



Medford City Council
Medford, Massachusetts

Public Health and Community Safety Committee, December 10, 2025

City Council

Emily Lazzaro, Chair
Justin Tseng, Vice Chair
Anna Callahan
Kit Collins
Matt Leming

This meeting will take place at 7:00 P.M. in the City Council Chamber, 2nd Floor, Medford City Hall, 85 George P. Hassett Drive, Medford, MA and via Zoom.

Zoom

Link: <https://us06web.zoom.us/j/85648303086?pwd=n0OwqzGo7fIXaUmKOa9WIFUROBxvNc.1>

Call-in Number: +13017158592,,85648303086#,,,*943730#

Live: Channel 22 (Comcast), Channel 43 (Verizon), [YouTube](#), and medfordtv.org.

To submit written comments, please email REliseo@medford-ma.gov.

[IGNORE_INDENT]

CALL TO ORDER & ROLL CALL

ACTION AND DISCUSSION ITEMS

24-036 - Offered by Kit Collins, Council Vice President

Resolution to Discuss an Overgrowth Ordinance

24-461 - Offered by Kit Collins, Council Vice President

Resolution to Meet and Discuss Updates to the Rodent Control Ordinance

Adjournment

Sec. 38–38 – Overgrowth.

(a) Purpose and Intent.

1. The purpose of this section is to establish guidelines, rules and prohibitions to control and prevent plant overgrowth and other conditions that threaten public health, safety and welfare and that create conditions for attracting rodents or other potential public health hazards.
2. The City may intervene and take action in instances where overgrowth creates conditions where rodents are attracted or creates other public health hazards.
3. This ordinance should not be interpreted in any way to interfere with the authority of the Massachusetts Division of Fisheries and Wildlife, Massachusetts Department of Environmental Protection, the Massachusetts Department of Conservation and Recreation, nor any other state agency with jurisdiction over wildlife or environmental conditions.

Commented [KC1]: This places the ordinance within Nuisances section under Environment. Is this the correct place for this ordinance?

(b) Definitions.

Commented [KC2]: @Attorney Austin - at your discretion

(c) Overgrowth and Prohibited Conditions.

1. All property shall be maintained free of vegetation that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard.
2. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.

(d) Exceptions.

- a. Nothing in this section shall be interpreted to prohibit regular routine maintenance, gardening, and landscaping. However, when overgrowth is determined to be the cause of a public safety threat or nuisance by the Health Director or designee and Building Commissioner or designee, the overgrowth or offending condition must be remedied timely in accordance with any order issued by the City enforcement officer.

(e) Enforcement and Penalties.

1. The Health Director or their designees acting as Code Enforcement Officers are authorized to administer and enforce this ordinance.
 2. This ordinance shall be enforced in the manner provided in Sec. 1-13 of these Ordinances and G.L. c. 40, § 21D. Any property owner who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$50.00
 - iii. Third (and each subsequent) offense: \$100.00. Each day constitutes a separate offense.
- B. Penalty fines collected from enforcement of this ordinance shall be deposited into the Rodent Control Account as established in Article IV, Sec. 6-12X.

(f) Effective Date

This ordinance shall become effective immediately upon passage.

Commented [KC3]: Did I miss anyone?

Commented [TM4]: The DPW should be the entity that enforces sidewalk obstructions, etc in the public ROW. Building/Zoning is applicable to private property and I do not believe they provide enforcement in the public ROW.

Commented [KF5]: This is redundant and not needed to be included anyway.

Commented [KF6]: At this point I do not believe the City follows the enforcement provisions required by the law even though its been cited in City ordinances for decades. We are working to address the enforcement issue.

Commented [TM7]: I heard discussion of a revolving account. That is a good idea. The DPW could use a few revolving accounts. We also just use a flat penalty of \$300/day per violation after a warning. The fines and fees we collect don't go into a revolving account and I wish they did.

Commented [KC8]: Add provision that these should be earmarked to Rodent Control Fund as established in Rodent Control Ordinance

Commented [KF9]: Don't believe this necessarily needs to be included. Additionally, I need to research whether funds received from fines for violation of the overgrowth ordinance can be directed completely to a rodent control account. My sense is that it must be directly related to rodent control, yet this ordinance allows for fines for overgrowth that impedes access to public ways and nothing to do with rodents. I'd like to review this further with input from Janelle Austin at KP

Commented [KC10]: Update section # based on edits to Rodent Control Ordinance.

Commented [KC11]: Attorney Austin will confirm if it is feasible for fines to be deposited into the revolving account.

ARTICLE IV. - RODENT CONTROL

Sec. 6-112. Purpose and Intent.

The purpose of this section is to strengthen the City's ability to control the population growth of rats, mice, and other rodents ("rodents") and thereby prevent the potential spread of infectious and contagious diseases caused by rodents.

Commented [KC1]: We will be amending the existing ordinance.

Commented [KF2]: Note: The existing ordinance uses numbered Sec. 6-112 through Sec. 6-121 and must be replaced with the proposed numbered sections and then renumbered at the end

Sec. 6-113. Definitions.

As used herein, the following terms shall have the meanings ascribed to them below:

- (1) "Exterminate" shall mean to eliminate rodents through lawful methods utilized by a licensed pest control management company in the Commonwealth of Massachusetts.
- (2) "Exterminator" shall mean an individual worker duly licensed and in good standing in the Commonwealth of Massachusetts to provide extermination services.
- (3) "Infestation" shall mean recurrent, persistent presence of rodents as determined by observation of burrows, droppings, gnaw marks, tracks and other physical evidence that is determined by the City to be a threat to public health, safety and welfare.
- (4) "Private backyard composting" shall mean the natural process of recycling organic matter such as food scraps and yard waste, which decomposes into a nutrient rich soil amendment known as compost.
- (5) "Curbside composting" shall mean a way to handle private backyard composting through a curbside pick-up service rather than at home.

Commented [KC3]: Looking for advice from Legal on if these definitions are sufficient, and if there are other terms in the Ordinance that should be defined in this section.

Sec. 6-114. General requirements on private property.

- (a) All properties within the City including private property must be maintained to reduce and eliminate the threat of infestation by rodents and property owners must take such reasonable preventive and remedial measures when ordered by the Board of Health.
- (b) All private properties must be maintained to prevent conditions that are conducive to attracting rodents and rodent activity, or conducive to rodent harborage.
- (c) Property owners may be required to implement rodent-proofing preventative measures and mitigation by order of the Board of Health.
 - a. Property owners shall, when ordered, implement rodent-proofing and extermination measures as specified to prevent rodents from gaining access to food and water, including human food, domestic animal food, and bird food.
 - b. All trash, waste and debris must be stored securely and disposed of properly in accordance with City ordinances so that excessive or accessible waste does not become an attractant or harborage for rodents.

Commented [KC4]: It was suggested that we add a definition of "private backyard composting" and "curbside composting." With rollout of city compost program, I think many laypeople would assume the curbside bins are private composting.

- i. Property owners shall take reasonable measures to prevent the accumulation of materials stored in a manner capable of providing food, harborage or other attractants for rodents, including, but not limited to, household garbage, litter, excrement, filth, lumber, tree limbs, firewood, motor vehicle bodies or parts, construction and demolition debris, appliances, wood, scrap metal, overgrown vegetation, decaying animals or vegetable matter, animal waste, and any other articles that provide shelter and protection for rodents.
- ii. Trash barrels, compost bins, and all other waste receptacles must be kept well-maintained, undamaged and intact so as to avoid becoming a lure or attractant for rodents. Property owners should replace and may be ordered to replace trash barrels or other waste receptacles that have been damaged or compromised within 15 days of order by the Health Department.
- c. Property owners may be required to respond to infestation or rodent burrows when evidence of a rodent infestation occurs, including evidence of untreated rodent burrows. Property owners must take all measures required by the Board of Health, at the owner's sole cost and expense, in order to eradicate the infestation and prevent future infestation.

Sec. 6-115. Composting—Private, curbside and maintenance.

- (a) Private backyard composting is permissible under the following conditions:
 - (1) All compost bins must be constructed out of hardware cloth/welded wire, wood, plastic barrels, or other durable material;
 - (2) The entire bin must be lined with rodent proof hardware cloth/wire mesh one-fourth inches or smaller;
 - (3) The lid must be tight fitting, secure lid;
 - (4) There must be adequate drainage provided to the compost bin at all times;
 - (5) The compost pile must be located away from areas that may be attractive animal nest locations like wood piles, carports, sheds or brush piles; and
 - (6) The compost pile must be located away from attractive food sources like bird feeders, pet food bowls, garbage cans, fruit trees or berry bushes.
 - (7) In accordance with Sec. 6-114(c)(b)(ii), compost bins that are damaged or otherwise compromised must be replaced within 15 days of order by the Health Department.
- (b) Curbside composting is permissible when the following conditions are met:
 - (1) All compost bins must have a tight-fitting, secure lid and must meet any and all rules, standards and policies associated with current City of Medford curbside composting.
 - (2) The bins must be lined with compostable plastic or paper bags to help keep the bins clean and odors to a minimum; and

Commented [KF5]: Discussed the arbitrary 15 day rule earlier

Commented [KC6]: Suggestion was made that first replacement fee be waived and \$60 replacement fee kicks in after that; and that replacement fees always be waived for seniors. Have to run this by DPW.

- (3) Compost bins must be maintained and rinsed or cleaned as needed.
- (4) In accordance with Sec. 6-114(c)(b)(ii), curbside compost bins that are damaged or otherwise compromised must be replaced within 15 days of order by the Health Department.

Sec. 6-116. Enforcement, penalties and violations.

- (a) All complaints about rodent activity should be directed in writing to the Health Department and may be referred to other appropriate City departments as necessary.
- (b) The Building Commissioner, Director of Public Works, Director of Health, and their designees as enforcement officers of the City are authorized to administer and enforce this ordinance.
- (c) Any property owner of a residential building with three or fewer units who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$100.00
 - iii. Third (and each subsequent) offense: \$200.00 (per day until corrected)
- (d) Any property owner of a commercial building or residential building with more than three units who violates any provision of this ordinance shall be subject to the following penalties:
 - i. First offense: Written warning
 - ii. Second offense: \$200.00
 - iii. Third (and each subsequent) offense: \$300.00 (per day until corrected)
- (e) All fees and fines collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Sec. 6-117. Permits for buildings, earthworks, street openings and utility installation.

- (a) *Buildings and earthworks.*
 - (1) All permits issued by the building commissioner for earth displacement and land clearing activities on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed at the request of the Board of Health.
 - (2) In addition to the fee required above, building permits issued for certain activities will require the implementation of an Integrated Pest Management (IPM) plan as a condition of the permit. IPM plans must be submitted to the Health Department and implemented a minimum of 14 days prior to the start of the project. IPM plans will be required for:

Commented [TM7]: We now have a City curbside composting program. There are no lids that "lock". There are lids that "latch", and we have latching lids. This section should be checked against the current city service. For example, liners may not be required. It's possible that a requirement could exist to use Official City of Medford compost bins.

Commented [KC8R7]: Maybe language like this to replace (b)(1) and (b)(2)?

"All compost bins must comply with any and all rules and policies associated with current City of Medford curbside composting service."

Commented [TM9]: The only enforcement obligation I would have that is new to the Solid Waste section would be the section on curbside containers.

Commented [KF10]: I do not recommend having different levels of fines based solely upon the number of units at the property. If there are multiple violations for a property with more than 3 units each should be given a separate violation, but we should not charge more for the same violation to a property owner merely because they have more than three units. It hardly seems fair or reasonable and therefore arbitrary and capricious.

Commented [KC11R10]: Need rational basis/Emerson College Test basis for different fine approaches

Commented [KC12]: Per our discussion, I think there is a rational basis for having the fines for violations be lower for non-commercial/fewer-unit buildings and greater for many-unit residential buildings and commercial buildings.

Commented [KF13]: Believe this is handled later

Commented [KF14]: Looks like Secs. 6-121-127 come from existing ordinance so haven't made any edits at this point

Commented [KC15]: Legal is reviewing feasibility of fines going into the revolving account

- a. Demolition.
- b. Renovation or construction work on abandoned properties.
- c. Large-scale commercial projects valued at over \$1,000,000.
- d. Construction of residential subdivisions.

(3) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

(b) *Permits for street openings and utility installation.*

(1) All permits issued by the department of public works for the following activities will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.

- a. The disturbance of an existing underground utility within the paved right-of-way of a distance greater than 500 linear feet;
- b. The installation of a new underground utility within the paved right-of-way greater than 500 linear feet;
- c. The disturbance of an existing underground utility outside of the paved right-of-way greater than 250 feet;
- d. The installation of a new underground utility outside of the paved right-of-way greater than 250 feet.
- e. Street opening fees do not apply to emergency repair or maintenance work that is required for public safety.

(2) In addition to the fee required above, permits issued by the department of public works for the following activities will require the implementation of an Integrated Pest Management (IPM) plan as a condition of the permit. IPM plans must be submitted to the health department and implemented a minimum of 14 days prior to the start of the project. The 14-day advance period may be waived by the director of the department of public works in emergency situations. IPM plans will be required for:

- a. The disturbance of an existing underground utility within the paved right-of-way of a distance greater than 1,500 linear feet;
- b. The installation of a new underground utility within the paved right-of-way greater than 1,500 linear feet;
- c. The disturbance of an existing underground utility outside of the paved right-of-way greater than 750 feet;
- d. The installation of a new underground utility outside of the paved right-of-way greater than 750 feet;

(3) Disturbance shall be defined as excavating the earth immediately around an existing utility. The length of disturbance shall be measured by the overall linear length of excavation required to unearth the utility. Activities that do not require the excavation of soil shall not be considered disturbance for the purposes of this article.

- (4) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (5) Integrated Pest Management (IPM) permit fees shall be deposited into the Rodent Control Account.

Sec. 6-118. Permits for dumpsters.

- (a) All permits issued by the Health department for dumpsters on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years. Dumpsters associated with building projects for which the building permit rodent control fee has been assessed are exempt from this additional fee.
- (b) In addition to the fee required above, dumpster permits will require the implementation of an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department and updated annually before a permit will be issued by the health department.
- (c) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

Sec. 6-119. Permits for food establishments.

- (a) All permits issued by the Health Department to operate a food establishment will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
- (b) All applicants to the health department for a permit to sell retail food or operate a food service establishment are required to develop and provide an integrated pest management plan as a condition of the permit. IPM plans must be submitted to the health department and updated annually.
- (c) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.
- (d) Temporary food service applicants are exempt from these requirements.
- (e) Establishments not required to hold a local food establishment permit, but which serve, store, process, or distribute food on-site, including but not limited to food manufacturing facilities, food distribution facilities, breweries, and retail establishments exempted under the Federal Food Code, are also subject to the requirements for a rodent control fee and IPM plan.

Sec. 6-120. Permits for landfills, transfer stations, recycling facilities, and offal vehicles.

- (a) All permits issued by the health department to operate a landfill or transfer station will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years.
- (b) All applicants to the health department for a permit to operate a landfill or transfer station are required to develop and provide an integrated pest management plan as a condition of

Commented [KC16]: We don't currently allow transfer stations

the permit. IPM plans must be submitted to the health department along with the permit application and updated annually.

- (c) All applicants to the health department for a permit to remove, transport, or dispose of garbage, offal, or other offensive substances are required to provide a copy of an integrated pest management plan for the facility where the vehicles are garaged in Medford. Such IPM plan must include procedures for surveillance and control activities specific to the vehicles. IPM plans must be submitted to the health department and updated annually.
- (d) Facilities not required to hold a local health department permit, but which receive, store, sort, process, or transfer recyclable materials on-site are also subject to the requirements for a rodent control fee and IPM plan.
- (e) Responsibility for pest prevention and management remains with the permit holder, even when a commercial service is part of the permit holder's IPM program.

Sec. 6-121. Permits for keeping of animals.

All applicants to the health department for a new or renewal permit to keep certain animals (as defined within city ordinance or board of health regulation) are required to provide evidence that the lot and any structures thereon have been assessed by a licensed pest control operator and have been treated for, or are free from, rodents in accordance with State Sanitary Code, 105 CMR, Section 410.550.

Sec. 6-122. Requirements for public property.

- (a) Dumpsters on public properties are subject to the requirement for an IPM plan.
- (b) IPM plans shall be developed for all public buildings and parks and updated annually.

Sec. 6-123. Content of integrated pest management plans.

Integrated pest management plans required under this article must include, at minimum:

- (1) Names and certifications of licensed pest control operators. An Initial survey by a licensed pest control operator documenting presence or absence of rodent activity, burrows, and sanitation conditions that could support rodent activity on the site and accessible public areas adjacent to the site.
- (2) Details about rodent control measures to be implemented on the site, including locations of traps and bait stations, types and amounts of pesticides used, schedule for follow-up monitoring, cleanup of bait stations and rodent carcasses, staff training and notification procedures, and management of sources of food, water, and harborage on the site, including vegetation management.
- (3) Procedures for responding to rodent complaints associated with the site, including name and contact information for management-level individuals to respond to complaints.

Sec. 6-124. Establishment of Rodent Control Account.

- (a) This Section establishes a designated Rodent Control Account to be used for rodent control measures.
- (b) All fees and fines collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Sec. 6-125. Fee schedule.

All fees and fines collected pursuant to this Ordinance or for violations thereof shall go into the designated Rodent Control Account.

Updates to Appendix A – Fee Schedule.

<i>Article IV. Rodent Control</i>		
(a) Health department annual rodent control fees:		6-121
(1) Food establishment	25.00	<div style="border: 1px solid red; padding: 5px;">Commented [KC17]: Separate food establishment from food processing/storage facility, increase the fee for the latter.</div>
(2) Food processing or storage facility	50.00	<div style="border: 1px solid red; padding: 5px;">Commented [KC18R17]: Working with M O'C on new amounts.</div>
(3) Landfill, transfer recycling facility	250.00	
(4) Offal business	100.00	
(5) Dumpster	100.00	
(b) Public works department rodent control fees: \$250.00 plus \$1.00 per foot		6-121
(c) Building permit rodent control fees:		6-121
(1) Commercial projects, per permit	300.00	
(2) Residential projects, per permit	250.00	