



Public Safety & Transportation Committee Report

City of Newton In City Council

Wednesday, March 5, 2025

Present: Councilors Grossman (Chair), Downs, Lucas, Block, Bixby, Greenberg, Lipof and Wright

Also Present: Councilors Farrell, Oliver, Malakie and Baker

City Staff: Captain Daniel Devine, Newton Police Department and Hattie Kerwin Derrick, Director of Community Engagement

Others Present: NewTV

All agendas and reports, both past and present, can be found at the following link:
<https://www.newtonma.gov/government/city-clerk/city-council/council-standing-committees/public-safety-transportation-committee>

For more information regarding this meeting, a video recording can be found at the following link: https://www.youtube.com/watch?v=ZSi_gS3clfU

#365-24 Discussion and possible ordinance change on residential parking programs and fee structures

COUNCILORS DOWNS, GROSSMAN, LEARY, FARRELL, OLIVER, DANBERG, LIPOF AND LOBOVITS requesting a discussion and possible ordinance change on residential parking programs and fee structures and whether these need adjustment.

Public Safety & Transportation Held 7-0 on 10/09/24

Action: Public Safety & Transportation Held 7-0, Councilor Lipof not voting

Note: Docket items #365-24 and #364-24 were discussed together. Refer to #364-24 for the report.

Councilor Downs made a motion to hold. Council members agreed 7-0, Councilor Lipof not voting.

#364-24 Discussion and possible ordinance change on the categories and levels of parking fines

COUNCILORS DOWNS, GROSSMAN, FARRELL, LUCAS, LOBOVITS, OLIVER,

DANBERG AND LIPOF requesting a discussion and possible ordinance change on the categories and levels of parking fines and whether these need adjustment.

Public Safety & Transportation Held 7-0 on 10/09/24

Action: **Public Safety & Transportation Held 7-0, Councilor Lipof not voting**

Note: Docket items #365-24 and #364-24 were discussed together.

Captain Devine joined the Committee.

Docket #365-24

Residential Parking Permits and Guest Passes:

Councilor Downs stated that the object is not to gratuitously raise a lot of extra money for the City, but to be fair and in sync with neighboring communities. Residential parking permits cost \$25 per year. The ticket for parking over time is \$15, which is only issued if you don't have a permit. The problem identified is that the two guest passes are free. I suggest 1) Eliminating the free guest passes without having bought a permit and 2) Is \$25 per year enough, or should the price be raised.

Captain Devine stated if there's 100 people coming in for permits, probably 75 to 80% just get the two free guest passes. The \$25 fee needs to be addressed. The permit gets attached specifically to the car with the registration received. Guest passes can be placed in any vehicle. There's little interest for people to pay for the permit when they get free guest passes they can use themselves. This year, we've sold 100 permits at \$25, and issued about 600 guest passes.

#365-24 Councilors comments, questions and answers:

Can we change the rules to reflect a resident can only get a guest pass if they pay for a permit? Captain Devine replied that some people just want the two free guest passes. NPD does not have the authority to say no, you must purchase a permit too.

Perhaps it would make sense to close the loophole in the City Ordinance, rather than raise the cost.

How was it originated, that you are allowed to get two free passes without paying for the permit? Captain Devine answered that he does not know when the ordinance was established but it has been over 18 years. He doesn't know the logic behind why we issue two free passes.

It does not make sense, if we have a permit parking program that we would allow the use of guest passes that essentially make parking for residents free.

Perhaps we should charge \$25 for each resident and guest pass, or charge a lower fee for each guest pass.

How do residents obtain the permits? Captain Devine answered that the resident goes to the Police Department each December, presents their license and registration, proof they live at that residence, and pay \$25.

Approximately how many streets are on the list? Captain Devine answered that it is difficult to answer the number of streets because each year, Traffic Council adds and removes streets. Councilor Downs added that she thinks Mr. Koses, Traffic Council Chair limits the total number of commercial or residential permits in high demand areas.

Are there certain streets or neighborhoods where permits are more popular, or are they evenly spread out? Captain Devine answered that they're evenly spread out.

If you're a homeowner without on-street parking, what do contractors do if they need to park on the street? Captain Devine answered that the department has a program called "Construction Permits." The permit is good for up to three months, costing \$10 per month for any number of construction vehicles doing the work. At times, we have the construction vehicles park on neighboring streets so the road is not flooded with vehicles.

In Boston, if you have a commercial plate the City gives you a pass on parking in Resident Only Areas.

Is there anything that prevents a homeowner from using a guest pass for their own cars? Chair Grossman answered no.

Why weren't fees addressed in the past?

What do neighboring communities charge? Captain Devine answered that he would look into this.

Councilor Downs stated that she will propose draft language for the City to begin charging for guest passes, the same as they do for resident permits. Chair Grossman added that this Committee cannot set a fee without draft Ordinance language. It might also be necessary for the language to be sent to the Finance Committee with proposed fees for discussion and a vote.

Straw Polls:

1. Should we charge a fee for guest passes? Yes, Committee members agreed 8-0.
2. Should guest passes cost the same as residential permits? No, Committee members agreed 6-0, Councilors Block and Bixby opposed.
3. Should we charge more than \$25 for a residential permit? A vote was not taken.

A discussion was held as to whether a public hearing would be appropriate about changing the fees for these permits and guest passes. Councilors expressed that it would only be useful if there was something to be learned from the hearing, and questioned how notice would work.

Some Councilors expressed that a public hearing isn't necessary because these are reasonable policy changes under consideration in response to an identified problem, which is that the number of guest passes outnumber residential permits.

A guest pass cost should be equal to a resident permit cost because if a resident permit is more expensive than a guest pass, residents will only want guest passes.

If approved, when would a price change go into effect? Councilor Downs suggested 2026, when residents have to renew their permits. A Councilor was opposed and suggested 2027 or 2028 and in 2026, close the loop hole.

Where do fees go and how do we use them? Captain Devine answered that he did not have this information available. Councilors stated that these fees go into our general revenue stream.

If there is a change to the winter overnight parking ban, would that affect the neighborhood parking permit program? Captain Devine answered no, the winter overnight parking ban is completely independent of the residential permit program. Residential permits only apply during business hours. The permit does not apply on Sundays because the PCOS don't work on Sundays to enforce. He did not have information for Saturdays and will reply with information.

Docket #364-24

Cost and levels of parking fines

Councilor Downs stated that we have categories of violations listed on the standard Newton ticket sheet which are never used. This item is a housekeeping item. Captain Devine has suggested we remove a few of these categories from the standard ticket, including safety zone violations, angle parking, angle parking only, and within service zone violation.

#364-24 Councilors comments, questions and answers:

Why don't we issue tickets for safety zone violations and angle parking? Captain Devine answered that the PCO's don't issue tickets for safety zone violations, angle parking, angle parking only and within service zone.

What's the difference between angle and angle park only? Captain Devine answered that he researched the Ordinance for clarity and cannot find language to clarify.

Has the Law Department reviewed the Ordinance? Captain Devine answered that he did not ask the Law Department for their assistance.

We should keep angle and angle park only on the ticket until additional information is received.

There's a reasonable argument for cleaning up the ticket. Perhaps angle parking should be combined. Fewer violations would allow for the creation of larger check boxes on the ticket.

I would hesitate to remove any violation on the ticket.

Could we hear directly or indirectly from the PCOs on their perspective? Captain Devine answered yes, a PCO could attend a future meeting and we could hear their input and logic.

Is it because the PCOs don't use these violations or because they don't know what it is? Captain Devine answered they don't use it and don't understand why it is on the ticket.

If a driver went into an angled parking zone, and parked across two spaces, what violation would the PCO use? Captain Devine answered the PCO would use a restricted area. If you park using two spaces, there is nothing to check off on the ticket.

Ticket costs compared across nearby communities:

Councilor Downs stated that Newton's fine values fall between, and sometimes significantly behind, neighboring communities. This was brought to her attention because of the Newton Chamber indicating that "if you want inexpensive meter violation parking, go to Newton, they have the lowest tickets in the area." This is true. It will be necessary to draft Ordinance language to make changes. Councilor Downs asked Committee members if they prefer charging fees like Needham and Wellesley, or do we want to increase fees comparable to Brookline and/or Waltham? Newton is clearly an outlier on accessibility spaces and blocking an accessible curb cut.

Councilors comments, questions and answers:

These fines are used for two different purposes. The seriousness of an infraction should be part of our discussion. 1) safety violations and 2) meter violations.

How do we set the price to make drivers move to improve traffic flow and allow turnover?

It is necessary to understand how big of a problem this is in Newton. Does this happen often?

It is necessary to concentrate on the seriousness of the violation and have it match the charge of the ticket, for crosswalks, sidewalks, bus stops and fire hydrants which are all underpriced.

What does sidewalk parking mean? Captain Devine answered it is parking on the sidewalk.

What is the fine for cars parking on the street, along the sidewalk, where they're not supposed to park? Captain Devine answered it would be a restricted area.

Is double parking a restricted area? Captain Devine answered no, over 12" from a curb/double parking is a \$15 fine.

When reviewing the ticket cost comparisons, I don't see a consensus on the numbers that I feel most comfortable with.

For safety violations, we should be in line with the higher cost. For meter violations, we should be in line with the average cost.

Do any fines stand out as problematic in Newton? Captain Devine answered no.

What is the ticket cost for parking in a bike lane? Captain Devine answered \$20, parking in a restricted area.

\$20 is too low for parking in a bike lane, it is necessary to increase the fee.

Councilor Downs stated that tickets are all about deterrence. We want to make the cost of noncompliance high enough to deter a behavior. It is necessary to deter unsafe behaviors, maybe at a higher level, but still look at parking on sidewalks, double parking, and overtime violations.

Councilor Downs suggested Councilors review and propose new fees for ticket costs for a future discussion with proposed draft language for the City to increase ticket fees.

Chair Grossman suggested adding a column to the chart for proposed fees. It would likely be necessary for the proposed language to be sent to the Finance Committee with proposed fees for discussion and a vote. She stated that she would work with the Law Department on the current ordinance to work out what is necessary to make amendments and then work out if a new docket item is necessary, or can we refer the present docket item to the Finance Committee? She then said that she will ask the Law Department for assistance on angle parking violations and safety zones.

Differentiate between safety violations and parking management violations:

Councilor Downs asked Council members if the overnight winter parking ban, Blue Zone, and blocking a private driveway are safety issues or parking management issues?

People without enough length in their driveway have their cars hang over the sidewalk, forcing pedestrians into the street, blocking a Blue Zone, blocking snow removal, bus stops, parking on a bridge or private driveways are safety issues.

Should we increase the fine for being "too near a fire station?" Is that a safety issue?

Where are the cab stands located? Councilor Downs answered on Union Street and in Waban Square.

In my opinion, commercial night parking, meter violations and overtime parking are the only violations that are not safety issues.

There probably are safety components to every single one violation but it's more for some than others.

Why doesn't Newton allow parking on certain bridges? Captain Devine answered that for 20 years, parking has not been allowed on bridges for safety reasons. Councilor Wright offered to find out this information because Boston allows its.

When someone parks without a permit, what's the offense? Captain Devine answered a restricted area.

I urge us to get answers to these questions before we begin making decisions on the ordinances.

Councilor Downs made a motion to hold. Council members agreed 7-0, Councilor Lipof not voting.

The Committee adjourned at 8:40 p.m.

Respectfully submitted,

Becky Grossman, Chair

Ticket costs compared across nearby communities

Violation	Newton	Boston	Brookline	Waltham	Needham	Wellesley
Sidewalk	\$15	\$65	\$25	\$25	\$15	\$15
Blocking snow removal	\$20			\$25	\$20	\$15
Too near fire station	\$15			\$100		
H/C space	\$200	\$120	\$100	\$100	\$100	\$150
Blocking h/c curb cut	\$200	\$100	\$100	\$100	\$100	
Hydrant	\$25	\$100	\$100	\$25	\$25	\$25
Within intersection	\$15			\$50	\$15	\$15
Blocking traffic	\$15			\$25		\$15
Blocking private road/driveway	\$25	\$25		25	\$15	\$15
Over 12" from curb/double parking	\$15	\$35-55		\$25	\$15	\$15/\$20
Safety zone	\$15					
Bus stop	\$15	\$100	\$100	\$100	\$100	
Cab stand	\$15	\$50		\$25		
Crosswalk	\$25	\$85		\$25	\$20	\$20
Commercial night parking	\$25	\$65 (\$100 if heavy vehicle)				
Restricted area	\$20	\$55-90	\$30	\$25	\$15	
Wrong direction	\$15			\$25	\$15	\$15
Bridge	\$15					
Angle park only	\$15					
Within Service zone	\$15					
Over/winter night parking	\$25		\$30	\$25	\$15	\$15
Meter violation	\$15	\$40	\$25	\$25	\$15	\$15
Overtime parking	\$15	\$25	\$25	\$25	\$15	\$15
Blue zone	\$35					

Other violations		No permit (res) \$60-100 Street cleaning \$40-90	No permit \$25	Parking over 24 hrs--\$25 Trailer, dumpster, container parking-\$25		Idling >5 min \$15
				Disturbing funerals-\$50		
		Bike Lane \$100 Fire lane	Bike lane \$50	Fire Lane \$50	\$25	Fire Lane \$50
		<ul style="list-style-type: none"> • Expired plate \$40 • Fenway o/t \$100 • On/near center island \$40 • Loading zone \$90 • Pedestrian Zone \$100 		<ul style="list-style-type: none"> • EV space - \$50 • Near center strip/island \$50 • Weather emergency -\$50 • Abandoned vehicle \$250 		

VIOLATION		CITY OF NEWTON	
51368800			
<input type="checkbox"/> MA <input type="checkbox"/> NH <input type="checkbox"/> NY <input type="checkbox"/> CT <input type="checkbox"/> RI <input type="checkbox"/> NJ		OTHER (code)	
PLATE COLOR <input type="checkbox"/> RED <input type="checkbox"/> GREEN <input type="checkbox"/> BLUE	PLATE TYPE <input type="checkbox"/> PASSENGER <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> OTHER		
MAKE <input type="checkbox"/> CHEVY <input type="checkbox"/> FORD <input type="checkbox"/> DODG <input type="checkbox"/> NISSAN <input type="checkbox"/> VW <input type="checkbox"/> TESLA	OTHER MAKE		
TIME A.M. TO P.M.		VEHICLE COLOR A.M. P.M.	
LOCATION		METER NO.	
OFFICER		BADGE NO.	ROUTE NO.

COPY

COMMENTS

ESTABLISHED FINES

- .01 SIDEWALK \$15
- .02 IMPEDE SNOW REMOVAL \$20
- .03 TOO CLOSE TO FIRE STATION \$15
- .26 & PARKING \$200
- .27 BLOCKING & CURB CUT \$200
- .06 HYDRANT \$25
- .07 WITHIN INTERSECTION \$15
- .08 OBSTRUCTING OTHER TRAFFIC \$15
- .09 PRIVATE ROAD OR DRIVEWAY \$25
- 10 OVER 12" FROM CURB/DOUBLE PARKING \$15
- .11 SAFETY ZONE \$15
- 12 BUS STOP \$15
- 13 TAXI CAB STAND \$15
- 14 CROSSWALK \$25
- 15 WITHIN 20' INTERSECTING WAY \$15
- 16 COMMERCIAL NIGHT PARKING \$25
- 28 RESTRICTED AREA \$20
- 29 WRONG DIRECTION \$15
- 30 BRIDGE \$15
- .31 ANGLE \$15
- 32 ANGLE PARK ONLY \$15
- 33 WITHIN SERVICE ZONE \$15
- 22. NIGHT PARKING \$25
- 34 METER VIOLATION \$15
- 35 METER OVERTIME \$15
- 36 OVERTIME PARKING \$15
- 38 SCHOOL DROP-OFF ZONE \$35

PAY ONLINE AT: NEWTONMA.GOV



51368800

Make payment to: City of Newton Parking, P.O. Box 612467, San Jose, CA 95161. DO NOT mail cash. In-person payments at: Newton City Hall, Treasury Window, between 8:30am - 5:00pm M-F. For payment questions only, call 617-796-1330. After 21 days, this fine is increased as provided by law.

PLEASE PEEL OFF TAPE AND FOLD FLAP TO SEAL ENVELOPE.

TO EXPOSE ADHESIVE, REMOVE LINER
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