

City Clerk

City of Newton



Memorandum

TO: Public Safety & Transportation Committee

FROM: Carol Moore, City Clerk

RE: Initiative Petition – Repeal Overnight Winter Parking Ban #319-23

DATE: September 29, 2023

Committee members:

I wish to provide additional information to assist in your discussion of Docket item **#319-23 Petition request to repeal overnight winter parking ban.**

#319-23 JEREMY FREUDBERG, ET AL., Petition to amend Motor Vehicles and Traffic Ordinance Chapter 19 Sec-174 (b) of the City of Newton Ordinances. To be amended by deletion of “(b) Other vehicles: From December 1st through March 31st, it shall be unlawful for any vehicle, other than one acting in an emergency, to be parked on any street, way, highway, road parkway, or private way dedicated or open to the use of the public for a period of time longer than one hour between the hours of 2:00 am and 6:00 am” as appearing in Sec. 19-174 in the Revised Ordinances of 2017 as amended. (30 Days: 11/01/2023)

This initiative petition follows the process as stated in our City Charter, Section 10. The City Clerk’s office has certified 5,485 signatures which places this item on the City Council docket for action. As a result, there is now a 30-day deadline (Sec. 10-7) for the City Council to act upon this item that ends on November 1, 2023.

The City Council may act with respect to the initiative petition by: (1) passing the initiative measure without change; (2) rejecting the initiative measure; or (3) passing some other measure in lieu of the initiative measure. Passing some other measure, such as amending the parking ban by changing its terms or implementing a suspension/trial period, is deemed a rejection of the initiative measure under the Charter. If the Council passes the initiative measure as proposed, it will become effective 20 days after adoption.

Any action other than passing the initiative measure, or failing to act, will allow the petitioners to move forward with the process to place the initiative measure to the voters as a binding ballot question at the next regularly scheduled city election. This will require the petitioners to submit additional signatures equal to at least 5% of registered voters for certification. The next city election will be in November 2025. Based on the statutory election deadlines, as well as practical considerations as to the printing of ballots, early voting, and vote-by-mail, it is not possible for the initiative measure to be submitted to the voters at the upcoming municipal election this November 7th.