



OFFICE OF
THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

June 26, 1984

Russell B. Higley, Esquire
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find proposed amendments which were passed to be ordained at the City Council meeting of June 25, 1984 as follows:

1. Proposed amendment of the General Ordinances of the City of Cambridge in Chapter Two entitled "Administration", Article XVI entitled "Cambridge Historical Commission".
2. Proposed amendment to the General Ordinances of the City of Cambridge in Chapter Eight entitled "Civil Defense" by striking out the words "Civil Defense" and substituting in place thereof the words "Emergency Management Agency".
3. Proposed amendment to the General Ordinances of the City of Cambridge in Chapter Two entitled "Administration", Article XXII entitled "Officers Generally", section 2-191 entitled "List of Salaries in General" providing for a salary increase for the City Council and the Mayor.
4. Proposed amendment to the Zoning Ordinances of the City of Cambridge by inserting a new subsection 5.53 in the subsection entitled "Special Dimensional Regulation".

June 26, 1984

Also at the City Council meeting of June 25, 1984 the following two amendments to the General Ordinances of the City of Cambridge were passed to a second reading, as follows:

1. Chapter Fifteen entitled "Police Department" by adding a new Article IV entitled "City of Cambridge Police Review and Advisory Board".
2. Chapter Twenty-Four entitled "Employment" by adding a new article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and the Employment Resources, Inc.".

Would you kindly review these proposed amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/dl

Encs. Ordinance No. 1009
Ordinance No. 1010
Ordinance No. 1011
Ordinance No. 1012
First Publication No. 2252.
First Publication No. 2253



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Two, entitled "Administration," Article XVI, entitled "Cambridge Historical Commission," Section 2-147, entitled "Powers and Duties of the Commission," is hereby amended as follows:

Section 2-147(J), entitled "Procedures for Demolition of a Significant Building as Determined by the Cambridge Historical Commission to be Historically or Architecturally Detrimental," sub-section 3.4 is hereby amended so that the first two sentences thereof read as follows:

3.4 If the Commission Staff shall have made an initial determination that a building which is the subject to the application is or may be a significant building, the Commission shall review the application and such initial determination at a public meeting of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in Cambridge notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week....

Section 2-147(K), entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks," sub-section 4 (Designations) is hereby amended by striking out the words "the Cambridge Chronicle," as they appear in the fourth paragraph thereof, and substituting therefor the words "a newspaper of general circulation in Cambridge."

In City Council June 25, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty Four

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1982 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Eight entitled "Civil Defense" is hereby amended by striking out in Section 8-1 the second sentence and substituting therefor "The department may also be referred to as the 'Emergency Management Agency'".

Chapter Eight, sections 8-2, 8-5, 8-6, 8-7, 8-9, 8-10, 8-11, 8-12 are hereby amended by striking out the words "Civil Defense" wherever it appears and substituting therefor the words "Emergency Management".

Chapter Eight, section 8-8, is hereby amended by striking out the words "Director of Civil Defense" and substituting therefor the words "Director of Emergency Management".

In City Council June 25, 1984.

Passed to be ordained by a yeas and nays vote:- Yeas 7; Nays 2;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

Amend Section 5.50, Special Dimensional Regulations, by inserting a new subsection 5.53 as follows:

5.53 In Residence A-1 and A-2 Districts only one structure containing a principal use shall be allowed on a lot.

Note: The purpose of this amendment is to ensure that all new construction of single-family detached dwellings in Residence A-1 and A-2 districts meet the intended lot and dimensional requirements for those districts. The ordinance currently allows more than one principal structure on a single lot. Therefore, as long as the minimum lot area per dwelling unit is met, it is possible to construct several single-family detached dwellings on a single lot through use of the condominium form of ownership. The proposed amendment requires that every new single-family dwelling in these districts meet all dimensional requirements including its own individual lot.

In City Council June 25, 1984.

Passed to be ordained by a yeas and nays vote: Yeas 6; Nays 3; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Two entitled "Administration", Article XXII entitled "Officers Generally", Section 2-191 entitled "List of Salaries in General", is hereby amended by striking out the provisions of Ordinance Number 990 ordained by the City Council on December 27, 1982 providing for the salaries of the Mayor and the City Council Members and substituting in place thereof a new salary schedule which reads as follows:

Each member shall receive the following salaries and are to be paid montly or weekly, unless otherwise stated:

	Minimum Annual <u>Salary</u>	Maximum Annual <u>Salary</u>
Mayor		\$19,432
City Council Member		\$18,129

The effective date of the this ordinance shall be January 1, 1984.

In City Council June 25, 1984.

Passed to be ordained as amended by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Clerk.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Fifteen entitled "Police Department" is hereby amended by adding at the end thereof a new Article IV entitled "City of Cambridge Police Review and Advisory Board", which reads as follows:

ARTICLE IV. CITY OF CAMBRIDGE POLICE REVIEW AND ADVISORY BOARD.

City of Cambridge Police Review and Advisory Board

There shall be a five (5)-member City of Cambridge Police Review and Advisory Board (the "Board"). Members of the Board shall be appointed by the City Manager.

The term of membership on the board is three (3) years.

The City Manager may remove members of the Board only for cause. All members of the Board shall be residents of the City of Cambridge (the "City") for at least two (2) years prior to his or her appointment. As nearly as possible, the City Manager shall choose members of the Board so that the Board is representative of the various minority, ethnic and cultural groups within the City.

The Board shall elect a chairperson annually. The Board shall meet at the call of its chairperson, but shall meet at least once a month. Meetings of the Board shall be open to the public except when the Board, in its discretion, meets in executive session in private.

Members of the Board shall be compensated at a level established by the City Manager.

2. Duties of the City of Cambridge Police Review and Advisory Board

The Board shall have the following duties:

- a. In consultation with the Chief of Police and with the approval of the City Manager and Chief

of Police, there shall be established policies, rules and regulations for the Department;

- b. The Board shall review the Department budget before it is submitted to the City Manager;
- c. The Board shall receive and resolve, as provided in sections six (6) and seven (7) of this ordinance, any complaint concerning the operation of the Department;
- d. The Board and Chief of Police shall make recommendations to the City Manager in matters concerning the discipline of employees of the Department;
- e. The Board shall make an annual report to the City Manager, the mayor, city council, and to the public, of the Department's activities during the previous year, including the handling of crime and complaints, and of future plans;
- f. The Board, with the assistance and approval of the City Solicitor, shall have the power to subpoena witnesses, administer oaths, take testimony, and require the production of evidence. The Board, through the Office of the City Solicitor, shall apply to the appropriate court to enforce a subpoena or order for

production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order. The Board may delegate in writing to a member of the Department or its staff the powers to administer oaths and take testimony. A delegation is revocable at the will of the Board and does not prevent exercise of any power by the Board.

3. Staff

- a. Secretary to the Board. The Board, with the approval of the City Manager, shall appoint a part-time secretary. The secretary shall attend Board meetings.
- b. Investigative Staff. The Board, with the approval of the City Manager, shall also appoint an investigator and such additional staff of investigators if it is necessary. The investigators shall not have been an employee or elective or appointive officer of the city within three (3) years prior to appointment. They must possess skills and experience necessary for investigative work.
- c. Other Staff. The Board, with the approval of the City Manager, may from time to time under

contract in accordance with existing regulations and law, such additional staff as is necessary to carry out its duties (and only after a showing need and good cause to the City Manager).

All members of the staff are under the direction of the Board and the Chief of Police.

Duties of the Chief of Police.

The Chief of Police shall administer the Department pursuant to existing, policies, rules and regulations.

The Chief of Police shall:

- a. Organize the Department with the recommendations and advice of the Board, and with the final approval of the City Manager;
- b. Recommend rules, regulations, and procedures to the Board for its review and recommendations;
- c. Recommend to the City Manager an annual budget for the Department after having submitted it to the Board for review;
- d. Recommend to the City Manager all hirings, promotions, commendations, transfers, and discipline of employees of the Department;
- e. Recommend to the City Manager suspensions and discharges of employees of the Department;

- f. File complaints against employees of the Department with the Board secretary;
- g. Direct employees of the Department in the performance of their duties;
- h. Except as otherwise advised by the Board or because of existing law, keep and control all property and equipment belonging to the Department or held by the Department as evidence;
- i. Submit to the Board an annual report of the operations of the Department for forwarding to the City Manager, the mayor, the city council, and the public; and
- j. Present annually to the Board, City Manager, the mayor, the city council, and the public, any recommendations he or she deems necessary.

5. Discipline

- a. Manual Chief of Police, in consultation with the Board, shall adopt a manual of rules, regulations and procedures for the Department. The manual shall define categories of major and minor offenses and shall set forth the maximum and minimum penalties for each offense. Said

offenses and penalties shall not be defined in a manner that is inconsistent with existing Civil Service laws.

b. Summary Discipline. The Chief of Police may implement summary discipline for a minor offense. A disciplined employee may request the Board to set aside the summary discipline.

c. General Discipline. The Chief of Police shall recommend to the City Manager the discharge or indefinite suspension of any employee of the Department for a major offense.

When the Chief of Police has made a recommendation concerning discipline for a major offense and the employee contests the recommended discipline, the matter shall be referred to a trial board. The procedure for trial boards shall be established by the Department's rules and regulations. All trial board proceedings concerning civilian complaints shall be public. The decision of a trial board may be appealed to the Board.

Instead of hearing an appeal itself, the Board may appoint a fact finder as provided in section six (6). The fact finder shall conduct a hearing and report findings of fact to the Board. The Board shall then make its recommendation concerning the final disposition

matter to the City Manager.

Complaints

Complaints concerning the Department and filed with the Department shall be forwarded immediately to the Board secretary. Copies of the complaint shall be made available to each member of the Board, the chief investigator, and the Chief of Police. The Chief of Police shall investigate a complaint immediately and file a report of findings with the Board within 45 days. The Board shall also receive complaints concerning any violation of its rules and regulations. The Board may, in its discretion, at any time order an investigation by its own investigative staff of complaints concerning the Department or violations of the Board's rules and regulations.

The Board secretary shall keep a public docket of complaints and the disposition of each complaint after investigation.

7. Resolution of Complaints

If a complaint is not resolved as a result of investigation to the satisfaction of the complainant, the respondent employee, or a member of the Board,

of the complainant, the respondent employee, or the member may request the full Board to hear or the matter. The Board may, as its option, when it determines that a hearing or review is warranted by the evidence, hear or review the matter itself or refer the matter to a fact finder.

The fact finder shall be an attorney and, in the conduct of the hearing, may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the fact finder shall, with the assistance and approval of the City Solicitor, apply to the appropriate court. The costs of the fact finder shall be borne by the City.

After a hearing, the fact finder shall, within thirty (30) days, submit findings of fact to the Board. The Board, upon receipt of the report of the fact finder, shall within thirty (30) days recommend to the City Manager any discipline to be imposed. Any report or action involving a civilian complaint shall be made public.

Any employee against whom a complaint is filed is presumed innocent and shall not forfeit any pay or seniority rights pending final action by the Board, except with the concurrence of four members of the

Board. All pleadings filed and all hearings before the **Board** and the fact finder which involve a civilian **complaint** shall be public. The parties to any hearing **are the** complainant and the respondent employee. Each **has a** right to counsel. The complainant's case may be **presented** by the complainant or complainant's counsel. **Any** probative evidence may be admitted.

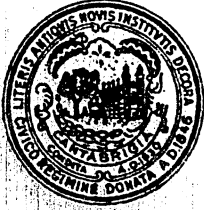
8. Hiring and Promotions.

Entry into employment with the Department as a police officer is by appointment of the City Manager, in accordance with the rules, regulations, and procedures established by this Commonwealth's Civil Service Laws.

Promotions shall be made on the basis of training, experience, education and competitive examinations, all in accordance with existing law. The City Manager shall make all promotions within the Department.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST;- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge. "

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Twenty-four entitled "Employment" is hereby amended by adding at the end thereof a new Article entitled "Implementation of the Cambridge Employment Plan by the Community Development Department and Employment Resources, Inc", which reads as follows:

IMPLEMENTATION OF THE CAMBRIDGE EMPLOYMENT PLAN BY THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE EMPLOYMENT RESOURCES, INC.

SECTION 1 DEFINITIONS:

"Resident" is any person for whom the principal place where that person normally eats and sleeps is within the city limits of the City of Cambridge where that person maintains his or her domicile and that person is subject to a Massachusetts resident Income Tax and such a residency has occurred for at least six full months.

"Minority" person" shall include those persons who are Black, Hispanic, Asian, or Native American, or Cape Verdean;

SECTION 2 POLICY:

- (a) on any construction project funded in whole or in part by City, State or Federal funds, or funds which in accordance with a Federal grant the city expends or administers or which the city is a signatory to the construction contract, the worker hours on a craft by craft basis shall be performed, in accordance with the contract documents provided for in section 2(b) below, as follows:
 - (a) no less than twenty-five percent of the total employee manhours in each trade shall be performed by bona fide Cambridge residents;
 - (b) no less than twenty-five percent of those employee manhours described in section 2(b)a. shall be performed minorities;
 - (c) no less than ten percent of those employee manhours described in section 2(b)a. shall be performed by women;
- (c)
 - (a) such contracts with a value in excess of \$250,000.00 (two hundred and fifty thousand dollars) shall be performed only by contractors who are affiliated with bona fide apprenticeship programs approved by the Commonwealth of Massachusetts;
 - (b) that all contractors bidding on such projects provide written commitment to employ a specific number of apprentices satisfactory to the City.

SECTION 3 COMPLIANCE, ENFORCEMENT, SANCTIONS

Employment Resources Incorporated as described above shall be designated as the agency responsible for the implementation of this ordinance.

Community Development as described above shall be responsible for compliance and enforcement of this ordinance.

PLANNING AND IMPLEMENTATION: Prior to the commencement of any construction project, capital works, or city economic development plan covered by this ordinance, both agencies described above shall

- jointly; (1) Review spending plans for such projects;
- (2) Identify the number of job positions in all categories that will be created by such projects;

Employment Resources Inc. shall establish a job screening and referral program that will assist contractors and subcontractors to enable them to comply with this ordinance.

The Offices of Community Development shall be responsible for enforcing and monitoring compliance with the provisions of this ordinance and the contract provisions established in accordance herewith shall have the following duties:

- (1) To require all contractors and subcontractors affected by this ordinance to submit weekly workforce charts listing workers by name, residential address, craft, job category, hours worked, sex and race and that these charts shall be public record;
- (2) To negotiate with all contractors/developers in order to identify and classify construction jobs by job titles, and duration.
- (3) To exercise the power, by means of the contract provision referred to above, to impose sanctions upon contractors and subcontractors found to be in non-compliance with this ordinance. Such sanctions shall include but not be limited to:
 - (i) suspension of payments
 - (ii) termination of any or all contracts,
 - (iii) recovery by the City of Cambridge of one percent (.01) of the contract award price as liquidated damages and
 - (iv) denial of any further participation in future contracts for no less than three years.

SECTION 5 REVIEW COMMITTEE

A subcommittee shall be established to review all reports made available semi-annually by both Employment Resources Inc. and Community Development and make recommendations to both entities concerning all aspects of this ordinance.

SECTION 6 INDEPENDENT AGENCIES

Any and all activities of any independent agency operating or acting on behalf of the City of Cambridge, including, but not limited to, the Cambridge Redevelopment Authority, shall comply with the provisions of this ordinance.

SECTION 7 FUNDING

Funding shall be provided to establish a position in Employment Resources Incorporated to enable the successful execution of this ordinance, and that such position should be filled by an individual that has a working rapport with local trade unions, experience and a working knowledge of the construction industry and its intricacies and shall have had prior experience working in a like capacity.

Passed to a second reading at the City Council meeting held on June 25, 1984 and on or after July 9, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

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City of Cambridge

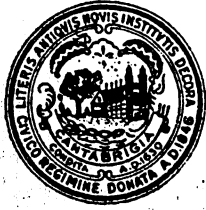
MASSACHUSETTS

In City Council

6/25/ 198*4*

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell	✓			

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City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Two, entitled "Administration," Article XVI, entitled "Cambridge Historical Commission," Section 2-147, entitled "Powers and Duties of the Commission," is hereby amended as follows:

Section 2-147(J), entitled "Procedures for Demolition of a Significant Building as Determined by the Cambridge Historical Commission to be Historically or Architecturally Detrimental," sub-section 3.4 is hereby amended so that the first two sentences thereof read as follows:

3.4 If the Commission Staff shall have made an initial determination that a building which is the subject to the application is or may be a significant building, the Commission shall review the application and such initial determination at a public meeting of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in Cambridge notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week....

Section 2-147(K), entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks," sub-section 4 (Designations) is hereby amended by striking out the words "the Cambridge Chronicle," as they appear in the fourth paragraph thereof, and substituting therefor the words "a newspaper of general circulation in Cambridge."

In City Council June 25, 1984.

Passed to be ordained by a yeas and nays vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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Robert W. Healy, City Manager.

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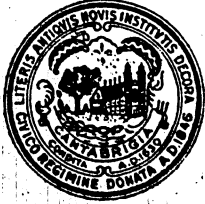
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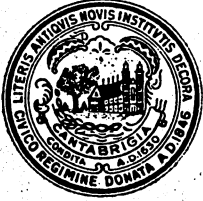
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Chapter Two, entitled "Administration," Article XVI, entitled "Cambridge Historical Commission," Section 2-147, entitled "Powers and Duties of the Commission," is hereby amended as follows:

Section 2-147(J), entitled "Procedures for Demolition of a Significant Building as Determined by the Cambridge Historical Commission to be Historically or Architecturally Detrimental," sub-section 3.4 is hereby amended so that the first two sentences thereof read as follows:

3.4 If the Commission Staff shall have made an initial determination that a building which is the subject to the application is or may be a significant building, the Commission shall review the application and such initial determination at a public meeting of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in Cambridge notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week....

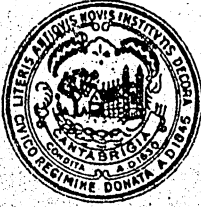
Section 2-147(K), entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks," sub-section 4 (Designations) is hereby amended by striking out the words "the Cambridge Chronicle," as they appear in the fourth paragraph thereof, and substituting therefor the words "a newspaper of general circulation in Cambridge."

In City Council June 25, 1984.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0;
Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

Amendment #7

In the Year One Thousand, Nine Hundred Seventy-Eight

AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Two entitled: "Administration" Article XVI entitled: "Cambridge Historical Commission" is hereby amended by adding at the end thereof of section 2-147 entitled: "Powers and Duties of the Commission" a new sub-section (j) entitled: "Procedures for Demolition of a Significant Building as Determined by the Cambridge Historical to be Historically of Architecturally Detrimental," which reads as follows:

- (j) PROCEDURES FOR DEMOLITION OF A SIGNIFICANT BUILDING AS DETERMINED BY THE CAMBRIDGE HISTORICAL COMMISSION TO BE HISTORICALLY OF ARCHITECTURALLY DETRIMENTAL.

Section 1. Intent and Purpose.

This ordinance is adopted for the purpose of preserving and protecting significant buildings within the City which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the city; to resist and restrain environmental influences adverse to this purpose; to encourage owners of preferably-preserved significant buildings to seek out persons who might be willing to purchase and to preserve, rehabilitate, or restore such buildings, rather than demolish them; and by furthering these purposes to promote the public welfare, to preserve the resources of the City, and to make the City a more attractive and desirable place in which to live. To achieve these purposes, the Cambridge Historical Commission is empowered to advise the Cambridge Building Commissioner with respect to the issuance of permits for demolition, and the issuance of demolition permits for significant buildings is regulated as provided in this ordinance.

Section 2. Definitions.

The following terms, when used whether or not capitalized in this ordinance, shall have the meanings set forth below, unless the context otherwise requires.

2.1 "Building" - any combination of materials forming a shelter for persons, animals or property.

City of Cambridge

2.2 "Significant building" - any building within the City which is in whole or in part fifty years or more old and

- (a) which is within any historic district; or
- (b) which is listed on, or is within an area listed on, the National Register of Historic Places, or which is the subject of a pending application for listing on said National Register; or
- (c) which is or has been designated by the Commission to be a significant building after a finding by the Commission that a building either
 - (i) is importantly associated with one or more historic persons or events, or with the broad architectural, cultural, political, economic or social history of the City or the Commonwealth, or
 - (ii) is historically or architecturally significant (in terms of period, style, method of building construction, or association with a famous architect or builder) either by itself or in the context of a group of buildings.

2.3 "Preferably-preserved significant building" - any significant building which the Commission determines, as provided in section 3.4 of this ordinance, that it is in the public interest to be preserved or rehabilitated rather than to be demolished.

2.4 "Commission" - the Cambridge Historical Commission.

2.5 "Commission staff" - the executive director of the Commission, the person performing the functions of such director in the event there is no person with the title of executive director as such, or any other person regularly providing staff services for the Commission to whom the Commission has delegated authority to act as commission staff under this ordinance.

2.6 "Initial determination" - any determination contemplated in Section 3.3 of this ordinance made by the Commission or the commission staff.

2.7 "Building Commissioner" - the person occupying the office of Commissioner of Buildings or otherwise authorized to issue demolition permits.

2.8 "Application" - an application for a permit for the demolition of a building, which application contains the information referred to in Section 4 of this ordinance.

City of Cambridge

2.9 "Permit" - a permit issued by the Building Commissioner for demolition of a building pursuant to an application therefor.

2.10 "Demolition" - the act of pulling down, destroying, removing, or razing a building, or commencing the work of total or substantial destruction with the intent of completing the same.

2.11 "Business day" - a day which is not a legal municipal holiday, Saturday or Sunday.

2.12 "Historic district" - the Old Cambridge Historic District and any other historic district that may from time to time have been established by ordinance.

Section 3. Procedure.

3.1 No permit for the demolition of a building which is in whole or in part fifty years or more old shall be issued other than in conformity with the provisions of this ordinance, as well as in conformity with the provisions of other laws and ordinances applicable to the demolition of buildings and the issuance of permits therefor generally. An application for demolition of a building over fifty years in age shall be made only by the person, partnership, corporation or realty trust which is the owner thereof at the time of said application.

3.2 The Building Commissioner shall cause a copy of each application for a demolition permit to be forwarded to (or shall satisfy himself that a duplicate of such application has been submitted to) the Commission for determination by the Commission whether the building which is the subject of such application is a preferably-preserved significant building.

3.3 If the Commission Staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Building Commissioner shall be so advised, and no demolition permit shall at that time be issued. If the Building Commissioner shall not receive advice of any such initial determination within five business days of the date that a copy of the application is submitted to the Commission Staff, then, subject to Section 6 of this ordinance, the Building Commissioner may grant the permit applied for unless prior to such grant he is advised that such an initial determination has been made.

~~3.4 If the Commission Staff shall have made an initial determination that a building which is the subject to the application is or may be a significant building, the Commission shall review the application and such initial determination at a public meeting of the Commission for which the Commission shall cause to be published in the Cambridge Chronicle notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of the Chronicle distributed in the week preceding the week in which such meeting is held, or~~

ap in *y*
~~In an earlier week.~~ If requested either by the applicant for the demolition permit or by ten citizens not later than the date of such public meeting, or if at any time the Commission wishes to have the benefit of a public hearing, the Commission shall hold a public hearing prior to making the determination provided for in this section. If the Commission determines, after such a hearing if one has been held or without such hearing if no hearing has so been requested, that the demolition of the subject building would result in the demolition of a significant building whose loss would be detrimental to the historical or architectural heritage or resources of the City, such building shall be considered a preferably-preserved significant building. The Commission may delegate to the Commission Staff authority to determine without any hearing that a building is not a preferably-preserved significant building and to so advise the Building Commissioner. Upon determination by the Commission or by the Commission Staff that a building is not a preferably-preserved significant building or upon failure by the Commission to make any determination within 45 days of the date that a copy of the application was submitted to the Commission, the Building Commissioner may, subject to Section 6 of this ordinance, grant the permit applied for.

3.5 Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Building Commissioner, and no demolition permit shall be issued until six months after the date of such determination by the Commission. Notwithstanding the preceding sentence, the Building Commissioner may issue a demolition permit for a preferably-preserved significant building at any time after receipt of written advice from the Commission to the effect either (i) that the Commission is satisfied that there is no reasonable likelihood that either the owner or some other person or group willing to purchase the preferably-preserved significant building would be willing to preserve, rehabilitate, or restore such building, or (ii) that the Commission is satisfied that for at least six months since the owner first sought the advice of the Commission or the Commission Staff in locating a person or group that might be willing to purchase such building and to preserve, rehabilitate, or restore the same, the owner of the preferably-preserved significant building has made continuing, bona fide, reasonable and unsuccessful efforts to locate such a purchaser.

3.6 No permit for demolition of a building determined to be a preferably preserved significant building under Section 3.4 shall be granted until all proceedings relating to amendments of the zoning ordinance of the City of Cambridge have been completed, if such proceedings have been initiated prior to the expiration of any period of delay of demolition resulting from such determination, and if such amendments affect the site of the building whose demolition has been thereby delayed.

City of Cambridge

3.7 No permit for erection of a new structure on the site of an existing building over fifty years old may be issued prior to issuance of a permit for demolition of such existing building.

3.8 No permit for demolition of a building determined to be a preferably preserved significant building under Section 3.4 shall be granted until plans for use or development of the site after demolition have been filed with the Building Department and found to comply with all laws pertaining to the issuance of a building permit, or if for a parking lot, a certificate of occupancy, for that site. All approvals necessary for the issuance of such a building permit or certificate of occupancy including without limitation any necessary zoning variances or special permits, must be granted and all appeals from the granting of such approvals must be concluded, prior to the issuance of a demolition permit under this subsection.

Section 4. Applications; Notice.

4.1 Application contents. Every application for a demolition permit for a building shall contain the following information: (i) the applicant's name, address, and interest in the property; (ii) the owner's name and address, if different from the applicant's; (iii) the address or location of the building to be demolished; (iv) a brief description of the type of building and the condition requiring issuance of the permit; and (v) a brief description of the proposed reuse, reconstruction, or replacement of the premises upon which the building is located.

4.2 Notice. In addition to the publication provided for in Section 3.4 of this ordinance, notice of any hearing or determination provided for in this ordinance shall in any event be given by the Commission to the applicant for the demolition permit, and shall also be given to such other persons and in such manner as the Commission may determine. The Commission may among other forms of notice require that the applicant maintain on the building which is the subject of an application a notice, in a form designated by the Commission, visible from the nearest public way, of any hearing upon the subject matter of such applicant; and the applicant shall comply with such requirement.

Section 5. Emergency Demolition.

5.1 In the event that a Board of Survey is convened to consider the condition of a building over fifty years old, the Executive Director of the Historical Commission shall be notified to accompany the Board during its inspection. The Board of Survey shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.

City of Cambridge

Section 6. Historic Districts Act.

Nothing in this ordinance shall be deemed to conflict with the provisions of the Historic Districts Act, General Laws Chapter 40C, with respect to requirements as to notice, hearing and issuance by the Commission of a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship prior to demolition of any building in an historic district; provided, however, that any temporary building erected or maintained in an historic district pursuant to a certificate issued by the Commission may be demolished in a manner not inconsistent with the terms of said certificate.

Section 7. Enforcement and Remedies.

7.1 Enforcement. The Commission and/or the Building Commissioner are each specifically authorized to institute any and all actions and proceedings, in law or in equity, as they may deem necessary and appropriate to obtain compliance with the requirements of this ordinance or to prevent a threatened violation thereof.

7.2 Building Permit to be Withheld. No building permit shall be issued with respect to any premises upon which a building fifty years or more old has been voluntarily demolished otherwise than pursuant to a demolition permit granted after compliance with the provisions of this ordinance for a period of two years after the date of the completion of such demolition. As used herein "premises" refers to the parcel of land upon which the demolished building was located and all adjoining parcels of land under common ownership or control.

7.3 Upon a determination by the Commission that a building is a preferably preserved significant building, the owner shall be responsible for properly securing the building in compliance with the regulations of the Building Department. Should the owner fail so to secure the building, the loss of such building through fire or other cause shall be considered voluntary demolition for the purposes of Section 7.2.

Section 8. Severability.

In case of any section, paragraph or part of this ordinance be for any reason declared invalid or unconstitutional by any court, every other section, paragraph and part shall continue in full force and effect.

In City Council June 29, 1981.

Passed to be ordained by a yea and nay vote:- Yeas 8; Nays 0;
Absent 1.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



Amendment #2 City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Two entitled "Administration", Article XVI entitled "Cambridge Historical Commission", Section 2-147 entitled "Powers and Duties of the Commission", Subsection K entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks" is hereby amended by striking out the present subsection K and substituting in place thereof a new subsection K which reads as follows:

(K) Establishment of Neighborhood Conservation Districts and Protected Landmarks.

(1) Purposes. The City Council finds it necessary to enact this subsection under section 6 of the Home Rule Amendment in order to preserve, conserve and protect the beauty and heritage of the City of Cambridge and to improve the quality of its environment through identification, conservation, and maintenance of neighborhoods, areas, sites and structures which constitute or reflect distinctive features of the architectural, cultural, political, economic or social history of the City; to resist and restrain environmental influences adverse to this purpose; to foster appropriate use and wider public knowledge and appreciation of such neighborhoods, areas or structures; and by furthering these purposes to promote the public welfare by making the City a more attractive and desirable place in which to live and work. To achieve these purposes, the City

may designate neighborhood conservation districts and landmarks to be administered as herein set forth.

(2) Definitions. In addition to terms defined in subsection (j)(2), the following terms, when used whether or not capitalized in this subsection, shall have the meanings set forth below, unless the context otherwise requires:

- (i) "Demolition" - the act of pulling down, destroying, removing, or razing structures, or commencing the work of total or substantial destruction with the intent of completing the same.
- (ii) "Exterior architectural features" - such portion of the exterior of a structure as is open to view from a public street, way, park, or body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, material and texture of exterior building materials, and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures.
- (iii) "Historic District" - an area so established under the authority of Chapter 40C of the General Laws.
- (iv) "Landmark" - any property within the City so designated in accordance with paragraph (4).
- (v) "Neighborhood Conservation District" - any area within the City so designated in accordance with paragraph (4).
- (vi) "Neighborhood Conservation District Commission" or "District Commission" - a commission provided for by paragraph (3).

(vii) "Structure" - a combination of materials including a building, sign, fence, wall, terrace, walk, driveway, street, bridge, statue, monument, or other man-made feature.

(3) Neighborhood Conservation District Commission.

Upon designation as provided in paragraph (4) of any neighborhood conservation district, and unless the designation provides that the Historical Commission itself shall exercise authority with respect thereto, the City Manager shall appoint a neighborhood conservation district commission to consist of five members and three alternates. The members shall include three residents of the neighborhood, not less than two of whom shall be homeowners; one neighborhood property owner (who may or may not be a neighborhood homeowner); and one member or alternate of the Cambridge Historical Commission. The three alternates shall all be neighborhood property owners. The neighborhood conservation district commission shall act solely in the exercise of those functions described in this subsection which are applicable to the district under its administration.

Any member or alternate of the Historical Commission may be appointed to a neighborhood conservation district commission for a term coterminous with such person's term as a member or alternate of the Historical Commission. Members and alternates of a neighborhood conservation district commission who are not members of the Historical Commission shall by reason of experience or education have demonstrable knowledge and concern for improvement, conservation and enhancement of the district, and at least two of the members or alternates shall have professional qualifications related to real estate or architecture or historic preservation. The members of the Commission shall be appointed by the City Manager with regard to the diverse viewpoints expressed in the creation of the District. Such members shall

serve for a term of three years, except that the initial appointments shall be for one member to serve one year and one member to serve two years, and vacancies shall be filled for the unexpired term of office. Each member and alternate shall continue in office after expiration of his or her term until a successor is duly appointed and qualified, except that no member shall serve more than two consecutive terms.

The neighborhood conservation district commission shall elect annually a chairman and vice-chairman from its own number. (In the case of absence, inability to act, or unwillingness to act because of self-interest on the part of a member, his or her place shall be taken by an alternate member designated by the chairman, if available, otherwise by the vice-chairman if available, otherwise by a majority vote of the members and alternate members of the Commission present. The person exercising the function of Executive Director of the Historical Commission shall serve as secretary of each neighborhood conservation district commission. Persons serving as members or alternate members of a neighborhood conservation district commission shall, as a result of such service, be considered as "special municipal employees" for purposes of chapter 268A of the General Laws.

(4) Designations. The Historical Commission by majority vote may recommend for designation as a landmark any property within the City being or containing a place, structure, feature or object which it determines to be either (a) importantly associated with one or more historic persons or events, or with the broad architectural, aesthetic, cultural, political, economic or social history of the City or the Commonwealth or (b) historically or architecturally significant (in terms of period, style, method of construction, or association with a famous architect or builder) either by itself or in the context of a group of structures; may recommend for designation as a neighborhood conservation district any area within the City containing places and structures which it determines are of

importance to the architectural, aesthetic, cultural, political, economic or social history of the City, and which considered together cause such area to constitute a distinctive neighborhood or to have a distinctive character in terms of its exterior features; and may recommend amendments to any designation of landmark or neighborhood conservation district theretofore made.

Prior to the recommendation of designation or amendment of designation of any landmark or neighborhood conservation district an investigation and report on the historical, architectural and other relevant significance thereof shall be made. The report shall recommend the boundaries of any proposed landmark or neighborhood conservation district and shall recommend for incorporation in the order of the City Council designating each landmark or neighborhood conservation district general and/or specific standards and appropriate criteria consistent with the purposes of this subsection and the provisions of paragraph (5) that are to be applied in making any determination of the type referred to in paragraphs (7), (8), and (9) with respect to the designated landmark or within the designated neighborhood conservation district.

In the case of a landmark, the report shall be prepared by the Historical Commission. In the case of a neighborhood conservation district, the report shall be prepared by a study committee consisting of three members or alternates of the Historical Commission and four persons appointed by the City Manager, including at least one person who resides in the district under consideration, at least one person who owns property in the district under consideration, and one person who owns property or resides elsewhere in the City and has demonstrated knowledge and concern for conservation and enhancement of those exterior features of the City which are important to its distinctive character.

Any ten registered voters of the City may petition that the Historical Commission initiate, or the Historical Commission on its own may initiate, the process of designating a landmark or neighborhood conservation district or amending or rescinding any such designation theretofore made. The Commission shall within forty-five days following the filing of such request or petition hold a preliminary hearing and arrange for the preparation of a report and, if required, request the appointment of a study committee. The Historical Commission shall not reconsider a proposed designation, amendment or rescission of designation within one year of its previous hearing thereon, unless two-thirds of all its members vote to do so. No less than forty-five nor more than sixty days after the transmittal of a report to the Commission pertaining to a proposed designation, the Commission shall hold a public hearing. The Commission shall give not less than fourteen days notice of such public hearing by publication in the ~~Cambridge~~ ^{A newspaper} ~~Chronicle~~ ^{of general circulation in Cambridge} and by mailing notice thereof to the owner of the proposed landmark and to every owner abutting the proposed landmark or within the proposed neighborhood conservation district (each such owner to be determined from the then current records of the Assessing Department), and to the City Manager, the Planning Board, and the City Clerk.

Prior to the public hearing, the Commission shall transmit copies of the report to the Planning Board for its consideration and recommendations.

The recommendation of the Historical Commission with regard to any designation, amendment or rescission shall be

transmitted to the City Manager and to the City Clerk with a copy of the approved designation report. Designation of a landmark or a neighborhood conservation district or amendment or rescission of designation shall be by order of the City Council. In the case of a designation, the order shall include a statement of the reasons for such designation and a statement of standards which the Historical Commission or neighborhood conservation district commission is to apply under Sections [5] - [9] of this subsection.

No designation, amendment or rescission of designation shall become effective until a map setting forth the boundaries of the landmark or neighborhood conservation district or change in the boundaries thereof, has been filed with the City Council and has been recorded with the Registry of Deeds for the South District of Middlesex County.

If the order establishing or amending a neighborhood conservation district contains provisions for both regulatory and educational/incentive programs, the regulatory provisions of the order shall not be effective unless and until the educational/incentive provisions of the order are funded.

(5) Review Authority.

Except as the order designating or amending a landmark or neighborhood conservation district may otherwise provide in accordance with this paragraph, the Historical Commission or neighborhood conservation district commission having jurisdiction shall review all construction, demolition or alteration that affects the exterior architectural features, other than color, of any landmark or within any neighborhood conservation district.

The order designating or amending a landmark or neighborhood conservation district may provide that the authority of the Historical Commission or neighborhood conservation district commission having jurisdiction shall not extend to the review of one or more of the following categories of structures or exterior architectural features of the landmark or within the neighborhood conservation district in which event the structures or exterior architectural features so excluded may be constructed or altered without review by the commission.

(a) The application of exterior wall material in a manner that does not require the removal or enclosure of any cornice, fascia, soffit, bay, porch, hood, window or door casing, or any other protruding decorative element.

(b) Alterations to the exterior of existing structures that do not increase or diminish the size and location of windows and doors, cause the removal of any bay, porch, hood, window or door casing or any other protruding decorative element, or alter the appearance of a roof.

(c) The exterior appearance of a new structure that does not require a variance or special permit under the zoning ordinance then in effect.

(d) Signs, temporary structures, lawn statuary, or recreational equipment, subject to such conditions as to duration of use, dimension, location, lighting, removal and similar matters as the commission may reasonably specify.

(e) Terraces, walks, driveways, sidewalks and similar structures substantially at grade level.

(f) Walls and fences.

(g) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae, trelliswork, and similar appurtenances.

The Historical Commission or a neighborhood conservation district commission may determine from time to time after a public hearing that certain categories of exterior architectural features or structures, including, without limitation, any of those enumerated in this paragraph, if the provisions of the applicable order do not limit the authority of such commission with respect thereto, may be constructed or altered without review by such commission without causing substantial derogation from the intent and purposes of this subsection.

If the order establishing or amending a neighborhood conservation district provides, the determination of a neighborhood conservation district commission shall be binding only with regard to applications to construct a new building, to demolish an existing structure if a demolition permit is required, to construct a parking lot as a principal use, and to construct an addition to an existing structure that would increase its gross floor area, and in all other cases the determinations of a commission shall be advisory only and not binding on an applicant. In no case shall a building permit be issued until the commission has made a determination under the applicable provisions of this ordinance.

(6) Maintenance, repair and reconstruction.

Nothing in this subsection shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature of a landmark or within a neighborhood conservation district which does not involve a change in design or material or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, not construed to prevent any construction or alteration under a permit duly issued prior to the effective date of the order which designates that landmark or district, nor construed to prevent the reconstruction, substantially similar in exterior design, of a structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

(7) Certificates of appropriateness, non-applicability or hardship.

Except as the order establishing or amending a landmark or neighborhood conservation district may otherwise provide, no structure designated a landmark or within a neighborhood conservation district shall be constructed or altered in any way that affects exterior architectural features unless the Historical Commission or neighborhood conservation district

commission having jurisdiction shall first have issued a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship with respect to such construction or alteration.

Any person who desires to obtain a certificate from the Historical Commission or neighborhood conservation district commission shall file with the commission an application for a certificate of appropriateness, a certificate of non-applicability or a certificate of hardship, as the case may be, in such form as the commission may reasonably determine, together with such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

No building permit for alteration of an exterior architectural feature of a landmark or construction of a structure or for alteration of an exterior architectural feature within a neighborhood conservation district and no demolition permit for demolition or removal of a landmark or of a structure within a neighborhood conservation district shall be issued by the City or any department thereof until the certificate required by this subsection has been issued by the Historical Commission or neighborhood conservation district commission having jurisdiction.

(8) Factors to be considered by commissions. In passing upon matters before it, the Historical Commission or neighborhood conservation district commission shall consider, among other things, the historic and architectural value and significance

of the site or structure, the general design, arrangement, texture and material of the features involved, and the relation of such features to similar features of structures in the surrounding area. In the case of new construction or additions to existing structures a commission shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity, and a commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable provision of the zoning ordinance. A commission shall not consider interior arrangements or architectural features not subject to public view.

A commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects, architectural significance or the distinctive character of the landmark or neighborhood conservation district.

(9) Powers, functions and duties of commissions. The Historical Commission and each neighborhood conservation district commission shall have like powers, functions and duties with respect to each landmark and neighborhood conservation district over which it has jurisdiction as is provided historic district commissions under clauses (a) - (g) under section 10 of Chapter 40C of the General Laws with respect to historic districts, including without limitation with respect to the approval and disapproval of certificates of appropriateness, nonapplicability and hardship, the dating and signing of such certificates, the keeping of records and adoption of rules and regulations, the filing with

the City Clerk and Building Department of certificates and determinations of disapproval by it, and the determination of designs of appurtenances (excluding colors) which will meet the requirements of the landmark or neighborhood conservation district.

(10) Procedures for public meetings and hearings.

The Historical Commission and each neighborhood conservation district commission shall adopt rules for the reasonable conduct of its meetings and public hearings, which rules shall not be inconsistent with the procedures provided for meetings of and hearings by historic district commissions under section 11 of Chapter 40C of the General Laws: and in the absence of the adoption of any such rules, meetings and public hearings of the Historical Commission and of each neighborhood conservation district commission shall be in conformity with the provisions of section 11 of Chapter 40C applicable to historic district commissions.

(11) Appeals.

Any person aggrieved by a designation of a landmark or district may appeal to the Superior Court within thirty days after such designation. Any applicant aggrieved by a determination of a neighborhood conservation district commission or ten registered voters of the City opposing a determination under this subsection may appeal to the Historical Commission within twenty days after the filing of the notice of such determination with the City Clerk. The Historical Commission may overrule the determination and return it for reconsideration consistent with that finding. If the applicant is aggrieved by the determination of the Historical Commission, or if action is not taken by the Historical Commission within thirty days of filing for review, the applicant may appeal to the Superior Court. Appeal from a Historical Commission determination shall be taken within thirty days of the formal decision; appeal from a failure to act shall be

taken within sixty days after the filing for review. The Superior Court may reverse a determination if it is not supported by substantial evidence in the record. In all other respects, the appeal shall be made in the same manner as provided under Section 12A of Chapter 40C of the General Laws.

(12) Enforcement and remedies.

The Historical Commission and any neighborhood conservation district commission are each specifically authorized to institute any and all actions, proceedings in law and in equity, as they deem necessary and appropriate to obtain compliance with the requirements of this subsection or to prevent a threatened violation thereof. Any violation of any provision of this subsection may be punished to the like extent provided in section 13 of Chapter 40C of the General Laws for a violation of said chapter. In addition to the foregoing, no building permit shall be issued, with respect to any premises upon which a landmark or a structure within any neighborhood conservation district has been voluntarily demolished otherwise than pursuant to a certificate granted after compliance with the provisions of this subsection, for a period of two years after the date of the completion of such demolition (the word "premises" for the purposes of this sentence referring to the parcel of land upon which the demolished structure was located and all adjoining parcels of land under common ownership or control.)

(13) Historical Commission authority not limited.

No provisions of this subsection shall alter or diminish the duties and functions of the Historical Commission under the authority of chapter 40, section 8D, and chapter 40C of the General Laws, or apply to any historic district currently administered by said commission, or restrict the establishment of any future historic district under said chapter 40C.

(14) Limitation on applicability of demolition ordinance.

The provisions of subsection (j) of the General Ordinances of the City of Cambridge (relative to procedures for demolition permits for significant buildings) shall not be applicable with respect to the demolition of any structure within a neighborhood conservation district if the appropriate neighborhood conservation district commission has issued a certificate of appropriateness or a certificate of hardship permitting the demolition of such structure.

(15) Severability.

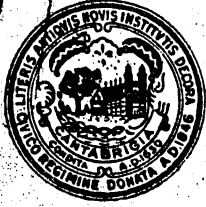
The provisions of this subsection are severable. If any of its provisions shall be held to be invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

In City Council December 12, 1983.

Passed to be ordained by a yea and nay vote:- Yeas 6;
Nays 1, Absent 2.

Robert W. Healy, City **Manager**.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Chapter Two, entitled "Administration," Article XVI, entitled "Cambridge Historical Commission," Section 2-147, entitled "Powers and Duties of the Commission," is hereby amended as follows:

Section 2-147(J), entitled "Procedures for Demolition of a Significant Building as Determined by the Cambridge Historical Commission to be Historically or Architecturally Detrimental," sub-section 3.4 is hereby amended so that the first two sentences thereof read as follows:—

3.4 If the Commission Staff shall have made an initial determination that a building which is the subject to the application is or may be a significant building, the Commission shall review the application and such initial determination at a public meeting of the Commission for which the Commission shall cause to be published in a newspaper of general circulation in Cambridge notice that such application will be considered. Such notice, which shall specify the address of the subject building, shall be published in an issue of such newspaper distributed in the week preceding the week in which such meeting is held, or in an earlier week....

Section 2-147(K), entitled "Establishment of Neighborhood Conservation Districts and Protected Landmarks," sub-section 4 (Designations) is hereby amended by striking out the words "the Cambridge Chronicle," as they appear in the fourth paragraph thereof, and substituting therefor the words "a newspaper of general circulation in Cambridge."

Passed to a second reading at the City Council meeting held on June 4, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

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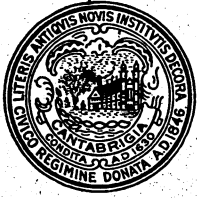
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ATTEST:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

EDWARD A. CUNNINGHAM
SEVERLIN B. SINGLETON
DAVID B. O'CONNOR
BIRGE ALBRIGHT
LEGAL COUNSEL


May 30, 1984

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, Mass.

Dear Mr. Healy:

I enclose herewith for submission to the City Council an amendment to Chapter Two, Article XVI, Section 2-147 of The Code of the City of Cambridge. This amendment deletes the words "in the Cambridge Chronicle" and substitutes in place thereof the words "a newspaper of general circulation in Cambridge" in both Section 2-147(J), sub-section 3.4 and Section 2-147(K).

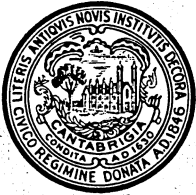
Very truly yours,


Russell B. Higley
City Solicitor

RBH/jl

Enc.

cc: Charles Sullivan



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

June 4, 1984

To the Honorable, the City Council:

I transmit herewith communication from the City Solicitor a proposed amendment to Chapter Two, Article XVI, Section 2-147 of The Code of the City of Cambridge, which deletes the words "in the Cambridge Chronicle" and substitutes in place thereof the words "a newspaper of general circulation in Cambridge" in both Section 2-147 (J), sub-section 3.4 and Section 2-147 (K).

Very truly yours,

Robert W. Healy
City Manager

RWH/b

Agenda Item Number Nine

0-21

Re: transmitting a proposed amendment to the General Ordinances in Chapter Two, Article XVI, Section 2-147 by deleting the words "in the Cambridge Chronicle" and substituting in place thereof "a newspaper of general circulation in Cambridge".

6/25/84. Passed to be ordained
9-0-0

6/28/84 - published - Chronicle
copy sent to Historical
Commission 6/26/84 @

In City Council,

June 4, 1984

6/4/1984

Passed to 2nd Hearing

Publsh 6/7/84