

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance Amending "The Code of Ordinances City of Lowell, Massachusetts", Chapter 280 entitled Wetlands by inserting language to deal with Central Rivers Power Issues.

"The Code for the City of Lowell," hereinafter called the "Code", adopted by the City Council on December 23, 2008, is hereby amended with respect to Chapter 280, entitled "Wetlands" by amending certain sections:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

280-2 entitled Jurisdiction

"1. By amending **§280-2 entitled Jurisdiction** by inserting new language after any land under said waters; upon or within any canal, canalway or raceway, or within any land under a canal, canalway or raceway, upon a canal wall; or upon any bordering land subject to flooding.

Said 280-2 entitled Jurisdiction shall now read as follows:

Except as permitted by the Conservation Commission or as provided in this chapter, no person shall remove, fill, dredge, alter, or build upon or within 100 feet of any bank to a perennial or intermittent stream; upon or within 100 feet of any lake, river, pond, stream; upon or within any land under said waters; upon or within any canal, canalway or raceway, or within any land under a canal, canalway or raceway, upon a canal wall; or upon any bordering land subject to flooding.

§280-9 Definitions. By inserting a new section K entitled ALTER

Said section shall read as follows:

K. Any activities, changes or work which would result in the reduction of flow rates through a canal, canalway or raceway, or which would result in the dewatering of any portion of a canal, canalway or raceway.

The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision thereof, nor shall it invalidate any Order of Conditions which previously has been issued."

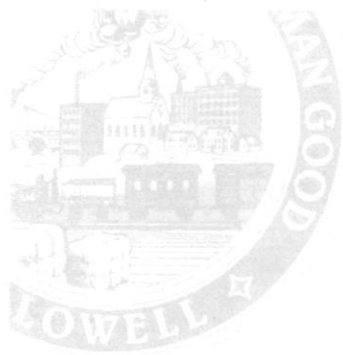
All provisions of the Code of the City of Lowell, as amended, which are consistent with this Ordinance, shall continue in effect, but all provisions of said Code inconsistent herewith, are repealed.

This Ordinance shall take effect upon its passage in accordance with the provisions of Chapter 43 of Massachusetts General Laws.

APPROVED AS TO FORM:



Christine P. O'Connor
City Solicitor



Eileen Donoghue
City Manager

February 18, 2021

City Manager Eileen M. Donoghue
Mayor John J. Leahy
Members of the City Council

RE: Ordinance-Amend "Wetlands"

Dear Madam Manager, Mayor Leahy, and Members of the City Council:

Attached is an Ordinance proposing to amend Chapter 280 of the City of Lowell Ordinances regarding Wetlands. This ordinance amendment will need to be scheduled for a public hearing.

Additionally, the Law Department has prepared a red-lined version of the Ordinance which tracks the proposed changes.

Very truly yours,

Christine P. O'Connor
City Solicitor

cc: Eric Slagle, Director

Ord/wetlands2021