

M E M O R A N D U M

TO: Law Department & Joe Connarton
FROM: NEARY
RE: RECODIFICATION OF THE CAMBRIDGE CITY CODE

The following is a summary of the substantive changes made by the Draft Recodification of the City Ordinances. Please note that this summary contains changes in which parts of the 1972 Code have been deleted from the present Draft, as well as additions to the new Draft which have been inserted without reference to any former ordinance or other precedent.

1. 1972 Code, Chapter 2, Article IX, pp.38-66, re Division of Finance corresponds to Preliminary Draft, Chapter 3, Article III, re Department of Finance (§3.301-3.329)

- CHANGES:
1. Compare §3.303 (Duties of Director) of Draft Code with §2-55 of 1972 code. The language of the Draft Code gives the Director a much broader scope of powers and duties than the 1972 code.
 2. Compare §2-59 through §2-68 of 1972 Code (re City Auditor with §3.306-3.308 of Draft. Again, the language is substantively different between the two codes as each attempts to outline the duties and functions of the Auditing Department. The new code generalizes these duties, whereas the old code gives a "nuts and bolts" outline of the day-to-day operation of the department.
 3. Compare §2-70 of 1972 code with §3.316 (a) of Draft, re appointment of Purchasing Agent. Old code provides for appointment by the City Manager, new Draft provides appointment by Finance Director with the approval of the City Manager.
 4. Compare §2-78 through §2-97 of '72 code with §3.317 (a-g) of Draft. Re duties of Purchasing Agent. As with the Finance and Auditing divisions- the new draft gives a general overview of these duties while the 1972 ordinances give a very specific outline of the day-to-day functions of the Purchasing

Department.

5. Compare: §2-100 through §2-117 of 1972 code with §3.325 of Draft. Re: Duties of City Treasurer. Again, the new code provides a general overview of these duties where the '72 code gives a more specific approach.

NOTE: The Draft provides for the position of Assistant City Treasurer which is not mentioned in the '72 code. Some of the duties outlined in the '72 code as belonging to the City Treasurer are delegated to the Assistant City Treasurer in the Draft.

6. Draft Code, Chapter 3, Article IX, C, §3.909 provides for the adoption of the City Salary and classification Plan as amended to be adopted by reference. (-this eliminates the need to list salaries as the old code did).
7. Draft Code, Chapter 7, Article IV, re Establishing a Fire District- this is an addition to the Ordinances for which no precedent in the 1972 code, or any other authority is cited. (It does not seem significant).
8. Draft Code, Chapter 10, Article I, §10.111 re Presentation of Certain Fire Apparatus this is another addition for which no precedent is cited.
9. Chapter 11 of the Draft corresponds to Chapter 15 of the 1972 code, re: The Police Department. The substantive difference between these chapters is that the Draft refers to the Commissioner as the head of the Department, while the '72 Code refers to the Chief as the department head. The Draft conforms more to the latest ordinances- however one other change may be significant. The Draft eliminates §15-8 re: Absence of the Chief- a section providing that the senior ranking officer shall assume the Chief's duties in his absence. §11.108 of the Draft provides that the City Manager may fill any vacancy in the department.
10. Draft, Chapter 13, Article VI, §13.601 (c) and (d), re: Licenses required for garage sales are additions which have no precedent in the '72 code or other authority.
11. Draft, Chapter 14, Article IV; Re: Unreasonably loud noises, §14.401- this section is new. It may be eliminated from this chapter if the Noise

Ordinance is incorporated in Chapter 6- on Zoning.

12. Compare §16-2 through §16-43 of '72 Code to §17.103 of Draft. Re: Rules and Regulations for Hackney Carriages, where the '72 code specified there rules, the Draft would incorporate them by reference.
13. §19-6 of 1972 code- re: Water Board; "Personal interest in contracts prohibited"- is eliminated from the Draft Code.
14. Draft, Chapter 20, Article II, §20.203 (d)- re charging monthly interest for unpaid water bill- this is an addition which is not provided for in the 1972 Code.
15. Draft, Chapter 21, Article I, §21.102, re: Animals Constituting a Nuisance this also is an addition which is not found in the 1972 code.

