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CITY OF GARDNER
MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY COUNCIL



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Karen G. Hardern

WARD 5 COUNCILLOR
Aleksander Dernalowicz, Esq.

PUBLIC SAFETY COMMITTEE MEETING NOTICE

Date: Friday, November 1, 2024
Time: 8:15 am
Location: City Council Chamber, Room 219, City Hall

ANNOUNCEMENT - Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All Documents referenced or used during the meeting must be submitted in duplicate to the Chair of the Committee, pursuant to the Open Meeting and Public Records Law. All documents shall become part of the official record of the meeting.

I. Referred to Safety Committee

11415 – An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled “Mobile Homes and Trailers.” *(In the City Council and Referred to Public Safety Committee 10/21/2024)*

11416 – An Ordinance to Amend the Code of the City of Gardner, Chapter 600, thereof entitled “Vehicles and Traffic,” to add a new Section 21 to be entitled “Parking Meter Fees Waived.” *(In the City Council and Referred to Public Safety Committee 10/21/2024)*

II. New Business

Adjournment

NOTICE: The listing of Agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

CITY COUNCIL OF GARDNER

Craig R. Cormier

COUNCILLOR CRAIG R. CORMIER
Chairman, Public Safety Committee



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

October 16, 2024

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant Street
Gardner, MA 01440

RE: An Ordinance to Amend the Code of the City of Gardner, Chapter 477, thereof entitled
"Mobile Homes and Trailers"

Dear Madam President and Councilors,

At the request of the Gardner Police Department, I hereby submit this ordinance proposal to the City Council regarding the operation and maintaining of Mobile Homes and Trailers in the City.

This ordinance proposal addresses the recent concerns regarding the increase in overnight parking of RV's and campers in the City in areas other than the houses of those who own these vehicles.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

2024 OCT 17 PM 3:13

RECEIVED

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 477, THEREOF
ENTITLED “MOBILE HOMES AND TRAILERS.”**

Be it ordained by the City Council of the City of Gardner as follows:

SECTION 1: Chapter 477 of the Code of the City of Gardner, thereof entitled “Mobile Homes and Trailers,” be deleted in its entirety and replaced with the following thereof:

Section 1: Purpose and Intent

The City of Gardner is committed to ensuring the safety, health, and welfare of its residents and the general public. This ordinance seeks to regulate the use of campers and recreational vehicles (RVs) on public streets to prevent long-term habitation in such vehicles and to maintain the cleanliness, safety, and accessibility of public spaces. The intent of this ordinance is to prevent the obstruction of public streets and ensure that public ways remain accessible for public use.

Section 2: Definitions

1. **Camper/Recreational Vehicle (RV):** A motor vehicle or trailer designed and equipped for human habitation, including but not limited to motorhomes, travel trailers, campervans, and any other type of recreational vehicle capable of providing living accommodations.
2. **Public Ways:** All streets, roads, highways, alleys, sidewalks, and any other publicly owned areas designated for vehicular or pedestrian use.
3. **Park:** To leave a vehicle standing, whether occupied or not, other than temporarily for the purpose of and while actively engaged in loading or unloading merchandise or passengers.

Section 3: Prohibition of Sleeping in Campers/RVs on Public Ways

1. It shall be unlawful for any person to use or occupy a camper/RV for sleeping, habitation, or any living purposes while the camper/RV is parked on any public way within the City of [City Name].
2. This prohibition applies to all public ways, including but not limited to residential streets, commercial streets, and public parking lots, regardless of the time of day.

Section 4: Limitation on Parking Campers/RVs on Public Ways

1. No camper/RV may be parked on any public way for a period exceeding **24 consecutive hours**.
2. After 24 hours, the owner or operator of the camper/RV must move the vehicle at least **500 feet** from its original location and may not

return to the same location or within 500 feet of that location for a period of **48 hours**.

Section 5: Exceptions

This ordinance shall not apply to:

1. **Emergency Situations:** Where the camper/RV is temporarily parked due to mechanical failure or emergency circumstances, provided that the vehicle is moved within 24 hours of the resolution of the emergency or breakdown.
2. **Special Events:** Campers/RVs may be parked on public ways during authorized special events or festivals, provided that the event has been approved by the City and proper permits have been issued allowing such use.
3. **Loading/Unloading:** A camper/RV may be temporarily parked for loading or unloading purposes, provided that this period does not exceed **two (2) hours**.

Section 6: Penalties

1. Any violation of this ordinance shall result in a fine of not less than **\$300** for the first offense and not more than **\$100** for subsequent offenses.
2. In addition to fines, any camper/RV found in violation of this ordinance may be subject to towing and impoundment at the owner's expense after **24 hours** of non-compliance following a notice of violation.

Section 7: Enforcement

The provisions of this ordinance shall be enforced by the Gardner Police Department, Parking Enforcement Officer(s), or any other department or agency designated by the City to ensure compliance with parking and public safety regulations.

Section 8: Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 2: Effective Date

This ordinance shall take effect upon passage and publication as required by law.



CITY OF GARDNER POLICE DEPARTMENT

200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
Fax: (978) 632-9045



Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

October 16, 2024

The Honorable Michael J. Nicholson, Mayor
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Dear Mayor Nicholson,

I am writing to express my concern regarding the increasing presence of campers and recreational vehicles (RVs) parked overnight and for extended periods on public streets within our city. I respectfully request that the city council consider an ordinance change that will prohibit sleeping in campers/RVs on public ways and impose stricter limits on the parking of these vehicles on public streets. This issue has significant implications for public health, safety, and the city's infrastructure.

One of the primary concerns with allowing individuals to sleep in campers or RVs on public streets is the improper disposal of waste materials. Unlike homes or established RV parks, which have connections to sewage systems, campers parked on public streets often lack access to proper waste disposal facilities. This situation can lead to the illegal dumping of wastewater and sewage, creating serious environmental and health hazards. Waste materials can contaminate local water supplies, damage ecosystems, and spread harmful bacteria and pathogens. Moreover, the improper disposal of trash, food waste, and other refuse exacerbates the problem, attracting pests and leading to unsanitary conditions.

Ensuring public health and sanitation requires appropriate infrastructure, which is not available on our city streets. Without such an ordinance, the city may find it difficult to enforce proper waste disposal, leading to potentially hazardous and unsanitary conditions for all residents.

Allowing campers/RVs to be parked for extended periods on public streets also raises several safety concerns. First, these large vehicles often obstruct sightlines for other drivers, especially at intersections, crosswalks, and around curves, increasing the risk of accidents. They can also limit visibility for pedestrians and cyclists, posing a significant safety risk. Furthermore, streets that were not designed to accommodate prolonged RV parking can experience congestion, making it difficult for emergency vehicles to navigate through narrow or crowded streets, which could delay response times in critical situations.

Additionally, RVs parked in residential areas for extended periods may create opportunities for illegal or unsafe activities. Without proper regulation, these vehicles could be used for unauthorized purposes, which would be challenging for local law enforcement to monitor. Implementing restrictions will help ensure that our streets remain safe, accessible, and conducive to the well-being of all community members.

**CITY OF GARDNER POLICE DEPARTMENT**

200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
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Eric P. McAvene
Chief of Police

Nicholas P. Maroni
Deputy Chief of Police

Permitting extended RV parking without proper infrastructure support may encourage more individuals to utilize city streets in this manner, leading to increased congestion, littering, and damage to city property. The costs associated with cleaning up illegal dumping, repairing damaged roads, and maintaining public spaces can quickly add up, placing an unnecessary financial burden on the city.

I urge the city council to consider adopting an ordinance that prohibits sleeping in campers/RVs on public streets and enforces stricter parking regulations for these vehicles. Such a measure would address significant public health risks related to waste disposal, improve safety for all road users, and alleviate the strain on city infrastructure.

By implementing these changes, we can ensure that our city remains a safe, clean, and welcoming environment for all residents and visitors. Thank you for your consideration on this important issue.

Very truly yours,

A handwritten signature in black ink, appearing to read "Eric P. McAvene".

Eric P. McAvene
Chief of Police



City of Gardner - *Executive Department*

Mayor Michael J. Nicholson

October 16, 2024

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant Street
Gardner, MA 01440

RE: An Ordinance to Amend the Code of the City of Gardner, Chapter 600, thereof entitled "Vehicles and Traffic," to add a new Section 21 to be entitled "Parking Meter Fees Waived"

Dear Madam President and Councilors,

The new parking meters purchased by the City are set to arrive imminently and will be installed throughout the parking meter area listed in Chapter 600 of the City Code between now and the end of the calendar year.

As part of the review of items related to the parking meters, it was originally suggested by the City's Department of Veterans Services that the attached ordinance proposal be considered.

Now that we are at a point where the parking meters will be installed and put into service shortly, I am hereby asking that this ordinance be considered to waive all parking meter fees for individuals driving vehicles with certain license plates related to veterans service.

Please note that vehicles with these plates will still be subject to all time limits and other regulations, and that this ordinance only waives the fee for parking at the meters.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

2024 OCT 17 PM 4:13

RECEIVED

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 600,
THEREOF ENTITLED “VEHICLES AND TRAFFIC,” TO ADD A NEW SECTION 21 TO BE
ENTITLED “PARKING METER FEES WAIVED.”**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDNER AS FOLLOWS:

SECTION 1: That a new Section 21 be added to Chapter 600 of the Code of the City of Gardner to be entitled, “Parking Meter Fees Waived” to be as follows:

§21 Parking Meter Fees Waived

- A. Vehicles affixed with the following license plates, issued by the Massachusetts Department of Transportation Registry of Motor Vehicles shall be exempt from payment at parking meters throughout the City:
- a. Handicap/ADA/Disability
 - b. Veteran (of any branch of service)
 - c. Disabled Veteran
 - d. Bronze Star
 - e. Congressional Medal of Honor
 - f. Distinguished Flying Cross
 - g. Ex-POW
 - h. Gold Star Family
 - i. Legion of Valor
 - j. Medal of Liberty
 - k. National Guard
 - l. Pearl Harbor Survivor
 - m. Purple Heart
 - n. Silver Star
- B. All vehicles with plates listed in Section A shall still be liable for all other time limits, restrictions, regulations, or other limitations prescribed by ordinance or the General Laws of the Commonwealth.

SECTION 2: That this ordinance take effect upon passage and publication as required by law.