

Ordinances & Administration Committee
Monday, July 20, 2026 – 6:00 p.m.
Kyrouz Auditorium
9 Dale Avenue
Gloucester, MA 01930
-Minutes-

Present: Chair, Councilor Sean Nolan; Vice Chair, Councilor Frank Margiotta; Councilor Marjorie Grace (arrived 6:04)

Other Councilors Present: Councilor Tony Gross; Councilor Dylan Benson; Councilor Jason Grow; Councilor Patti-Ann Page

Also Present: Conservation Agent, Charles Schade; Legislative Aide, Lynds Jones

This meeting was conducted in-person and remotely via ZOOM.

The meeting was called to order at 6:01 p.m.

1. Boards, Committees, and Commissions

Re-Appointments

Economic Development & Industrial Corporation

Robert Gordon

TTE 7/1/2029

Summary of Discussion: The applicant was not present, but was known to the Committee and therefore the reappointment was moved forward.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 absent, to recommend that the City Council appoint Robert Gordon to the Economic Development & Industrial Corporation, TTE 7/1/2029.

2. Memorandum from the Mayor regarding the appointment of election officers for the September 1, 2026 State Primary Election and the November 3, 2026 State Election

Summary of Discussion: None.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council, in accordance with MGL c. 54, §§ 11 and 11b, confirm the appointment of election officers as recommended in the memo from the Mayor to City Council dated July 2, 2026.

3. Memorandum from the Conservation Agent regarding a proposed amendment to the fee structure in the Gloucester Wetlands Ordinance

Summary of Discussion: Conservation Agent, Charles Schade stated that there had been a discrepancy between the City ordinance, and the PDF on the City website for Wetlands conservation. He stated that changes had been made to update the ordinance under the previous City Clerk, and the last part that needed to be updated was the fee schedule which hadn't been updated since 2006. He stated that language was also

updated to reflect changes in processes and permitting within the City. He stated that the fees had been updated to be inline with other municipalities in Essex County.

COMMITTEE RECOMMENDATION: On a motion by Councilor Grace, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend the Gloucester Code of Ordinances Chapter 12 “Marshlands” as follows:

Sec. 12-16. Requests for determination of applicability and submission of notices of intent.

- (e) *Fees.* The amount of the fee shall be determined ~~[DELETE] by the number of interests presumed to be significant under the Act and potentially affected by the proposed action, as determined~~ by the commission or its agent. ~~[DELETE] The interests are described in section 12-10(3).~~ The current fee structure is as follows:

~~[DELETE]~~

Residential construction		Amount per interest
Number of lots and/or units		
One to five		\$50.00
Six to nine		100.00
Ten to 19		150.00
20 to 49		200.00
50 or more		250.00
Commercial and industrial construction		
Construction cost*		
Less than \$99,999.00		\$50.00
\$100,000.00—249,999.00		100.00
\$250,00.00—499,999.00		150.00
\$500,000.00—999,999.00		200.00
\$1,000,000.00 or more		250.00

~~[DELETE] *Fees are based on a \$120.00 per square foot construction cost as determined by the building inspector's office.~~

[ADD]

Fee Structure

Legal Notice for Request for Determination of Applicability, Notice of Intent, Amendment Request to Order of Conditions	\$125
Request for Determination of Applicability	\$200
After the fact Request for Determination of Applicability (enforcement or post-work)	\$400
GWO Delineations of all resource areas.	\$1 per linear foot Not to exceed \$200 for SFH/duplex and \$2000 for other

Notice of Intent - Category 1 Work on an existing single family home lot such as an addition, porch, pool, etc.; site work without a house not related to work in a resource; invasive vegetation control; septic system repairs; monitoring wells; new agriculture or aquaculture projects; resource improvement or non-enforcement restoration or tree clearing exceeding 10 trees.	\$250
Notice of Intent - Category 2 New single-family home or duplex construction; impervious parking lot; beach nourishment; public utility projects; inland limited projects; each crossing for driveway to a single-family home; each storm drain-project source discharge; water level variations; water supply exploration; tree clearing greater than ¼ acre or any project not listed in any other category.	\$500
Notice of Intent - Category 3 Site preparation for development beyond structures (projects developed on land owned in common or with common interest is considered one project under conservation review); each structure other than a single-family home or duplex (beyond accessory uses to a single-family home, including directly related/immediate site work; road construction or common or shared driveway, hazardous material clean up, water supply development, tree clearing greater than ½ acre.	\$750
Notice of Intent - Category 4 Each crossing for development (more than duplex) or commercial/industrial road; dam/sluceway/tidegate work; landfill operation/closure; sand/gravel/excavation operation 9 outside of or in excess of other project filing; railroad line or utility road construction; bridge; dredging; treatment plant and discharge; tree clearing greater than 1 acre or any hazardous material release response.	\$1000
Notice of Intent - Category 5 Docks, piers, dikes or new retaining walls located on the coast or river.	\$4 per linear foot Not to exceed \$200 for SFH/duplex and \$2000 for other
Amendment to Order of Conditions	\$100
Extension Permit Request	\$100 (for each extension)
Request for Certificate of Compliance associated with Single Family Homes, Duplexes and Restoration projects	\$100 Plus \$100 if the OOC is expired

Request for Certificate of Compliance associated with other projects	\$200 Plus \$100 if the OOC is expired
After the fact Notice of Intent for enforcement or post work	2 times filing fee with a minimum of \$600
Request for Return to Compliance for Enforcement Orders	\$500

Additional Fees

Unless otherwise noted below, additional fees apply to Requests for Determination of Applicability, Abbreviated Notice of Resource Area Delineation, and Notices of Intent.

Work in Riverfront Area, ACEC, or Upland Edge or within 100 feet to fish runs, fisheries, shellfish, or eelgrass beds	+ 50% of filing fee
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4. **CC#2026-007 (Gross): Amend GCO Ch. 11 “Hawkers, Peddlers, transient Vendors and Special Events,” Sec. 11-1 “Definitions,” Sec. 11-2 “License/permit required,” Sec. 11-3 “Local license/permit requirement for fixed vending locations; procedure to obtain,” Sec. 11-4 “Identification required,” Sec. 11-5 “Fixed vending; site specific locations (nine),” Sec. 11-6 “Conduct of business,” Sec. 11-7 “Business prohibited between certain hours,” Sec. 11-8 “Vendors prohibited upon certain streets, areas,” Sec. 11-9 Revocation and expiration of permit,” Sec. 11-10 “Special events; transient vendors; parades,” Sec. 11-11 “Special event permit; transient vendor permit; fee,” Sec. 11-12 “Door-to-Door Sales; permitting required,” Sec. 11-13 “Meats, butter, certain other food products – Licensing,” Sec. 11-14 “Same – Inspection of products,” Sec. 11-16 “Temporary permits to sell articles for charitable purposes,” Sec. 11-17 “Violations; fines.”**

Summary of Discussion: Councilor Gross stated that the proposed ordinance change had been drafted with the assistance of City Clerk, Grace Poirier. He stated that the Chamber of Commerce had been consulted when considering the changes to Special Events. He stated one of the additions to the ordinance would be language defining and regulating door-to-door sales. He stated that other definitions that had been added were food trucks, and refining the definition of a special event. He stated that the fixed vendor location on Hough Avenue near the former Cupboard was codified. He stated that the Special Events Advisory Committee was being removed to streamline the permitting process.

Councilor Margiotta asked if the ordinance relating to food trucks only applied to for-profit businesses. **Councilor Gross** stated that was the case.

Councilor Nolan waived the reading of the full motion. **Legislative Aide, Lynds Jones** shared the motion on screen, and the motion can be seen below.

COMMITTEE RECOMMENDATION: On a motion by Councilor Margiotta, seconded by Councilor Grace, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council amend the Gloucester Code of Ordinances Chapter 11 “Hawkers, Peddlers, Transient Vendors and Special Events” as follows:

Sec. 11-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Disabled veteran shall mean the same as defined in MGL c. 31, § 1.

[ADD] *Door-to-door sales* means the selling, offering for sale, soliciting orders for sale, or taking subscriptions for any goods, wares, merchandise, or services by going in or upon private property, residences, or places of business within the City, without prior express invitation or appointment. For the purpose of this article, door-to-door sales shall refer only to commercial activity and shall not apply to any person or organization soliciting or canvassing for noncommercial purposes including, religious, charitable, educational or political, or to any person, organization or group that espouses or advocates a position or belief on any subject of public interest, or on behalf of any candidate for public office.

[ADD] *Event vendor* means any hawker, peddler, transient vendor, or any person, either principal or agent, who sells or offers for sale goods, wares, merchandise, or services as part of a permitted special event.

Farmer's market is a public market for the primary purpose of connecting and mutually benefitting Massachusetts farmers, communities and shoppers while promoting and selling products grown and raised by participating farmers.

A proposed farmers market must meet the minimum qualification for Massachusetts Farmers' Markets as defined by the Massachusetts Department of Agricultural Resources (MDAR) that include, without limitation, two or more farmers primarily selling products that they grew, produced or raised; set hours of regularly scheduled operation; products that are clearly labeled as to origin; and written rules that govern the operation of the farmers market that 1) assure its primary purpose is to provide a direct marketing opportunity for Massachusetts farmers, foresters and fisheries, 2) addresses the terms and conditions of sales, including pricing and labeling, vendor eligibility and product source, and compliance by all vendors with local, state and federal laws and regulations, 3) include a written grievance procedure, and 4) address market and vendor liability, including any insurance requirements.

Included in this definition are state licensed farm-wineries and fresh fish caught by local fishermen.

All vendors participating in a farmer's market covered by this definition are exempt as vendors under section 11-14(a).

Any other vendors participating in the farmer's market must obtain a local vendors license.

Farmers markets are not included under [ADD] the zoning ordinance use schedule, "Open Uses," section 2.3.3 (1) and (2).

Farmers' markets must comply with all applicable local, state and federal laws and regulations.

Hawker and peddler means any person who, for himself, or for another person, firm or corporation travels by foot, automobile, or any other type of conveyance, town to town or place to place in the same town, taking or attempting to lease or take orders for retail sale of goods, wares, merchandise, or services including, but without limiting, the selling, distribution, exposing for sale or soliciting orders for magazines, books, periodicals or other articles of any nature, the contracting of all home improvements, or for services to be performed in the future whether or not such individual has, carries or exposes for retail, sample of the subject of such sale or whether he is collecting advance payment on such retail sales or whether he is soliciting contributions for any purposes.

[ADD] *Food Truck* means a mobile food establishment that is a readily movable trailer, cart or motorized wheeled vehicle, currently registered with the Massachusetts Registry of Motor Vehicles (if applicable), designed and equipped to cook or prepare or serve food and shall include any food truck, food cart, canteen truck, catering truck, breakfast truck, lunch truck, lunch wagon, or any other mobile food vehicle.

[ADD] *Licensing Commission* shall be comprised of the city clerk, the chief of police, the fire chief, the building inspector and the sanitary inspector.

[ADD] *Mobile Food Establishment* means a food establishment, as defined in 105 CMR 590.01, that is located on or operated from a vehicle or is otherwise mobile or towed, and from which food or beverages are stored, prepared, cooked, packaged, served, vended, or otherwise provided for individual portion service.

Schedule of fees means any fee schedule or list of fees as periodically updated and provided by the city clerk's office.

~~[DELETE] *Special event* means an event that is open to the general public which may be held on public or private property, including city streets and may feature entertainment, amusements, food and beverages. The event may be classified as a road race, bike ride, bike race, parade, walkathon or festival.~~

[ADD] *Special event* means an event that is open to the general public which may be held on public property (including city streets, parking lots and public spaces) or private property which features entertainment, amusements, and/or food and beverages and that is classified as a road race, bike ride, bike race, parade, walkathon, festival, rowing and swim events, reenactments, outdoor concerts or block party.

Temporary or transient business means any exhibition, sale, rental, lease or services of goods, wares, or merchandise which is carried on in a tent, booth, building or other structure [ADD] as part of a permitted special event, unless such place is open for business during usual business hours for a period of at least 12 consecutive months.

Transient vendor means any person, either principal or agent, who engages in a temporary or transient business in the commonwealth, selling goods, wares or merchandise [DELETE] ~~either in one locality or traveling from place to place.~~ [ADD] as part of a permitted special event.

Vendors include hawkers and peddlers, transient vendors [DELETE] ~~and persons who sell or offer for sale services, including, but not limited to, face painting, photographers, etc.~~ [ADD] and event vendors.

ARTICLE II. HAWKERS AND PEDDLERS

Sec. 11-2. License/permit required.

No vendor shall sell goods, wares, merchandise or services, as prohibited by M.G.L. c. 101, § 16. No vendor shall sell goods, wares, merchandise or services unless duly [Delete] ~~licensed~~ [ADD] permitted by the [DELETE] ~~director of standards of the commonwealth and/or permitted by the~~ city licensing commission except for those articles permitted to be sold without a license under M.G.L., c. 101, § 17.

Sec. 11-3. Local license/permit requirement for fixed vending locations; procedure to obtain.

(a) Anyone either principal or agent that sells from a fixed location and not licensed or required to be licensed under the definition in M.G.L. c. 101 as a transient vendor or hawker and peddler must first procure a [ADD] fixed vendor permit from the local [DELETE] licensing [ADD] permitting authority for the sale of goods, wares, or merchandise allowed to be sold under the provisions of M.G.L. c. 101, § 16. A local permit is required for [DELETE] vendor [ADD] vendors holding only a state license.

(b) Applicants for a fixed location permit for those areas established by this chapter within the city, shall follow the sealed bid procedure, as outlined in subsection (c) of this section. The cost for such permit shall be not less than \$200.00 annually with no maximum, established by the city council. Permits will be issued for up to nine specific locations throughout the city, as approved by the city council. The city council shall have the right to adopt and implement further lawful regulations and restrictions consistent with this article.

(1) Prior to bidding for a fixed location, a vendor shall be required to provide proof of valid, current [ADD] local hawkers and peddlers [Delete] license [ADD] permit and proof that they are a disabled veteran, if applicable, as defined in section 11-1.

(2) Vendors shall disclose general scope of sales.

(3) Vendors with a fixed location permit shall be onsite no later than July 4 and open for business for a minimum of 21 days for the period between May 15 and September 15.

(4) Failure to comply with the July 4 or 21-day minimum requirements shall cause the individual, firm or corporation's permit to be revoked and be disqualified from applying for a fixed vendor location for the following two years.

(5) In the event of prolonged, unseasonable, inclement weather or other unforeseen circumstance a fixed location permittee may appeal to the licensing commission for an exemption from the July 4 and/or 21-day requirements.

Approved permits and assigned locations shall be chosen by sealed bid procedure by the city's purchasing department on or before the first business day in February, 9:00 a.m., of each year, [ADD] and expire the last business day of January the following year.

(c) Sealed bid procedure will be as follows: Sealed bids will be submitted to the city's purchasing department following public notice and from the first secular day in January to the last business day in January, each year. Further, all bids received to be opened by the purchasing department, will be accompanied by a certified or cashier's check in the amount of the bid, payable to the city. Unsuccessful bidders' checks will be returned immediately following the bid opening. The sealed bid will be date and time stamped in the purchasing department. The purchasing department will open the sealed bids and if there is a tie between two or more vendors on the bid amount, then the bidder/vendor who is a disabled veteran shall be given preference over all other bidders provided they meet all other bid requirements. If there is a tie between two or more disabled veterans or there is a tie where there are no disabled veterans, [DELETE] the high bidders may resubmit a sealed bid within two business days, [ADD] a coin toss will be conducted.

Sec. 11-4. Identification required.

All fixed vendors operating within the city shall be required to prominently display a laminated permit, obtained from the office of the city clerk, which provides the name and address of, and bears a recent

photograph of permittee.

Sec. 11-5. Fixed vending; site specific locations (nine).

(a) The following are specific locations for vending:

(1) *Washington Street*. Ten feet north from its intersection with Poplar Street.

(2) *Washington Street*. Water side at Plum Cove Beach.

(3) *Western Avenue*. Water side between the intersection with Middle Street and the Public Landing east of Middle Street, site.

(4) *Hough Avenue*, four spaces in [ADD] assigned locations in the southern parking lot in the parcel of Hough Avenue #24 next to the southeast corner of the parcel of Hough Avenue #41 as designated by the public works department. Vendors shall provide sufficient trash and waste receptacles that shall be emptied [DELETE] on a daily [DELETE] basis. ~~Each vendor shall hold all local, state and federal required permits and licenses as required and shall provide proof of inspection by the Gloucester Health Department.~~ [ADD] Two parking placards for Stage Fort parking lot only, shall be issued with each vendor spot.

(5) Visitor's center parking lot, Stage Fort Park. [ADD] Two parking placards for Stage Fort parking lot only, shall be issued with this vendor spot.

(6) *Rogers Street*. In front of the Fitz H. Lane parking lot and at the southwest corner of the east entrance to Harbor Loop.

(7) Reserved.

(8) Reserved.

(9) *Rogers Street*. Twenty-five feet from its intersection with Harbor Loop at the southwest corner of the west entrance to Harbor Loop.

(b) Should a fixed vendor location established under this section be located in an area designated as a no parking area, pursuant to chapter 22, the no parking prohibition shall not apply to the fixed vendor location.

(c) Solomon Jacobs Landing Floats in an area to be designated by the Harbormaster shall be included as a Fixed vending specific site solely for the operation of a water taxi/shuttle which meets the requirements as outlined in Chapter 10, Section 10-54 Waterways of the Code of Ordinances and only available to applicants which meets those requirements.

(d) All vendors shall remove their vehicles and property from the fixed vendor location at the close of business each day. There shall be no overnight parking in the fixed vendor location.

[ADD]

- (e) Any unoccupied fixed vendor locations that are not issued may be used by special events organizers during an event.

Sec. 11-6. Conduct of business.

All vendors shall be governed by the following restrictions:

- (1) No vendor shall cry his wares to the disturbance of the peace and comfort of the inhabitants of the city.
- (2) All vendors shall operate from carts which are neat and clean and do not leak. No vendor shall pitch a tent in addition to their cart or vehicle for the purpose of selling their wares at fixed vendor site. ~~[DELETE] All food vendors operating mobile food units or push carts as regulated by 105 CMR 590.052(I) shall obtain the board of health inspection/permit prior to any sales.~~ [ADD] All vendors operating from a mobile food establishment, including food trucks, shall be licensed in accordance with G.L. c. 101, § 22, and shall obtain a food vendor permit from the Board of Health and a local permit from the Licensing Commission prior to conducting business within the city.
- (3) All vendors shall clearly and prominently post prices for all foods, beverages, goods, merchandise and services offered for sale.
- (4) No vendor shall sell goods, wares, merchandise or services from a fixed location on private land without the written permission of the owner of private land. Such written permission shall be produced upon request of the licensing commission, police, sealer of weights and measures or building inspector. Said vendor shall comply with the Gloucester Zoning Ordinance.
- (5) All hawkers and peddlers, except those permitted for a fixed location by the licensing commission under section 11-3 or those permitted ~~[DELETE] by the~~ [ADD] as special events ~~[DELETE] committee~~ under section 11-10, shall be moving at all times other than when servicing a customer. For vendors on foot ~~[DELETE] or animal,~~ moving shall be walking in a normal manner along a street, path or way with all goods, wares, merchandise or services. For vendors operating from vehicles, [ADD] including food trucks, moving requires the vehicle to be driven along a street, path or way, stopping only to service customers and allow traffic to pass. [ADD] Vendors operating from food trucks shall only conduct their business curbside with customers who are on foot, and may not serve any customer within or aboard their mobile food establishment. Food vendors shall not provide customer seating of any kind.
- (6) No one shall sell or offer for sale on any public street, way or public place in the city, within 2,000 feet of any school in the city, between the hours of 8:00 a.m. and 4:00 p.m. on days when school is in session.
- (7) Hawkers, peddlers and transient vendors shall provide suitable receptacles for the placement of any trash and litter that may be expected to result from the sale of their wares and shall remove said trash and litter.
- (8) Each permit or license, ~~[DELETE] fixed or moving~~ shall be a person-specific permit or license, [ADD] except for fixed vending locations the permit or license shall be vendor specific.
- (9) All permits and licenses shall be kept with the vendor in a visible location at all times.
- (10) There shall be no subleasing of site specific vendor locations.

Sec. 11-7. Business prohibited between certain hours.

(a) No vendor shall sell or offer for sale any goods, wares, services or merchandise, ~~[DELETE] including publications, magazines, and books, or solicit subscriptions for publications, magazines, or books,~~ ~~[ADD] or engage in door-to-door sales,~~ in the city between the hours of 6:00 p.m. and 8:00 a.m., except that a duly licensed ice cream vehicle may sell or offer for sale any ice cream products from their vehicle in the city between the hours of 9:00 a.m. and 8:00 p.m. ~~[DELETE] Fixed vendors shall be exempt from prohibited hours during special events.~~ ~~[ADD] Hours for fixed vendors will be site specific and specified in the bid documents for each location.~~

(b) ~~[DELETE] Door-to-door solicitations require pre-approval by the chief of police; no door-to-door vendor shall sell or offer for sale their goods, wares services or merchandise door-to-door after 6:00 p.m.~~ The usage of all public parking spaces must adhere to the Code of Ordinances and shall be allowed during business hours only.

(c) Fixed vendors may continue to sell or offer for sale their goods, wares, services or merchandise from their fixed locations during special events.

Sec. 11-8. Vendors prohibited upon certain streets, areas.

Vendors are prohibited from selling upon the following streets, and all public property including but not limited to parks, playgrounds, sidewalks, grassy areas and beaches within the city except at those fixed locations specified in section 11-5, ~~[ADD] areas approved by the city licensing commission for the sale of articles for charitable purposes in conformance with section 11-16,~~ and special event locations approved in conformance with section 11-10.

- (1) Nautilus Road.
- (2) Beach Road.
- (3) Bass Avenue.
- (4) Harbor Road.
- (5) Salt Island Road.
- (6) Witham Street.
- (7) Rockport Road.
- (8) Essex Avenue.
- (9) ~~[DELETE] Manuel Lewis Road.~~ ~~[ADD] Manuel F. Lewis Street~~
- (10) Centennial Avenue.
- (11) Western Avenue.
- (12) Rogers Street.

- (13) Main Street.
- (14) Pleasant Street.
- (15) Prospect Street.
- (16) Railroad Avenue.
- (17) Washington Street.
- (18) Lincoln Avenue.
- (19) Elderly housing complexes.
- (20) Beaches.

Sec. 11-9. Revocation and expiration of permit.

- (a) [ADD] Permits shall expire one year from issuance.

Renumber Sec 11-9 from here

(a b) Any permit granted by the licensing commission and/or the city clerk's office under this chapter may be revoked by the licensing commission and/or the city clerk's office for good cause after reasonable notice to the permittee and a hearing upon the grounds of the revocation. Any permittee who violates any provisions of this article on three occasions shall be deemed to have provided sufficient cause for revocation of that permit. Unless sooner revoked, any permit granted by the licensing commission under this section shall be valid for the stated period and upon expiration shall revert to the city licensing commission.

(b c) The enforcing agent shall be the police department, the health department and/or the building department. Said enforcing agent shall have the authority to issue tickets with fines consistent with this chapter.

(c d) The police department, the health department and/or the building department shall have the authority to remove and/or shut down vendors who are in violation of this chapter; the police department shall also have the authority to arrest vendors who are in violation of this chapter.

Sec. 11-10. Special events; transient vendors; parades.

- (a) [DELETE] ~~There shall be a special events committee comprised of the following city staff:~~ [ADD] Applications for special events shall be reviewed by the following departments, ~~either individually or as a group who shall meet as a group, as needed, to review applications for special events:~~ the city clerk or [DELETE] ~~his~~ [ADD] their designee, the building inspector or [DELETE] ~~his~~ [ADD] their designee, the department of public works director or [DELETE] ~~his~~ [ADD] their designee, the chief of police or [DELETE] ~~his~~ [ADD] their designee, the fire chief or [DELETE] ~~his~~ [ADD] their designee, the emergency medical services director [ADD] or their designee, the health department food inspector [ADD] or their designee, the harbormaster or [DELETE] ~~his~~ [ADD] their designee and the community development director or ~~his~~ [ADD] their designee. [DELETE] ~~The committee shall meet monthly and shall post notices of its meetings.~~

(b) ~~[DELETE] The special events committee~~ The department heads or their designees shall review all special events applications and shall assist applicants with any necessary approvals including approvals by the city council. ~~[DELETE] The committee may in its own discretion refer any application to the city council for consideration.~~ [ADD] Applications may be referred to the city council for consideration. If city council approval is required due to the proposed closure of any road, the application shall be referred directly to the Planning & Development Committee who shall [ADD] recommend to the full City Council for approval of a ~~[DELETE] have the authority to approve the special event permit.~~ [ADD] road closure for the special event.

(c) City sanctioned special events/parades shall be designated with restricted vending areas based on public safety considerations. ~~[DELETE] Transient~~ [ADD] Event vendor permits shall be approved by the city clerk's office ~~[DELETE] and the chief of police.~~ For the purpose of this article, special events/parades shall be limited to: [ADD] events open to the public taking place on public property or private property that feature entertainment, amusements, and/or food and beverages and that is classified as a road race, bike ride, bike race, parade, walkathon, festival, rowing and swim events, reenactments, outdoor concerts or block party.

~~[DELETE] (1) Fishtown Horribles Parade.~~

~~[DELETE] (2) St. Peters Fiesta Procession.~~

~~[DELETE] (3) Labor Day fireworks.~~

~~[DELETE] (4) Middle Street Walk.~~

~~[DELETE] (5) Gloucester Schooner Festival.~~

~~[DELETE] (6) Sidewalk Bazaar.~~

~~[DELETE] (7) Downtown block parties.~~

~~[DELETE] (8) All annual city council approved events.~~

(d) No vending shall be allowed on the Memorial Day Parade route.

(e) No vending shall be allowed within 300 feet of a cemetery within the city during Memorial Day or other special observance ceremony.

~~(f) [DELETE] The licensing commission may recommend and the city council may approve additional special events, parades relevant to this section.~~

(g f) ~~Forty-five~~ [ADD] Thirty days prior to any event, [ADD] special event as defined in section 11-1, the event ~~organizing committee~~ [ADD] organizers shall submit their application for a special event permit [ADD] which shall be reviewed by the department heads or designees named in section 11-10. Applications shall include the number of vendors that will be participating, including vendors of goods and food. An application for ~~[DELETE] transient~~ [ADD] event vendor permits and a list of said ~~[DELETE] transient~~ [ADD] event vendors along with all applicable application fees to the city clerk's office [ADD] shall be submitted within a timeframe as established during the application process by the city clerk. ~~[Delete] for referral to and review by the special events advisory committee for approval.~~ [ADD] Applications for food permits shall be submitted to the Board of Health within a timeframe as established during the application process by the Board of Health.

- (h g) [ADD] Event vendor permits are required for vendors at events held on public property.
- (I h) [ADD] Proof of liability insurance shall be submitted no later than 7 days prior to a special event held on city property.
- (j i) [ADD] The mayor or their designee shall have the final approval of applications.

Sec. 11-11. Special event permit; transient vendor permit; fee.

- a. ~~[DELETE] Permits shall be issued for the special event/parade date and/or rain date only in each calendar year by the special events committee.~~ [ADD] Applications for special events shall be submitted no earlier than 12 months and no later than one month prior to the event.
- b. Permits shall be issued for one transient vendor in one location and cannot be duplicated or transferred. [ADD] Event vendors must complete an event vendor application. Applications must be authorized by the event organizer, signed by the vendor and shall be submitted along with payment, to the city clerk's office for the issuance of a transient vendor badge. Applications for transient vendor permits shall be submitted within a timeframe as established during the application process by the city clerk.

~~[DELETE] Sec. 11-12. Door to Door Sales Books, magazines and other publications; licensing, registration required.~~

- a. ~~Before doing any business in the city, any hawker, peddler or transient vendor of magazines, publications, books, or magazine or book subscriptions must be duly [Delete] licensed [ADD] permitted by the City Clerk director of standards of the commonwealth. Furthermore, such a hawker, peddler or transient vendor must record his their name and residence with the chief of police for a background check. of the city and receive a record number and a solicitor residence with the chief of police of the city, which must be carried on his person at all times, in addition to any permits/licenses issued by the licensing commission or director of standards.~~
- b. ~~Any hawker, peddler or transient vendor operating in the city shall display at all times a laminated badge with permit number, name of person, name of company, goods or services sold, and expiration date.~~

[ADD] Sec. 11-12. – Door-to-Door Sales; permitting required

- a) To promote public safety, deter fraud, and protect residents from unlawful or deceptive practices related to door-to-door sales while preserving lawful commercial activity, no person shall conduct door-to-door sales within the city, without first obtaining a permit from the city clerk pursuant to this section.
- b) An applicant for a door-to-door sales permit shall submit a completed application on a form approved by the city clerk, together with:
- a. Valid government-issued photo identification;
 - b. The name, business address, email, and telephone number of the Applicant and the company or organization, if any, on whose behalf the Applicant will be acting;

- c. A description of the goods or services to be offered;
 - d. Dates or period during which door-to-door sales will occur;
 - e. A signed CORI Authorization permitting review by the Police Department; and
 - f. Any applicable fee contained within the schedule of fees.
- c) Upon receipt of a completed application and CORI Authorization, the city clerk shall transmit the CORI Authorization to the chief of police, or their designee, for review.
- d) The city clerk shall issue the permit within ten (10) business days of the filing of a complete application, inclusive of CORI review, except that the city clerk may deny a permit application if the chief of police, or their designee, has recommended denial after review of the applicant's CORI report.
- e) Any person denied a permit under this section may request a hearing before the Licensing Commission by submitting a request to the city clerk in writing within 14 days from the date of denial. The Licensing Commission shall hold a hearing and issue a written decision affirming or reversing the denial within 30 days of receipt of the hearing request. The decision of the Licensing Commission shall constitute the final administrative action of the City.
- f) While engaged in door-to-door sales, each vendor shall prominently display on their outer garment a laminated identification badge issued or approved by the city clerk. The badge shall include the permit number, the name of the individual vendor, the name of the company represented, a description of the goods or services offered, the permit expiration date, and a statement indicating issuance of the permit does not constitute an endorsement by the city.
- g) Permits shall be valid from the date of issuance through the expiration date stated thereon, which shall not exceed one year from issuance. A permit is personal to the applicant and may not be transferred, assigned, or lent. The city clerk may issue a replacement permit or badge upon affidavit of loss and payment of any applicable replacement fee contained within the schedule of fees.
- h) Nothing in this ordinance waives or limits the applicability of any other federal, state, or local law, including consumer protection, tax, or business registration requirements. Door-to-door sales vendors must comply with all time, place, and manner restrictions otherwise applicable in the city pursuant to this chapter.
- i) Violations. Engaging in door-to-door sales without a permit, failure to display the required badge, or violation of any condition of this section constitutes a violation subject to enforcement under Sec. 11-17.

Sec. 11-13. Meats, butter, certain other food products—Licensing.

- (a) *Required; exception.* Before selling any meats, butter, cheese, fish and fresh fruit or vegetables, any hawker, peddler or transient vendor must ~~[DELETE] either be [DELETE] duly licensed by the director of standards of the commonwealth or~~ permitted by the licensing commission; provided, however, that this section shall not apply to any person who peddles only fish obtained by his own labor or his family or to any person who peddles only fruits, vegetables or other farm products produced or raised by himself or his family.
- (b) *Qualifications of applicant; inspection, sealing of weighing, measuring devices.* ~~[DELETE] The licensing commission shall have authority to grant a permit under this section to any person of good moral character.~~

No such permit shall be issued until a certificate from the sealer of weights and measures stating that all weighing and measuring devices intended to be used have been duly inspected and sealed. The health department shall have authority to grant a food permit under this section for all food (including meat, butter and cheese) except fish, fruits, vegetables and honey.

(c) *Fee; issuance.* Any permit issued by the licensing commission under this section shall be issued by and signed by the city clerk, as clerk of the commission, upon payment of a permit fee. Every hawker, peddler and transient vendor, so permitted shall be assigned a number by the city clerk, who shall keep a record of all permits issued.

(d) *Revocation.* Any permit granted by the licensing commission under this section may be revoked by the commission for good cause after reasonable notice to the permittee and a hearing upon the grounds for revocation. The use, or possession with intent to use, by any person permitted under this section by the licensing commission, of any false or unsealed weighing or measuring device shall be sufficient cause for the revocation of that permit.

(e) *Expiration.* Unless sooner revoked, any permit granted by the licensing commission under this section shall expire [ADD] one year from date of issuance. [DELETE] ~~March 1 in each year.~~

Sec. 11-14. Same—Inspection of products.

Any meats, butter, cheese, fish and fresh fruit or vegetables offered for sale by a vendor must be inspected by the health department. Sec. 11-15. Same—Penalty for possession, use of unsealed or false weighing or measuring device.

Any hawker, peddler or transient vendor of any meats, butter, cheese, fish and fresh fruit or vegetables who use, or possesses with intent to use, any false, condemned or unsealed weighing or measuring device shall be subject to a penalty not to exceed:

- (1) Fifty dollars for each use or possession of a false or condemned measuring device; and
- (2) Twenty dollars for each use of an unsealed measuring device.

Sec. 11-16. Temporary permits to sell articles for charitable purposes.

The licensing commission shall, under such conditions as it may deem proper, grant to any organization engaged exclusively in charitable work, or to a part of any incorporated organization of veterans who served in the military services of the United States in time of war or insurrection, a special permit authorizing it, upon a particular day and for a charitable purpose named in such permit, to sell, through its accredited agents in the streets and other public places within the city, or in any designated part thereof, flags, badges, medals, buttons, flowers, souvenirs, and similar small articles; provided that no person under age 16 years of age shall be accredited as such agent, that each agent shall wear in plain sight while engaged in selling such articles, a badge provided by such organization or post and approved by the licensing commission, bearing upon it the name of such organization or post the date on which the permit is to be exercised, and that no such agent shall be authorized to make or attempt to make such sales in front of any private premises against the objection of the owner or occupant thereof. The exercise of the permits hereby provided for shall be subject to the provisions of all statutes, ordinances, bylaws, rules and regulations not inconsistent herewith.

Sec. 11-17. Violations; fines.

(a) Penalties for failure to adhere to this chapter shall be as follows:

- (1) The penalty for the first violation shall be a written warning.
- (2) The penalty for the second violation shall be \$50.00.
- (3) The penalty for the third violation shall be \$100.00.
- (4) The penalty for the fourth and subsequent violations shall be \$200.00.
- (5) Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

(b) Further, any event organizing committee found to have misrepresented the number of ~~[DELETE] transient~~ [ADD] event vendors or failed to include all ~~[DELETE] transient~~ [ADD] event vendors in the list of ~~[DELETE] transient~~ [ADD] event vendors required under [section 11-10](#) may be fined under subsection (a)(4) of this section, shutdown or barred from holding said event in the future.

5. CC#2026-013 (Grow/Benson): Amend GCO Ch. 9 “Trash, Recycling and Litter” by adding a new Article V “Prohibition on the Sale of Miniature Single-Use Alcohol Containers,” Sec. 9-26 “Purpose and Intent,” Sec. 9-27 “Definitions,” Sec. 9-28 “The Sale of Miniature Single-Use Alcohol Containers is Prohibited,” Sec. 9-29 “Administration and Enforcement,” & Sec. 9-30 “Severability; Effective Date.”

•**Speaking in Favor: Councilor Grow** stated the following:

“Councilor Benson and I remain committed to the goal of significantly reducing nip/miniature alcohol bottles from the litter stream impacting our streets, parks, beaches and waterways. Unlike larger recyclable beverage containers, which are also part of the litter problem, nips are non-recyclable and remain in our environment forever, ultimately they break down into microplastics that end up permanently in our ecosystem and food chain.

We’re looking for a solution that is effective, efficient and sustainable and as such have identified and are committed to one of two viable options for reducing this plastic menace:

- 1) an outright ban;
- 2) a retailer imposed and managed redemption scheme.

1) A ban: Because the State Legislature has consistently failed to pass a sensible, modernized and expanded “bottle bill” that would include nips and beverage containers previously left out of our existing laws, local communities are put in the unenviable position of doing the hard work. Eleven other communities have enacted bans that have, by their reckoning, been successful. Reduced litter reduced public drinking and intoxication, reduced EMS and police calls. Cleaner streets, less impact on emergency response and zero closed liquor stores as a result. Some of the town managers with whom I spoke indicated that while the lead up to the ban was hot and contentious, life, and business, returned to normal shortly thereafter. We have submitted to the Council an ordinance that has been vetted by our city solicitor and despite the assertions of the retailers’ legal counsel, is legally sound and we’re confident will stand up to legal scrutiny in the courts. This would be our second choice.

2) After the first OA meeting, both Councilor Benson and I had separate conversations with liquor store owner and spokesman, Wayne Campbell. In my conversation I outlined a redemption scheme, based on an existing

redemption program working at a liquor store in Wellfleet, that would not only allow them to continue selling nips, but potentially create a, albeit small, revenue source.

- A. Commit to a 10-cent redemption on every nip bottle sold. A nickel doesn't go as far as it used to, and the point is to create an incentive for redemption whether by the original purchaser, or by someone collecting them off the streets.
- B. Raise the price of the product accordingly to cover the cost. This is not split with any entity or agency. The rise in price for the unredeemed nips both offsets the cost of the redemption plan and increases overall revenue. We know that when Massachusetts initiated bottle/can redemption decades ago, the peak redemption rate was 66%, the remaining 34% were either recycled, thrown away or ended up as litter. If 66% of the bottles sold by a retailer were redeemed, the price increase of the 34% that were not would remain as profit.
- C. Allow people to redeem up to 20 nips per person per day without proof of purchase. A huge factor for the success of this plan is to incentivize people to collect these bottles from our environment. Requiring a receipt or proof of purchase will kill this incentive. The limitation on per/day redemptions substantially reduces the incentive to bring out-of-city collections from nearby communities or from out of state. It's very likely that limiting it to 20 also provides the incentive for the redeemer to purchase another nip or similar in the store, recycling the cash right back to the retailer.
- D. Retailers would be responsible for proper disposal of the redeemed bottles.
- E. Fully commit to participating in this scheme for a trial period of one year. At this time the efficacy of the program can be assessed and either continued or we can revisit the ordinance. If retailers won't commit to a reasonable trial period, we would push forward on option one.

We believe that this plan addresses the concerns of the retailers regarding the potential lost revenue of a ban, is self-funding and potentially profitable, and accomplishes what should be all our goal: the reduction of nip litter in our environment. To be successful it would need to be adopted by all our retailers.

Neither Councilor Benson, nor I, are anti-alcohol, nor are we anti-small business. We are addressing an issue that has regularly been brought up by residents and which, objectively speaking, is clearly an issue. We have few options in how to address this problem, but as a city council we are charged with addressing and, where possible, mitigating harmful impacts on our community. We also understand that it will not 100% solve our litter problem – it is our intent to impact it by reducing a readily identifiable and pervasive component of the litter stream.

We would encourage the OA Committee to support a positive recommendation to our ordinance banning nips with the understanding that a public hearing on the issue will not take place until late August. We think this will give the retailers ample time to discuss the redemption scheme and make the decision to enact the plan, negating the need for an all-out ban. If not, we are committed to following through with the ordinance and pushing for the ban at the full council."

Councilor Benson stated that his preference would be for the retailers to pursue a redemption scheme, and that if the liquor store owners committed to it then he would be happy to withdraw the proposed ban. He stated that constituents who had expressed their dissatisfaction with the ban were in favor of a redemption scheme. He stated that while a redemption scheme may not solve the litter problem it would decrease it. He stated other efforts would be needed as well, such as more trash barrels.

•**Speaking in Opposition: Wayne Campbell Jr., 287 Main Street**, stated that he had collected nearly 1,000 signatures from City residents that opposed the ban of nip bottles. He stated that the proposed ban was a threat to small businesses, and would deny residents the right to buy a legal product. He requested that the proposed ordinance be withdrawn. He stated that he had been on walks over the past several months, and had not come across many nip bottles littered on the ground. He stated that this was in line with other testimonies at the previous meeting as well. He stated that other forms of litter were not being banned, and that litter waste was from larger businesses. He stated he did not agree with proposed redemption scheme.

Summary of Discussion: **Councilor Margiotta** asked what would prevent individuals from bringing nip bottles purchased in other communities to the City. **Councilor Grow** stated that to mitigate this, the number of bottles per day per individual that could be redeemed could be limited. He stated that if an individual returned a large number of nip bottles then they would most likely use the money to buy another nip.

Councilor Grace asked if **Councilor Grow** and **Councilor Benson** had any interest in withdrawing the proposed ordinance amendment and continuing conversations with liquor store owners. **Councilor Grow** stated that the proposed ideas, other than an outright ban or a redemption scheme, would not have efficacy or would be too expensive for the City to enact. He stated that a redemption scheme that included raising the price of nips by the amount of the redemption would most likely offset any losses for the liquor stores, as some nip bottles would not be returned and the extra revenue retained. He stated that he was comfortable moving the matter forward. **Councilor Benson** stated that whatever was determined at the current meeting there was opportunity to continue to work on the matter with liquor store owners.

Councilor Margiotta asked if **Councilor Benson** agreed that there should be more public trash barrels in the City, though it would put additional strain on the DPW. **Councilor Benson** stated that there should be and he had been in conversation with the Mayor's Office regarding the matter. He stated that additional barrels would put a strain on the DPW, the City needed to come up with creative ways to generate revenue. He noted there may be a change in the way people treat trash with the upcoming trash contract.

Councilor Grace asked if **Wayne Campbell** would be willing to give a redemption scheme more thought. **Wayne Campbell** stated that he did not believe raising prices was fair to the customer. He stated that he believed a local redemption scheme was not a fair playing field for retailers since it was not state mandated. He stated that he felt that the liquor store owners had been receptive to the litter issue by organizing the community clean up. **Councilor Grow** stated that there was room for more dialog. He stated that the City Council had limited options to deter litter, and banning nip bottles was the only option that the City Council could impose, while a redemption scheme would have to be self-regulated by liquor store owners. He stated that if the matter moved forward to public hearing, there would be six weeks to continue a dialog regarding potential solutions.

Councilor Nolan asked for comment by **Sefatia Romeo Theken**. **Sefatia Romeo Theken** stated that she was representing liquor store owner Sonny Patel. She stated that she had been in attendance at the meetings between **Councilor Benson**, **Councilor Grow**, and the liquor store owners. She stated that while she personally disliked nip bottles and the litter they created, she did not agree with the ban. She stated that a local redemption scheme would put a burden on liquor store owners. She stated that there would be a public health effect if a nip bottle ban was enacted. She stated that the DPW was underfunded, and alternative solutions would require time to talk to the DPW.

Councilor Grace stated that she appreciated the charity and donating that the liquor store owners did throughout the community. She stated that she understood the position of the liquor store owners because nip bottle sales were a large portion of their revenue. She stated that she was not sure six weeks would be long enough to come up with a solution.

Mr. Liguata handed a communication to the Committee which was filed with the Clerk's Office.

Councilor Nolan asked how business had shifted for local liquor stores compared to twenty years previous, given that they were all family-owned businesses. **Wayne Campbell** stated that the business had changed a lot since the State had increased the number of liquor licenses that a single entity could own from three to seven. He stated that large chain stores now sold alcohol, and these stores were able to sell alcohol at cost or under cost. He stated these large chain stores also offered home delivery, which would potentially undermine a ban on nip bottles.

Councilor Margiotta stated that he saw first hand the littering problem when he went on a monthly cleanup around Goose Cove Reservoir. He stated that if nip bottles were banned then individuals would still find a way to get them, or they would drink larger bottles.

Councilor Grace asked if it could be considered to withdraw the matter without prejudice, and dialog could continue between the liquor store owners and the City Council to work on solutions, and potentially petition the State for an updated Bottle Bill. **Councilor Benson** stated that it was unlikely for the State to pass an updated Bottle Bill. **Councilor Grow** stated that if a solution could not be found in six weeks, it would most likely not be going to be found given a larger length of time after a withdrawal of the matter.

Councilor Grace asked if the liquor store owners would be willing to continue working on solutions such as a local redemption scheme if the matter were withdrawn.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 0 in favor, 3 opposed, to recommend that the City Council amend the Gloucester Code of Ordinances Chapter 9 "Trash, Recycling and Litter" by adding a new Article V as follows:

Article V. Prohibition on the Sale of Miniature Single-Use Alcohol Containers

Sec. 9-26. Purpose and Intent

The purpose of this ordinance is to promote public health, safety, environmental sustainability, and neighborhood quality of life within the City of Gloucester.

The sale of miniature single-use alcoholic beverage containers, commonly known as "nips," defined as containers holding one hundred milliliters (100 ml) or less of alcohol, has been shown to increase litter and have detrimental impacts on the health and well-being of Gloucester residents and neighborhoods.

Miniature single-use alcohol containers are typically made of plastic that is not biodegradable and, due to their small size, is not recyclable in Massachusetts recycling systems.

This ordinance is intended to reduce litter, and protect the environment within the City of Gloucester.

Sec. 9-27. Definitions

(a) Miniature Single-Use Alcohol Containers: Any bottle or container of alcohol that is one hundred (100) milliliters or less in size.

Sec. 9-28 The Sale of Miniature Single-Use Alcohol Containers is Prohibited

As of January 1st, 2027, the sale of miniature single-use alcohol containers or bottles, whether individual or packaged with other like-sized containers that are less than or equal to one hundred milliliters is prohibited in the City of Gloucester.

Sec. 9-29. Administration and Enforcement

The enforcing authority shall be the police department, building inspector and health inspectors. This ordinance may be enforced either through the G.L. c. 40, § 21D ticketing process or by filing a complaint in district court. The penalty for the first violation shall be a written warning, each violation thereafter shall be \$100 for each offense.

Sec. 9-30. Severability; Effective Date

Each section of this Article shall be construed as a separate section and to that end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of the Article shall continue in full force. All requirements set forth in this article shall take effect on January 1, 2027.

This matter would be heard at a public hearing at a later date.

MOTION TO ADJOURN: On a motion by Councilor Margiotta, seconded by Councilor Grace, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to adjourn the meeting at 7:53 p.m.

Submitted by: Lynds Jones, Legislative Aide

Documents submitted at the meeting: Communication from Mr. Linquata

Matters appearing on the agenda that are to be continued:

1. CC CC#2026-015 (Memhard): Amend GCO Ch. 22 “traffic and Motor Vehicles,” Sec. 22-279 “Thirty-minute parking” by DELETING “Eastern Avenue, in front of #18 between the hours of 8:00 a.m. and 5:00 p.m. in the area beginning at pole #2741 on the westerly side in a southerly direction for 36 feet, two 30-minute parking spaces, clearly delineated.” (cont. to August, 3 2026)

Meeting Recording: <https://www.gloucester-ma.gov/1097/Past-Remote-Public-Meetings>