

Offered by Councilors MICHAEL ROSS, LaMattina, Flaherty, Feeney,
Connolly, Turner, Yoon, Yancey



CITY OF BOSTON
Ordinances of 2009 - Chapter 6

IN THE YEAR TWO THOUSAND NINE

**AN ORDINANCE REQUIRING THE NON-CRIMINAL
DISPOSITION OF SIGN VIOLATIONS**

WHEREAS, Tobacco and alcohol use is a public health issue, and preventing usage of these products by our city's youth is a top priority for public health policy; and

WHEREAS, Whereas the proliferation of tobacco- and alcohol-related signage serves to exacerbate the danger to the public health, especially of our city's young people; and,

WHEREAS, Several youth-related organizations like Sociedad Latina in Mission Hill and BoldTeens in Dorchester have been actively working to reduce the impact of tobacco- and alcohol-related signage in their communities; and,

WHEREAS, The size and window coverage of those signs are regulated by the Boston Zoning Commission, and many of the existing alcohol and tobacco advertisements are illegally posted. However the enforcement of the illegally posted signage is not easily enforced, requiring court proceedings; and,

WHEREAS, In 2003 the City enacted an ordinance aiding enforcement of the Boston Zoning Code by granting the Commissioner of Inspectional Services the ability to enforce the Code through the City's non-criminal disposition authority; and,

WHEREAS, The ordinance specifically addressed Boston Zoning Code violations involving yard parking, auto repair and work without a building permit. It allows for non-criminal disposition of these violations along with the normal zoning code enforcement and appeal process. *NOW, THEREFORE*

Be it ordained by the City Council of Boston, as follows:

Section 1.

CBC Chapter XVI, section 16-46.3 is hereby amended by appending the following new subsection after subsection (c):-

"d. Signs. Any person who violates any section of the Boston Zoning Code, including but not limited to Article 11, as it may be amended, by failing to comply with any sign requirement shall

be in violation of CBC 16-46. Each day a violation occurs or remains unremedied shall be considered a separate violation.”

Section 2.

CBC Chapter XVI, section 16-46.4 is hereby amended by appending the following after the first sentence in the first paragraph:- “A person in violation of CBC 16-46.3(d) shall incur a civil fine of fifty dollars (\$50.00) for the first offense and a civil fine of one hundred dollars (\$100.00) for the second and all subsequent offenses.”

Section 3.

The provisions of these sections shall be effective immediately upon passage.

In City Council JUL 08 2009

Passed

Rosaria Salerno *City Clerk*

Approved JUL 15 2009

Thomas J. Memura *Mayor*