



City of Cambridge

27.

IN CITY COUNCIL

DECEMBER 17, 1990

COUNCILLOR DUEHAY

ORDERED:

That Chapter 8.48 of the Municipal Code of the City of Cambridge be amended as follows:

Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

The final paragraph be amended so that it reads in its entirety: "Said labels should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".

In City Council December 17, 1990.

Adopted by the affirmative vote of nine members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE



City of Cambridge

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*Referred to Ordinance
Committee.*

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OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

February 2, 1991

Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed also you will find copies of three amendments which were passed to be ordained at the City Council meeting held on January 28, 1991 as follows:

1. Amendment to the Zoning Ordinances to extend the East Cambridge Interim Planning Overlay to February 28, 1991.
2. Amendment to the Code to amend the Stratospheric Ozone Layer Ordinance.
3. Amendment to the Code to amend Chapter 5.20 entitled Public Transportation.

Would you kindly review these 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.

Sincerely yours,

Joseph E. Connarton
Joseph E. Connarton
City Clerk

JEC/dl

Enc. Ordinance Numbers 1113, 1114, 1115.

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.

2/15/91
APPROVED
Russell B Higley
CITY SOLICITOR



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

December 20, 1990

Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:

Enclosed you will find an order adopted by the City Council at its meeting of December 17, 1990 to amend the Municipal Code in Chapter 8.48 regarding dangers of ozone depleting substances.

Would you kindly review this amendment and incorporate this amendment into the text of the Municipal Code.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton
City Clerk

JEC/dl

Enc. Order # 27 of 12/17/90

Councillor Duehay

December ¹⁷~~14~~, 1990

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In City Council December 17, 1990.

Adopted by the affirmative vote of nine members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE

Order # 27

Councillor Duehay re: proposed amendment
to the Code re: dangers of ozone deplet-
ing substance.

In City Council,

December 17, 1990

ORDER ADOPTED

*Referred to the
Ordinance Committee*



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
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February 2, 1991

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City Solicitor
City Hall
Cambridge, MA

Dear Sir:

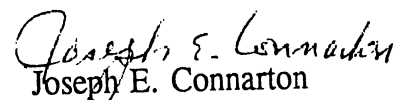
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Enc. Ordinance Numbers 1113, 1114, 1115.

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That the Zoning Ordinances of the City of Cambridge be amended as follows:

- I. Amend the Zoning Ordinance of the City of Cambridge as described below by creating a new Section 3.15 - The East Cambridge Interim Planning Overlay District in the area of East Cambridge as shown on the accompanying map, having the following requirements:

Section 3.15

1. All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of this Section subsections 2-4 below;
2. The floor area ratio applicable on any lot shall be limited to 1.0 or that applicable in the base district, whichever is less;
3. The maximum height of any building shall be 45' or that applicable in the base district, whichever is less;
4. Notwithstanding the limitations in subsections 2 and 3 above, any building existing at the time of adoption of this Section may be renovated or restored, changes made to the uses contained therein or additions may be made hereto providing the following conditions are met:
 - (a) Any additions shall not exceed 10% of the gross floor area of the existing building or 30,000 gross square feet, whichever is greater; and
 - (b) All regulations and limitations of the base district shall be met.
5. This Section 3.15 shall be in effect through February 28, 1991.

In City Council January 28, 1991.

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

Robert W. Healy, City Manager.

ATTEST: Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

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In City Council January 28, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.

ORDINANCE NO. 1115.
First publication number 2519. First publication in the Chronicle on January 17, 1991.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

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

Chapter 5.20 of the Code entitled "Public Transportation" is hereby amended by striking out and inserting the following new sections: 5.20.210 entitled "Rates - Designated Meter Required When;" 5.20.240 entitled "Rate Reduction Plan;" 5.20.250 entitled "Waiting Time" and 5.20.270 entitled "Hiring by hour or by trip" as follows:

5.20.210. Rates - Designated - Meter required when.

The price of rates of fares which drivers of Motor Taxicabs shall charge and demand for services rendered in conveying passengers are as follows:

(A) The initial drop shall be one dollar (\$1.00) and shall cover the cost of the first one-eighth of a mile or fraction thereof; or the first two minutes of waiting time or a combination of both. Each one-eighth of a mile thereafter or fraction thereof shall be at the rate of Twenty-five cents (\$.25).

(B) Each hackney carriage shall be equipped with a meter which shall be of a size and design approved by the License Commission.

(C) All owners of hackney-carriages shall be allowed sixty (60) days from the time a change in rates is mandated to change the taximeter to reflect the new rates.

5.20.240. Rate reduction plan.

The License Commission shall implement a program effecting a cab meter rate discount for any person 65 years of age or over, and for handicapped persons, as follows:

A \$1.25 discount coupon shall be allowed for any such fare \$5.00 or under:
Two \$1.25 discount coupons shall be allowed for any such fare over \$5.00.

The License Commission shall regulate the specific mechanism by which this program is implemented.

5.20.250. Waiting time.

Waiting time shall include all time during which the vehicle is not in motion beginning five (5) minutes after its arrival at the place to which it has been called. No charge shall be made for time between a premature arrival in response to a call and the times for which the vehicle was ordered nor for time attributable to a breakdown of traffic, with the exception of such time lost through interruption and closing of drawbridges and the passage of railroad trains. Waiting time shall be at the rate of Nineteen Dollars (\$19.00) per hour.

5.20.270. Hiring by hour or by trip.

(A) When a motor taxicab is hired by the hour, the hourly rate shall be Nineteen Dollars (\$19.00) per hour. When a motor taxicab is hired for a trip wholly or in part outside the limits of the City, and when the destination is not listed in the flat rate book issued by the Commission, the person in charge may suspend, with the consent of the passenger, the use of the taximeter as a means of determining the price to be paid. In such cases the price shall be agreed upon between the persons in charge of the automobile and the passenger.

(B) A vehicle licensed under this Chapter for the transportation of those who are ill, or who are invalids or who are elderly may be engaged by an arrangement between the person in charge of said vehicle and the passenger establishing a flat rate price per hour, per mile or per trip for the use of the vehicle, and in such instance the use of the meter in said vehicle may be suspended.

In City Council January 28, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

City of Cambridge

MASSACHUSETTS

In City Council

Jan. 28

1991

C. Duehay

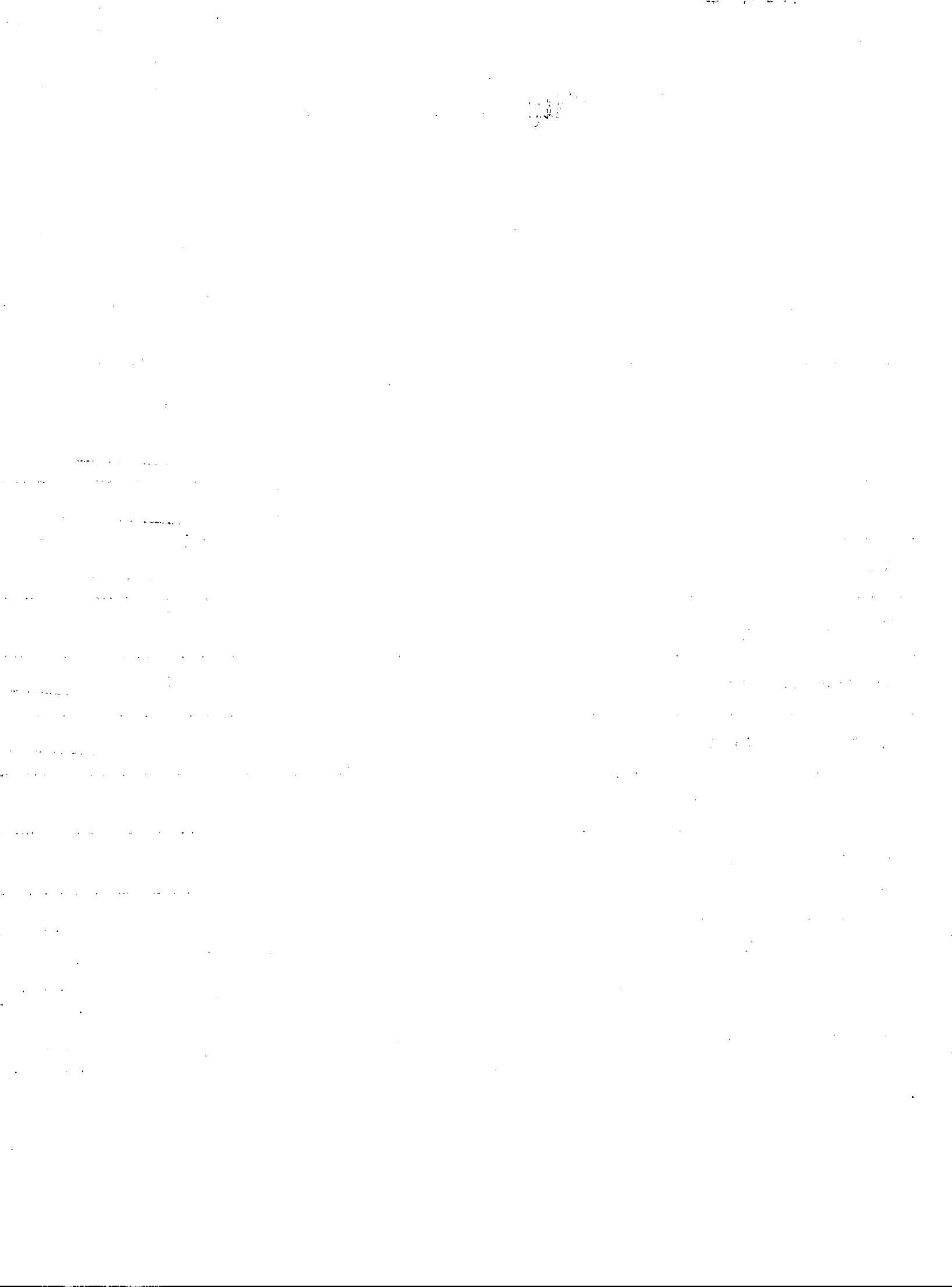
Unfinished #2

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf	✓			

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City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

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Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

The final paragraph be amended so that it reads in its entirety: "Said labels should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".

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Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

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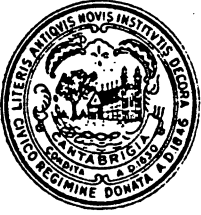
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Section 8.48.040

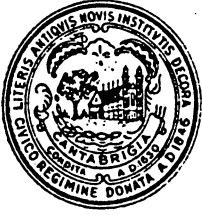
subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

The final paragraph be amended so that it reads in its entirety: "Said labels should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".

Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.48 of the Municipal Code of the City of Cambridge be amended as follows:

Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

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ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

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Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

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City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

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Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

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City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

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Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

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Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

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Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

The final paragraph be amended so that it reads in its entirety: "Said labels should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".

Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Edward J. O'Connell
Legal Counsel

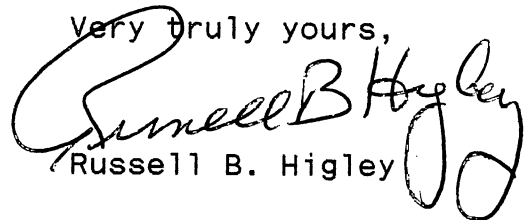
January 10, 1991

Joseph E. Connarton
City Clerk
City Hall
Cambridge, MA 02139

Dear Mr. Connarton:

In response to your letter of December 20, 1990, I enclose an Ordinance which embodies the amendments to Chapter 8.48 ordered by the Council on December 17, 1990.

Very truly yours,


Russell B. Higley

RBH/jab
Enclosure

cc: Councillor Francis H. Duehay

ORD#3\OZONE.BA



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

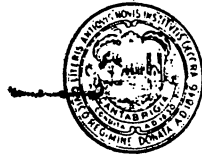
Be it ordained by the City Council of the City of Cambridge as follows:

Chapter 8.48 of the Code (Protection of the Stratospheric Ozone Layer) is hereby amended as follows:

In Section 8.48.040, subsections (g) and (h), the effective date of January 1, 1991 is changed to January 1, 1992.

In Section 8.48.050, the final paragraph is amended so that it reads as follows:

"Said label should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

January 15, 1991

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

Dear Sir:

Enclosed you will find a copy of a proposed amendment to the Code of the City of Cambridge relative to the Parking Freeze which was passed to be ordained at the City Council meeting held on November 26, 1990.

Enclosed also you will find copies of two amendments which were passed to a second reading at the City Council meeting held on January 7, 1991 as follows:

1. Amendment to the Zoning Ordinances to extend the East Cambridge Interim Planning Overlay to February 28, 1991.
2. Amendment to the Code to amend the Stratospheric Ozone Layer Ordinance.

Enclosed finally you will find a copy of a proposed amendment to the Code relative to the taxi cab rates and waiting time which was passed to a second reading at the City Council meeting held on January 14, 1991.

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

2/1/91

CITY SOLICITOR



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

January 15, 1991

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City Solicitor
City Hall
Cambridge, MA

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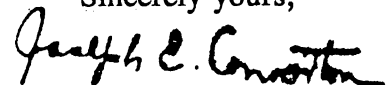
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Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

- 2 -

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Joseph E. Connarton". The signature is written in a cursive style with a large initial 'J'.

Joseph E. Connarton
City Clerk

JEC/dl

Enc. Ordinance # 1112, First publication numbers 2514, 2515 and 2516.

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance designated as the "Cambridge Municipal Code."

WHEREAS, the City of Cambridge (City), and the Massachusetts Department of Environmental Protection (DEP) (the "parties") have agreed to cooperate in an effort to amend the State Implementation Plan (SIP) required by the Clean Air Act, 42 U.S.C. s. 7401 et seq., regarding the measures to be taken by the City for the attainment and maintenance of the national primary air quality standards necessary to protect public health in the Boston Region; and

WHEREAS, the City and DEP were parties in a legal dispute pertaining to the terms and implementation of a parking freeze in Cambridge; and

WHEREAS, the parties, as part of a settlement of said dispute, entered into a Memorandum of Agreement (MOA), dated August 15, 1990, which requires that the Cambridge City Manager present to the Cambridge City Council an ordinance to implement the provisions of said MOA; and

WHEREAS, the City has authority to enact the provisions of this ordinance pursuant to G. L. c. 111, § 31 C, as well as by

authority derived from the City's general police powers; and

WHEREAS, the final SIP amendments will include transportation control measures, and may include but not be limited to parking restrictions and a parking freeze, and

WHEREAS, a parking freeze is consistent with the policies of the City to reduce vehicle miles travelled, and to encourage and develop greater use of public transit, bicycles, walking, and other alternative modes of travel; and

WHEREAS, enforcement of a parking freeze will demonstrate the commitment of the City to support the Clean Air Act by discouraging automobile traffic to the City, and

WHEREAS, future revisions to the SIP may appropriately emphasize limits upon and/or reductions of all-day parking available to commuters, while at the same time retaining parking opportunities for shoppers, occasional visitors, and non-peak hour visitors, and addressing the needs of the City's employers and institutions, and

WHEREAS, the SIP amendment process will take approximately one year and the City hereby commits itself to the terms of this ordinance for the period until a SIP amendment is approved, said period to be known as the "interim period."

Now, THEREFORE, be it ordained by the City Council of the City of Cambridge as follows:

Title 10 of the Code (Vehicles and Traffic) is hereby amended by adding thereto the following new Chapter 10.16 (Parking Freeze):

Chapter 10.16

PARKING FREEZE

Sections:

10.16.010	Time period of Chapter
10.16.020	Definitions
10.16.030	Building or operation of parking facilities
10.16.040	Pre-existing applications, permits and determinations
10.16.050	Interim Parking Control Committee
10.16.060	Procedure for Obtaining CPF or Determination of Exclusion
10.16.070	Number of CPFs to be issued
10.16.080	Enforcement
10.16.090	Memorandum of Agreement of August 15, 1990

10.16.010 Time period of Chapter

This Chapter will remain in effect only during the interim period, as defined in s. 10.16.020.

10.16.020 Definitions

"Controlled parking facility" (CPF) means any lot, garage, building or structure, or combination or portion thereof, on or in which motor vehicles are parked, except (i) a parking facility, the use of which is limited exclusively for the benefit of the residents of a specific residential building or group of buildings, or, (ii) parking on public streets, and (iii) a parking facility designated as a park-and-ride facility to be operated in conjunction with the Massachusetts Bay Transportation Authority.

"Controlled parking facility permit" (CPFP) means a permit issued by the Director of the Cambridge Department of Traffic and Parking, which allows the construction or modification of a CPF and the operation of a CPF. Each permit will be for a specific number of Controlled parking spaces.

"Controlled parking space" (CPS) means a parking space in a Controlled parking facility (CPF).

"Determination of exclusion" means a determination by the Director of the Cambridge Department of Traffic and Parking that a parking facility does not come within the definition of a Controlled parking facility.

"Director" means Director of the Cambridge Department of Traffic and Parking.

"Interim Parking Control Committee" (IPCC) means the committee established by this Chapter which decides whether to issue Controlled parking facility permits and Determinations of exclusion. These decisions by the IPCC are binding on the Director.

"Interim period" means the period starting August 15, 1990 and ending with the approval of an amendment to the State Implementation Plan (SIP), required by the Clean Air Act (42 U.S.C., s. 7401 et seq.), regarding measures to be taken by the City for the attainment and maintenance of the national primary air quality standards necessary to protect public health in the Boston region.

"Memorandum of Agreement" or "Memorandum" means the Memorandum of Agreement between the City and the Massachusetts Department of Environmental Protection, dated August 10, 1990 and executed August 15, 1990.

"Parking facility" means any lot, garage, building or structure, or combination or portion thereof, on or in which motor vehicles are parked.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

10.16.030 Building or operation of parking facilities

No person shall be granted a permit to build a parking facility in Cambridge, or modify a parking facility so as to increase the number of parking spaces therein, and no person shall operate a parking facility, unless said person shall have first obtained a controlled parking facility permit or a determination of exclusion under the procedures set forth in this Chapter.

10.16.040 Pre-existing applications, permits and determinations

The City may issue new commercial parking facility permits or determinations of exclusion pursuant to the procedures set forth in the Memorandum of Agreement dated November 15, 1984, for and with respect to spaces for which an application was filed with the City on or before November 10, 1988. And if a commercial parking

facility permit or a determination of exclusion was obtained before August 15, 1990, that permit or determination shall not be subject to the provisions of this Chapter. The City, however, may enforce the terms and conditions of any permit or determination of exclusion, regardless of when it was issued.

Parking facilities which, prior to August 15, 1990, were generally regarded as not being "commercial parking facilities" under the Memorandum of November 15, 1984, shall not be subject to the terms of this Chapter, except for the enforcement provisions of §10.16.080, unless the owner or operator of the facility seeks to increase the number of parking spaces therein. Pursuant to this paragraph the owner or operator of any non-commercial facility (including employee parking facilities), which did not apply for or receive either a permit or a determination of exclusion, and which would have been entitled to an exemption under the then existing rules of the parking freeze, shall be entitled to receive an exemption upon application to the IPCC. Such application shall include documentation evidencing the date of commencement of operations at the facility, and evidence of the qualification for an exemption under the parking freeze rules as applied by the Traffic Director at the time the facility began operations. Upon receipt of an application for an exemption pursuant to the terms of this paragraph, the IPCC shall notify other appropriate City agencies and request that such agencies notify the IPCC in writing within ten (10) days thereafter of any pending enforcement actions with respect to the facility for which an application for exemption

has been submitted. Upon review of said application materials, and a finding that the facility would have been entitled to an exemption, the IPCC may waive the public hearing required by section 10.16.060 of this Chapter. If any enforcement action is pending with respect to the subject parking facility the IPCC may defer issuance of the determination of exclusion authorized by this paragraph until final resolution of such enforcement action. The IPCC shall make a determination within forty-five (45) days of receipt of an application under this paragraph or, if applicable, forty-five (45) days after final resolution of pending enforcement action. If the IPCC finds that the facility would have been entitled to an exemption under the rules of the parking freeze as applied by the Traffic Director at the time the facility began operations, then the IPCC shall notify the Traffic Director to issue a determination of exclusion. Nothing set forth in this paragraph shall relieve an applicant for an exemption hereunder from complying with any applicable statute or regulation.

10.16.050 Interim Parking Control Committee

All applications for controlled parking facility permits and determinations of exclusion shall be reviewed by an Interim Parking Control Committee (IPCC or Committee) comprised of three Cambridge residents with appropriate experience, appointed by the City Manager. One member of the Committee shall be appointed from a list of five nominees submitted to the City Manager by the Cambridge Citizens for Livable Neighborhoods. No person shall be

appointed to the Committee who has a financial interest in commercial parking in Cambridge. The Committee will be appointed no later than September 15, 1990. The Committee shall maintain complete and accurate records of all applications for CPFPS and determinations of exclusion. In carrying out its duties, the Committee shall consult with and seek the assistance of other appropriate departments and agencies in the City, state and federal governments such as the Department of Community Development, the License Commission, the Inspectional Services Department, the Department of Traffic and Parking, the Massachusetts Department of Environmental Protection (DEP) and the U.S. Environmental Protection Agency.

10.16.060 Procedure for obtaining CFPF or Determination of Exclusion

a) An application for a CFPF or determination of exclusion shall be submitted to the Director on a form available at the Cambridge Traffic and Parking Department. Upon receipt of such application, the Director shall immediately transmit copies thereof to the IPCC. The IPCC shall hold hearings on such applications on the fourth Wednesday of every month, if necessary. Only applications received at least 30 days prior to the scheduled hearing will be considered at such hearing.

b) The IPCC will publish in at least one local weekly newspaper a notice of the hearing. The notice shall set forth a specific hearing date not less than fourteen days and not more than thirty days from the date of publication, as well as the time and

place of such hearing; said notice shall indicate that a copy of the application(s) is available for public inspection at the Traffic and Parking Department. A notice of all applications to be heard at the hearing shall be sent at least two weeks before the hearing to the DEP.

c) Every application for a CFPF or determination of exclusion shall include the following information:

1. Name and address of owner.
2. Name and address of proposed facility.
3. Type of facility (parking lot or garage).
4. Type of construction (new or modification) proposed.
5. Number of existing spaces and who uses them.
6. Number of proposed spaces and who will use them.
7. Proposed change in number of spaces by use.
8. Calculations showing parking space determination according to the appropriate section of the Cambridge Zoning Ordinance.
9. Detailed information on how use of the spaces will be controlled for each category of use.
10. Traffic mitigation measures which will be used to reduce vehicle trips to the project.
11. A detailed description of the need for the proposed facility and the type of development and patrons it will serve.

12. A site plan and floor plans of the proposed lot or garage, showing the location of the facility, the layout space, and the entry and exit points.

Six copies of every application shall be submitted, with the above information, to the Interim Parking Control Committee, City Hall Annex, 57 Inman Street, Cambridge, Massachusetts 02139. A copy thereof shall be sent by the Committee to the Commissioner, Massachusetts Department of Environmental Protection, 1 Winter Street, Boston, Massachusetts 02108.

d) The Committee shall be required to process any applications already on file with the Director at the time of the adoption of this Chapter in the order of the filing of said pending applications. All amendments to pending applications shall be deemed to relate back to the original date of filing. Any pending application relating to a project for which there is an Agreement for Traffic Mitigation (ATM) executed by the City shall be processed and acted upon by the Committee, in accordance with the limits established in section 10.16.070, subject to the requirement that any permit or determination of exclusion shall be conditioned upon compliance by the applicant with the terms of the ATM and upon no other conditions, and without any modification of the application by the Committee.

e) At least 14 days before the hearing, the Interim Parking Control Committee shall send to each applicant which has submitted a complete application an analysis of the application in regard to the criteria set out above. This analysis will highlight any

further information required in order to make a full assessment of the application. Any applicant who has filed an incomplete application shall be so notified at that time.

f) Within 14 days after the hearing, the Interim Parking Control Committee shall approve or disapprove the application for a CPFPP or determination of exclusion after full consideration of all the facts contained in the application. The Committee's approval shall indicate on the CPFPP or determination the conditions, if any, upon which approval is given. Such conditions may include reasonable traffic mitigation requirements to reduce air quality impacts of the proposed facility or spaces. A copy of said approval shall be sent to the applicant and the Commissioner, Massachusetts Department of Environmental Protection.

g) The Director shall approve or disapprove the application in accordance with the Committee's determination. When the decision is made to approve an application, the decision shall state the name, address and authorized number of spaces of the facility and any conditions upon which the application is approved. Any approval of a CPFPP for a facility that applied after November 10, 1988 shall include reference to inventory data showing that the spaces issued come either from any spaces remaining of the 500 spaces referred to in section 10.16.070 or an identification of the location and number of spaces against which enforcement action has been taken pursuant to section 10.16.080, which serve as the basis for issuance of the CPFPP pursuant to section 10.16.080. All CPFPPs shall include a provision requiring that any spaces in the facility

open to the general public for which there will be an hourly or daily fee shall not be available for occupancy prior to 9:30 a.m. on weekdays.

10.16.070 Number of CPFPS to be Issued

The City, in accordance with the procedures set forth in this Chapter, may issue permits for up to 500 controlled parking spaces. In addition, the City may issue a number of CPFPS equal to

a) The number of parking spaces which the City has eliminated or against which the City has initiated an enforcement action in accordance with section 10.16.080; plus

b) The number of commercial parking spaces which were permitted in accordance with the November 15, 1984 MOA and which are no longer being used.

Rights to parking spaces eliminated by enforcement cannot be transferred between persons, but must revert back to the City for allocation under the procedure set forth in s. 10.16.060.

10.16.080 Enforcement

a) If any person, after a hearing before the IPCC, is found to have operated a parking space illegally, either under the provisions of the November 15, 1984 MOA or under the provisions of this Chapter, such person may be subject to a fine of \$10 per day per space for every day that the space was illegally operated. In addition, the Director, after such a hearing, may revoke a determination of exclusion for spaces operated in violation of their determinations, or eliminate those spaces or facilities found

to be operating with no required permit or determination of exclusion.

At any hearing held by the IPCC to decide if excluded spaces have been operated as commercial spaces, or as controlled parking spaces as defined in s. 10.16.020, any facility holding a determination of exclusion, which is found to have any spaces operating in violation of the terms of said determination shall be presumed to have all of its spaces operating in violation of the terms of its determination unless the operator demonstrates to the satisfaction of the IPCC that a distinct and identifiable portion of the spaces have been operated in accordance with the terms of their determination. It shall be the responsibility of the IPCC to determine the number of spaces within a facility that are operating in violation of the terms of their determination of exclusion, and to impose fines or revoke the determination.

Nothing in this Agreement shall prohibit the owner of spaces which have been improperly used from applying for a new determination of exclusion or a CFPF in accordance with the terms of this Chapter.

Upon the expiration of any temporary permit or exclusion the Director may issue an administrative order to cease operations at the facility without any requirement of a hearing before the IPCC.

b) The phrase "initiated an enforcement action," appearing in s. 10.16.070, means the issuance by the Director of an administrative order ordering a person to eliminate a parking space or spaces.

Unless the owner of a facility complies with an administrative order to eliminate spaces under this section, and waives any further appellate rights, the City shall not be authorized to issue new CPFPS for spaces in amounts equal to the number of spaces the City is seeking to eliminate until the City has initiated enforcement action including filing a complaint in court with an application for a preliminary injunction, to compel compliance with the administrative order. The City agrees that it shall initiate said court action no later than 30 days following the issuance of the administrative order if the facility has not complied. The City further agrees that it shall only be authorized to issue new CPFPS for 50% of the number of spaces sought to be eliminated by court action upon the filing of said action. The remaining 50% of said spaces will only be available for issuance as new spaces when and if the City prevails on the merits of said court action. The City agrees to prosecute aggressively any such court action to compel compliance with said administrative order.

10.16.090 Memorandum of Agreement of August 15, 1990

The City agrees to fulfill all its obligations contained in the Memorandum of Agreement between the City and the Massachusetts Department of Environmental Protection, dated August 15, 1990.

Upon submission by the City Manager to the Metropolitan Planning Organization, or other appropriate agency, of a proposed amendment to the SIP, which shall include a form of ordinance to

implement such amendment, approved by the City Council, as contemplated by the August 15, 1990 MOA and by this Chapter, the provisions of this Chapter shall continue in effect for a period of at least sixty (60) days from the date of said submission. The form of ordinance included in the SIP amendment to be submitted to the City Council for approval shall include, inter alia, provisions (i) whereby such ordinance shall become effective sixty (60) days after the final approval of such SIP amendment by the City Council, and (ii) whereby such ordinance shall be substituted for the terms of this chapter on an interim basis assuming that said amendment has not been rejected in writing by the responsible State or Federal agencies as inconsistent with federal or state law.

Upon final approval of such SIP amendment by all governmental authorities with jurisdiction thereof, the City Manager shall notify the City Council of any changes in the SIP amendment as finally approved by such governmental authorities which may require adoption of amendments to the ordinance included in the SIP amendment in order to implement the SIP amendment as finally approved by such governmental authorities.

In City Council November 26, 1990.

Passed to be ordained as amended by a yea and nay vote:-
Yeas 5; Nays 4; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That the Zoning Ordinances of the City of Cambridge be amended as follows:

- I. Amend the Zoning Ordinance of the City of Cambridge as described below by creating a new Section 3.15 - The East Cambridge Interim Planning Overlay District in the area of East Cambridge as shown on the accompanying map, having the following requirements:

Section 3.15

1. All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of this Section subsections 2-4 below;
2. The floor area ratio applicable on any lot shall be limited to 1.0 or that applicable in the base district, whichever is less;
3. The maximum height of any building shall be 45' or that applicable in the base district, whichever is less;
4. Notwithstanding the limitations in subsections 2 and 3 above, any building existing at the time of adoption of this Section may be renovated or restored, changes made to the uses contained therein or additions may be made hereto providing the following conditions are met:
 - (a) Any additions shall not exceed 10% of the gross floor area of the existing building or 30,000 gross square feet, whichever is greater; and
 - (b) All regulations and limitations of the base district shall be met.
5. This Section 3.15 shall be in effect through February 28, 1991.

Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.48 of the Municipal Code of the City of Cambridge be amended as follows:

Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

The final paragraph be amended so that it reads in its entirety: "Said labels should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".

Passed to a second reading at the City Council meeting held on January 7, 1991 and on or after January 21, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

FIRST PUBLICATION NO. 2516.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety

AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

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

Chapter 5.20 of the Code entitled "Public Transportation" is hereby amended by striking out and inserting the following new sections: 5.20.210 entitled "Rates - Designated Meter Required When;" 5.20.240 entitled "Rate Reduction Plan;" 5.20.250 entitled "Waiting Time" and 5.20.270 entitled "Hiring by hour or by trip" as follows:

5.20.210. Rates - Designated - Meter required when.

The price of rates of fares which drivers of Motor Taxicabs shall charge and demand for services rendered in conveying passengers are as follows:

(A) The initial drop shall be one dollar (\$1.00) and shall cover the cost of the first one-eighth of a mile or fraction thereof; or the first two minutes of waiting time or a combination of both. Each one-eighth of a mile thereafter or fraction thereof shall be at the rate of Twenty-five cents (\$.25).

(B) Each hackney carriage shall be equipped with a meter which shall be of a size and design approved by the License Commission.

(C) All owners of hackney carriages shall be allowed sixty (60) days from the time a change in rates is mandated to change the taximeter to reflect the new rates.

5.20.240. Rate reduction plan.

The License Commission shall implement a program effecting a cab meter rate discount for any person 65 years of age or over, and for handicapped persons, as follows:

- A \$1.25 discount coupon shall be allowed for any such fare \$5.00 or under:
- Two \$1.25 discount coupons shall be allowed for any such fare over \$5.00.

The License Commission shall regulate the specific mechanism by which this program is implemented.

5.20.250. Waiting time.

Waiting time shall include all time during which the vehicle is not in motion beginning five (5) minutes after its arrival at the place to which it has been called. No charge shall be made for time between a premature arrival in response to a call and the times for which the vehicle was ordered nor for time attributable to a breakdown of traffic, with the exception of such time lost through interruption and closing of drawbridges and the passage of railroad trains. Waiting time shall be at the rate of Nineteen Dollars (\$19.00) per hour.

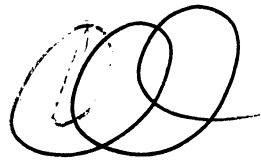
5.20.270. Hiring by hour or by trip.

(A) When a motor taxicab is hired by the hour, the hourly rate shall be Nineteen Dollars (\$19.00) per hour. When a motor taxicab is hired for a trip wholly or in part outside the limits of the City, and when the destination is not listed in the flat rate book issued by the Commission, the person in charge may suspend, with the consent of the passenger, the use of the taximeter as a means of determining the price to be paid. In such cases the price shall be agreed upon between the persons in charge of the automobile and the passenger.

(B) A vehicle licensed under this Chapter for the transportation of those who are ill, or who are invalids or who are elderly may be engaged by an arrangement between the person in charge of said vehicle and the passenger establishing a flat rate price per hour, per mile or per trip for the use of the vehicle, and in such instance the use of the meter in said vehicle may be suspended.

Passed to a second reading at the City Council meeting held on January 14, 1991 and on or after January 28, 1991 the question comes on passing to be ordained.

ATTEST: Joseph E. Connarton
City Clerk



Committee Report

1/16/90

2 p.m.

~~5:30 p.m. - 8:00 p.m.~~

6 p.m. - 7:30 p.m.

7 p.m. - 8:00 p.m. - Home Reservation



City of Cambridge

27.

IN CITY COUNCIL

DECEMBER 17, 1990

COUNCILLOR DUEHAY

ORDERED:

That Chapter 8.48 of the Municipal Code of the City of Cambridge be amended as follows:

Section 8.48.040

subsections g & h: the effective date of January 1, 1991 be changed to January 1, 1992

Section 8.48.050

The final paragraph be amended so that it reads in its entirety: "Said labels should be affixed on the face of said container or product in the form of a removable sticker not smaller than 3 x 5 inches, with the lettering and background in contrasting colors. In addition, the consumer information packet with regard to each product offered for sale shall include warnings about the dangers of ozone depleting substances in accordance with directives of the Commissioner of Health and Hospitals".

In City Council December 17, 1990.

Adopted by the affirmative vote of nine members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE



City of Cambridge

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IN CITY COUNCIL

DECEMBER 17, 1990

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Adopted by the affirmative vote of nine members.

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A true copy;

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Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE



City of Cambridge

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A true copy;

ATTEST:-

Joseph E. Connarton

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE



City of Cambridge

27.

IN CITY COUNCIL

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In City Council December 17, 1990.

Adopted by the affirmative vote of nine members.

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A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE



City of Cambridge

27.

IN CITY COUNCIL

DECEMBER 17, 1990

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In City Council December 17, 1990.
Adopted by the affirmative vote of nine members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE



City of Cambridge

27.

IN CITY COUNCIL

DECEMBER 17, 1990

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In City Council December 17, 1990.

Adopted by the affirmative vote of nine members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton

Joseph E. Connarton, City Clerk.

REFERRED TO THE ORDINANCE COMMITTEE

Passed in full etc w/ favorable recommendation

City of Cambridge

The Committee on Ordinances conducted a public hearing on Wednesday, December 19, 1990 beginning at 7:16 p. m. in the Sullivan Chamber, City Hall. The Committee review a technical amendment to the Municipal Code relative to Section 8.48.040 and Section 8.48.050 entitled Protection of the Stratospheric Ozone Layer.

Members present were: Councillor Francis H. Duehay, Councillor Ed Cyr, Councillor Jonathan Myers, Councillor William Walsh, Mayor Alice Wolf, Vice Mayor Kenneth Reeves and City Clerk Joseph Connarton.

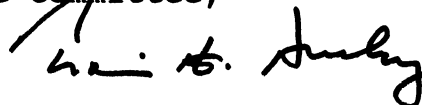
Councillor Francis Duehay stated he had submitted these technical amendments by City Council Order #27 dated December 17, 1990 in order to correct some language relative to labeling of containers and products as well changing the effective dates in subsections (g) and (h) from January 1, 1991 to January 1, 1992.

Mayor Wolf moved that the technical amendments be referred to the full City Council with a favorable recommendation.

The motion - carried.

The hearing was adjourned at 7:18 p. m.

For the Committee,



Councillor Francis H. Duehay,
Chairman.

COMMITTEE REPORT

Ordinance Committee Report for a hearing held on December 19, 1990 relative to a proposed amendment to the Municipal Code regarding technical amendments to the Stratospheric Ozone Layer.

In City Council,

January 7, 1991

*Passed to C,
second reading
1/28/91 Passed to be
Ordained
9-0-0.*