

Thomas A. Golden, Jr.
City Manager

February 3, 2026

Mayor Erik R. Gitschier
And
Members of the Lowell City Council

Ref: MOTION RESPONSE – 1/20/2026 – M. Gitschier / C. Mercier - Req. City Mgr. reach out to the Lowell Transitional Living Center requesting they clean in front of their property daily.

This communication is to inform the City Council that a formal letter will be mailed to Ms. Susan Gentili, President and CEO of the South Middlesex Opportunity Council (SMOC), regarding the outdoor conditions at the property located at 193 Middlesex Street.

The letter addresses concerns raised about the maintenance of the exterior premises and references the requirements set forth in the City of Lowell Property Maintenance Ordinance, specifically Chapter 227, Article II, §227 (Maintenance of Structures), which states:

“All structures shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the health, safety, or welfare of the occupants or the public.”
(City of Lowell Code of Ordinances, §227)

Additionally, the ordinance requires that exterior property areas be kept in a clean, safe, and sanitary condition, free from accumulation of rubbish, debris, or other conditions that may create a nuisance or hazard. The State building and sanitary codes further regulate the maintenance requirements for residential, commercial, and other property types.

The forthcoming letter will outline these requirements and request corrective action to ensure compliance with the City’s standards for property maintenance. Please let me know if you have any questions.

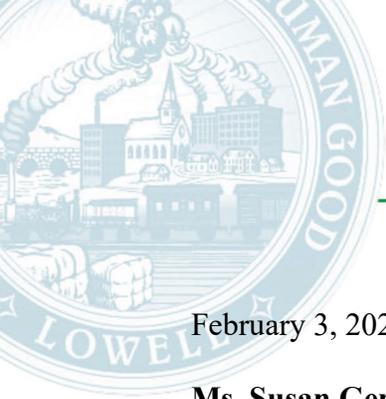
Sincerely,

Thomas A. Golden, Jr.
City Manager

CC: Conor Baldwin, Assistant City Manager/ CFO
Yovani Baez-Rose, Assistant City Manager/ DPD Director
Dave Fuller, Building Commissioner

Attachment:

1. Letter to SMOC
2. Excerpt from City of Lowell Property Maintenance Ordinance (§227)



Thomas A. Golden, Jr.
City Manager

February 3, 2026

Ms. Susan Gentili
President & CEO
South Middlesex Opportunity Council (SMOC)
7 Bishop Street
Framingham, MA 01702

Subject: Request for Daily Maintenance of Exterior Property – 193 Middlesex Street, Lowell, MA

Dear Ms. Gentili,

The City of Lowell greatly appreciates the important work that SMOC and the Lowell Transitional Living Center provide to individuals experiencing homelessness in our community. Your services are critical and valued.

Recently, concerns have been raised regarding the condition of the exterior areas at 193 Middlesex Street, particularly the need for regular cleaning and upkeep. To maintain a safe and welcoming environment for residents and neighbors, we are requesting that SMOC implement daily cleaning of the front of the property and ensure that exterior areas remain free of litter, debris, and other unsanitary conditions.

This request is consistent with the City of Lowell Property Maintenance Ordinance, Chapter 227, Article II, §227, which requires that:

“All structures shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the health, safety, or welfare of the occupants or the public.”

Additionally, the Massachusetts State Sanitary Code (105 CMR 410) establishes minimum standards for cleanliness and maintenance, including, but not limited to the following:

- **410.500 – Maintenance of Structural Elements:**
“Every dwelling shall be maintained in a condition that is structurally sound and in good repair.”
- **410.601 – Maintenance of Sanitary Facilities:**
“Plumbing fixtures and facilities shall be maintained in good working order and in a sanitary condition.”



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City Manager

We respectfully ask that SMOC take steps to ensure daily cleaning of the property frontage and maintain compliance with these standards. Please confirm your plan to address this matter within sixty (60) days of receipt of this letter, to my office. If corrective action is not taken, the City may be required to pursue enforcement measures as provided by law.

Thank you for your attention to this matter and for your continued partnership in serving Lowell's most vulnerable populations.

Please contact my office if you have any questions or need assistance.

Sincerely,

Thomas A. Golden, Jr.
City Manager

CC: Yovani Baez-Rose, Assistant City Manager/ DPD Director
Lloyd DeJesus, Director of Development Services
Dave Fuller, Building Commissioner

Attachment:

1. Letter to SMOC
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Chapter 227. Property Maintenance

Article I. Minimum Exterior Standards

[Adopted 3-25-1997 (§§ 10-47 to 10-52 of the 1988 Code)]

§ 227-1. Purpose and scope.

- A. Purpose. The purpose of this article is to promote the public health, safety, morals and welfare of the citizens of the City of Lowell by protecting and preserving the neighborhoods of the City against hazardous, blighting and deteriorating influences or other such substandard conditions by establishing standards of minimum maintenance for the exterior of all buildings and structures.
- B. Scope. This article shall apply to the exterior maintenance of all buildings and structures within the City of Lowell, except where such buildings and structures are otherwise specifically provided for by other applicable City rules and regulations. The provisions of this article shall control all matter of exterior standards for buildings and structures, whether vacant or occupied, and all parts thereof.

§ 227-2. Definitions.

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

BUILDING

A structure enclosed with exterior walls or fire walls, built, erected and framed of any materials or any combination thereof, whether portable or fixed, and having a roof, to form a structure for the shelter of persons, animals, or property. For the purpose of this definition, "roof" shall include an awning or similar covering, whether or not permanent in nature. The word "building" shall be construed where the context requires as though followed by the words "or part or parts thereof."

OWNER

Every person, alone or severally with others, who:

- A. Has legal title to any building or parcel of land, vacant or otherwise;
- B. Has care, charge or control of any building or parcel of land, vacant or otherwise, in any capacity, including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title;
- C. Is a mortgagee in possession of any such property; or
- D. Is an agent, trustee or other person appointed by the courts and vested with possession or control of any such property.

WEEDS

Any plants, grass, weeds, brush or any other vegetation, herbaceous or woody, other than trees, ornamental shrubbery and vegetable and flower gardens purposefully planted and maintained free of weed hazard or nuisance; cultivated crops; public recreational areas or trails intended to be left in their natural state; and vegetation along natural streams or watercourses when necessary to deter erosion.

[Added 3-8-2016]

§ 227-3. Minimum standards established.

[Amended 12-23-2008; 3-8-2016; 11-12-2024]

The exterior of all buildings and structures within the City of Lowell shall comply with the following standards of minimum maintenance:

- A. Foundations. All foundations shall be free of holes and breaks and shall safely support the structure at all points. All foundation walls shall be kept in good, safe, sound condition and free of holes, cracks and breaks.
- B. Exterior walls. All exterior walls and trim shall be free of holes, breaks, loose or rotting boards or timbers, or paint that is deteriorated, as indicated by peeling, flaking, cracking, blistering or mildew, resulting in exposed, bare, unprotected surfaces and other conditions which might admit rain or dampness to interior portions of the walls or to the occupied spaces of the building. The exterior surface siding shall be maintained weatherproof and shall be surface coated to prevent deterioration. All exterior walls and trim shall be kept painted, treated, sided or otherwise maintained as to be substantially weatherproof and neat in appearance.
- C. Roofs. The roof shall be structurally sound, weathertight and have no defects which might admit rainwater. Water from roofs shall be conveyed so as to prevent wet floors, walls or ceilings or a nuisance to adjacent buildings or overflowing on abutting properties.
- D. Chimneys, flues, cleanout and vents. All chimneys and similar appurtenances or attachments shall be maintained structurally sound, in good repair and safe to use.
- E. Porches, stairs and handrails. Every exterior stair, porch, balcony and all appurtenances attached thereto shall be structurally sound and no part thereof shall show excessive wear or be broken, cracked, or loose. Carpeting or other covering on stairs and porches shall be maintained in a safe condition. Guardrails shall be firmly fastened and maintained in good condition, and new or replacement guardrails shall comply with the provisions of the Building Code.
- F. Doors and doorways. Every exterior door frame shall have a door and this door shall be weathertight within its frame. Every exterior door, door hinge, doorknob and door latch shall be maintained in good usable condition. Door locks in dwelling units shall be in good repair and capable of tightly securing the door. All entrance doors of each dwelling unit shall be equipped with functioning locking devices.
- G. Hatchways. Every hatchway, bulkhead and exitway shall be so constructed and maintained as to prevent the entrance of rodents, rain and surface drainage water into the structure.
- H. Windows. Every window sash and skylight shall be structurally sound and fit within its frame and be weathertight, so as to prevent the passage through it of rain, snow, wind or other outside elements. Every window sash shall be fully fitted with glass, plexiglass or polycarbonate panes which are without cracks or holes. Every window other than a fixed window shall be capable of being held in the open position and locked in the closed position by window hardware. In business and mixed-use districts, all display windows and entrances exposed to public view shall be kept clean and maintained in good repair. No storage of materials, stock or inventory shall be permitted in window display areas or similar areas ordinarily exposed to public view unless screened by drapes, blinds or other permanent means, and such screening is kept clean and maintained in good repair.
- I. Screens and storm windows. Every window with openings to outdoor space required for ventilation in habitable rooms shall be supplied with insect screens and storm windows which shall be maintained in good repair. This subsection shall not apply to owner-occupied dwelling units.
- J. Fences. All fences on the premises shall be safe, structurally sound and uniform or compatible in color and structure. Fences shall be maintained so that they do not constitute a hazard, blight or

condition of disrepair. Examples of hazards, blight or conditions of disrepair are inclusive of, but not limited to, leaning fences, fences that are missing slats or blocks, graffiti, peeling paint, deterioration of paint or rotting or damaged materials.

- K. Backyards, areaways and alleys. Backyards, areaways, courts, alleys, passageways and air shafts must be kept clean. Adjacent properties are responsible for maintaining alleys and passageways to the center line of said alley or passageway.
- L. Overgrowth. It shall be unlawful for the owner of any parcel of real estate to allow weeds to reach a height of 18 or more inches, where such weeds are located on any developed lot or parcel in the City, or on that portion of any undeveloped lot or parcel in the City which is within 150 feet of any building, street, sidewalk or public right-of-way. Additionally, it shall be unlawful for the owner of any parcel of real estate to allow thereon any hedge, shrub, tree or other vegetation the limbs, branches or other parts of which overhang, extend or protrude into any street, sidewalk or public alley in a manner which obstructs or impedes the safe and orderly movement of persons or vehicles thereon or, in the case of trees, when the dead limbs or branches thereof are likely to fall into or across such street or sidewalk thereby endangering such persons and vehicles. Any such weeds, hedge(s), shrub(s), tree(s) or other vegetation existing in violation of this subsection is hereby declared to constitute a public nuisance. Please note that nothing in this subsection relieves the property owner of the requirement to obtain, from the Conservation Commission or any other appropriate board/agency, any and all necessary permits/approvals for the removal of such vegetation.
- M. Commercial/industrial property. Every owner or operator of commercial/industrial property shall improve and maintain all property under his or her control to comply with the following minimum requirements:
 - (1) All exterior property areas shall be kept free from weeds.
 - (2) All exterior property areas shall be properly maintained in a clean and sanitary condition, free from debris, rubbish or garbage, physical hazards, rodent harborage and infestation.
 - (3) The sidewalks (including areas like tree pits, grass strips, etc.) and gutter areas (18 inches from the curb into the street) along the building perimeter must be kept clean. Sweepings must be picked up and deposited in suitable containers for collection. City of Lowell trash receptacles may not be used for this purpose.
 - (4) Yard areas of real estate shall not be permitted to deteriorate or remain in a condition that is not in accord with the following:
 - (a) Yard areas shall be kept in a clean and sanitary condition, free from any accumulation of combustible or noncombustible materials (which are not used as an integral part of the authorized business carried out on the premises), debris, or refuse.
 - (b) Yards shall not be used to store appliances, furnaces, hot-water heaters, water softeners, or building materials not used within five days, or any unsightly bulk items, unless these items are raw materials used in the business carried out on the premises and in a properly zoned district.
- N. Vacant lots. Every owner or operator of a vacant lot shall maintain said lot in accordance with the following: Vacant lots shall be kept in a clean and sanitary condition, free from any accumulation of noxious weeds, overgrowth, combustible or noncombustible materials, debris, refuse, rubbish or garbage, physical hazards, or rodent harborage and infestation.
- O. Motion detector lighting. Any motion detector lighting fixtures shall comply with the following minimum requirements:
 - (1) The artificial light source is sufficiently shielded in a manner that prevents light trespass or spillover onto adjacent properties.

- (2) The fixtures are mounted within five feet of an entrance or exit door, garage door, or alcove of a structure.
- (3) The fixtures are installed no more than eight feet above the ground and illuminated with a maximum of two light bulbs of no more than 75 watts each.
- (4) The motion sensor is set to turn the artificial light source to its dim or off state no more than 10 minutes after the last detection of motion.
- (5) All building owners installing motion detector lights in the Historic Downtown District will need to work with the City's Historic Board Administrator for review and approval of all fixtures and locations.

§ 227-4. Violations and penalties.

Any person/owner who violates any provision of this article shall be subject to a fine of \$100 for each offense and may be penalized by a noncriminal disposition as provided for under §§ **1-5** and **1-6** of the Code and MGL c. 40, § 21D. Each day's failure to comply with an order shall constitute a separate violation.

§ 227-5. Historic properties.

The provisions of this article shall not apply to properties located within the boundaries of the Downtown Lowell Historic District. Said properties are already subject to existing minimum maintenance standards as set forth in the review standards of the Lowell Historic Board pursuant to the Acts of 1983, Chapter 566.

§ 227-6. Enforcement of other regulations.

Nothing herein shall prevent the City of Lowell from enforcing other applicable sections of the Code or other applicable sections of Massachusetts General Laws, including but not limited to MGL c. 111 (abatement of a nuisance by the City) and c. 139 (recovery of abatement costs).