Monday, October 21, 2019
The Great Hall
Historic City Hall
1305 Hancock Street

Ordinance Committee Meeting
7:00 PM

2019-043 – Order – Home Rule - An Act Authorizing Municipalities to Permit
Early Voting in Local Elections

2019-125 – Ordinance – Amending Title 18 Environmental Protection –
Adding Chapter 18.30 – Disposable Plastic Retail Shopping Bags

Public Hearings
7:25 PM


City Council Meeting
7:30 PM

Presentation - Quincy Chamber of Commerce Business Accelerator Program by Executive Director Tim Cahill

   Ordinances of the City of Quincy
   Clerk Crispo

2. 2019-174 – Resolution - Approving and Adopting a Broadband Policy for the City of Quincy
   and Providing an Effective Date
   Mayor Koch
   Councillor Cain

   Councillor Palmucci

It is anticipated that one or more matters contained within the City Council Calendar, including any or all listed items pending in Committee,
may be discussed and acted upon at this meeting. For a full Council Calendar, go to www.quincycma.gov
Tel. (617) 376-1341, FAX (617) 376-1345 -TTY (617) 376-1375
1 of 1
CITY OF QUINCY
IN COUNCIL

ORDER NO. 2019-173

ORDERED: October 21, 2019

AN ORDINANCE TO REVISE AND CONSOLIDATE, AMEND,
SUPPLEMENT AND CODIFY THE GENERAL ORDINANCES OF
THE CITY OF QUINCY

WHEREAS, General Code, Rochester, New York, has compiled, edited and published a
codification of the permanent and general ordinances of the City of Quincy, Massachusetts;
and

WHEREAS, there is now on file in the office of the City Clerk, for public inspection, three
copies of a document entitled "Quincy Municipal Code"; and

BE IT ORDAINED, the City Council of the City of Quincy does hereby ordain as
follows:

The ordinances of the City of Quincy of a general and permanent nature adopted by the City
Council of the City of Quincy, as revised, codified and consolidated into chapters and
sections by General Code, and consisting of Chapters 1 through 375, are hereby approved,
adopted, ordained and enacted as the Municipal Code of the City of Quincy, hereinafter
referred to as the "Code."

§ 1-5. Code superseded prior ordinances.
This ordinance and the Code shall supersede all other general and permanent ordinances
enacted prior to the enactment of this Code, except such ordinances as are hereinafter
expressly saved from repeal or continued in force.

§ 1-6. Continuation of existing provisions.
The provisions of the Code, insofar as they are substantively the same as those of the
ordinances in force immediately prior to the enactment of the Code by this ordinance, are
intended as a continuation of such ordinances and not as new enactments, and the
effectiveness of such provisions shall date from the date of adoption of the prior ordinances.

A copy of the Code has been filed in the office of the City Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance, and, if this ordinance shall be adopted, such copy shall be certified to by the City Clerk, and such certified copy shall remain on file in the office of said City Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect.


Any and all additions, deletions, amendments or supplements to the Code, when adopted in such form as to indicate the intention of the Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Quincy" shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be adopted, they shall thereafter be inserted in the Code as amendments and supplements thereto.

§ 1-9. Publication; filing.

The Clerk of the City of Quincy shall cause this ordinance to be published in the manner required by law. Sufficient copies of the Code shall be maintained in the office of the Clerk for inspection by the public at all times during regular office hours. The enactment and publication of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-10. Code to be kept up-to-date.

It shall be the duty of the City Clerk, or someone authorized and directed by the Clerk, to keep up-to-date the certified copy of the Code required to be filed in the Clerk's office for use by the public. All changes in said Code and all ordinances adopted subsequent to the effective date of this codification which shall be adopted specifically as part of the Code shall, when finally adopted, be included therein by reference until such changes or new ordinances are included as supplements to said Code.


Copies of the Code, or any chapter or portion of it, may be purchased from the Clerk or an authorized agent of the Clerk upon the payment of a fee to be set by the City Council. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

§ 1-12. Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Quincy to be misrepresented thereby. Anyone violating this section or any part of this ordinance shall be subject, upon conviction, to the penalties as set forth in § 1-1 of the Code.

Each section of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof. If any provision of this Code or the application thereof to any person or circumstances is held invalid, the remainder of this Code and the application of such provision to other persons or circumstances shall not be affected thereby.


Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-15. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the City of Quincy which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect. The following chapters from the 1993 Code are specifically repealed: Chapter 2.104, Board of Managers of Hospital Department, Chapter 2.128, Rent Grievance Board, and Chapter 8.28, Smoking (except Order No. 2017-039 amending Chapter 8.28, which is saved from repeal).

§ 1-16. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-15 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

A. Any ordinance adopted subsequent to April 22, 2019.

B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.

C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.

D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.

E. Any franchise, license, right, easement or privilege heretofore granted or conferred.

F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
G. Any ordinance appropriating money or transferring funds, promising or guaranteeing
the payment of money or authorizing the issuance and delivery of any bond or other
instruments or evidence of the City's indebtedness.

H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful
contract or obligation.

I. The levy or imposition of taxes, assessments or charges.

J. The annexation or dedication of property or approval of preliminary or final
subdivision plats.

K. Ordinances providing for local improvements or assessing taxes or special assessments
therefor.

L. Any legislation relating to or establishing a pension plan or pension fund for municipal
employees.

M. Any ordinance or portion of an ordinance pertaining to the rate and manner of
payment of salaries and compensation of municipal officers and employees or
establishing or classifying positions.

N. Any ordinance or portion of an ordinance establishing traffic or parking regulations.

O. Any ordinance or portion of an ordinance establishing a specific fee amount for any
license, permit or service obtained from the City.

P. Any ordinance or portion of an ordinance accepting or adopting the provisions of any
general law or special act of the commonwealth.

§ 1-17. Changes in previously adopted ordinances.

A. In compiling and preparing the ordinances for publication as the Code of the City of
Quincy, no changes in the meaning or intent of such ordinances have been made
except as provided for in Subsections B and C hereof. Certain grammatical changes
and other minor nonsubstantive changes were made in one or more of said pieces of
legislation. It is the intention of the City Council that all such changes be adopted as
part of the Code as if the ordinances had been previously formally amended to read as
such.

B. Nomenclature. The following titles are updated throughout the Code:

(1) "Chairman" and "Chair" to "Chairperson."

(2) "Director of Inspections," "Building Inspector," "Building Commissioner," and
"Building Official" to "Director of Inspectional Services."

(3) "Department of Inspections" and "Building Department" to "Department of
Inspectional Services."

(4) "Commissioner of Public Health" and "Board of Health" to "Health
Commissioner."
(5) "Licensing Board," "License Board," "License Commissioners" and "Board of License Commissioners" to "Board of Licensing Commissioners."


(7) "Planning Director" to "Director of Planning and Community Development" and "Planning Department" to "Department of Planning and Community Development."

(8) "Park Department" and "Park and Forestry Department" to "Department of Natural Resources" and "Director of Parks and Forestry" and "Director of Park and Forestry" to "Commissioner of Natural Resources."

(9) "Massachusetts Department of Public Works" to "Massachusetts Department of Transportation."

(10) "Board of Appeals" to "Zoning Board of Appeals."

C. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-18. When effective.

This ordinance shall take effect upon passage and publication as required by law.
INTRODUCED BY: MAYOR THOMAS P. KOCH
WARD THREE COUNCILLOR – IAN C. CAIN

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2019-174

ORDERED: October 21, 2019

A RESOLUTION APPROVING AND ADOPTING A BROADBAND POLICY FOR THE CITY OF QUINCY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on February 26, 2018, the City of Quincy unanimously adopted a resolution “Exploring the feasibility of establishing a municipal broadband network in the City of Quincy,”; and

WHEREAS, the Mayor and his administration created a Broadband Committee to perform initial due diligence and feasibility for establishing a municipal broadband network in the City of Quincy; and

WHEREAS, the City of Quincy believes that fiber optic infrastructure is an essential and necessary infrastructure for the citizens of the City so that the citizens have broadband access; and

WHEREAS, the Mayor and Council agree that it is in the best interest of the City and its residents to adopt a written policy recognizing the importance of a fiber optic infrastructure for the residents; and

WHEREAS, the Mayor and City Council have reviewed the Broadband Policy and believe the proposed policy should be adopted, to be effective as of the 21st day of October 2019.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Quincy, Massachusetts, as follows: That the attached Broadband Policy is hereby approved and adopted as the broadband and fiber optic infrastructure policy for the City of Quincy, Massachusetts, effective the 21st day of October 2019.
CITY OF QUINCY BROADBAND POLICY

Affordable and robust broadband is essential for communities today. This policy addresses and establishes broadband service and infrastructure concerns while establishing a broadband policy for the City of Quincy with some short-term goals, departmental responsibilities and level of performance expected of City employees.

Purpose:
The purpose of this document is to establish a broadband policy for the City of Quincy.

Executive Summary:
Fiber infrastructure is as important to communities as streets, electricity, water and wastewater. Network jacks are becoming as common as electrical outlets. When such essential networks are inoperable our communities, including businesses, schools, hospitals and local governments are compromised in their ability to function. Communities are advanced by universal access to affordable and dependable broadband access.

Fiber infrastructure and services affect economic growth. While our community is able to receive basic broadband services, we pay a higher rate for these basic services than some other communities. Prospects for either decreases in costs for services or improvements in service anytime in the foreseeable future are not evident. The business model followed by the incumbent broadband service providers precludes them from upgrading their redundant infrastructure or improving their services without increasing costs.

DSL and cable networks cannot offer the speeds required to operate some services required today by both businesses and residents. Such basic, essential services would include, but are not limited to, large file transfers or over the top video services. Businesses, local governments, and citizens all need affordable and fast access to information networks. Therefore, we find cities throughout the country taking an interest in fiber services and infrastructure.

Policy:
Fiber is all about sustaining the economic viability of the City of Quincy and the city believes that broadband is a basic and essential service that should be offered to every resident of the city. Such services can be addressed and offered by the city implementing a new municipal fiber utility.

Responsibility:
The City of Quincy hereby tasks the following individuals below with performing a feasibility study regarding development of a working business model for consideration by the City Council.

1. A Broadband Committee made up of the Mayor, Chief of Staff, Director of Information Technology, Director of Traffic, Parking, Alarms & Lighting, Commissioner of Public Works, Commissioner of Public Buildings, and City Solicitor, under the direct supervision of the Mayor, is assigned to complete this endeavor. Within the scope of their ability, the committee will devote the necessary time and energy to the creation of a feasibility study and business model for a City of Quincy Municipal Broadband Network;
2. The City will partner with Entry Point Networks in pursuing the following deliverables;
   a. A City of Quincy Municipal Fiber Network Feasibility Study;
   b. A working business model;
   c. A recommended next step or proof of concept.

3. The Broadband Committee together with the Mayor will be responsible for technical review of the feasibility study and business model while still maintaining their departmental priorities.
INTRODUCED BY: WARD FOUR COUNCILLOR – BRIAN PALMUCCI

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2019-175

ORDERED: October 21, 2019

WHEREAS, the City of Quincy has embarked on a course of legal action against those responsible for marketing and distributing opiates in the City; and

WHEREAS, the profiteers who valued money over human lives have offered to settle the national lawsuits brought against them from across the country; and

WHEREAS, the pain and suffering of the addicted and their loved ones can not be eased with money; and

WHEREAS, the continuation of litigation serves to expose the depravity of the manufacturers and distributors of opiates; and

WHEREAS, only the disinfectant of transparency of the malevolent actors and their abhorrent conduct will provide the necessary moral guardrail for future conduct; and

WHEREAS, our rage and our pain cannot be satiated with money.

NOW THEREFORE BE IT RESOLVED that the Quincy City hereby declares its opposition to settlement and calls on the Mayor of Quincy to formally reject any settlement offers.