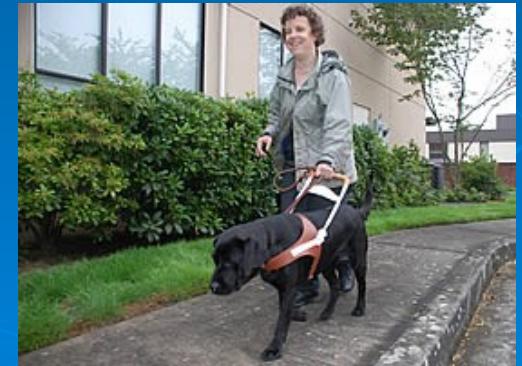




# Sidewalks are for People

T. Litt



July 2022

Southborough, Massachusetts

# Isn't it Obvious?

- Apparently not
- Recently observed obstructions: (Apr-Jul)
  - Vehicles:
    - Landscape, asphalt, general contractors
    - Delivery trucks, Bucket trucks
    - Passenger autos
  - Crosswalks also blocked
  - Non-vehicular obstructions
    - Utility poles
    - Trash cans
    - Construction signs
    - Cratered/buckled/uneven/missing pavement
    - Vegetation, water (also ice, snow)

# Who should care?

- Every pedestrian
  - and everyone who loves one
- Motorists – who'd rather not hit one
- Of special concern:
  - Wheelchairs, walkers, crutches
  - Strollers, wheeled luggage
  - Visually impaired
  - Children – walking and riding
  - Elderly, dog-walkers
- Taxpayers – liability

# How big is the problem?

## ➤ Too big

- 15+ examples
  - 29-Apr thru 17-Jul
  - Just on Woodland/Cordaville from Richards south
  - Between 6 and 10 A.M.
- More undocumented reports
  - Include outside this area



# How big is the problem?

- Not big enough
  - Master plan, many residents want sidewalks
  - We don't have very many
  - Why build more if obstructed/unmaintained?
  - Mom: Take care of your toys, or lose them

# Seeing is believing



Uncropped, high resolution versions are available.

# Seeing is believing



# Seeing is believing



# Seeing is believing



# Seeing is believing



# Seeing is believing

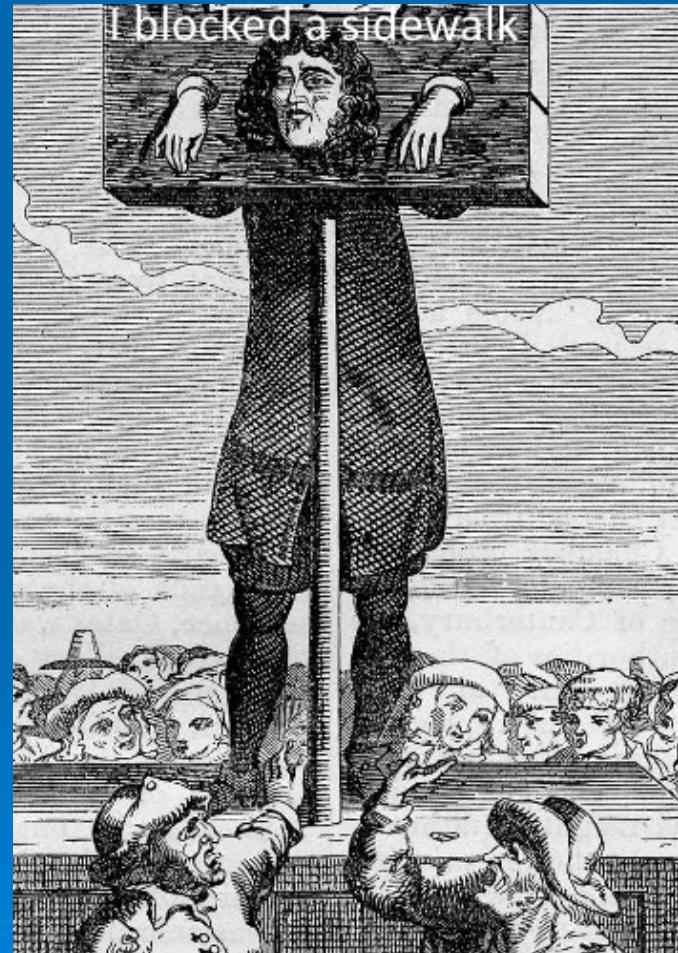


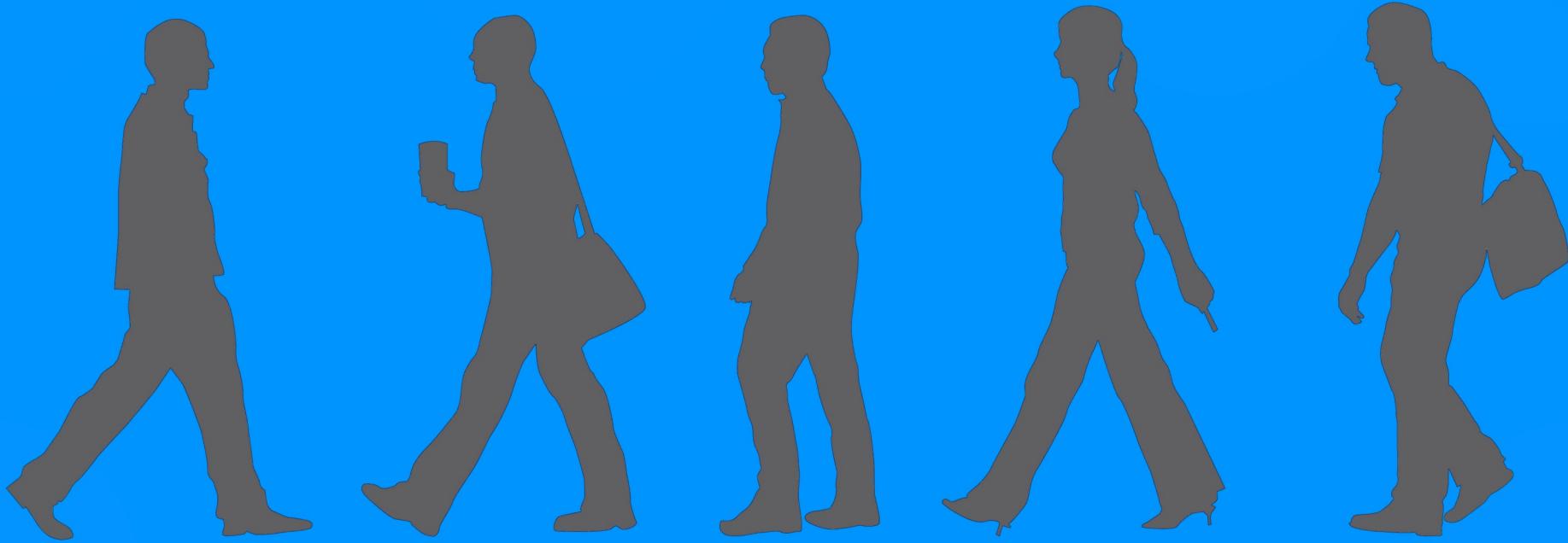
# Solutions to consider

- Enforcement – whack-a-mole
  - Use MGL c.90 §20A authority; appoint parking clerk
  - Use new traffic enforcement officer position?
  - Timely reporting by public – not via 911!
  - Lobby for increased fines – minimum wage was \$3 when last set
- Education
  - Tax bill insert, Town Website, E-alert
  - Other mailing lists
  - Transfer station signs, handouts, Noise bylaw update
  - Schools, camps – kids use sidewalks
    - And excel at nagging adults
  - Parade float (crushed wheelchair, MADD-style?)

# Solutions to consider

- Targeted mailings to common businesses
  - Landscape contractors
  - Trash collection (indirect to homeowners)
- Establish formal policy for utility pole permits
- Publish violations in police log
- Local bylaw with increased penalties
- Find out why people ignore regulations
- Structural changes?
  - Pullouts?
  - Pads for trash cans?
- Pillory/stocks (history walk-compatible)





# Thanks for your time



# Backup - Timeline

- 29-Apr: SPAC, BOS
- Ongoing: Police reports, SPAC, SB (7/12)

Subject	Correspondents	Date
Sidewalks are for people	→ Bonnie Phaneuf, rnewell	29-Apr-22, 11:47
➤ Sidewalks are for people (2) Part 1	→ rnewell	05-May-22, 12:29
➤ Sidewalks are for people (2) Part 2	→ rnewell	05-May-22, 12:30
➤ Sidewalks are for people (3)	→ rnewell	10-May-22, 12:53
➤ Sidewalks are for people (4)	→ rnewell	10-May-22, 13:09
Sidewalks are for people (5) (6)	→ rnewell	11-May-22, 12:28
➤ Sidewalks are for people (7)	→ tslatkavitz@southboroughma.com	12-May-22, 11:27
➤ Sidewalks are for people (8)	→ tslatkavitz	26-May-22, 09:55
➤ Sidewalks are for people (9)	→ tslatkavitz	27-May-22, 11:35
➤ Sidewalks are for people (10)	→ tslatkavitz	03-Jun-22, 10:23
➤ Sidewalks are for people (11)	→ tslatkavitz	09-Jun-22, 09:31
➤ Sidewalks are for people (12)	→ tslatkavitz	24-Jun-22, 09:43
➤ Sidewalks are for people (14)	→ tslatkavitz	05-Jul-22, 09:45
➤ Sidewalks are for people (15)	→ tslatkavitz	10-Jul-22, 10:46

# Backup – Legal

- CMR 700 §5.02 (Violations) states (in part):
  - Violations of the following parking provisions shall be considered a violation of 700 CMR 5.000.
- (9) Crosswalk or Sidewalk. **Stop, stand or park a vehicle, whether occupied or not, on any crosswalk, except momentarily to pick up or discharge a passenger or passengers, nor upon any sidewalk is prohibited.**

# Backup – Legal

CMR 700 §5.03 (Penalties) states (in part):

- (1) Any person violating any of 700 CMR 5.502 shall be punished in accordance with the following Schedule of Penalties:
- (2) The following schedule of penalties shall apply to violations of 700 CMR 5.501 through 5.505 and M.G.L. c. 90, §§ 20C and D:

SCHEDULE A (Fine--\$50.00 each)

- 03. Fire Hydrant
- 28. Handicap Ramp

SCHEDULE B (Fine--\$30.00 each)

- 09. Crosswalk or Sidewalk

SCHEDULE C (Fine --\$25.00)

- 11. Wrong Direction

SCHEDULE D (Fine--\$15.00)

- 15. Obstructing Driveway.

SCHEDULE E (Fine \$5.00 each)

- 27. Handicap Parking

# Backup – Legal

MGL c.90 §20A (Southborough 23-Dec-1981)

In part:

- board of selectmen of a town shall designate or appoint a parking clerk
- It shall be the duty of any police ... who takes cognizance of a violation of any provision of any rule, regulation, order, ordinance or by-law regulating the parking of motor vehicles ... forthwith to give to the offender a notice to appear before the parking clerk ...
- confess the offense charged, ...
  - the first violation the parking clerk shall dismiss the charge without the payment of any fine;
  - the second, third or fourth violation ... in the calendar year, ... a fine of five dollars for each; ...
  - the fifth or subsequent violation ... in the calendar year, ... a fine of ten dollars for each such violation
- **shall not apply** ... wherein the ... board of selectmen, ... shall have established ... a schedule of fines for such violations. The schedule of fines shall be uniform ... , and shall not exceed \$25 if paid within 21 days, \$35 if paid thereafter but before the parking clerk reports to the registrar as provided below, and \$50 if paid thereafter; provided, however, that the fine for the violation of parking a motor vehicle within a posted bus stop shall be \$100.
- **No clerk appointed**, no town regulations adopted:  
[https://www.southboroughtown.com/sites/g/files/vyhlif7351/f/minutes/list\\_of\\_staff\\_appointment\\_fy23.pdf](https://www.southboroughtown.com/sites/g/files/vyhlif7351/f/minutes/list_of_staff_appointment_fy23.pdf)
- Some of the fines were last set in 1980 (others unknown), when minimum wage was \$3.10.
- Current minimum wage is \$14.25 – 4.6x Boston common parking garage: \$12/hr – \$30/day.
- \$5 (handicapped space) is cheaper

Ch. 605 Acts 1981 (Southborough 7-Dec-1981)

- Fines accrue to the town