

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance Amending the "Code of Ordinances for the City of Lowell, Massachusetts", (the "Code") With Respect to Chapter 266 Entitled, "Vehicles and Traffic", by adding a new Article XIV.

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

"The Code of Ordinances City of Lowell, Massachusetts" hereinafter called the "Code", adopted by the City Council on December 23, 2008, is hereby amended with respect to Chapter 266, entitled "Vehicles and Traffic", by adding the following Article XIV:

**ARTICLE XIV**

It shall be unlawful to park a commercial vehicle upon any public way, or any private way to which the public has a right of access, for more than one hour after 6:00 p.m. and before 6:00 a.m. in any residentially zoned area of the City.

§ 266-147 **Definitions.**

As used in this bylaw, the following terms shall have the meanings indicated:

**COMMERCIAL VEHICLE**

Includes any vehicle that qualifies as a:

**A.** "Commercial vehicle," "taxicab," "hearse," "livery vehicle" or "bus" under the definitions set forth in 540 CMR 2.05, as the same may be amended from time to time; and/or

**B.** "Semi-trailer," "trailer," "school bus," "house trailer" or "auto home" as defined in MGL c. 90, § 1, as the same may be amended from time to time.

**RESIDENTIALLY ZONED AREA**

Includes any area within the Residential Districts, in accordance with the zoning regulations of the City.

§ 266-148 **Exceptions.**

This bylaw shall not apply to the temporary parking of any vehicle while actually engaged in snow plowing or the provision of emergency services. This bylaw shall also not bar the overnight parking of any vehicle used in connection with the provision of repairs, maintenance and/or improvements of residences or utilities, provided that the Council shall have issued a permit therefor, on such terms, for such period and in consideration of such standard fee as the Council may determine.

§ 266-149 **Violations and penalties.**

Every day on which a violation of this bylaw occurs shall be punishable as a separate violation. Each violation shall be punishable by a fine of \$250. At the discretion of the Police Department, any vehicle parked in violation of this bylaw may be towed.

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:

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Corey Williams  
Interim City Solicitor



Thomas A. Golden, Jr.  
*City Manager*

Shawn Machado  
*Assistant City Manager*

March 28, 2023

Mayor Sokhary Chau  
And  
Members of the Lowell City Council

Dear Mayor Chau and Members of the Lowell City Council,

Enclosed with this letter, please find a revised ordinance prohibiting the parking of commercial vehicles on public ways for more than one hour between 6:00pm and 6:00am in any residentially zoned area of the City. This ordinance was drafted in response to Councilor Robinson's November 22, 2022 motion and has been revised, per request from the Public Safety Subcommittee on February 14, 2023, to include an increased fine of \$250 to deter violators as a public safety measure.

The Police Department enforces commercial vehicle parking on City of Lowell public ways and has been working diligently to address the concerns of community members regarding this issue. It was the Council's concern that current enforcement measures were insufficient and an amendment to the City's ordinance was necessary. This ordinance will benefit all residential areas of the City and will assist the Lowell Police Department in their enforcement.

Please let me know if you have any questions.

Sincerely,

Thomas A. Golden, Jr.  
City Manager

CC: Corey Williams, Interim City Solicitor  
Barry Golner, Interim Superintendent of Police