CITY OF NEWTON

IN CITY COUNCIL

ORDINANCE NO. B-13

July 9, 2018

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

That the Revised Ordinances of Newton, Massachusetts, 2017, as amended, be and are hereby further amended with respect to Div. 1. COMMISSIONS AND DISTRICTS, of Article III of Chapter 22 as follows:

1. **Delete**, in §22-40 (b) in the second sentence in the definition of “Certificate of Hardship”, the phrase “forty-five (45)” and **insert** in place thereof the phrase “sixty (60)”.

2. **Delete**, in §22-40 (b) in the definition of “person aggrieved”, the words “as property” and **insert** in place thereof the word “located”.

3. **Delete**, in §22-40 (f) (1), the third sentence and **insert** in place thereof “The date of the filing of an application shall be the date on which a copy of such application with all supporting documentation is received at the city’s department of planning and development.”

4. **Delete**, in §22-40 (f) (2), the first sentence and **insert** in place thereof “If the application involves any features which are subject to approval, a commission shall hold a public hearing at its next regularly scheduled meeting after the filing of a completed application for a certificate of appropriateness or a certificate of hardship unless additional time is agreed to by the applicant in writing or unless such hearing is dispensed with as provided in subsection (f)(3) hereof.”

5. **Delete**, in §22-40 (f) (2) in the second sentence, the word “other” following the phrase “to the owners of all”.

6. **Delete**, in §22-40 (f) (4), all occurrences of the phrase “forty-five (45)” and **insert** the phrase “sixty (60)” in its place.

7. **Delete** §22-40 (f) paragraph (6) in its entirety and **insert** in place thereof “The concurring vote of four members of a commission shall be required to issue a certificate. All other matters that may come before a commission may be
determined by a majority vote of the commission members present at the meeting.”

6. **Delete**, in §22-40 (h) (1) a), the occurrence of the phrase “ninety (90)” and **insert** the phrase “sixty (60)” in its place.

7. **Delete** §22-40 (h) (1) b), in its entirety and **insert** in place thereof “one residential identification sign which is not more than one foot square in area provided that:

   i) the sign consists of letters and/or street identification numbers painted or otherwise suitably inscribed on wood, brass or stone without a symbol or trademark; and

   ii) if illuminated, such sign is illuminated only indirectly (indirectly meaning by a light source directed at the sign surface and not contained within the sign or its structure).

8. **Insert**, after §22-40 (h) (1) b), the following new sub-paragraph c) “a second set of residential building numbers affixed or inscribed on buildings in order to comply with Section 26-7, Numbering of buildings, shall not be subject to review by nor shall they require a certificate of non-applicability from said commission.”

   and **re-letter** the existing sub-paragraphs c) to d), d) to e), e) to f), f) to g), g to h) and h) to i).

Approved as to legal form and character:

**OUIDA C. M. YOUNG**
Acting City Solicitor

Under Suspension of Rules
Readings Waived and Adopted

EXECUTIVE DEPARTMENT
Approved:

(SGD) DAVID A. OLSON           (SGD) RUTHANNE FULLER
City Clerk                  Mayor