



## Legislation Details (With Text)

**File #:** 368-22      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 9/8/2022      **In control:** City Council

**On agenda:** 11/15/2022      **Final action:** 11/15/2022

**Title:** 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.

**Sponsors:** Craig Spadafora

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance Amendment Proposal Letter 9 8 2022, 2. DigSafeMarkingRemovalOrdinance, 3. 11.08 STREETS AND SIDEWALKS, 4. Dig Safe Amended Form Recommended October 11, 2022, 5. Final Paper: 368-22

Date	Ver.	Action By	Action	Result
11/15/2022	1	City Council	ordained	Pass
10/18/2022	1	City Council	enrolled as amended	Pass
10/11/2022	1	Rules & Ordinance Committee	amended	Pass
10/11/2022	1	Rules & Ordinance Committee	recommended favorably as amended	Pass
9/27/2022	1	Rules & Ordinance Committee	tabled	Pass
9/13/2022	1	City Council	referred	Pass

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 following requirements apply to such work:

#### A. Dig Safe to notify the Director of Public Works:

Dig Safe shall notify the Director of Public Works within 72 hours upon completion of any marking that is done within the public way, including but not limited to any sidewalks or streets.

#### B. Requestor to remove markings upon job completion:

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 to the Director of Public Works.

C. Failure to remove markings within the 30-day time period shall result in a fine and the City of Malden shall arrange for removal from a Public Works crew and such overtime and materials shall be billed to the contractor, business, or property owner.