



# Boston City Council

## Committee on Government Operations

Maureen Feeney, *Chair*

March 19, 2010

Dear Councillors:

The Committee on Government Operations held a hearing to discuss Docket #0192, Message and ordinance prohibiting parking or stopping within any pedestrian safety zone. This matter was sponsored by Mayor Menino, referred to this Committee on Wednesday, February 3, 2010 and heard at a public hearing on Thursday, March 18, 2010 at which public comment was taken.

Docket #0192 is a proposed ordinance that would establish guidelines for parking motor vehicles in an area designated as a "Pedestrian Safety Zone". All motor vehicles, with the exception of commercial vehicles, would be prohibited from stopping, standing, or parking in a Pedestrian Safety Zone. Commercial vehicles displaying a valid Pedestrian Safety Zone Permit would be allowed to load/unload between the hours of 6:00 PM and 11:00 AM. Motorists in violation of these guidelines may be ticketed and fined one hundred dollars (\$100.00) and, after twenty-one (21) days past the issuance of a ticket, an unpaid fine shall increase by an additional thirty-three dollars (\$33.00). The Boston Transportation Department and the Police Department may promulgate rules and regulations to implement and enforce the provisions of the proposed ordinance.

At the hearing, Boston Parking Clerk Gina Fiandaca and Greg Rooney of the Enforcement Division at the Boston Transportation Department testified before the Committee. On behalf of Transportation Commissioner Thomas Tinlin, they described the purpose of the proposed ordinance as to prevent traffic from entering pedestrian safety zones.

Currently, the City of Boston has designated one Pedestrian Safety Zone, i.e. the Downtown Crossing district. The administration testified that there are currently no effective methods to prevent traffic and improve pedestrian safety at Downtown Crossing except to enforce other posted restrictions in the area. This ordinance would create a specific and enforceable violation.

The Committee on Government Operations, to which the following was referred:

**Docket #0192                      Message and ordinance prohibiting parking or stopping within any pedestrian safety zone**

based on information presented at the hearing and public comment gathered by the Committee and having considered the same, the Chair respectfully recommends that this matter **ought to pass**.

Maureen Feeney, *Chair*  
Committee on Government Operations

**CITY OF BOSTON**  
**IN CITY COUNCIL**

**AN ORDINANCE PROHIBITING PARKING OR STOPPING WITHIN ANY PEDESTRIAN SAFETY ZONE**

**WHEREAS**, The Mayor of the City of Boston has made it a priority to create Pedestrian Safety Zones in the city of Boston, eliminating non-essential vehicles from key commercial districts to enliven the City's streets, enhance economic development opportunities, and create a safe environment for pedestrians;

**WHEREAS**, The City of Boston is lacking an effective method to ensure public safety and prevent unauthorized motor vehicles stopping, standing, or parking within Pedestrian Safety Zones; and

**WHEREAS**, This Ordinance shall establish the following prohibitions regarding stopping, standing, and parking unauthorized motor vehicles within a Pedestrian Safety Zone.

**Be it ordered by the City Council as follows:**

**Prohibition of Non-Authorized Vehicles in the Zone:** Any vehicles stopped, standing, or parked in a Pedestrian Safety Zone may be ticketed and fined one hundred dollars (\$100.00), if not displaying a valid Pedestrian Safety Zone Permit ("Permit"). Authorized vehicles displaying a valid Permit are allowed to load/unload at designated loading zone areas within the Pedestrian Safety Zone between the hours of 6:00 p.m. and 11:00 a.m. No vehicles, regardless of valid Pedestrian Safety Zone Permit, shall be allowed to stop, stand or park in the Zone between the hours of 11:00 a.m. and 6:00 p.m. The fine shall increase by thirty-three dollars (\$33.00) if it remains unpaid at least twenty-one (21) days after issuance of a notice of the violation.

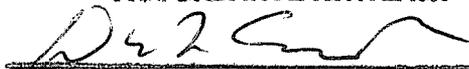
**Enforcement:** The Boston Transportation Department and Boston Police Department shall have the authority to enforce this section. The provisions of Massachusetts General Laws c. 90, s. 20A1/2 may be used to enforce these sections, and the adjudication provisions of this chapter and of Chapter 190 of the Acts of 1982 shall apply to this section. The Boston Police Department and Boston Transportation Department shall have the authority to impound any motor vehicle in violation of these sections.

**Regulatory Authority:** The Commissioner of the Boston Transportation Department and the Commissioner of the Boston Police Department of the Boston Police Department shall have the authority to promulgate rules and regulations necessary to implement and enforce these sections.

**Severability.** If any provision of these sections is held as invalid, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

**Implementation.** The provisions of this section shall be effective immediately after passage.

**I HEREBY CERTIFY THAT  
THE FOREGOING, IF PASSED IN  
THE ABOVE FORM, WILL BE IN  
ACCORDANCE WITH LAW.**

  
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**WILLIAM F. SINNOTT JR.**  
**CORPORATION COUNSEL**



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR  
THOMAS M. MENINO

January 12, 2010

**TO THE CITY COUNCIL**

Dear Councilors:

I hereby transmit for your approval an Ordinance authorizing the City of Boston to establish guidelines for parking motor vehicles in a Pedestrian Safety Zone. Presently, the City lacks an effective method to discourage drivers of motor vehicles from stopping, standing, or parking in any designated Pedestrian Safety Zone.

The Ordinance would allow a fine of one hundred dollars (\$100.00) for stopping, standing, or parking unauthorized motor vehicles within any Pedestrian Safety Zone boundary. I urge your Honorable Body to adopt this Ordinance as soon as possible.

Sincerely,

Thomas M. Menino  
Mayor of Boston

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*In City Council REFERRED TO  
COMMITTEE ON*

FEB 03 2010

Government Operations

CITY OF BOSTON  
IN CITY COUNCIL

March 22, 20 10

THE COMMITTEE/CHAIR Government Operations  
RESPECTFULLY REPORTS THAT THE MATTER  
WITHIN OUGHT to pass

Chairman  
CHAIR

ACCEPTED

Clerk  
CITY CLERK

RECEIVED  
CITY CLERK'S OFFICE  
2010 FEB -2 A 9 31  
BOSTON, MA