



Paul Argenzio
Ward Four Councillor

To: The Honorable Members of the Revere City Council
Michael Wells, Director of Municipal Inspections
Louis Cavagnaro, Building Commissioner
Paul Capizzi, City Solicitor
Claire Inzerillo, Policy Writer & Analyst
From: Paul Argenzio, Chairman
Legislative Affairs Sub-Committee
Re: Committee Meeting
Date: October 1, 2025

Please be advised that the Legislative Affairs Sub-Committee will hold a meeting on **Monday evening, October 27, 2025 from 5:00PM-6:00PM** in the City Councillor Joseph A. DelGrosso City Council Chamber, Revere City Hall, 281 Broadway, Revere, MA 02151 for the purpose of discussing the following Council Order(s):

25-222 An Ordinance Further Amending Title 13 of the Revised Ordinances of the City of Revere Relative to Stormwater Management.

25-232 An Ordinance Repealing Section 9.12.030 Posting Political Signs of the Revised Ordinances of the City of Revere.

25-269 Motion presented by Councillor Argenzio: That the City Council approve the following special legislation:

An Act Permitting the City of Revere to Establish Penalties and Liens for Rooming House & Certificates of Fitness Ordinance Violations

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. The city of Revere may: (i) issue citations; (ii) establish appeal and hearing processes for the citations; (iii) file real estate liens to collect unpaid fines, penalties or assessments from the citations; and (iv) avail itself of any and all relevant enforcement or procedural provisions provided in chapter 40U of the General Laws for violations of the rooming house ordinance of the city.

SECTION 2. This act shall apply only to those violations that are separate and distinct from violations of the health, sanitary, housing, fire, building, plumbing or electrical code of the city of Revere or the commonwealth.

SECTION 3. This act shall take effect upon its passage.

25-114 An Ordinance Further Amending Wage Theft Policies in the City of Revere.

Public Hearing

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, September 29, 2025 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts relative to the following proposed amendment to the Revised Ordinances of the City of Revere:

AN ORDINANCE AMENDING STORMWATER MANAGEMENT IN THE CITY OF REVERE.

Be it ordained by the City of Revere, MA as follows:

SECTION 1. Section 13.10.020(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Stormwater Handbook” after the definition “start of construction”:

“Stormwater Handbook” means the handbook issued the Massachusetts Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act (M.G.L. c. 131 § 40) and the Massachusetts Clean Water Act (M.G.L. c. 21 §§ 23-56.)

SECTION 2. Section 13.10.020(C)(1) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting new subsection (d):

d. Any land disturbance activity less than two thousand five hundred square feet (2,500 sq. ft.) if that disturbance is part of a larger common plan of development or sale that would disturb one or more acres.

SECTION 3. Section 13.10.020(D)(1)(e) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following language after the word “disturbance”:

“, and provisions for controlling other wastes on construction sites such as demolition debris, litter, and sanitary wastes;”

SECTION 4. Section 13.10.020(E) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section (E):

E. Performance Standards. A construction project shall be considered in conformance with this section if soils or other eroded matter has been prevented from being deposited onto adjacent properties, rights-of-ways, public storm drainage system, or wetland or watercourse. The design, testing, installation, and maintenance of erosion and sediment control operations and facilities shall adhere to the standards and specifications contained in the latest editions of the Massachusetts Stormwater Handbook, and if applicable, the NPDES General Permit for Storm Water Discharges from Construction Activities. In addition, the plan shall ensure that the Massachusetts Surface Water Quality Standards (314 CMR 4.00) are met in all seasons. The plans must be stamped and certified by a qualified Professional Engineer registered in Massachusetts or a Certified Professional in Erosion and Sediment Control.

1. If a project requires a Stormwater Pollution Prevention Plan (SWPPP) per the NPDES General Permit for Stormwater Discharges from Construction Activities, as amended, then submission of a complete copy of the SWPPP and the signed Notice of Intent in addition to the Erosion and Sediment Control Plan described in this section is required.

SECTION 5. Section 13.10.020(F)(1) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting the word “thirty” and inserting in place thereof the word “ninety.”

SECTION 6. Section 13.10.020(F)(2) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting the word “thirty” and inserting in place thereof the word “ninety.”

SECTION 7. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Impaired waters” after the definition “Hydrologic soil group”:

“Impaired waters” means waterbodies that do not meet one or more of its designated use(s) in the applicable surface water quality standards. These waterbodies are listed in categories 3 and 4 of the most recent Massachusetts Integrated List of Waters. See the Massachusetts Department of Environmental Protection website for the most up to date List of Waters.

SECTION 8. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Low Impact Development” after the definition “Landowner”:

“Low Impact Development” or “LID” means site planning and design strategies that use or mimic natural processes that result in the infiltration, evapotranspiration, or use of stormwater in order to protect water quality and associated aquatic habitat. LID employs principles such as preserving and re-creating natural landscape features, and minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product.

SECTION 9. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “New development” after the definition “Operation and maintenance plan”:

“New development” means any construction, alteration, or improvement equal to or greater than one acre in area where existing land use does not contain alteration by man-made activities including but not limited to creation of impervious cover.

SECTION 10. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Pre-development” after the definition “person”:

“Pre-development” means the conditions that exist prior to cleaning or grading of a site at the time that plans for the land development of a tract of land are submitted to the city. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

SECTION 11. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Post-development” after the definition “Pre-development”:

“Post-development” means the conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development project after completion and does not refer to the construction phase of a project.

SECTION 12. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by removing the word “exceeding” from the “Redevelopment” definition and inserting in place thereof the words “equal to or greater than.”

SECTION 13. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Runoff coefficient” after the definition “Redevelopment”:

“Runoff coefficient” means a dimensionless coefficient that relates the amount of stormwater that runs off a surface to the amount of precipitation received. It directly correlates to the permeability of the ground surface.

SECTION 14. Section 13.10.030(B) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the new definition “Stormwater Handbook” after the definition “Stop work order”:

“Stormwater Handbook” means the handbook issued the Massachusetts Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act (M.G.L. c. 131 § 40) and the Massachusetts Clean Water Act (M.G.L. c. 21 §§ 23-56.)

SECTION 15. Section 13.10.030(C)(1) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting new subsection (d):

d. Any land disturbance activity of less than one acre if that disturbance is part of a larger common plan of development or sale that would disturb one or more acres.

SECTION 16. Section 13.10.030(D)(4) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

4. Location of all existing and proposed stormwater utilities, including structures, pipes, swales, detention, retention, and infiltration systems and any other LID techniques or STPs utilized to protect water quality.

SECTION 17. Section 13.10.030(D)(5) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the words “at a minimum of 2-foot interval within the limit of disturbance” after “contours.”

SECTION 18. Section 13.10.030(D)(7) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the words “with a designation of sensitive receptors as applicable (e.g. impaired waters, water supplies, critical resource waters);”

SECTION 19. Section 13.10.030(D)(8) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

8. Delineation of FEMA Special Flood Hazard areas and a calculation of FEMA flood elevation, if applicable;”

SECTION 20. Section 13.10.030(D)(10) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by removing the word “swells” and inserting in place thereof the word “swells.”

SECTION 21. Section 13.10.030(D)(13) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following language after the word “facilities”: “”including size, material, and invert elevation data;”

SECTION 22. Section 13.10.030(D) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new section (18):

18. Existing and proposed landscaping and ground cover with runoff coefficients for each.

SECTION 23. Section 13.10.030(E) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section (E):

E. Design Requirements and Performance Standards.

1. Performance Standards Control of stormwater runoff shall meet or be more stringent than the performance standards for both flood control (volume and peak discharge) and nonpoint source pollution reduction as defined in the most recent version of the Massachusetts Stormwater Handbook. All assumptions, methodologies and procedures used to design STPs and stormwater management practices shall accompany the design. All activities, project design, STPs, and stormwater management practices should aim to minimize stormwater runoff, maximize infiltration and recharge where appropriate, and minimize pollutants in stormwater runoff. The criteria and design standards listed in this section shall apply to stormwater management systems on sites which require a stormwater management plan.

a. A Stormwater Management Report shall be prepared and submitted to the city engineer and department of public works. The plan shall include, but not be limited to, the following:

- i. a drainage map showing pre- and post-development drainage areas and stormwater time of concentration (Tc) flow paths, including drainage system flows;
- ii. Hydrologic and hydraulic design calculations for the pre- and post-development conditions, performed in accordance with the most recent version of the Massachusetts Stormwater Handbook;
- iii. Calculations for all stormwater management systems shall be provided for the 2-, 10-, 25-, 50-, and 100-year storm events using design rainfall depths for Revere included in the National Oceanic and Atmospheric Administration Atlas 14, Precipitation-Frequency Atlas of the United States (Vol. 10, Northeastern States, published 2015, revised 2019), as amended, or rainfall depths provided in the most

recent version of the Massachusetts Stormwater Handbook, whichever is most conservative.

- b. A Long-Term Operation and Maintenance (O&M) Plan shall be prepared and submitted to the city engineer and the department of public works. The plan shall include, but not be limited to, the following:
 - i. The names of the owners of all components of the system and emergency contact information;
 - ii. A maintenance agreement specifying the names and addresses of the person(s) responsible for O&M of the system, the person(s) responsible for financing maintenance and emergency repairs, and a list of easements if necessary;
 - iii. Stormwater management easements for facility inspections and maintenance;
 - iv. An inspection and maintenance schedule and log form, including routine and non-routine tasks to be performed.
- c. Low-Impact Development (LID) site planning and design strategies must be applied unless it is infeasible to reduce the discharge of stormwater from development sites. Applicants not incorporating LID practices into their plans must indicate why LID is not feasible at the site.
- d. Stormwater management systems on new development sites shall be designed to meet an average annual pollutant removal equivalent to 90% of the average annual load of Total Suspended Solids (TSS) related to the total post-construction impervious area on the site and 60% of the average annual load of Total Phosphorous (TP) related to the total post-construction impervious surface area on the site. The average annual pollutant removal requirements above shall be achieved through one of the following methods:
 - i. Installing STPs that meet the pollutant removal percentages based on calculations developed consistent with EPA Region 1 BMP Accounting and Tracking Tool (2016) or other BMP performance evaluation tool provided by EPA Region 1; or,

- ii. Retaining the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the new development site; or,
 - iii. Meeting a combination of retention and treatment that achieves the above standards; or,
 - iv. Utilizing offsite mitigation that meets the above standards within the same USGS HUC12 as the new development site and within the city of Revere.
- e. Stormwater management systems on redevelopment sites shall be designed to meet an average annual pollutant removal equivalent to 80% of the average annual post-construction load of Total Suspended Solids (TSS) related to the total post-development impervious area on the site and 50% of the average annual load of Total Phosphorous (TP) related to the total post-development impervious surface area on the site. The average annual pollutant removal requirements above shall be achieved through one of the following methods:
 - i. Installing STPs that meet the pollutant removal percentages based on calculations developed consistent with EPA Region 1 BMP Accounting and Tracking Tool (2016) or other BMP performance evaluation tool provided by EPA Region 1; or,
 - ii. Retaining the volume of runoff equivalent to, or greater than, one (1.0) inch multiplied by the total post-construction impervious surface area on the new development site; or,
 - iii. Meeting a combination of retention and treatment that achieves the above standards; or,
 - iv. Utilizing offsite mitigation that meets the above standards within the same USGS HUC12 as the new development site and within the city of Revere.
- f. Stormwater management systems designed on commercial and industrial land use area draining to the waterbodies impaired by solids, turbidity, or sedimentation/siltation as defined by the most recent Massachusetts Integrated List of Waters, shall incorporate designs that allow for shutdown and containment where appropriate to isolate the system in the event of an emergency spill or other unexpected event.

SECTION 24. Section 13.10.030(F)(1) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting the word “thirty” and inserting in place thereof the word “ninety.”

SECTION 25. Section 13.10.030(F)(2) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting the word “thirty” and inserting in place thereof the word “ninety.”

SECTION 26. Section 13.10.030(G)(2) of Title 13 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

2. The applicant shall submit an “as-built” plan for the stormwater controls no later than two (2) years after the final construction is completed. The plan must be prepared by a professional engineer and show all on-site controls, both structural and non-structural, designed to manage the stormwater associated with the completed site, and the final design specifications of all stormwater management controls.

SECTION 27. This ordinance shall take effect upon its passage.

Pursuant to Mass. Gen. Law Chapter 43, Section 23, in as much as the full text of the proposed ordinance exceeds eight pages in length, the full text of the aforementioned ordinance amendment is available online at www.revere.org/departments/city-clerk and on file and available for public inspection in the office of the City Clerk, Revere City Hall, Revere, Massachusetts, Monday through Thursday from 8:15AM to 5:00PM and on Friday 8:15AM-12:15PM. If unable to attend the public hearing, proponent/opponent testimony will be accepted in writing to amelnik@revere.org on or before September 23, 2025.

Attest:
Ashley E. Melnik
City Clerk

Revere Journal
Bill to: amelnik@revere.org
September 3, 2025

Public Hearing

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, September 29, 2025 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts relative to the following proposed amendment to the Revised Ordinances of the City of Revere:

AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE REPEALING THE POLITICAL SIGN ORDINANCE

Be it ordained by the City of Revere, MA as follows:

Section 1. Section 9.12.030 Posting political signs of the Revised Ordinances of the City of Revere is hereby deleted in its entirety.

A copy of the aforementioned proposed ordinance is on file and available for public inspection in the office of the City Clerk, Revere City Hall, Revere, Massachusetts, Monday through Thursday from 8:15AM to 5:00PM and on Friday 8:15AM to 12:15PM. If unable to attend the public hearing, proponent/opponent testimony will be accepted in writing to amelnik@revere.org on or before September 23, 2025.

Attest:

Ashley E. Melnik
City Clerk

Revere Journal
Bill to: amelnik@revere.org
9/3/25

Public Hearing Notice
City of Revere, MA

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, September 29, 2025 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts relative to the following proposed amendment to the Revised Ordinances of the City of Revere:

AN ORDINANCE FURTHER AMENDING WAGE THEFT PREVENTION POLICIES IN THE CITY OF REVERE

Be it ordained by the City of Revere, as follows:

Section 1. Title 15, Chapter 15.15 Wage Theft Prevention Policies is hereby amended by deleting the chapter in its entirety and inserting in place thereof the following new Chapter:

Chapter 15.15 Wage Theft Prevention

- **Section 15.15.010 Purpose**
- **Section 15.15.020 Definitions**
- **Section 15.15.030 Wage Theft Compliance Process**
- **Section 15.15.040 Requirements for Contractors**
- **Section 15.15.050 Requirements for Tax Relief Agreements**
- **Section 15.15.060 Requirements for Licenses and Prospective Licensees**
- **Section 15.15.070 Severability**

Section 15.15.010 - Purpose

The Revere city council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Revere and in adopting this article shall protect residents from a practice commonly known as "wage theft," the improper withholding of payment from employees and failing to pay them according to required schedules. Low income, immigrant, and limited English proficient workers, who represent a high percentage of the population of the City of Revere, are most vulnerable to this practice as are workers in the hospitality service and construction industries. Also, through this article, the city shall ensure that its vendors comply with federal and state wage laws and that city resources are not used to support vendors responsible for wage law violations. And finally, this article shall ensure that potential and current recipients of tax relief agreements and licenses issued under Massachusetts General Law (M.G.L.) chapter 138 and chapter 140 comply with applicable wage laws.

Section 15.15.020 - Definitions

- A. *Administrative citation*, a civil citation issued by the attorney general pursuant to M.G.L c.149 § 27C, a civil citation issued by the Department of Labor pursuant to 29 U.S.C. § 201 et seq. and/or 29 C.F.R. § 578, or any other civil citation for violation of M.G.L. c. 149 or c. 151 and/or 29 U.S.C. § 201 et seq. issued by any other federal, state, or local administrative agency.
- B. *Application*, an initial application or a renewal of a license or permit.

- C. *City*, City of Revere and/or any of its political subdivisions or departments.
- D. *Contractor*, a person or entity that holds a contract or seeks to contract with the City of Revere to provide a service, perform work, or provide materials, machinery, or labor necessary to perform work on real property. "Contractor" includes all bidders or proposers, contractors, construction managers, and subcontractors of any tier, including subcontractors that are not subject to M.G.L Chapter 149, §44F and trade contractors under the bidder.
- E. *Debarment/debarred*, an exclusion from contracting and financial assistance by state or federal entities for a set period of time;
- F. *"EACC"*, economic assistance coordinating council, as defined by M.G.L c. 23A, § 3A and established by M.G.L c. 23A, § 3B.2;
- G. *Employ*, to suffer or permit to work.
- H. *Employee*, a natural person who performs work for an employer operating within the geographic boundaries of Revere, but shall not include any bona fide independent contractor as defined by M.G.L c. 149 § 148B;
- I. *Employer*, any natural person or business, whether or not incorporated or unincorporated, who suffers or permits another to work in the City of Revere, under a contract to which the City of Revere or one of its departments is a signatory, or under agreement with the city for tax incentives, or who otherwise maintains a commercial presence in the City of Revere. This definition excludes the United States, or a corporation wholly owned by the government of the United States, and the Commonwealth of Massachusetts, its subdivisions, and corporate bodies.
- J. *Independent contractor*, as defined in M.G.L c. 149, § 148B ("Massachusetts Independent Contractor Law") and any applicable regulations or advisory guidance implementing that statute.
- K. *Minimum wage*, as defined at M.G.L c. 151 § 1 as well as any other state or federal statute or regulation establishing a minimum fair wage for particular occupations or classes of workers.
- L. *Overtime*, as defined in M.G.L c. 151 § 1A.
- M. *Prevailing wage*, as defined in M.G.L c. 149 §§ 26-27H.
- N. *Stop work order*, as defined in M.G.L c. 152, § 25C and 452 C.M.R. § 8.00.
- O. *Tax relief*, any issuance of tax relief provided under a tax increment financing agreement, a housing development exemption agreement, or any other provision of law or regulation authorizing the issuance of tax relief.
- P. *Tax relief agreement*, any agreement or other form of document governing the terms and conditions of the issuance of tax Relief by the City of Revere.
- Q. *Timely payment of wages*, as defined by M.G.L c. 149 § 148.
- R. *Tipped employee*, an employee engaged in an occupation in which they customarily and regularly receive tips in an amount equal to or more than the dollar amount provided in the Fair Labor Standards Act.

S. *Wage*, as defined by M.G.L c. 149, § 148.

T. *Wage theft*, any action by an employer, their officers, agents, or employees causing employer not to make a timely and /or complete payment of wages, to pay the minimum wage or prevailing wage, or to pay overtime earned and owing to an employee.

Section 15.15.030 - Wage Theft Compliance Process.

- A. *Reporting complaints and violations.* The city solicitor's office shall create an online complaint form that affected employees, or any other persons, may use to report complaints and violations. Printed notice, a digital copy of which shall be prepared by the solicitor, shall be displayed in all businesses with employees where mandatory state and federal labor law posters are and such notice shall specify that complaints can be made anonymously. The notices shall be in all languages spoken by at least 5% of the city population in the most recent United States Census and displayed on the city's web page, city hall and annex. The notice shall be provided to all businesses seeking a business certificate from the city clerk's office.
- B. *Filing and receipt of complaints.* Complaints of violations of state law under M.G.L. c. 149 and c. 151 may be reported to the office of the city solicitor. The city solicitor's office shall refer reports of employees affected by wage theft in Revere to appropriate agencies. Affected employees may fill out complaint forms at the office of the city solicitor. Complaints may be filed by an affected employee or any other person.
- C. *Required communication with the attorney general's office.* Unless otherwise specified in writing by the complainant, the city shall forward each complaint submitted to it pursuant to M.G.L. c. 149 and c. 151 to the Commonwealth's Office of the Attorney General within 30 days of receipt.
- D. *Required communication with other city departments.* The city solicitor's office shall forward each verified and sustained complaint submitted to the City of Revere's purchasing agent, licensing board and city council. If a complaint pertains to work performed at any property subject to a City-issued Tax Increment Financing (TIF) or Tax Increment Exemption (TIE) agreement, collectively referred to herein as "tax relief agreements," the City Solicitor's office shall also send a copy to the Commonwealth's Economic Assistance Coordinating Council (EACC).
- E. *Annual reporting.* The City of Revere shall publish an annual report, through the city solicitor's office, detailing all verified and sustained wage theft complaints received and action taken in response to such complaints, including specifically the status or final disposition of each complaint.

Section 15.15.040 - Requirements for Contractors.

- A. *Requests for Proposals (RFP)/Invitation for bids (Bid) and successful bidder requirements.*
 - 1. All bidders or proposers, contractors, and subcontractors, including those that are not subject to M.G.L. Chapter 149, § 44F, under the bidder/proposer, shall as a condition for bidding, contracting, or subcontracting verify under oath and in writing at the time of bidding or submittal in response to an RFP or in any event prior to entering into a contract or subcontract at any tier, that they comply with the requirements of this Article for bidding, contracting or subcontracting and, for the duration of the project, shall comply with the Article requirements and obligations.
 - 2. Every RFP or bid issued by the purchasing agent or other city department shall notify bidders/proposers that they have an affirmative duty to report any criminal or civil judgment, administrative citation, or final administrative determination for wage theft against the bidder/proposer or any of its subcontractors entered within the five years prior to bid submission, as well as any debarments against the bidder/proposer or any of its subcontractors in effect while its bid is pending to the city, and shall further notify bidders/proposers that if they are the successful bidder/proposer, they and any of their subcontractors have an affirmative duty to report,

within five business days of receipt, any criminal or civil judgment, administrative citation, final administrative determination, order, or debarment against the bidder/proposer or any of its subcontractors while their contract with the city is in effect. The RFP or bid will identify the city department and individual to whom this must be reported.

3. Every RFP or bid issued by the purchasing agent or issuing city department shall notify bidders/proposers that they may not contract with the city if they have been either voluntarily or involuntarily debarred for wage theft by the federal government, any agency of the Commonwealth of Massachusetts or any other state, or any municipal body—including, but not limited to, the City of Revere—for the entire term of the debarment. Such RFPs or bids shall also notify bidders/proposers that they may not use any subcontractor who has been debarred for wage theft by the federal government or any state or municipal government - including, but not limited to, the City of Revere during the period of that subcontractor's debarment.
4. Bidders/proposers that are subject to municipal, state, or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the commonwealth or any of its agencies or subdivisions will be deemed not responsible and their bids or proposals shall be rejected. Such bidders/proposers shall be deemed not responsible for the entire term of debarment or other stated time period. During the term of a contract, upon a finding or order of such debarment or prohibition, the city may, at its sole discretion, terminate the contract without penalty.
5. Successful bidders/proposers must provide a certification of compliance as required by this section. To the extent that the bidder/proposer has been in business for less than five years, it shall provide a certification certifying compliance for the entire period of time for which the entity has been in existence. To the extent a judgment, citation, or final administrative order has been issued against a bidder/proposer within five years prior to its bid, provide a copy of the same, in addition to documentation demonstrating that all damages, fines, costs, and fees have been paid.

In addition, the bidder/proposer must post a bond, to be maintained for the life of the contract, as specified by this section.

6. Successful bidders/proposers must agree to post the Massachusetts wage & hour poster in a conspicuous location accessible to all of their employees. To the extent not all employees would have reasonable access to the notice if posted in a single location, the successful bidder/proposer must inform the purchasing agent of the number and location of postings in order to ensure that they provide reasonable notice to all of their employees. If the purchasing agent so requires, the successful bidder/proposer must make and post additional posters.

B. Certification and disclosures. All bidders or proposers, contractors, and subcontractors, including those that are not subject to M.G.L. Chapter 149, § 44F under the bidder/proposer, shall as a condition for bidding, contracting, or subcontracting verify under oath and in writing at the time of bidding or submittal in response to an RFP or in any event prior to entering into a contract or subcontract at any tier, that they comply with the following conditions for bidding, contracting or subcontracting and, for the duration of the project, shall comply with the following requirements and obligations:

1. Certifies to the purchasing agent that neither they nor any of their subcontractors, or contractors below them at any level have been subject to a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, or 29 U.S.C. § 201 et seq. within five years of their application;
2. Discloses to the purchasing agent or issuing city department any such criminal or civil judgment, administrative citation, final administrative determination, or debarment and include a copy of the same in their applications.

C. *Notice requirement.* Every city department issuing an RFP or bids shall notify applicants that they have an affirmative duty to report to said department and the city solicitor, within five business days of receipt, any criminal or civil judgment, administrative citation, final administrative determination, order, or debarment against them or any of their subcontractors related to wage theft and occurring while the contract is in effect.

D. *Reporting and notice requirements during the contract term.*

1. The contractor shall maintain appropriate industrial accident insurance sufficient to provide coverage for all the employees on the project in accordance with M.G.L. Chapter 152 and provide documentary proof of such coverage included with the contractor's submitted bid to the City of Revere to be maintained as a public record.
2. The contractor shall properly classify employees as employees rather than independent contractors and treat them accordingly for purposes of prevailing wages and overtime, workers' compensation insurance coverage, unemployment taxes, social security taxes and state and federal income tax withholding. (See M.G.L. Chapter 149, § 148B on employee classification).
3. Any construction contractor must make arrangements to ensure that each employee of every contractor and subcontractor of any tier entering or leaving the project individually completes the appropriate entries in a daily sign-in/out log. The sign in/out log shall include: the location of the project; current date; printed employee name; signed employee name; name of employee's employer and the time of each entry or exiting. The log shall contain a prominent notice that employees are entitled under state law to receive the prevailing wage rate for their work on the project. Such sign-in/out logs shall be provided to the purchasing agent upon request and shall be a public record to the extent permitted by law.
4. The contractor must be in compliance with the health and hospitalization requirements of the Massachusetts Health Care Reform law established by Chapter 58 of the Acts of 2006, as amended, and regulations promulgated under that statute by the Commonwealth Health Insurance Connector Authority
5. All construction contractors shall furnish their monthly certified payrolls to the city's purchasing agent for all employees working on city contracts for the entire duration of the project.
6. All contractors shall furnish to the purchasing agent any criminal or civil judgment, administrative citation, final administrative determination, order, or debarment related to wage theft and issued during the term of their contract(s) with the city against the contractor or its sub-contractors within five (5) business days of receipt.
7. To the extent required as set forth below, all contractors shall maintain a wage bond for the term of the contracts) with the city.

E. *Wage bonds.* Any successful bidder/proposer or contractor or subcontractor who has had a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment, resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq., or any other state or federal laws regulating the payment of wages within five (5) years prior to the date it submits its bids or proposals, and that is not otherwise prohibited from public contracting, shall be required by the city to obtain a wage bond or other form of suitable insurance in an amount equal to the aggregate of one year's gross wages for all employees, based on an average of its total labor costs for the past two years, but in no event shall such amount be less than \$5,000. Such bond must be maintained for the terms or extensions of any contract, and proof of such bond must be provided upon request by the city. Failure to comply with this section may constitute grounds for modification, suspension, and/or revocation of the contract at the city's discretion and without penalty to the city.

F. *Suspension or revocation of contract/wage theft as material breach of conditions in RFP or bid.* If a contractor is found to be in violation of M.G.L. c. 149, M.G.L. c. 151, or 29 U.S.C. § 201 et seq., or this section, and therefore in breach of its contract with the city, the city may take one or more of the following actions with ten days' notice to said contractor:

1. Revocation of contractor's contract with the city;
2. Suspension of contractor's contract with the city; and/or
3. Impose conditions on any future contracts with the city, including, but not limited to, the posting of a wage bond and other reasonable requirements.

G. *Applicability.* The requirements of this section, including any sanctions imposed herein, that are applicable to any contractor or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person that is engaged to perform under a city contract shall also be applicable to, and effective against, any successor employer that (i) has at least one of the same principals or officers as the prior employer; and (ii) is engaged in the same or equivalent trade or activity as the prior employer.

Section 15.15.050 - Requirements for Tax Relief Agreements.

A. *Minimum mandatory conditions.* In addition to any other conditions that may be required in connection with the issuance of any tax relief issued by the City of Revere, each tax relief agreement entered into between the City of Revere and the recipient of such tax relief shall be subject to and shall include a reference to the mandatory compliance with this article. The following conditions shall be required:

1. *Certifications and disclosures.* It shall be a special and material condition of any tax relief agreement that any construction manager, general contractor or other lead or prime contractor, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person that is engaged to perform the construction work on the assisted project during the term of the agreement (hereinafter, collectively and individually, the "contractor") shall comply with the following qualifications and conditions at all times during their performance of work on the property:

- a. Any and all persons, natural or corporate, who are non-government signatories to the tax relief agreement shall provide the city solicitor with a list of all construction managers, general contractors, lead or prime contractors, subcontractors, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier engaged to perform work on the property subject to the tax relief plans during the term of the agreement. An initial list must be provided to the city solicitor prior to the start of any work on the property subject to the tax relief agreement.
- b. Should any additional or replacement entities be engaged to perform work on the property subject to the tax relief plans during the term of the tax relief agreement, the signatory must provide to the city solicitor the name of such entity no later than 14 days after that entity begins work on the property.
- c. Tax relief agreement recipient signatories shall further certify that they shall not engage any entity to perform work on the property covered under the tax relief agreement if such entity is subject to any debarment for any reason, or an unpaid criminal or civil judgment, administrative citation, or final administrative determination for wage theft, and that they shall not

(a) have entities performing work on the property who have been the subject of an indictment, judgment, or grant of immunity, including pending actions, for any business-related conduct constituting a crime under state or federal law; nor (b) have any entities performing work on the property who have been the subject of a

government suspension or debarment, rejection of any bid or disapproval of any proposed contract or subcontract, including pending actions, for lack of responsibility denial or revocation of prequalification or a voluntary exclusion agreement; nor (c) have entities performing work on the property who have been the subject of any governmental determination of a violation of any public works law or regulation, or labor law or regulation or regulation of any OSHA violation deemed "serious or willful" within the five year period preceding the date such agreement is signed. If, notwithstanding such certification, any interested person gives the City of Revere written notice, via the city solicitor, that any person or entity engaged to perform work on a property subject to a tax relief agreement is subject to a debarment or an unpaid criminal or civil judgment, administrative citation, or final determination in violation of the certification provisions of this subsection and entered within the five year period prior to the date the tax relief agreement is signed, the city solicitor shall write to all signatories to the tax relief agreement within ten business days and request that the outstanding judgment or determination be satisfied or that the person or entity subject to such judgment or determination be immediately replaced on the project.

- d. The contractor has not been found within the past five years by a court or governmental agency in violation of any law relating to providing workers compensation insurance coverage, misclassification of employees as independent contractors, payment of employer payroll taxes, employee income tax withholding, earned sick time, wage and hour laws, prompt payment laws, or prevailing wage laws.

The requirements of this section, including any sanctions imposed herein, that are applicable to any employer shall also be applicable to, and effective against, any successor employer that (i) has at least one of the same principals or officers as the prior employer; and (ii) is engaged in the same or equivalent trade or activity as the prior employer.

If the outstanding judgment or determination as specified in this section has not been satisfied, nor the person or entity subject to such judgment replaced on the project, within 14 days of when the city solicitor informs the signatories to the agreement of the outstanding violation, then the agreement shall provide that such an event materially frustrates the public purpose for which this agreement and any certification of the agreement by the city was intended to advance.

2. Special and material conditions of tax relief agreements with City of Revere.

- a. It shall be a special and material condition of any tax relief agreement that any construction manager, general contractor, or other lead or prime contractor, or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person that is engaged to perform the work during the term of their tax relief agreement on the property that is the subject of the tax relief agreement shall comply with the following qualifications and conditions at all times during their performance of work on the property:
 - i. Maintain appropriate industrial accident insurance sufficient to provide coverage for all the employees on the project in accordance with M.G.L. c. 152 and provide documentary proof of such coverage to the building inspector to be maintained in the building department as a public record;
 - ii. Properly classify employees as employees rather than independent contractors and treat them accordingly for purposes of workers' compensation insurance coverage, unemployment taxes, social security taxes and state and federal income tax withholding. (M.G.L. c.149, § 148B on employee classification);
 - iii. Comply with M.G.L. c. 149, § 148 with respect to the payment of wages; and

- iv. Comply with the health and hospitalization requirements of the Massachusetts Health Care Reform law established by Chapter 58 of the Acts of 2006, as amended, and regulations promulgated under that statute by the Commonwealth Health Insurance Connector Authority.
3. *Wage theft complaints for properties covered by tax relief agreements.* The city solicitor shall promptly respond to any complaints for violations of the legal obligations outlined in this section, including complaints for wage theft that pertain to work performed at any property subject to a tax relief agreement by sending notice of such complaint to all signatories of the tax relief agreement within 30 business days of receiving such complaint. The solicitor may take appropriate steps to resolve such complaint after such notice is provided, including, but not limited to, arranging informal and voluntary mediations involving the affected worker, the agreement signatories, and any implicated contractor or subcontractor of any tier on the project. If, after the solicitor has properly served notice of a complaint upon the signatories to a tax relief agreement pursuant to this subsection, any employer becomes subject to a federal or state criminal or civil judgment, administrative citation, stop work order, debarment, or final administrative determination resulting from a violation of any of the legal obligations outlined in this section and if such judgment, citation, or order is not satisfied or discharged, or the offending employer replaced on the project, within 14 business days of the entry of such judgment, citation, or order, the parties agree that such an event materially frustrates the public purpose that the tax relief agreement and any certification of the tax relief agreement by the city was intended to advance.
4. *Termination of tax relief agreements.* In the event the public purpose of a tax relief agreement is materially frustrated pursuant to this section, the city council shall hold a public hearing and vote at its next regularly scheduled meeting regarding whether to terminate the tax relief provided by such tax relief agreement and petition the EACC for revocation of that portion of its certification of the tax relief agreement corresponding to such tax relief agreement. If the termination of such tax relief agreement is approved by the city council, the owner of the property covered by such tax relief agreement shall forfeit the receipt of any funds or future tax benefits and/or shall return any such funds already received in connection with the project.
5. *Requirements for successors-in-interest.* The requirements of this section, including any sanctions imposed herein, that are applicable to any bidder, proposer, contractor or any entity functioning in any such capacity, and any other contractor or subcontractor of any tier or other person that is engaged to perform the construction work during the term of this agreement on the property shall also be applicable to, and effective against, any successor employer that (i) has at least one of the same principals or officers as the prior employer; and (ii) is engaged in the same or equivalent trade or activity as the prior employer.

Section 15.15.060 - Requirements for licensees and prospective licensees.

- A. *Violations of wage laws by licensees or permittees.* Any application filed by an employer to the Revere Licensing Board for any license issued pursuant to M.G.L. c. 138 or M.G.L. c. 140 may be denied if, during the five- year period prior to the date of the application, the applicant employer has been subject to a federal or state criminal or civil judgment, administrative citation, order, debarment, or final administrative determination resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq., or any other state or federal laws regulating the payment of wages. Each such applicant shall certify that they have not been found guilty, liable or responsible, in the past five years, in any judicial or administrative proceeding, for any violation of any of the laws set forth above.
- B. *Requirements for license holders.* Any license or permit issued by the Revere Licensing Board under M.G.L. c. 138 or M.G.L. c. 140 to an employer may be modified, suspended or revoked if, during the

term of the license or permit, the licensee or permittee employer has been subject to a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq. or any other state or federal laws regulating the payment of wages.

- C. *Wage bonds for license holders.* Employers granted a license or permit that have disclosed a criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C.

§ 201 et seq., or any other state or federal laws regulating the payment of wages within five years prior to the date they submit their applications, or employers granted a license or permit who become subject to a federal or state criminal or civil judgment, administrative citation, final administrative determination, order, or debarment resulting from a violation of M.G.L. c. 149, M.G.L. c. 151, 29 U.S.C. § 201 et seq., or any other state or federal laws regulating the payment of wages during the term of the license or permit, may be required by the city to obtain a wage bond or other form of suitable insurance in an amount equal to the aggregate of one year's gross wages for all employees (including tipped employees), based on an average of its total labor costs for the past two years. Such bond must be maintained for the terms or extensions of any license or permit, and proof of such bond must be provided upon request by the city. Failure to comply with this section may constitute grounds for modification, suspension, and/or revocation of the license or permit.

Section 15.15.070 - Severability.

If any provision of this article is held invalid or unenforceable by any court, such a holding does not invalidate or render unenforceable any other provision of the article, and the rest of the article shall remain in full force and effect.

Pursuant to Mass. Gen. Law Chapter 43, Section 23, in as much as the full text of the proposed ordinance exceeds eight pages in length, the full text of the aforementioned ordinance amendment is available online at www.revere.org/departments/city-clerk and on file and available for public inspection in the office of the City Clerk, Revere City Hall, Revere, Massachusetts, Monday through Thursday from 8:15AM to 5:00PM and on Friday 8:15AM-12:15PM. If unable to attend the public hearing, proponent/opponent testimony will be accepted in writing to amelnik@revere.org on or before September 23, 2025.

Attest:
Ashley E. Melnik
City Clerk

Revere Journal
Bill to: amelnik@revere.org
September 10, 2025