

CITY CLERK
GLOUCESTER, MA

2016 DEC -1 PM 1:38



GLOUCESTER CITY COUNCIL
Ordinances & Administration Committee
Monday, December 5, 2016 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall

*** AMENDED AGENDA ***

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

1. *Appointments & Reappointments:*

A. New Appointments:

Affordable Housing Trust
Tourism Commission

TTE 02/14/19
TTE 02/14/20

Rick Doucette
Carla O'Connor

B. Resignation from a Board, Commission, Councils or Committee: Waterways Board David McCauley

- 2. *CC2016-048 (Orlando) Amend GCO Sec. 4-16 (d) "Off-leash dog areas" subsection (b)(2) by adding a new subsection "(m) Dog Park "pooch pass" certificate for non-residents & amend Sec. 1-15 "Penalty for violation of certain specified section of code" (TBC 01/03/17)***
- 3. *CC2016-049 (Gilman) Amend GCO Sec. 22-269 "Same-From May 1 to September 15" and Sec. 22-267 "Restrictions on direction driven-Annually" re: Arlington Street (TBC 01/03/17)***
- 4. *CC2016-050 (Gilman) Amend GCO Sec. 4-21 "Dog fouling"***
- 5. *CC2016-51 (Gilman) Amend GCO Sec. 4-16a "Dogs allowed on public beaches at certain times"***
- 6. *Report by Ad Hoc Dog Committee and discussion thereof***
- 7. *Report by Beach Traffic Ad Hoc Committee and discussion thereof (TBC 01/03/17)***

COMMITTEE

Chair, Councilor Steven LeBlanc
Vice Chair, Councilor Jamie O'Hara
Councilor Sean Nolan

CC: Mayor Theken
Jim Destino
Joanne Senos
Chip Payson
Mike Hale

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.

CITY CLERK
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2016 DEC -1 AM 8:47



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- 7. *Report by Beach Traffic Ad Hoc Committee and discussion thereof (TBC 01/03/17)***

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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.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

November 15, 2016

Mr. Rick Doucette
100 Maplewood Avenue
Gloucester, MA 01930

Dear Mr. Doucette:

Thank you for your interest in serving on the City of Gloucester's **Affordable Housing Trust**. I am pleased to appoint you to a two year term on the commission. So that you may attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment.

Your appointment will be forwarded to the City Council for their meeting of November 22, 2016, at which time it will be referred out to the Ordinance and Administration subcommittee. You will be notified by the Clerk of Committees as to the date on which your appointment will be reviewed by the O&A Committee.

Please report to the City Clerk's office at your earliest convenience to pick up your appointment card and be sworn in.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken
Mayor

cc: Mayor's Report to the City Council

November 8, 2016

The Honorable Mayor Sefatia Romeo Theken
Gloucester City Hall
9 Dale Avenue
Gloucester, MA 01930

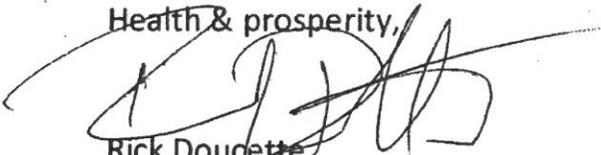
Dear Madam Mayor,

It has recently come to my attention through our mutual friend Ruth Pino that there is a vacant position on the City of Gloucester's Affordable Housing Trust.

I respectfully submit my name for consideration. As a lifelong resident of Gloucester, I have a deep love and affinity for this community, and would warmly welcome to expand my avenues of civic service toward her strength and vibrancy.

Thank you in advance for your consideration.

Health & prosperity,



Rick Doucette

100 Maplewood Avenue
Gloucester, MA 01930



Dear Rick Doucette, 100 Maplewood Avenue, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you to the **AFFORDABLE HOUSING TURST** of the City of Gloucester, Massachusetts. This is a 90-day temporary appointment. After City Council approval, term to expire 2/14/2019. (TWO YEAR TERM)

Respectfully,

Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting under this appointment.

SWORN IN _____ BY: _____

Sec. 2-605. - Same—Membership.

- (a) Acting under the authority of M.G.L. c. 44, § 55C, there is hereby created a board of trustees for the trust established pursuant to sections 2-601 through 2-615, for the purposes set out in the M.G.L. c. 44, § 55C. The board shall include no fewer than five trustees, including the mayor, ex officio, or his written designee, ex officio. The remaining trustees shall be appointed by the mayor and approved by the city council for a term not to exceed two years.
- (b) The board members shall have knowledge or expertise in areas including, but not limited to, affordable housing, real estate, real estate finance, or housing construction. The mayor, however, shall not be required to appoint board members from all of these areas of knowledge or expertise, but shall only be required to make his best effort to find persons that meet this requirement. In addition, the city community development director shall serve as an ex officio trustee.

(Ord. of 10-17-2006(01), § 2-605)

Frederick (Rick) H. Doucette Jr.

100 Maplewood Avenue Gloucester, MA 01930 doucetter@northshoreymca.org

PROFESSIONAL EXPERIENCE

1995 - Present YMCA of the North Shore

Beverly, MA

Cape Ann YMCA Executive Director of Camp & Teen Services

Sep 2008 – Present

- Secured \$71,000 first-year grant funding to re-establish Gloucester Teen Center
- Secure \$40,000 annual grant funding to continue & expand Summer Youth Employment Program
- Serve as Auctioneer at NSY Annual Gala – achieving record levels of support each year
- Established Annual Y Teen Services Trips to New Orleans, Nicaragua, and Navajo Nation

Cape Ann YMCA Executive Director

May 2002 – Aug 2008

- Collaborated with the Town of Rockport to establish the YMCA Teen Collaboration and secured current ongoing contract of \$30,000 per annum & raised more than \$425,000 in the community to construct new Teen Center.
- Led Annual Support Campaign for six years – achieving record levels of support
- Increased revenue by no less than 14% over six consecutive years
- Established new collaboration with City of Gloucester to operate Summer Rec Programming after the recent dissolution of the Municipal Recreation Department
- Served as Auctioneer at NSY Annual Gala – achieving record levels of support
- Secured \$25,000 Grant funding to establish Youth Employment Program – Downtown Clean Team
- Established major successful collaborations with Addison Gilbert Hospital, Wellspring House Inc, First R Program, Asian Cultural Alliance of Cape Ann, Sawyer Free Library, Gloucester New Arts Festival, Gloucester Public Schools and Rockport Public Schools

Cape Ann YMCA Interim Executive Director

Nov 2001 – May 2002

Cape Ann YMCA Sr. Director of Youth, Teen and Day Camp Services

1998 – 2001

Cape Ann YMCA Youth Program / Day Camp Director

1996-1998

Cabot Street YMCA Physical and Aquatic Program Director

1995-1996

- Collaborated with the City of Gloucester to establish the YMCA / Gloucester Teen Collaboration and secured ongoing contract of \$35,000 per annum
- Collaborated with the Gloucester Housing Authority to establish the YMCA / Willowood Community Youth Center and secured current ongoing contract of \$50,000 per annum
- Secured over \$185,000 in local and national foundation grants for Camp & Teen Program Initiatives
- Increased average camp enrollment from 114/week to 238/week average and annual income from \$97K to \$242K
- Advocated for and assisted in planning of major capital improvements made at Camp Spindrift
- Established “RAD-venture Camps” to increase teen participation at Camp Spindrift
- Established Gloucester’s and Rockport’s School Age Child Care Programs
- Established Y Teen Leaders Club’s annual 24-Hour Rockathon to Feed Cape Ann
- Established several new and innovative sports programs, including the Cape Ann YMCA Youth Floor Hockey Leagues, the NSY’s “Attitash/Bear Peak Ski/Snowboard Madness Program” and the NSY’s “240-Plus Basketball League”, which involved over sixty participants in its inaugural season
- Revitalized Cape Ann YMCA Teen Leaders Club and established annual “Rock-A-Thon to Feed Cape Ann’s Hungry”
- Established YMCA’s deep involvement within the Gloucester Middle School Community, including “Monday Night Boy’s Group”, a presence on Crisis Management Team, and Early Release Day Programming
- Evolved Youth Program Department (1996) into Youth & Family, Child Care, Sports, Willowood, Teen and Camp Departments (2001)

1990-1995

Gloucester Public Schools

Gloucester, MA

Teacher Aide – O’Maley Middle School Incentive Program

- Worked with two co-teachers, directly with “highly at-risk” students to return them to mainstream education courses. Developed curriculum, managed behavior, counseled groups and individuals, taught classes

1988-1990

Cape Ann YMCA

Gloucester, MA

Youth Director / Camp Director

- Increased Camp enrollment from 92/week to 123/week average and annual income from \$45K to \$73K
- Youth Department annual income increased from \$44K to \$91K

ADDITIONAL RELEVANT EXPERIENCE

1984 - 1988

Cape Ann YMCA

Gloucester, MA

1990 - 1995

Part-time Department Staff – Youth, Fitness, Maintenance, Camp

- Gained a working knowledge of many facets of the YMCA by participating in all aspects of service and programs
-

YMCA PROFESSIONAL TRAINING

- YMCA of the USA, Executive Development Program
- YMCA of the USA, Principles and Practices
- YMCA of the USA, Volunteerism Module
- YMCA of the USA, Supervision Module
- YMCA of the USA, Group Work Module
- YMCA of the USA, Project Management Module
- YMCA of the USA, Membership By Design Certification
- YMCA of the USA, Personal Trainer Certification
- YMCA of the USA, Nautilus / Free Weight Instructor Certification
- YMCA of the USA, Working with Youth 0 – 5 years old
- YMCA of the USA, Working with Youth 5 – 9 years old
- YMCA of the North Shore, Character Development – Trainer Certification

OTHER RELEVANT NATIONAL TRAININGS AND CERTIFICATIONS

- American Red Cross, First Aid
- American Red Cross, CPR
- American Camping Association, Day Camp Director Certification
- Project Adventure, Ropes Course/Adventure Games Leader Certification

COMMUNITY INVOLVEMENT

CURRENT

- Awesome Gloucester – Charter Trustee
- Awesome Rockport – Charter Trustee
- Rockport's Theater in the Pines – founding member / actor
- Gloucester Pride Stride – Co-President
- Gloucester Rotary Club – Past President 2013-14, Board Member
- Various Community Auctions – Volunteer Auctioneer

PREVIOUS

- Ad-Hoc Committee for Excellence in Education – member
- Cape Ann Chamber of Commerce – annual golf fundraiser – co-chairman
- Cape Ann Shakespeare Troupe – founding member / actor
- Cape Ann YMCA Board of Directors - member
- Gloucester Task Force to Reduce Teen Drinking
- Gloucester Teen Mentor Task Force
- Gloucester Parking Committee - member
- Gloucester Youth Services Commission – member/chairman
- Gloucester Cultural Council – member/treasurer
- Gloucester Pee Wee Football – head coach
- Gloucester Fisherman Youth Soccer – head coach
- Gloucester Senior Little League – head coach / board member
- Gloucester Elks Club – member
- Gloucester Kiwanis Club – member
- Gloucester DES Club - member
- Gloucester Stage Company – actor

-References available upon request-

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Nine Dale Avenue
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TEL 978-281-9700
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stheken@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

November 16, 2016

Ms. Carla O'Connor
12 Thompson Street
Gloucester, MA 01930

Dear Ms. O'Connor:

I am pleased to appoint you to a three year term on the **Tourism Commission Committee**. Your appointment will be sent to the City Council for their meeting of November 22, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment. Please report to the City Clerk's Office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken
Mayor

cc: Mayor's Report to the City Council



Dear Carla O'Connor, 12 Thompson Street, Gloucester, MA 01930

It is my pleasure to inform you that I have this day appointed you to the TOURISM COMMISSION of the City of Gloucester, Massachusetts. This is a 90-day temporary appointment. After City Council approval, term to expire 2/14/2020. (THREE YEAR TERM)

Respectfully,

Mayor

N.B. You are required to be sworn in at the office of the City Clerk before acting under this appointment.

SWORN IN _____ BY: _____

11/2/2016

To Whom It May Concern:

I would like to express my interest in becoming a member of the Tourism Commission for The City of Gloucester. I was born and raised here and have extensive Hospitality experience. I grew up in the business with my Mom owning and operating Captain Carlo's Restaurant for the majority of my life. Today I proudly serve as a Manager at Captain Carlo's and oversee all aspects of the operation. I graduated from Purdue University in 2007 with a Bachelor's of Science in Hospitality & Tourism Management. I represented Gloucester well by graduating top in my class for my degree. After college, I worked for Marriott International in their Management Development Program and then held various titles in Front Office & Operations. I have since worked for The Regus Group as a Center Manager as well as Equity Lifestyle Properties & Zeman Homes as a Resort Manager. I understand the business well.

I am proud to call this city home and I want to be able to ensure those who visit our beautiful city get to have the same experience I do. I want to work to draw and keep tourists in our city, spending money in our small businesses and returning for repeat visits. I want to ensure that those who come to our city feel welcome and appreciated. I see great potential here for a booming tourism business, however we need to get organized and keep our businesses and community informed.

I welcome any questions you may have regarding my experience or vision for Gloucester's tourism future. I can be reached at the contact information listed below.

Regards,

Carla OConnor

C: (978) 836-7402

E: cs0320@aol.com

Skills

- Professional communication skills with a high success rate in building and maintaining relationships
- Sound decision making and problem solving skills
- Superior customer service abilities, including the capability to remain flexible and calm in high pressure or continually changing situations
- Strong organizational competence, including the ability to prioritize and multi-task
- Successful at managing, training and developing teams to deliver high performance and maximize productivity
- Proficient in Microsoft Office products, Google Drive, Gmail & Adobe

Professional Experience

Restaurant Manager

Captain Carlo's Restaurant, Gloucester, MA

- Responsible for overseeing and managing all areas of a high volume, seasonal restaurant and bar with a staff of 60+ employees
- Ensured excellent patron experiences by providing superior service and quality food
- Lead all financial areas including sales growth, cost management and profit growth

Community Manager

Zeman Homes & Equity LifeStyle Properties Inc., Punta Gorda, FL & North Fort Myers, FL

- Managed the day-to-day operations of multiple communities, their assets and resources including staff, buildings and resident relations
- Analyzed and prepared annual and long-term budgets, monitored income statements, variance reports, identified market trends, and controlled costs
- Ensured the condition and appearance of the grounds and common area facilities were maintained at a high level of quality, with attention to detail and sensitivity to the impression made on residents, visitors and employees
- Recruited, inducted, trained and developed team to maximize performance and engagement
- Increased occupancy through home sales, extensions, leases and active marketing

Center Manager

The Regus Group, Waltham & Boston, MA

- Directed the day-to-day workflow by overseeing, prioritizing and delegating tasks to center staff in order to meet deadlines and service levels while maximizing efficiencies and minimizing expenses
- Confidently showed office space, conducted sales tours, drafted lease agreements and managed sales-related inquiries
- Increased customer retention and satisfaction through great service and focused customer engagement
- Identified business opportunities and implemented effective solutions to capture additional business
- Influenced volume of new business through effective local marketing activities and broker relations

Front Desk Manager/Operations Manager

Marriott International, MA & FL

- Enhanced guest satisfaction by monitoring needs and fulfilling special requests
- Committed to a continual emphasis on budgets, operating statements and payroll progress to ensure profitability and productivity
- Developed environment that emphasized motivation, empowerment, teamwork, continuous improvement and a passion for providing exceptional service

Education

B.S. Hospitality & Tourism Management
Purdue University, West Lafayette, IN



**Gloucester City Council
CERTIFICATE OF VOTE
Certificate Number: 2012-165**

The Gloucester City Council, at a meeting held on **Tuesday, August 14, 2012** at 7:00 p.m. in the Kyrouz Auditorium, City Hall, voted to approve the following:

IN CITY COUNCIL:

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 9 in favor, 0 opposed, to Amend the GCO Chapter 2,"Administration",Art.V "Boards, Commissions, Councils, and Committees,"Div.6A "Tourism Commission,"sec.2-471 through 2-476 as follows:

"Sec.2-471 Purpose:

- (a) In recognition of the continuing need for tourism in the city as a means to encourage economic revitalization and the promotion of history, culture and recreation , a tourism commission **DELETE** "is hereby recreated and reestablished" and **ADD** "has been established and shall be funded by the City;"
- (b) It shall be the purpose of the tourism commission to encourage and promote tourism throughout the year and throughout the city. The Commission may undertake but not be limited to the following activities:
 - (1) Recommend **ADD** "and implement" overall coordinated tourism and **DELETE** "program" and **ADD** "plan" that is related to the city's community and economic development activities, historical resources, recreational opportunities, **ADD** "visitor welcoming" and natural and scenic attractions;
 - (2) Recommend the organization , creation and maintenance of tourist attractions **ADD** "and welcoming services;"
 - (3) Recommend and implement **DELETE** "an advertising" **ADD** "a marketing program for the city;"
 - (4) Coordinate public and private **DELETE** "efforts" **ADD** " a marketing program for the city;"**ADD**
 - (5) "With the assistance of the community development department staff implement and manage a grant program to help accomplish the purposes referenced in this section."

Sec.2-472 Tenure; composition

DELETE entire section and **ADD** new as follows:

"The tourism commission shall consist of not less than seven members and may be up to eleven members if deemed necessary by the tourism commission. All members shall be appointed by the mayor and confirmed by the city council for the following terms:

- (1) at least two members for one year;
- (2) at least three members for two years;
- (3) at least two members for three years; and,

consideration shall be given so that members are chosen from persons with a vested interest in tourism who are distributed among the several tourism sectors of restaurants, accommodations, tourist attractions, retailers, arts an culture; and there shall be at last one at large member . One member shall be a City Councillor who shall be ex-officio."

Sec.2-473 Requirements

- (a) Residency requirements. All members shall be residents of the city,

ADD "however, up to two members, who need not be residents, but who otherwise meet the requirements of this section and section 2-472, may be appointed as ex-officio members for a term of up to two years."

DELETE "(b) Membership requirement. One member of the commission shall be a member of the Cape Ann Chamber of Commerce."

Sec.2-474 Vacancies

"In case of resignation, death or disqualification of any member of the commission, for the purposes of filling the vacancy for any other reason, the appointment DELTE "of" ADD "for" the unexpired term DELETE "immediately" shall ADD "promptly" be made by the Mayor and forwarded to the city council for their approval."

Sec.2-475 Assistance of city officials, boards and employees

DELETE entire section and ADD as follows:

"The commission shall receive regular support and assistance from the community development department including but not limited to planning, implementation, communications and assistance on securing and managing tourism grants. Further, when the commission determines that it requires assistance, the commission may request, through the Mayor, and upon request shall receive the services of assistance from other city officials and boards on matters based on the performance of their duties."

Sec.2-476 DELETE "Semiannual reports" and ADD "Periodic Reports and Plans"

DELETE entire section and ADD new:

"Beginning in 201_ the commission with the assistance of the community development department, shall prepare and submit a five year plan for tourism to the Mayor and the City Council; and in addition , based on the execution of the plan, the commission shall submit quarterly reports, with the assistance of the community development department as provided in sec. 2-475 , to the Mayor and to be forwarded by the Mayor to the City Council."


Linda T. Lowe, City Clerk

Date: 8/16/12

APPROVED BY THE MAYOR


Carolyn A. Kirk, Mayor

VETOED BY THE MAYOR

Carolyn A. Kirk, Mayor

SIGNED THIS 16 DAY OF Aug, 2012

All Ordinances shall become effective 31 days after passage except:
Emergency Orders and Zoning Amendments shall become effective the next day.

DIVISION 6A. - TOURISM COMMISSION^[18]*Footnotes:**-- (18) --**Editor's note—Inasmuch as Ord. No. 21-1991, adopted June 18, 1991, did not specify manner of codification, inclusion herein as division 6A, §§ 2-471—2-476, was at the editor's discretion.*

Sec. 2-471. - Purpose.

- (a) In recognition of the continuing need for tourism in the city as a means to encourage economic revitalization and the promotion of history, culture and recreation, a tourism commission has been established and shall be funded by the city.
- (b) It shall be the purpose of the tourism commission to encourage and promote tourism throughout the year and throughout the city. The commission shall undertake but not be limited to the following activities:
 - (1) Recommend and implement an overall coordinated tourism plan that is related to the city's community and economic development activities, historical resources, recreational opportunities, visitor welcoming and natural and scenic attractions.
 - (2) Recommend the organization, creation and maintenance of tourist attractions and welcoming services.
 - (3) Recommend and implement a marketing program for the city.
 - (4) Coordinate a public and private marketing program for the city.
 - (5) With the assistance of the community development department staff implement and manage a grant program to help accomplish the purposes referenced in this section.

(Ord. No. 21-1991, 6-18-1991; Ord. of 8-14-2012(01))

Sec. 2-472. - Tenure; composition.

The tourism commission shall consist of not less than seven members and may be up to 11 members if deemed necessary by the tourism commission. All members shall be appointed by the mayor and confirmed by the city council for the following terms:

- (1) At least two members for one year;
- (2) At least three members for two years;
- (3) At least two members for three years; and

consideration shall be given so that members are chosen from persons with a vested interest in tourism who are distributed among the several tourism sectors of restaurants, accommodations, tourist attractions, retailers, arts and culture; and there shall be at least one at large member. One member shall be a city

councillor who shall be ex-officio.

(Ord. No. 21-1991, 6-18-1991; Ord. No. 18-1996, § J, 6-25-1996; Ord. of 8-14-2012(01))

Sec. 2-473. - Requirements.

(a) *Residency requirements.* All members shall be residents of the city, however, up to two members, who need not be residents, but who otherwise meet the requirements of this section and section 2-472, may be appointed as ex-officio members for a term of up to two years.

(Ord. No. 21-1991, 6-18-1991; Ord. of 8-14-2012(01))

Sec. 2-474. - Vacancies.

In case of resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, the appointment for the unexpired promptly shall be made by the mayor and forwarded to the city council for their approval.

(Ord. No. 21-1991, 6-18-1991; Ord. of 8-14-2012(01))

Sec. 2-475. - Assistance of city officials, boards and employees.

The commission shall receive regular support and assistance from the community development department including but not limited to planning, implementation, communications and assistance on securing and managing tourism grants. Further, when the commission determines that it requires assistance, the commission may request, through the mayor, and upon request shall receive the services of and assistance from other city officials and boards on matters based on the performance of its duties.

(Ord. No. 21-1991, 6-18-1991; Ord. of 8-14-2012(01))

Sec. 2-476. - Periodic reports and plans.

Beginning in 201_ the commission with the assistance of the community development department shall prepare and submit a five-year plan for tourism to the mayor and the city council; and in addition, based on the execution of the plan, the commission shall submit quarterly reports, with the assistance of the community development department as provided in section 2-475, to the mayor and to be forwarded by the mayor to the city council.

(Ord. No. 21-1991, 6-18-1991; Ord. of 8-14-2012(01))

October 30, 2016

Mayor Sefatia Romeo-Theken
City Hall
Gloucester, MA 01930

Dear Madame Mayor,

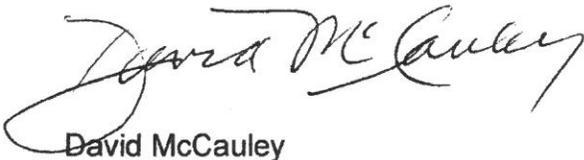
My term on the Waterways Board expires in February, 2017. I do not wish to be reappointed.

I have served on the Waterways Board for five years. During this period, much has been accomplished. While several board members have made contributions, I especially want to recognize the WWB Chair, Tony Gross, and Vice-Chair, Ralph Pino, for their good work and leadership in moving the Board forward.

My experience on the WWB has been interesting to me and I hope that I have been of use to the Board. Still, five years is enough.

I offer my thanks to you and to former Mayor Kirk for the opportunity to be of service to the City that we all love.

Sincerely,

A handwritten signature in black ink that reads "David McCauley". The signature is written in a cursive style with a large, sweeping initial "D".

David McCauley

43 Woodward Avenue
Gloucester, MA 01930



**CITY OF GLOUCESTER 2016
CITY COUNCIL ORDER**

ORDER: CC#2016-048
COUNCILLORS: Joseph M. Orlando, Jr.

DATE RECEIVED BY COUNCIL: 10/25/16
REFERRED TO: O&A & B&F
FOR COUNCIL VOTE:

ORDERED that GCO Sec. 4-16(d) "Off-leash dog areas" subsection (b) (2) be amended by **ADDING** a new subsection as follows: "(m) Dog Park "pooch pass" certificate will be issued to non-residents at an annual fee of \$25.00 per dog, a week's permit of \$10.00 per dog; or a one-day permit of \$5.00 per day per dog. Annual passes shall be valid from January 1st to December 31st of each calendar year, commencing on January 1, _____. All dogs must be registered for the program to participate, including dogs being taken off-leash by dog walkers. The Animal Control Officer shall issue to the owner or keeper of any such dog a citation for the violation of this article a fine of \$15.00 for each offense;"

FURTHER ORDERED that Chapter 1, Sec. 1-15 "Penalty for violation of certain specified section of code be amended by **ADDING** "Chapter 4, Sec. 4-16(d) subsection (b) (2) (m):

Penalty:

Each Offense: \$15.00"

FURTHER ORDERED that this matter be referred to the Ordinance & Administration and the Budget and Finance Standing Committees for review and recommendation.

Joseph M. Orlando, Jr.
Councillor at Large



**CITY OF GLOUCESTER 2016
CITY COUNCIL ORDER**

ORDER: CC#2016-049
COUNCILLORS: Valerie Gilman

DATE RECEIVED BY COUNCIL: 10/25/16
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that GCO Sec. 22-268 "Same-From May 1 to September 15" be amended by **DELETING** Arlington Street, for its entire length, in a northeasterly direction; and in accordance with Sec. 22-110 "Restriction on direction driven – Annually, amend Sec. 22-267 "One-way streets-Generally" by **ADDING** Arlington Street, for its entire length, in a northeasterly direction; and

FURTHER ORDERED that this matter be referred to the Ordinance & Administration and the Traffic Commission for review and recommendation.

Valerie Gilman
Ward 4 Councillor



CITY OF GLOUCESTER 2016 CITY COUNCIL ORDER

ORDER:	#CC2016-050
Councillor	Val Gilman

DATE RECEIVED BY COUNCIL:	11/22/2016
REFERRED TO:	O&A
FOR COUNCIL VOTE:	

ORDERED that GCO Sec. 4-21 "Dog fouling" be amended as follows:

Sec. 4-21. - Dog fouling.

(a)

Duty to dispose. It shall be the duty of each person who owns, possesses or controls a dog to remove and dispose of any ~~feces-fecal matter deposited~~ left by his the dog on any sidewalk, gutter, park, beach when permitted, street or other public area or on any private property. It shall further be the duty of each person who owns, possesses or controls a dog to remove and dispose of any feces left by his dog on any private property neither owned nor occupied by said person.

(b)

Duty to possess means of removal. No person, who owns, possesses or controls such dog shall appear with such dog on any sidewalk, gutter, park, beach when permitted, street, park or other public area without the means of removal of any feces left by such dog. Furthermore, no person who, owns, possesses or controls such dogs, shall appear on any private property neither owned nor occupied by said person without the means of removal of any feces left by said dog. ~~Disposal in city trash barrels or bins or in storm drains is prohibited.~~

(c)

Method of removal and disposal. For the purposes of this subsection, the means of removal shall be any plastic bag or mutt mitt, tool, implement, or other device carried for the purpose of picking up and containing such feces, unexposed to said person or and unexposed to the public. Disposal shall be accomplished by transporting such feces to a place or receptacle suitable and regularly reserved for the disposal of human feces fecal matter, specifically reserved for the disposal of canine feces, or as otherwise designated and certified as appropriate by the agent of the board Board of health Health. Fecal matter placed in a plastic bag and securely tied and knotted may be disposed of in public trash containers approved for collection by the City. When trash receptacles are not available, a carry in/carry out trash approach applies.

(d)

Fines for violation. Violation of this regulation shall be punished by a fine of ~~\$25.00~~ \$100.00 for the first offense in a calendar year and ~~\$50.00~~ for any additional offenses within the same calendar year. ~~Section 4-18(a), impoundment, does not apply to violations of this section.~~ each offense and dog(s) may have off leash privileges revoked by animal control. Owners must have in their possession poop bags or other appropriate device for removal of their dog(s) waste and shall be subject to a fine of \$50.00.

(e)

Enforcement. Violations of this section shall be enforced in accordance with all other applicable laws governing municipal ordinances; however, at the option of the enforcing person, violation may be enforced noncriminally pursuant to M.G.L. c. 40, § 21D and as provided in section 1-15, rather than by a criminal complaint in district court. Authorized enforcement personnel: City of Gloucester Police Department, Animal Control Officers, Board of Health Inspectors and Board of Health deputized DPW, and DPW Personnel.

(f)

Exemption. This regulation shall not apply to a person who employs a "service dog" as defined by the ADA or regulations promulgated thereunder. ~~dog accompanying any handicapped person who, by reason of his handicap, is physically unable to comply with the requirements of this section.~~

(g)

Severability. The provisions of this section are severable; and, if any of the provisions of this section shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

(h)

Notification. Upon licensing of a **dog**, the owner shall be given subsections (a) through (h) of this section by the **dog** officer, city clerk or person issuing the license.

Further Ordered that this matter be referred to the Ordinances and Administration Standing Committee for review and recommendation.

Val Gilman
Ward 4 Councillor



CITY OF GLOUCESTER 2016 CITY COUNCIL ORDER

ORDER: CC#2016-051
COUNCILLORS: Valerie Gilman

DATE RECEIVED BY COUNCIL: 11/22/16
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that GCO Sec. 4-16a "Dogs allowed on public beaches at certain times" following subsections be amended as follows:

(12)

DELETE Owners must have in their possession an adequate number of poop bags, or other appropriate device for removal of their dog(s) waste. *Comment: This is now in the Dog Fouling only.*

(13)

DELETE Owners must clean up after their dogs and dispose of the waste in an appropriate waste container. *Comment: This is now in the Dog Fouling Section only.*

14)

Owners must fill in any holes dug by their dog(s).

(15)

BY DELETING (12 and 13) Any violation of conditions (1)—(12) and (14) above shall be subject to a fine of \$50.00 for each offense. **DELETE:** Any violations of condition (13) above shall be subject to a fine of \$100.00 for each offense; and dogs(s) may have off-leash privileges revoked by animal control. *Comment: This is now in Dog Fouling Section only.*

FURTHER ORDERED that this matter be referred to the Ordinance & Administration for review and recommendation.

Valerie Gilman
Ward 4 Councillor

Gloucester Ad Hoc Committee

Report: December 5, 2016

In April of 2016 an ad hoc committee was formed to look at the current Gloucester dog ordinance with the goal of establishing additional areas in Gloucester where dogs could be unleashed.

Present Law – Gloucester Code of Ordinances Section 4-16

Unleashed. Currently dogs are only allowed to be unleashed at the following locations: the Gloucester Dog Park; Plum Cove Beach from October 1st – April 30th; Good Harbor Beach from October 1st to April 30th on even calendar days; and Wingersheek Beach from October 1st to April 30th on odd calendar days. The specific portion of the ordinance allowing dogs unleashed on Good Harbor and Wingersheek Beaches is set to expire in December 2016 unless extended or made permanent by the City Council.

Leashed. Dogs are allowed in most places throughout Gloucester as long as they are restrained by a leash not exceeding 6 feet.

Prohibited. Dog are not allowed whether leashed or unleashed in the following locations: Beaches from May 1st – September 30th; Cemeteries; and all City owned athletic fields.

Recommendations of the Ad Hoc Committee to the City Council

The ad hoc committee solicited input from various experts and other stakeholders, the detail of which is included with this report, "Summary of Activities and Research." The ad hoc committee is recommending that the City Council approve following:

- 1) Permanent adoption of the October 1st to April 30th odd/even calendar days at Wingersheek and Good Harbor Beach for unleashed dogs;
- 2) Permanent adoption of the October 1st to April 30th at Plum Cove Beach for unleashed dogs; and
- 3) The addition of Cressy's Beach from October 1st to April 30th for unleashed dogs as reviewed and recommended by the Stage Fort Park Advisory Committee.

The beaches allow dogs optimum space to run. During the offseason, the beaches are most used by dog owners. Keeping the odd/even system in place at the two largest beaches allows dogs owners access to walk and run their dogs unleashed each day. Alternatively, on the opposite days it allows those who wish to walk dogs on leash and those who want to walk without dogs, the ability to do so without encountering overly exuberant unleashed dogs.

The addition of Cressy's, as is the addition of Plum Cove last year, allow dogs owners in other geographic parts of the City the ability to exercise their dogs. They provide quicker access to the dog owners in the surrounding neighborhoods when daylight hours are at a minimum.

In addition to the beaches, the ad hoc committee also looked at the more rural and wooded areas of Gloucester. We discovered that the diversity of our City makes the constraints of a one size fits all leash law very hard to work within. Coupled with the limited animal control resources and their vast responsibilities beyond companion animal dogs, we are recommending that a different approach be explored.

Further Recommendations of the Ad Hoc Committee

"Where We Go From Here"

While the ad hoc committee was reviewing the leash laws, or lack thereof, of other communities, we noticed trends. Higher density communities sought to set up more small "dog park like" areas. Conversely, less dense communities took a more hands off approach. As Gloucester has both high and low density areas, we concluded that perhaps a different approach could be taken when determining whether or not a citizen should be fined \$50 for an unleashed dog. Whether considering small areas in neighborhoods or large beaches, we kept coming back to the same conclusion. The leash law in Gloucester fits well for our high density areas but does not fit in our lower density areas. Rather than continue to try to find areas where we can fit the proverbial square peg into the round hole, we can perhaps look at how the law is enforced and focus on prioritizing enforcement. Priority, primary enforcement, would focus on areas where density is the greatest. Whereas, secondary enforcement would be geared toward the behavior that we are trying to prevent.

Primary and secondary enforcement of the leash law in Gloucester.

A New Approach

The assignment of the primary versus secondary category to a law is used by many states to focus attention on higher priority laws. Primary offenses are those that stand alone whereas secondary offenses are only enforced when a primary offense has also occurred. For example, some states, like Massachusetts, consider not wearing a seat belt a primary offense and you can be stopped and cited for not wearing one. Other states make enforcement of seat belts a secondary offense. You can only be cited for not wearing a seat belt if you have committed a primary offense such as speeding. Other states use this approach when implementing hands free driving laws. This simplicity of this approach is that it can also be used as a best practice and may not even require codification in the law.

The ad hoc committee is recommending that the newly established Animal Advisory Committee reach out to the animal control officers, police, and the community to explore a primary and secondary approach to enforcing the leash law as a best practice or actual ordinance update.

The current leash law in Gloucester is in place to protect the public, dogs and property. It also seeks to balance the needs of dogs to be exercised and recognizes the relationship between dogs and their guardians.

There are currently many places in Gloucester where primary enforcement is necessary based on density. Places such as the boulevard and downtown where strict enforcement of the leash law is necessary. Other areas where even leashed dogs are prohibited, cemeteries, city owned athletic fields, and beaches in season are also primary enforcement areas. Certainly, having a dog unleashed in any of these locales in of itself is violation.

The ad hoc committee believes that there are many areas in Gloucester where secondary enforcement of six-foot leash requirement could be utilized. The focus would be on behaviors we are trying to prevent instead of ticketing for lack of or length of leash.

Secondary enforcement of the six-foot leash requirement could be used in the woods, beaches in the winter, and the more rural areas of Gloucester. The guardians of dogs in these areas could face an unleashed dog violation and a fine but only when another violation occurs. Types of violations that could trigger an unleashed violation could be geared toward behavior. For example, the dog is running at large without the owner, or the dog is behaving in a manner that threatens people, other dogs, or property.

This approach would allow the best use of our animal control resources in relation to companion dogs. It will take some additional time to research, gather input from our animal control personnel, and the community to develop this type of structure.

For these reasons, the ad hoc committee is requesting that the new Animal Advisory consider this approach and offers our input and research.

Thank you for your consideration.

Respectfully submitted

Ad Hoc Committee

SUMMARY OF ACTIVITIES AND RESEARCH
FROM THE O&A AD HOC COMMITTEE TO REVIEW THE DOG ORDINANCE
12/5/16

Foundation and Process

Overview

- Networked with Stakeholders –the task was approached with the understanding that there would be many interests to consider from both dog owners and non-dog owners.
- Fact-Finding: Committee members reviewed dog ordinances from over 3 dozen different communities.
- Decided to take a short-term, and also a long-term (i.e. more comprehensive) approach.

Communications / Meetings Attended

- Met with Local veterinarians – Dr. Sarah Hamman, Dr. Donna Heaney
- Met with Dog trainers – Glen and Judy Goldman
- Attended Waterways Board
- Attended Shellfish Advisory Committee
- Attended Stage Fort Park Advisory Committee
- Sought input from Gloucester Police and Animal Control, Board of Health, Department of Public Works, the Mayor, and City Council.
- Attended numerous O&A and/or City Council meetings
- Ongoing educational efforts (putting the word out about the dog ordinance via word of mouth and social media, e.g. pet waste campaign)
- Participated in the Mutt Mitt volunteer program
- Collaborated with Mutt Mitt coordinator on new dog fouling ordinance proposed.

Interim (Tier I) Approach: Beaches

- Site visits throughout all five wards
- Small “pocket beaches” are treasured and defended by neighborhood residents and are also subject to local and state regulations.
- It was determined through consultation with many stakeholders, including the Stage Fort Park Advisory Committee, with a vote of 5-2, that Cressy’s Beach be opened up to off-leash dogs on consecutive days in the off-season. (Note: Vote to recommend Cressy’s be *year round* off leash area was tied, 3-3, with one abstention.)
- Trial ordinance establishing the odd/even system for Good Harbor and Wingaersheek. C.O.V. No. 2014-337 and all related provisions and C.O.V.s (e.g. Nos. 2015-09. Extension; and 2016-012 Plum Cove consecutive days) should be made permanent.

Comprehensive (Tier II) Approach: Going Forward

- Continue to work on a more comprehensive proposal that will address the diversity of needs and concerns of the community and its geography and encompass both urban and rural neighborhood characteristics.
- Ongoing public education: Continue to work on outreach and education on dog fouling and picking up via Mutt Mitts and Dog Friendly Gloucester. Maintain the Dog Friendly Gloucester online forum to provide an informational hub for the community of Gloucester dog owners and other citizens.

ORDER # _____ (Councilor O'Hara) **ORDERED** that the Ordinance & Administration Committee consider whether the Code of Ordinances Sec. 4-16a should be amended to expand unleashed areas to Cressy's Beach from October 1st to April 30th.

AFTER "Wingaersheek Beach"

ADD "Off leash all day on both even and odd-numbered days at Cressy's Beach,"

Sec. 4-16a. - Dogs allowed on public beaches at certain times

"...Off leash all day on even-numbered days at Good Harbor Beach and odd-numbered days at Wingaersheek Beach...."