



GLOUCESTER CITY COUNCIL  
**Ordinances & Administration Committee**  
Monday, August 18, 2014 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
**AGENDA**

(Items May be taken out of order at the discretion of the Committee)

1. ***Report & Recommendation from the Gloucester Poet Laureate’s Selection Panel for appointment of Peter Todd, Poet Laureate***
2. ***CC2014-032 (LeBlanc) Amend GCO Chapter 22 “Traffic” Sec. 22-270.1 “Resident Sticker Parking Only” by adding a definition of “resident parking sticker” and by adding the areas listed in Section 22-270.1 to Sec. 22-176(b) “Penalties for parking violations-in beach district”***
3. ***CC2014-033 (Cox) Amend GCO Chapter 22 “Traffic” Sec. 22-284 “Service or loading zones re: overnight parking***
4. ***CC2014-035 (McGeary, Theken, Verga, Cox, Fonvielle, LeBlanc, Lundberg, Hardy) Amend the Gloucester Code of Ordinances Chapter 14 by adding Article III “Sex Offender Residency Ordinance”***

COMMITTEE  
**Councilor Robert Whynott, Chair**  
**Councilor Sefatia Theken, Vice Chair**  
**Councilor Jacqueline Hardy**

Back-up and Supporting Documentation all on file at the City Clerk’s Office, City Hall

CC: Mayor Carolyn Kirk  
Linda T. Lowe  
Suzanne Egan  
Chief Leonard Campanello  
Robert Ryan/Larry Ingersoll  
Dale Brown

The listing of matters is those reasonably anticipated by the Chair 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.

Gloucester Committee for the Arts

July 24, 2014

**RECEIVED**

JUL 24 2014

**Mayor's Office**

Mayor Carolyn Kirk  
9 Dale Avenue  
Gloucester City Hall  
Gloucester, MA 01930

RE: Gloucester Poet Laureate

Dear Mayor Kirk,

The Committee for the Arts is pleased to forward to you our recommendation of Peter Todd to be the next Gloucester Poet Laureate. Enclosed is the recommendation from the Selection Panel describing their process and summarizing the reasons for the Panel's unanimous support for Peter's application. The Committee for the Arts voted at our meeting on July 16<sup>th</sup> to accept the recommendation and to forward it to you, with appreciation for all who applied and the members of the Selection Panel.

In accordance with the City Ordinance governing the selection process, please forward this recommendation to the City Council for their action.

Thank you.



Dale Brown

Gloucester Committee for the Arts

**Recommendation to the Committee for the Arts**

**2014 Gloucester Poet Laureate Selection Panel**

The Gloucester Poet Laureate Selection Panel is pleased to forward to the Gloucester Committee for the Arts our recommendation of Peter Todd to be appointed as the next Gloucester Poet Laureate. Peter brings a particular passion for Gloucester which he expresses at every opportunity through his poetry. His poetry is widely disseminated, through his readings at countless public events, as well as through online media. In meeting with the Selection Panel, Peter conveyed the depth of his experiences in Gloucester throughout his life. He has stories to tell about Gloucester and its people and its history – and he is eager to share them. The Panel hopes that as Poet Laureate, Peter will have more opportunities to share his poetry and his stories.

The Selection Panel met on two occasions to consider the four applications received for the 2014 Gloucester Poet Laureate appointment. At our first meeting on June 5, 2014, the Panel discussed each of the applications and concluded we were not ready to make a final recommendation. We asked each of two finalists, Tige Quintina and Peter Todd, to meet with the panel to discuss their poetry and their approach to the role of Poet Laureate. Those interviews were held on June 26, 2014. Both candidates clearly expressed their passion for poetry and their long experience in writing. Peter received the unanimous support of the panel in response to his deep history with the community and his practice of bringing poetry to the community. We believe he can make a real contribution in highlighting how poetry can be part of our civic life and part of all our individual lives.

We appreciated this opportunity to learn more about some of the poets in our community and to hear their ideas about how to promote awareness and writing of poetry throughout the community.

Members of the Selection Panel include:

**Paul McGeary, appointed by the City Council**

**Angelo Zakas, appointed by the Mayor**

**Rufus Collinson, current Gloucester Poet Laureate, from the local literary community**

**Amanda Cook, from the local literary community**

**Dale Brown, representative from the Gloucester Committee for the Arts**

July 15, 2014

**Sec. 2-514. Poet laureate established.**

- (a) The city shall designate a poet as the official poet laureate of the city. The poet laureate shall be designated by the mayor and confirmed by the city council. A poet laureate selection committee shall review applications and make a recommendation to the mayor for the designation. The committee shall be comprised of the following:
- (1) One member of the committee for the arts.
  - (2) The mayor or one representative appointed by the mayor.
  - (3) A member of city council or one representative appointed by the city council.
  - (4) Two members chosen by the committee for the arts who have a demonstrated substantial expertise and knowledge of poetry and reside in the city.
- (b) The committee for the arts shall set forth the criteria for the selection of the poet laureate to the selection committee.
- (c) The selection committee will then review the applications and make a recommendation to the committee for the arts for the poet laureate candidates.
- (d) The committee for the arts shall forward the selection committee's recommendation for the position to the mayor for appointment with approval by the city council.
- (e) The responsibilities of the poet laureate shall be established by the committee for the arts and may include, but not be limited to, providing public poetry readings, encouraging poetry appreciation within the city, and composing and publishing poems. The poet laureate shall be an honorary title and shall not receive any monetary compensation from the city.
- (f) The committee for the arts shall assist and support the poet laureate whenever possible and both parties should meet on an annual basis.
- (g) The poet laureate shall be a domiciled resident of the city and shall serve a four-year term.

*(Ord. of 12-15-2009(01))*



**CITY OF GLOUCESTER 2014  
CITY COUNCIL ORDER**

**ORDER: CC#2014-032**  
**COUNCILLOR: Steve LeBlanc**

**DATE RECEIVED BY COUNCIL: 08/12/14**  
**REFERRED TO: O&A & TC**  
**FOR COUNCIL VOTE:**

**ORDERED** that the City Council amend the Code of Ordinances Chapter 22, "Traffic", Sec. 22-270.1 "Resident Sticker Parking Only" by adding a definition of "resident parking sticker" as follows: "Resident parking sticker shall mean a parking sticker for persons who demonstrate proof of Gloucester residency at one of the streets or areas listed in Sec. 22-270.1 and ownership of the vehicle to be stickered. The sticker shall differ in size, color and shape from a resident beach sticker and shall say "NOT FOR BEACH."

**FURTHER ORDERED** that this matter of distinguishing Resident Beach Stickers from Resident Parking Stickers and changing and improving signage at areas listed in Sec. 22-270.1 and adding the areas listed in Sec. 22-270.1 to Sec. 22-176(b) "Penalties for parking violations-in beach district" be referred to the Ordinance and Administration Standing Committee and the Traffic Commission for review and recommendations.

Steve LeBlanc  
Ward 3 Councillor



**CITY OF GLOUCESTER 2014  
CITY COUNCIL ORDER**

**ORDER: CC#2014-033**  
**COUNCILLOR: Melissa Cox**

**DATE RECEIVED BY COUNCIL: 08/12/14**  
**REFERRED TO: O&A & TC**  
**FOR COUNCIL VOTE:**

**ORDERED** that the City Council amend the Code of Ordinances Chapter 22 "Traffic" Sec. 22-284 entitled "Service or loading zones" by:

**ADDING** "(a)" before the words "The following locations;"

and by **ADDING** a new subsection (b) as follows:

"(b) Overnight parking shall be allowed from 7:00 p.m. to 7:00 a.m. daily in all loading zones designated in this section;"

and by **amending** the Code of Ordinances Chapter 22 "Traffic" by **DELETING** Sec. 22-155 "Parking Prohibited 12:00 midnight to 6:00 a.m. from December 15 to March 15;" and

**FURTHER ORDERED** that all signage designating loading zones under Sec. 22-284 be replaced with signs which state that overnight parking is allowed; and

**FURTHER ORDERED** that the matter of overnight parking in loading zones be referred to the Ordinances and Administration Standing Committee, and the Traffic Commission for review and recommendation.

Melissa Cox  
Ward 2 Councillor



## CITY OF GLOUCESTER 2014 CITY COUNCIL ORDER

**ORDER:** CC#2014-035  
**COUNCILLORS:** Paul McGeary, Sefatia Romeo-Theken,  
Greg Verga, Melissa Cox, William Fonvielle, Steve LeBlanc, Paul Lundberg  
Jackie Hardy

**DATE RECEIVED BY COUNCIL:** 08/12/14  
**REFERRED TO:** O&A  
**FOR COUNCIL VOTE:**

**ORDERED** to Amend the Gloucester Code of Ordinances Chapter 14 by **adding** Article III "Sex Offender Residency Ordinance" as follows:

### **Article III SEX OFFENDER RESIDENCY ORDINANCE**

#### **Sec. 14-34. Determinations and Intent.**

1. It is the intent of this ordinance to protect the City of Gloucester's interest to promote and protect the public health, safety and welfare of the inhabitants of Gloucester by creating areas around locales where children and the elderly regularly congregate and wherein certain sex offenders are prohibited from establishing temporary or permanent residence.
2. It is determined that this ordinance is the most narrowly crafted means of restricting to the fullest extent possible the opportunity for registered sex offenders to approach or interact with children and the elderly where they routinely and naturally congregate and that the protections of the health and safety of our children is a compelling public and governmental interest.
3. This ordinance is intended to create a civil non-punitive regulatory scheme in order to protect children and the elderly to the greatest extent possible under the circumstances of public welfare protections and not as a punitive measure of any kind.
4. Registered sex offenders pose a clear threat to children and the elderly as vulnerable groups residing in or visiting Gloucester. Because registered sex offenders are more likely than any other type of offender to re-offend for another sexual offense, Gloucester desires to impose safety precautions in furthering the public purpose of protecting these groups. The purpose of this ordinance is to mitigate the potential risk of harm to children and the elderly of the Gloucester community by deterring the ability for registered sex offenders to be in contact with unsuspecting individuals in locations that are primarily utilized by such groups. Gloucester desires to add location restrictions on such offenders where state law is silent.

## Sec. 14-35. Definitions

1. "Park" means public land designated for active or passive recreational or athletic use by the city of Gloucester, Commonwealth of Massachusetts or other governmental subdivision, and located within the city of Gloucester.
2. "School" means any public or private educational facility that provides services to children in grades kindergarten - 12.
3. "Day care center" means an establishment, whether public or private, which provides care for children and is registered with and licensed pursuant to the laws of the Commonwealth of Massachusetts by the Department of Early Education and Care.
4. "Elderly housing facility" means a building or buildings on the same lot containing four or more dwelling units restricted to occupancy by households having one or more members fifty-five years of age or older.
5. "Place of worship" means a structure used for religious worship or religious education purposes on land owned by, or held in trust for the use of, any religious organization.
6. "Sex offender" means a person who resides, works or attends an institution of higher Learning in the commonwealth and who has been convicted of a sex offense or who has been adjudicated as a youthful offender or as a delinquent juvenile by reason of a sex offense or a person released from incarceration or parole or probation supervision or custody with the Department of Youth Services for such a conviction or adjudication or a person who has been adjudicated a sexually dangerous person under G.L. c. 123A, §14, as in force at the time of adjudication, or a person released from civil commitment pursuant to section 9 of said chapter 123A, whichever last occurs, on or after August 1, 1981.
7. "Sex offender registry" means the collected information and data that is received by the Sex Offender Registry Board pursuant to General Law 6, Section 178C to 178P inclusive, as such information and data is modified or amended by the sex offender registry board or a court of competent jurisdiction pursuant to said Sections 178C to 178P, inclusive.
8. "Permanent residence" means a place where a person lives, abides, lodges, or resides for five (5) or more consecutive days or fourteen (14) or more days in the aggregate during any calendar year.
9. "Establishing a residence" means to set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal). The renewal or extension of a prior agreement whether through written execution or automatic r renewal shall constitute establishing a resident.

## **Sec. 14-36. Sexual Offender Residence Prohibition; Penalties; Exceptions**

1. It is unlawful for any sex offender who is finally classified as a level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board, to establish a permanent residence within two thousand (2,000) feet of any school, day care center, park, elderly housing facility or place of worship, if, after notice and a hearing before the Police Chief and/or his designee, the Police Chief and/or his designee determines that the sex offender poses a risk to the public and, therefore, residency should be limited in accordance with this section. The Police Chief shall issue his/her determination within forty five (45) days of the close of the hearing
2. For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence to the nearest outer property line of a school, day care center or park, elderly housing facility or place of worship.
3. Notice to move. Any registered level 2 or level 3 sex offender who establishes a permanent residence within two thousand (2,000) feet of any school, day care center, park, elderly housing facility or place of worship shall be in violation of this section and shall, within thirty (30) days of receipt of written notice of the sex offender's noncompliance with this chapter, move from said location to a new location, but said location may not be within two thousand (2,000) feet of any school, day care center, park, elderly housing facility or place of worship. It shall constitute a separate violation for each day beyond the thirty (30) days the sex offender continues to reside within two thousand (2,000) feet of any school, day care center, park, elderly housing facility or place of worship. Furthermore it shall be a separate violation each day that a sex offender shall move from one location in Gloucester to another that is within two thousand (2,000) feet of any school, day care center, park, elderly housing facility or place of worship.
4. Penalties. Violation of this ordinance, or of any regulations adopted hereunder, may be enforced through any lawful means in law or in equity by the Mayor, or his/her duly authorized agents, or any police officer of Gloucester including, but not limited to, enforcement by non-criminal disposition pursuant to G.L. c. 40, §21D. Each day a violation exists shall constitute a separate violation. The penalties shall be as follows:
  - a. First Offense: Notification to offender that he/she has thirty (30) days to move, if, after notice and a hearing before the Police Chief and/or his designee, the Police Chief and/or his designee determines that the sex offender poses a risk to the public and, therefore, residency should be limited in accordance with this ordinance.
  - b. Subsequent Offense: This shall apply to any offender served or supplied with a notification of a first offense and a hearing that has failed to comply with all requirements of the notification within the thirty ((30) day period. Non-criminal fine pursuant to Section 1-14 of the Code of Ordinances and notification to the offender's landlord, parole officer and/or probation officer and the Commonwealth's Sex offender Registry Board that the person has violated a municipal ordinance.

5. Exceptions. A person residing within 2,000 feet of any school, day care center, Park, playground, elderly housing facility or place of worship does not commit a violation of this section if any of the following apply:
- a. The person established the permanent residence and reported and registered the residence prior to the effective date of this ordinance.
  - b. The person was a minor when he/she committed the offense and was not convicted as an adult.
  - c. The school, day care center, park, elderly housing facility or place of worship within 2,000 feet of the personal permanent residence was established after the person established the permanent residence and reported and registered the residence pursuant to the Sex Offender Registry Law.
  - d. The person is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility.
  - e. The person is admitted to and/or subject to an order of commitment at a public or private facility for the care and treatment of mentally ill persons pursuant to G.L. c. 123.
  - f. The person is a mentally ill person subject to guardianship pursuant to G.L. c. 201, §6 or a mentally retarded person subject to guardianship pursuant to G.L. c. 201, §6A, residing with his or her guardian or residing within a group residence that is professionally staffed and supervised 24 hours a day.

Paul McGeary  
Ward 1 Councillor

Sefatia Romeo Theken  
Councillor at Large

Greg Verga  
Councillor at Large

Melissa Cox  
Ward 2 Councillor

William Fonvielle  
Ward 5 Councillor

Steve LeBlanc  
Ward 3 Councillor

Paul Lundberg  
Councillor at Large

Jackie Hardy  
Ward 4 Councillor