeting for the presentation of a council commendation.

16-596-Offered by Councillor Marks

Be It Resolved that long time Hormel Commissioner Cosmo Volpe be recognized for his many years of committed service to the City of Medford.

16-595-Offered by Councillor Knight

Be It Resolved the Medford City Council extend it's deep and sincere condolences to the family of Retired Medford Firefighter Alan Jenkins on his recent passing.

16-597- Offered by Councillor Caraviello

Be It Resolved that the Medford City congratulate Hallmark Health on its agreement with Tufts New England Medical Center that will ensure the Lawrence Memorial Hospital will remain vibrant and healthy.

PETITIONS, PRESENTATIONS AND SIMILAR MATTERS

16-598-

Petition for Common Victualler License by Jon and Laura Rebello, 64 Hemenway #18, Boston, MA 02115 for Boston Wings, LLC, dba Wingstop #1185, 678 Fellsway, Medford, MA

On File

Business Certificate # 145
Building Dept.
Fire Dept
Police Traffic Impact
Health Dept.

Treasurer
Letter of Compliance
Tax Identification
Workmen's Compensation
Petition

16-599-

Petition for Taxi Operator License by Killick Pierre, 165 Bell Rock Street, Everett, MA 02149. Driving for On Call Taxi dba Metric Cab, 407R 34B Mystic Avenue, Medford, MA

ON FILE

CORI Police Dept

16-600-

Petition for Taxi Operator License by Radouane Hamdi, 158 Pearl Avenue, Revere, MA 02151. Driving for Mass Cab, 121R Mystic Avenue, Medford, MA

ON FILE

CORI Police Dept

16-605-

Petition by Joseph Viglione, 59 Garfield Avenue, Medford, MA to address the Council on free access TV for Medford and other cable TV related matters.

COMMUNICATIONS FROM THE MAYOR

16-601-

July 12, 2016

To: The President and Members of the Medford City Council

From: Stephanie M. Burke, Mayor

Re: Appropriation Request for Medford Public Library OPM and Architect

Dear Mr. President and City Councillors:

I respectfully request and recommend that your Honorable Body approve an appropriation of \$135,000 from certified free cash for the following purpose:

Library

Library building renovations

320-610-5303-0000-0000-896-2017-0000

\$135,000

As you are aware, the City is attempting to apply for funding from the Massachusetts Board of Library Commissioners, which requires that the City hire an OPM and Architect to facilitate the application for grant funding. The estimate is \$35,000 for the OPM and \$100,000 for the architect, which is for services to be rendered through grants submission.

Thank you for your consideration of this request. Director of Library, Barbara Kerr will be on hand to answer any questions you may have.

Sincerely,
(signature file/paper)
Stephanie M. Burke, Mayor

SMB:aaf

16-602-

July 14, 2016

The President and Members of the
Medford City Council
City Hall
Medford, MA 02155

RE: Gift of \$10,000 from East Cambridge Savings Bank

Dear Mr. President and Members of the Medford City Council:

In accordance with the provisions of G.L. c.44 § 53A, I respectfully request and recommend that your Honorable Body approve the acceptance of a \$10,000 gift from East Cambridge Savings Bank for the purpose of supporting the summer parks program in the City of Medford. This is the sixth consecutive year that East Cambridge Savings Bank has generously donated for this purpose.

Sincerely,
(signature file/paper)
Stephanie M. Burke, Mayor

SMB:lmc

16-603-

July 14, 2016

To: President Frederick N. Dello Russo, Jr.
and Honorable Members of the Medford City Council

From: Stephanie M. Burke, Mayor

Re: Amendment to Chapter 6 of the Revised Ordinances of the City of Medford
Entitled "Off Leash Dog Pilot Ordinance"

Dear President Dello Russo and Honorable Members of the Medford City Council:

I respectfully request and recommend that your Honorable Body approve the following amendment to Chapter 6 of the Revised Ordinances of the City of Medford entitled "Off Leash Dog Pilot Ordinance"

This Amendment will allow the City to determine the impact, prudence and suitability of allowing the owners/keepers of "well behaved dogs" to have their dogs unrestrained by leash or other methods at a designated location.

Further, this Amendment provides a mechanism for the City to determine the impact of the activities permitted by this Pilot Ordinance and to make recommendations to my office and to the City Council at the conclusion of the Pilot period.

The designated area is on the westerly portion of Tufts Park. The daily hours for the permitted activity would be between the hours of 6:00 a.m. through 8:00 a.m and 6:00 p.m. through 8:00 p.m.

Animal Control Officer Patrick Hogan will be in attendance at your meeting to answer any questions you may have. The following is a full text of the proposed Amendment. The Plan is being submitted separately.

Sincerely,
(signature file/paper)
Stephanie M. Burke, Mayor

**An Ordinance Amending
Chapter 6
of the
Revised Ordinances of the City of Medford**

BE IT ORDAINED: By the City Council of the City of Medford that Chapter 6 of the Revised the Ordinances of the City of Medford, entitled "Animals" be amended by adding a new Division 2 entitled "Off Leash Dog Pilot Ordinance" which will include new

sections 6-49 to "Section 38-37" entitled "Nuisance Control", containing the following language:

"OFF LEASH DOG PILOT ORDINANCE"

PREAMBLE

WHEREAS, the City of Medford is desirous of assessing and evaluating the prudence of permitting designated areas within the boundaries of its parks and playgrounds to be used by the owners or keepers of "well behaved dogs" to allow them to have their dogs unrestrained by leash or other method; and

WHEREAS, an effective method of making this assessment is to designate an area within an existing park or playground to be used for this purpose for a limited time and with certain conditions;

NOW THEREFORE, notwithstanding the provisions of Sections 6-38 and 62-95 of the Revised Ordinances of the City of Medford, the City hereby enacts a Pilot Ordinance as hereinafter defined, at a designated location, during the dates forth herein to permit the owners or keepers of "well behaved dogs" to have their dogs unrestrained by leash or other methods and to provide a means to determine the impact of this Pilot Ordinance on the City and thus evaluate the propriety of adopting an Ordinance to permit such activities in the City of Medford in the future.

PART ONE

Pilot Ordinance

Section 6-49 Definitions:

Keeper: a person, business, corporation, entity or society, other than the owner, having possession of a dog as the same is defined in G.L. c 140 § 136A

Location: The area located in the western section of "Tufts Park" in Medford, MA as the same is set forth on the plan of land compiled by the City of Medford Engineer's Department entitled "Plan for Off Leash Dog Ordinance" a copy of which is attached hereto.

Applicable Hours: the activities permitted pursuant to this Off Leash Dog Pilot Program shall be daily between the hours of 6:00 a.m. through 8:00 a.m and 6:00 p.m. through 8:00 p.m.

Owner: The person or entity that has legal ownership of a dog as indicated by the licence application for the dog

Well Behaved Dog: is a dog that:

- a) has been issued a valid license by the City Clerk of the City of Medford;

A "Well behaved dog" shall not include:

- a) a "dangerous dog" as the same is defined in G.L. c 140 § 136A which includes "a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal".

a "dangerous dog" as the same is defined by the Revised Ordinances of the City of Medford, Part II, Chapter 6, Article II, Sec. 6-44.

- b) A "potentially dangerous dog" as the same is defined by the Revised Ordinances of the City of Medford, Part II, Chapter 6, Article II, Sec. 6-45.
- c) A "barking or disturbing dog" as the same is defined by the Revised Ordinances of the City of Medford, Part II, Chapter 6, Article II, Sec. 6-46.
- d) a "nuisance dog" or "dangerous dog" as the same is defined in G.L. c 140 § 136A which includes "a dog that: (i) by excessive barking or other disturbance, is a source of annoyance to a sick person residing in the vicinity; or (ii) by excessive barking, causing damage or other interference, a reasonable person would find such behavior disruptive to one's quiet and peaceful enjoyment; or (iii) has threatened or attacked livestock, a domestic animal or a person, but such threat or attack was not a grossly disproportionate reaction under all the circumstances."
- e) A dog that is the subject of a complaint under G.L. c 140 § 157. This shall include a pending complaint.

The determination of whether a dog is a "well behaved dog" shall be within the exclusive discretion of the Animal Control Officer of the City of Medford.

Section 6-50: Duration, Permitted Activities, Prohibited Behavior

From the date of passage of this "Off Leash Dog Pilot Ordinance" until January 1, 2017, owners or keepers of dogs meeting the definition of "well behaved dogs" shall be permitted to allow their dogs to be unrestrained by leash or other device at the location designated in this Pilot Ordinance.

The owners or keepers of "well behaved dogs" shall comply with the provisions of Section 6-72 and Section 6-73 of the Revised Ordinances of the City of Medford that pertain to their duty to possess means and method of removal of dog waste. Failure of an owner or keeper to comply with these requirements may result in a termination of their ability to participate in the activities permitted in this Pilot Ordinance.

The owners or keepers of "well behaved dogs" shall comply with all requests, requirements, directives, or instructions issued by the Animal Control Officer of the City of Medford. Failure of an owner or keeper to comply with any requests, requirements, directives, or instructions issued by the Animal Control Officer of the City of Medford may result in the termination of their ability to participate in the activities permitted by the provisions of this "Off Leash Dog Pilot Ordinance".

Section 6-51: Enforcement

The enforcement of the provisions of this Pilot Ordinance shall be in the discretion of the Animal Control Officer of the City of Medford, The Police Chief of the City of Medford, City of Medford Police Officers or the Director of Public Health of the City of Medford or his designees.

PART TWO

Pilot Program Additional Provisions, Term and Review

Section 6-52: Additional Conditions:

During the term of this "Off Leash Dog Pilot Ordinance", the Animal Control Officer of the City of Medford may impose whatever additional conditions he considers appropriate.

1. Dogs must be leashed when entering and exiting the area.
2. Owners/Keepers must have a leash for each dog in hand at all times.
3. Owners/Keepers must have their dog in view and the dog must be under physical and/or vocal control at all times.
4. No dogs in heat.
5. No dogs under 4 months old.
6. Owners/Keepers must properly dispose of all feces immediately.
7. Owner/Keepers are legally and financially responsible for the actions their dogs.
8. Each owner/Keeper is limited to 3 dogs.
9. All dogs must wear a properly fitted collar or harness to which a current dog license and rabies tag are attached.
10. Anyone entering the off-leash area does so at their own risk and the City of Medford is not responsible for any injuries.
11. Any dog that does not meet the definition of a "well behaved dog" shall be removed from the area immediately.

Section 6-53: Term.

The activities authorized by this pilot ordinance shall take effect upon passage and shall terminate on January 1, 2017.

Section 6-54: Review:

At the termination of the term of this "Off Leash Dog Pilot Ordinance", the various city departments, including the Board of Health, Fire Department, Police Department, Department of Public Works, City Clerk and Law Department shall meet to discuss all phases of the "Off Leash Dog Pilot Program", including but not limited to the suitability of the location, and the possible expansion to other sites. Following their discussions they shall make their report and recommendations to the Mayor and the City Council.

16-604-

July 14, 2016

To: President Frederick N. Dello Russo, Jr.
and Honorable Members of the Medford City Council

From: Mayor Stephanie M. Burke

Re: Amendment to Chapter 14 of the Revised Ordinances of the City of Medford
Entitled "Mobile Food Truck Ordinance"

Dear President Dello Russo and Honorable Members of the Medford City Council:

I respectfully request and recommend that your Honorable Body approve the following amendment to Chapter 14 of the Revised Ordinances of the City of Medford entitled "Mobile Food Truck Ordinance".

This Amendment will allow the City to license food trucks in the City of Medford with appropriate safeguards for the public safety, neighborhoods and also existing businesses.

An ordinance of this nature is overdue as various public gatherings, community and charitable events become more commonplace and varied in our City.

Given that the Council may want to have the comfort of additional time to review this amendment and to offer possible changes or additions, this paper may possibly be referred to a Council subcommittee or committee of the whole meeting. If this occurs, it is my recommendation to the Council that the "Pilot Program" that has permitted Mobile Food Trucks to be at the Farmers Market be extended to the following upcoming events while this ordinance is being considered. These events are:

Hoops and Hope (August 20)

Mystic River Celebration (September 24)
Harvest Your Energy Festival (October 1)*
Medford Community Day (October 23)*
Medford Family Network- Condon Shell Concert
(August 2, 9 and 16)

Thank you for your consideration.

Sincerely,
(signature file/paper)
Stephanie M. Burke, Mayor

* denotes a City event

**An Ordinance Amending
Chapter 14
of the
Revised Ordinances of the City of Medford**

BE IT ORDAINED: By the City Council of the City of Medford that Chapter 14 of the Revised the Ordinances of the City of Medford, entitled "Businesses" be amended by adding a new Division 4 entitled "Mobile Food Truck Ordinance" which will include new sections 14-495 to "Section 38-37" containing the following language:

Section 14-495: Purpose

The City of Medford hereby regulates the preparation and sale of food and beverage by operators or vendors of mobile food trucks.

Section 14-496: Definitions

- a. "Board" shall mean the Board of Health of Medford.
- b. "Director" shall mean the Director of Public Health of the City of Medford.
- c. "Food vendor license" refers to a license to sell food issued under the authority of the laws or regulations of the Commonwealth of Massachusetts or any applicable provisions of the Revised Ordinances of the City of Medford by the Director of the Board of Health of the City of Medford.
- d. "Mobile food vendor" shall mean any person or business offering for sale any prepared or packaged food or beverages from a truck or other similar motor vehicle.
- e. "Mobile food vendor license" shall mean a food vendor license issued to a business operating from a truck or other similar motor vehicle.
- f. "One day mobile food vendor license" shall mean a food vendor license issued to a business operating from a truck or similar motor vehicle that is limited to no more than a one day period.

- g. "Mobile food vendor licensee" shall mean the holder of a mobile food vendor license.
- h. "Special event mobile food vendor license" shall mean a "Mobile Food vendor license" issued for a festival, celebration, concert, or any similar occurrence or event to be conducted for a charitable, commercial, historical, educational or public or civic purpose, including entertainment and/or displays of art and crafts.

Section 14-497: Licenses and Permits; Applications

All mobile food vendors wishing to conduct business within the City of Medford must apply for and obtain from the Director of the Board of Health a "mobile food vendor license", a "one day mobile food vendor license" or a "special event mobile food vendor license". Licenses shall be numbered in the order they have been approved. Licenses approved and issued under the provisions of this ordinance are specific to the vendor and are non-transferable.

Section 14-498: Permit Fees

License and permit-related fees shall be in an amount established by the Board of Health pursuant to G.L. c. 40, § 22F.

Section 14-499: Application Requirements

Mobile food vendors shall submit the following as part of their application for a mobile food vendor license:

- a. a description of the proposed operation, including:
 - i. a description of the business and a menu containing every food item that will be offered;
 - ii. proposed hours of operation and a detailed schedule of times and locations where the vendor will be stationary and serving food;
 - iii. in the case of vendors who will not conduct business at a set location, the proposed hours of operation and route;
 - iv. a plan for the control and elimination of litter that complies with the regulations of the City of Medford Board of Health;
 - v. a description of any cooking equipment including gas tank size, all heating elements and devices;
 - vi. a description of any cooking, refrigeration, seating, or other type of equipment, apparatus, or furniture the vendor wishes to place on areas outside of the truck; and

- vii. a description of sanitary facilities and access to hand-washing facilities that will be available for the use of employees.
- viii. Proof of lease or rental of a garage or commercial parking space.

b. proof that:

- i. the truck or cart will be serviced by a mobile food commissary, or another method approved by the Board, and
- ii. the existence of a comprehensive general liability policy in effect during all days and times for which a mobile food license is sought, in the amount of no less than one million dollars per claim and is in a form and for an amount approved by the City Solicitor of the City of Medford;

c. if the license is approved for use on property owned by or under the jurisdiction of the City of Medford, an agreement in a form acceptable to the City Solicitor absolving the City of Medford, its officials, officers, and employees from all liability in connection with the proposed use of City property, agreeing to indemnify the City for any damage to the City's personal and real property resulting from the use, and agreeing to indemnify the City for any expenses the City incurs in restoring the City property to its condition prior to the use including any routine cleaning the City would ordinarily have performed irrespective of the use.

d. In considering a mobile food vendor's application for a mobile food vendor license, the Director shall also consider the public good and the general welfare and convenience of the community. This includes:

- i. any impact on the community and residential neighborhoods with respect to matters such as noise, traffic, congestion, odors, sanitary and waste disposal facilities, dust and fumes;
- ii. the impact on the character of the neighborhood and the City, and whether any harm would follow from the granting of the license. Additionally, the Director shall consider whether a public benefit would flow from the proposed location and use, and the competitive or other impact on existing restaurants.

- iii. that the licensee will operate at locations that are handicap accessible as provided in 521 CMR and the Americans with Disability Act.
- e. Prior to granting a mobile food vendor license, the Director shall seek advisory reports from the following departments for the following purposes:
 - i. From the Police Department: traffic and pedestrian safety issues and parking impact;
 - ii. From the Health Department: sanitation arrangements, noise, odor or other disruptions to residents and neighborhoods;
 - iii. From the Building Department: zoning compliance;
 - iv. From the Fire Department: Fire Safety and Code compliance.
- f. All applicants are subject to a background check to determine their eligibility. The background investigation shall include performing a state and national criminal history records check as authorized by G.L. c. 6, § 172B ½. The applicant shall authorize the City, through its Police Department to obtain a Personal Criminal Records Request (CORI) and a Sex Offender Registry Board (SORB) check. All criminal background checks and the handling of the results shall be in conformity with applicable law, ordinance and regulation. In no event shall a permit be issued to any person who is a sex offender as defined by M.G.L. c. 6, § 178C.
- g. The Director may add, remove, and reapportion available locations among mobile food vendors as he or she, in his or her sole discretion utilizing the standards set forth in this Section 5, deem fit and proper.

Section 14-500: Operating Requirements

- a. No license shall be granted to operate within the public way within two hundred (200) feet of any school between the hours of 8:00 a.m. and 3:00 p.m. on days when the public schools are in session. This shall not include post secondary schools or colleges. Measurement shall be taken from the boundary line of the lot on which the school rests.
- b. Licensees shall not be permitted to operate within 200 feet of a person or entity holding a current common victualler license issued by the City of Medford without the written permission of the licensed victualler. Such permission shall not be required in instances where the licensee and the common victualler have common ownership. Measurement shall be taken from the boundary line of the lot on which the licensed common victualler's business rests.
- c. The issuance of a mobile food vendor license does not grant to or entitle the licensee the exclusive use of any service route or location, in whole or in part, other than the time and place specified in the license or permit for the term of the

- license or permit.
- d. Licensees may only operate at specifically approved public or private locations at specifically approved times. For private locations, the Licensee shall provide written evidence of the property owner's approval for the use of that area.
 - e. Mobile food vehicles shall not be positioned so as to expose clients to vehicular traffic, or in an otherwise unsafe manner. Directives from a Police Officer in this regard shall be immediately complied with. Failure to do so may result in license revocation.
 - f. Licensees shall not sell non-food items.
 - g. Licensees shall not cause unnecessary operation of the engine of a motor vehicle while the vehicle is stopped for a foreseeable period of time in excess of five minutes. This section shall not apply to vehicles engaged in an operation for which the engine power is necessary for an associate power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution or excessive noise.
 - h. Licensees must conspicuously display their license on the windshield of the truck from which food is sold.
 - i. No licensee may provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters, unless a proposal for such seating arrangements is submitted to the Director and the Director approves it and the seating area complies with handicap accessibility regulations as stated in 521 CMR and the American with Disabilities Act.
 - j. No licensee may place any cooking, refrigeration, or other type of equipment or apparatus in areas outside of the truck.
 - k. Customers shall be provided with single service articles, such as plastic forks and paper plates.
 - l. Licensees shall offer a waste container for public use that the Licensee shall empty at his own expense. Licensees shall operate in a clean and sanitary manner and control waste and litter in a manner that complies with the directives of the Director. It shall be the responsibility of the Licensee to remove and dispose of, at its own expense, all waste containers that it provides for public use.
 - m. No licensee shall make or cause to be made any unreasonable or excessive noise.
 - n. No truck shall be stationed on the street overnight, or left unattended and unsecured at any time.
 - o. Temporary power needed for vehicles (gas-powered or other powered devices) must be approved by the Building, Fire and Health Departments.
 - p. All operators of a motor vehicle from which a licensee offers food or beverages for sale within the City shall have a valid driver's license to drive such vehicle.
 - q. Licensee's shall not park their vehicles in residential areas overnight.

Section 14-501: Renewal

All licenses, except “One Day Licenses” and “Special Event Licenses”, shall issued for a period of one (1) year and be renewable on an annual basis thereafter.

**Section 14-502: Compliance with Applicable Laws, Regulations, and By-Laws/
Requests for Information and Inspections**

All mobile food vendor licensees must comply with all applicable federal, state, and local laws, regulations, and ordinances and any applicable City policies, procedures, standards and guidelines.

All mobile food vendor licenses are issued subject to the licensee’s compliance with this Section and all applicable regulations.

Licensees shall supply to the Director, Board or its agent such information as they may require for purposes of the proper enforcement of this ordinance.

The Director, Board or its agent, including the Police and other inspectional departments of the City of Medford, may at any time inspect the truck of the licensee to which the license applies to determine whether the licensee is in compliance with all applicable federal, state, and local laws, regulations, and ordinances and any applicable City policies, procedures, standards and guidelines including handicap accessibility regulations 521 CMR and the Americans with Disabilities Act

Section 14-503: Taxes and Charges

All taxes and charges owed to the City of Medford must be paid on a current basis. Failure of a licensee to pay all taxes and charges owed to the City of Medford on a current basis may be cause for termination of any license issued pursuant to the provisions of this ordinance.

Section 14-504: Use of City Property

All mobile food vendors wishing to sell food from public property (including any public street, sidewalk, playground or park) must obtain permission to do so from the City board, commission, agency, or department having jurisdiction over that public property.

Section 14-505: Inactivity

No mobile food vendor licensee shall cease operations during the period covered by the license without notifying the Director in writing and obtaining its permission.

Section 14-506: Modifications / Suspensions / Revocations / Non-Renewals /Fines

The Director may modify a mobile food vendor license, including an approved location,

- (i) at any time before the issuance of a mobile food vendor license;
- (ii) after the issuance of such license, as the Director may determine in his or her sole discretion utilizing the standards set forth in this Section 5 of this ordinance, deem fit and proper; or
- iii) by request of the licensee, subject to the approval of the Director.

With respect to trucks or carts on public property, the City reserves the right to temporarily move a truck or cart to a nearby location if there is a need by the City to use the approved location for any municipal purpose including emergency purposes, snow removal, construction project [public or private], public works project or other public benefit.

The Board may suspend or revoke a mobile food vendor license for cause, after reasonable notice to the licensee of the grounds for the proposed action and the time and place of the hearing regarding such proposed action.

In addition, any mobile food vendor who refuses, neglects or fails to comply with any of these regulations shall be subject to a fine imposed pursuant to and in conformity with the Revised Ordinances of the City of Medford and/or such other laws, regulations, by-laws or codes applicable to the particular violation.

Section 14-507: Severability

If any provisions, paragraphs, sentence, or clause of this bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

UNFINISHED BUSINESS

<u>'15-605</u>	Hearing National Grid & Verizon Canal St		
	IN CITY COUNCIL	AUGUST 11, 2015	TABLED
<u>'15-816-</u>	Transfer \$250,000 from sale of real estate for 5 kiosks improvements		
	IN CITY COUNCIL	DECEMBER 22, 2015	TABLED
<u>'16-009-</u>	No Confidence		
	IN CITY COUNCIL	JANUARY 5, 2016	TABLED Council Rule 29
<u>'16-063</u>	School Committee Policies Future Bomb Threats		
	IN CITY COUNCIL	FEBRUARY 9, 2016	TABLED
<u>16-472</u>	Accounting Use of school facilities for Fee or Donation		

	IN CITY COUNCIL	MAY 10, 2016	TABLED
<u>'16-529</u>	Residents address pedestrian safety		
	IN CITY COUNCIL	JUNE 7, 2016	TABLED
<u>'16-533</u>	FY 2017 Budget Municipal & School \$162,100,545		
	IN CITY COUNCIL	JUNE 7, 2016	TABLED
<u>'16-534</u>	Authorize City of Medford community electricity aggregation		
	IN CITY COUNCIL	JUNE 7, 2016	TABLED
<u>'16-546</u>	Revise Chapter 66 Ordinance non-union officers & employees		
	IN CITY COUNCIL	JUNE 14, 2016	FIRST READING
	ADVERTISED	JUNE 30, 2016	PASSED
			MEDFORD TRANSCRIPT
	(Eligible for Third Reading July 19, 2016)		

PUBLIC PARTICIPATION

COUNCIL PAPERS IN COMMITTEE

Reports Due/ Deadlines

Records:

The Tabled Records of the Meeting of May 14, 2016 were passed to Councillor Marks.

The Records of the Meeting of June 28, 2016 were passed to Councillor Knight.

Adjournment:

Meeting City Council Summer Meeting Schedule

August 16, 2016	Tuesday	7:00 PM
September 20, 2016	Tuesday	7:00 PM
September 27, 2016	Tuesday	7:00 PM