



Malden, Massachusetts

Date: November 17, 2022

His Honor the Mayor has approved Paper # 368 of 2022

Below is a true attest copy of same:

Order: Be it ordained that Section 11.08 (Streets and Sidewalks) of the MCC be amended by adding Section 11.08.200 to address markings on the public way.

11.08.200 Markings of Public Way to be Removed When Complete

220 C.M.R. 99.00 defines terms and delineates the duties of those subject to M.G.L. c. 82, s. 40, also known as the "Dig Safe" Law. To ensure at project completion the public way is restored to the condition it was in prior to the work being performed specific to marking of the public way, the requirements of this section shall apply to such work.

A. Any entity or person making marks pursuant to requirements of M.G.L. c. 82, s. 40 in a public area, including but not limited to markings on any sidewalks, streets, or shared use paths shall notify the Director of Public Works within 72 hours upon completion of such marking. This notification shall include the street address of the marking and the name, address, and phone number of the party which requested the marking.

B. Upon completion of the work requiring marking of the public way, the party requesting the marking shall remove any markings from the public way within 30 days using a pressure washer or another means acceptable as determined by the Director of Public Works.

C. If the party which requested the markings fails to remove them within the 30-day time period, the City of Malden shall arrange for their removal, and the requesting party shall be liable for paying the full cost of removal, including, but not limited to, the cost of labor, overtime, and/or materials.

Sponsored by Craig Spadafora

Paper # 368 of 2022, of which the above is a true copy

Ordained, by the City Council, by nine (9) yea and zero (0) nay votes, the City Council consisting of eleven members at their November 15, 2022 meeting.

Approved, November 17, 2022 by His Honor, Mayor Gary J. Christenson

Attest:

City Clerk

Council President Craig Spadafora

Mayor Gary J. Christenson