



City of Cambridge

7.

IN CITY COUNCIL

December 18, 1989

COUNCILLOR WALTER J. SULLIVAN

ORDERED: That all items currently pending before the City Council with the exception of those items currently listed under "Unfinished Business" and not acted upon by the end of the 1989 legislative session be placed in the files of the City Clerk without prejudice, subject to recall by any member.

In City Council December 18, 1989.
Adopted by the affirmative vote of nine members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

City of Cambridge

NOTICE OF A PUBLIC HEARING

The Committee on Ordinances, comprised of the entire membership of the City Council, will hold a reconvened public hearing on Thursday, September 28, 1989 at 5:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts.

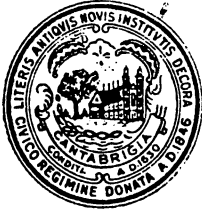
The purpose of this hearing is to discuss further amendments to the previous proposed amendment to Ordinance #966 as discussed on June 27, 1989.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor William Walsh,
Chairman.

Charnele 9/21/89



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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 the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

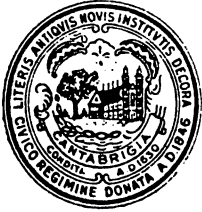
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

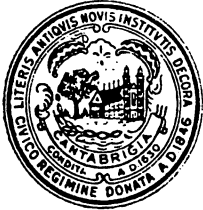
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

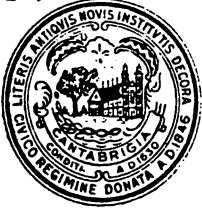
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

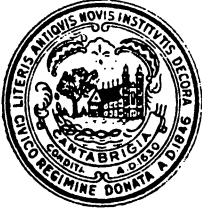
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

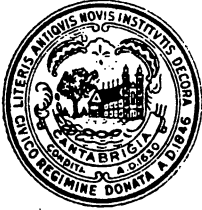
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

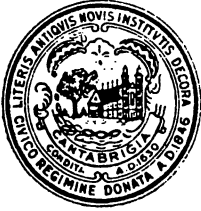
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

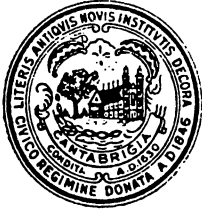
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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:

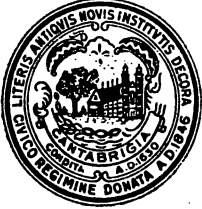
That the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

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 the Rent Control Removal Ordinance be amended by inserting a new section in the General Ordinances, Chapter 23, Section 1(d)(4), which shall read as follows:

(4) For all cases in which units have been removed from the rental market by elimination or merger of units prior to the effective date of this amendment, and for all cases in which no units have yet been merged but in which the owner seeks to remove units from the rental market by merger, the Board shall also consider any conflict with zoning and/or health and safety laws claimed by the petitioner. In so considering, the Board shall weigh, among others, the following factors:

(i) How the allegedly conflicting laws may be harmonized with respect to the specific circumstances of each case to give due effect to said laws consistent with the purposes of this Ordinance.

(ii) To what extent the owner's actions have increased or lessened the claimed conflict of laws.

(iii) Whether the owner has previously violated this Ordinance or the Rent Control Act, or has sought to remove other controlled rental units from the rental market based on a claim of conflict with zoning and/or health and safety laws.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

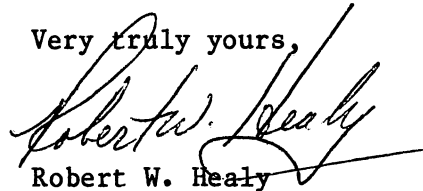
RICHARD C. ROSSI
Deputy City Manager

May 8, 1989

To the Honorable, the City Council:

In response to City Council Order No. 14 of November 28, 1988,
enclosed please find copy of a proposed amendment to the Rent Control
Removal Ordinance

Very truly yours,



Robert W. Healy
City Manager

RWH/mbf
Enc.

0-141

Re: enclosed proposed amendment to the General Ordinances by amending the Rent Control Removal Ordinance by inserting a new section in Chapter 23, Section 1 (d) (4).

12/28/89 - Placed on file
without prejudice

In City Council,

May 8, 1989

5/8/89 - Referred to the Ordinance
Committee

5/12/89 - copy sent to Councilor
Walsh, Ordinance Committee Chair