



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Monday, March 31, 2025

10:00 AM

Sullivan Chamber

The Ordinance Committee will hold a public hearing on Monday, March 31, 2025 to discuss proposed amendments to the Cambridge Municipal Code Chapter 13.08, Water System Regulations and Chapter 13.12, Water Reservoirs, to include revised drought regulations and procedures.

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	10:12 AM
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Jivan Sobrinho-Wheeler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Paul F. Toner	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Ayesha M. Wilson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Catherine Zusy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council’s Ordinance Committee was held on Monday, March 31, 2025. The meeting was Called to Order at 10:00 a.m. by the Chair, Vice Mayor McGovern. Pursuant to Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor, the City is authorized to use remote participation. This public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via Zoom.

At the request of the Chair, Clerk of Committees Erwin called the roll.

- Councillor Azeem – Absent*
- Vice Mayor McGovern – Present/In Sullivan Chamber
- Councillor Nolan – Present/Remote
- Councillor Siddiqui – Present/Remote
- Councillor Sobrinho-Wheeler – Absent
- Councillor Toner – Present/Remote
- Councillor Wilson – Absent
- Councillor Zusy – Present/In Sullivan Chamber
- Mayor Simmons – Present/Remote

Present – 6, Absent – 3. Quorum established.

*Councillor Azeem was recorded as present and remote at 10:12a.m.

The Chair, Vice Mayor McGovern offered opening remarks and noted that the Call of the meeting was to discuss proposed amendments to the Cambridge Municipal Code Chapter 13.08, Water System Regulations and Chapter 13.12, Water Reservoirs, to include revised drought

regulations and procedures. Present at the meeting was Owen O’Riordan, Deputy City Manager, Mark Gallagher, Managing Director for the Water Department, Megan Bayer, City Solicitor, and Andrea Carrillo-Rhoads, Assistant City Solicitor.

The Chair, Vice Mayor McGovern noted that the proposed amendments to the Ordinance were passed to a second reading on March 24, 2025 and can be Ordained on April 7, 2025.

The Chair, Vice Mayor McGovern recognized Mark Gallagher who gave a presentation titled “Overview-Requested Amendment to City Ordinance 13.08” (Attachment A).

The Chair, Vice Mayor McGovern recognized Councillor Zusy who had clarifying questions on Agenda Packet page 6, section 13.08.090, subsection A – 1, a and b, and adding language to include the watering of private trees. Mark Gallagher explained that the proposed language came from Mass DEP and could have been an oversight. Vice Mayor McGovern asked if the Water Department could reach out to the State for clarification before the proposed amendments are Ordained.

The Chair, Vice Mayor McGovern recognized Councillor Nolan who asked if the proposed enforcement penalties would be helpful if they fell under Chapter 40U of Mass General Laws. Megan Bayer noted that the Law Department is still investigating what types of fines can be enforced with 40U and believes the fines would fall under Chapter 40 Section 21d method. Councillor Nolan shared that there is a Policy Order on the City Council Agenda (POR 2025 #45) requesting the City Manager work with relevant departments to conduct more outreach to residents, businesses, and property owners about the current drought status. Councillor Nolan had a clarifying question regarding the information that was shared in the presentation related to the golf course and 40% of irrigation use on fairways. Mark Gallagher provided information on future discussions with the Department of Public Works (DPW) to address drought issues at the golf course and create a better irrigation plan.

The Chair, Vice Mayor McGovern asked the City how they are communicating to residents and property owners the proposed amendments and to also ensure that they understand enforcements policies. Mark Gallagher shared that the Water Department is working with City Departments to assist with getting information out to the community and provided examples of how the Water Department has provided important information in the past, such as social media and news outlets. Mark Gallagher added that they are working with the Public Information Office to produce a newsletter to send out as well. Vice Mayor McGovern suggested using the reverse 911 system or using digital DPW signs around the City with the information. Deputy City O’Riordan indicated that reverse 911 is used for emergencies only but welcomed the idea of using DPW.

The Chair, Vice Mayor McGovern recognized Mayor Simmons who stressed how important it is to have a community engagement plan in writing with benchmarks and checkpoints to ensure community outreach is done accurately. Mark Gallagher shared that as part of the Drought Management Plan there is a section developed for a standard operating procedure plan on how to get information out to residents. Mark Gallagher shared that the Water Department sends out mailing stuffers that share information on the drought and ways to practice water reduction and conservation at home. Mark Gallagher added that there is a lot of information on the Water Department website as well as State and Federal websites. Deputy City Manager O’Riordan

shared that he would reach out to Jackson Price, Director of Community Engagement, to involve him with the outreach process. Mayor Simmons noted that it is important to have multilingual information for all community members to understand the changes.

The Chair, Vice Mayor McGovern recognized Councillor Zusy who provided suggestions on ways to communicate with the public that is fun and informative, such as a rain dance. Deputy City Manager O’Riordan noted that Fresh Pond Day will be on June 14, 2025 and there will be an information table at this event.

The Chair, Vice Mayor McGovern recognized Councillor Nolan who reminded the Committee of POR 2025 #45, communicating drought information.

The Chair, Vice Mayor McGovern recognized Councillor Nolan who made a motion that the Ordinance Committee forward the proposed amendments back to the full City Council with a favorable recommendation to be Ordained on April 7, 2025.

Clerk of Committees Erwin called the roll.

Councillor Azeem – Yes

Vice Mayor McGovern – Yes

Councillor Nolan – Yes

Councillor Siddiqui – Yes

Councillor Sobrinho-Wheeler – Absent

Councillor Toner – Yes

Councillor Wilson – Absent

Councillor Zusy – Yes

Mayor Simmons – Absent

Yes – 6, Absent – 3. Motion passed

The Chair, Vice Mayor McGovern recognized Councillor Zusy who made a motion to adjourn the meeting.

Clerk of Committees Erwin called the roll.

Councillor Azeem – Yes

Vice Mayor McGovern – Yes

Councillor Nolan – Yes

Councillor Siddiqui – Yes

Councillor Sobrinho-Wheeler – Absent

Councillor Toner – Yes

Councillor Wilson – Absent

Councillor Zusy – Yes

Mayor Simmons – Absent

Yes – 6, Absent – 3. Motion passed

The Ordinance Committee adjourned at approximately 10:37a.m.

Attachment A – Presentation from the Water Department

Clerk's Note: The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. The video for this meeting can be viewed at:
https://cambridgema.granicus.com/player/clip/991?view_id=1&redirect=true

A communication transmitted from Yi-An Huang, City Manager, relative to an updated drought regulation ordinance.

Cambridge Water Department

Overview – Requested Amendment to City Ordinance 13.08



Water Management Act – March 1986

The Water Management Act ([M.G.L. c. 21G](#)) became effective in March 1986. The Act authorizes the Massachusetts Department of Environmental Protection (MassDEP) to regulate the quantity of water withdrawn from both surface and groundwater supplies. The purpose of these regulations (310 CMR 36.00) is to ensure adequate water supplies for current and future water needs. The Water Management Act (WMA) consists of a few key components, including a registration program and a permit program.



Water Management Act - Registration

Large water users had the ability to register their existing water withdrawals based on their water use between 1981-1985.

The registration program established the renewable right of previously existing water withdrawals over 100,000 gallons per day (gpd) on average, per river basin, between the years of 1981-1985.

MassDEP issued registration statements to document these registrations. The last day to register was January 4, 1988.



Renewal Registration Statement for Verified Water Withdrawal

The Massachusetts Department of Environmental Protection ("the Department") hereby accepts the Registration Renewal Request filed by the following Registrant pursuant to 310 CMR 36.10 for the water withdrawal described below. The Registrant is hereby authorized to withdraw up to the registered volume of water from the registered withdrawal point(s) until the expiration date, as set forth below, in compliance with M.G.L c. 21G and 310 CMR 36.00, subject to the Registration Conditions set forth below.

GENERAL INFORMATION

Registration Number: 32004901 River Basin: CHARLES
Registrant: CAMBRIDGE WATER DEPARTMENT
Use: Public Water Supply

Average Volume per Day (MGD): 16.16 Total Annual Volume (MGY): 5898.40
Days of Operation: 365 days

Effective Date: April 8, 2023 Expiration Date: April 7, 2033

Water Management Act Amendment – January 20th 2023

3. Nonessential Outdoor Water Use Restrictions During Times of Drought:

Beginning as soon as possible, but no later than 24 months after issuance of the Registration Statement, the Registrant shall establish enforceable restrictions limiting nonessential outdoor water use.

Such restrictions shall be in place during a drought declaration by the Secretary of Energy and Environmental Affairs for the drought region, county or watershed where the Registrant's withdrawals are located, and nonessential outdoor water use shall be restricted as follows, in accordance with 310 CMR 36.07(2)(c):

- a) Level 1 (Mild Drought). All nonessential outdoor water uses restricted to no more than one day per week, before 9 a.m. and after 5 p.m., except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
- b) Level 2 (Significant Drought). All nonessential outdoor water uses banned, except that watering of ornamentals and flower gardens with drip irrigation, hand-held hose or watering cans may be permitted.
- c) Level 3 (Critical Drought) or Level 4 (Drought Emergency). All nonessential outdoor water uses are banned.

Once implemented, as required by 310 CMR 36.07(2)(c), restrictions at least as restrictive as those above shall remain in place for the declared drought level until the drought level is changed by the Secretary.



Golf Conditions

87 Registered
vs.
62 permitted

Registered Golf Courses would be required to implement Seasonal Demand Management Plan with graduated reductions in nonessential irrigation based on drought levels.

Irrigation can be reduced either by reducing irrigation times, or by irrigating fewer acres
Watering allowed up to designated percent

MA Drought Level	Tees & Greens	Fairways	Roughs	Landscape & Ornamentals
Normal	100% Essential Use	100%	100%	100%
Level 1 (Mild)		80%†	50%†	Courses whose core business includes a special event venue may continue to irrigate gardens, flowers and ornamental plants by means of hand-held hose or drip irrigation
Level 2 (Significant)		60%†	0%	
Level 3 (Critical)		40%†		
Level 4 (Emergency) **	TBD	40%†	0%	

† Irrigation use shall not occur between the hours of 9 a.m. and 5 p.m., except that hand-watering of hot spots may occur at any time

** Additional actions to be determined by the Governor's Emergency Proclamation.

Outdoor water uses exempted in the Massachusetts Water Management Act

- a. (a) health or safety - includes outdoor uses like fire-fighting and municipal pipe flushing to prevent contaminants in water supply pipes, as well as
 - public facilities used for cooling such as splash pads and swimming pools
 - for washing of boats, engines, or marine equipment to prevent negative saltwater impacts or the transfer of invasive aquatic species
- (b) by permit, license, statute or regulation;
- (c) for the production of food, including vegetable gardens, and fiber
- (d) for maintenance of livestock;
- (e) to meet the core functions (those functions essential to the commercial operations) of a business,
- (f) for irrigation of public parks before 9:00 a.m. and after 5:00 p.m.,
- (g) for irrigation of public and private recreation fields, including those operated by schools, colleges, universities and athletic associations, before 9:00 a.m. and after 5:00 p.m.,
- (h) for irrigation of publicly funded shade trees and trees in the public right-of-way;
- (i) to establish a new lawn as necessary to stabilize soil in response to new construction or following the repair or replacement of a Title 5 system.

Enforcement of Penalties

E. Enforcement of Penalties: Any person who violates any provision of this Section 13.08.090 shall be liable to the City in the amounts listed below: 1st violation: Warning, 2nd violation: \$100, 3rd violation: \$200, 4th and subsequent violations: \$300. Each day of violation shall constitute a separate offense.

a) Violation— Criminal Penalty.

Any person who violates any provision of this Section 13.08.090 may be subject to a fine not exceeding three hundred dollars, and each day's violation shall constitute a separate offense. For purposes of this section, the enforcing officers shall be employees of the Water Department designated by the City Manager or if designated, the Managing Director of the Water Department, Police Officers, Animal Control Officers and the Director of the Animal Commission.

b) Violation—Noncriminal disposition.

Whoever violates any provision of this Section 13.08.090 may be penalized by a noncriminal disposition as provided in G. L. c. 40, §21D. Each day of violation shall constitute a separate offense. The enforcing officers shall be employees of the Water Department designated by the City Manager or if designated, the Managing Director of the Water Department, Police Officers, Animal Control Officers and the Director of the Animal Commission. The penalty for each violation shall not exceed three hundred dollars.