



CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Robert W. Healy
City Manager

Date April 18, 1990

From Joseph J. Cellucci J.J.C.
Commissioner, Inspectional Services

Reference

Subject Council Order #22, 4/2/90, Re: Posting of intention to demolish
48 hours prior to demolition.

The issuance of building or demolition permits is governed by the State Building Code. Presently, the only method whereby a city or town may impose any requirements or standards which are more restrictive than the Building Code is contained in Chapter 143, Section 98 of the General Laws. This process requires a petition to the Board of Building Regulations and Standards by the municipality, and a positive action by that body.

When the first State Building Code became effective on January 1, 1975, Chapter 802 of the Acts of 1972 provided that all ordinances and by-laws of cities and towns or regulations of State Agencies, Boards, Commissions, or Departments in conflict with the State Building Code ceased to be effective on that date. Since that date, the power to enact more restrictive requirements than those contained in the State Building Code has always been specifically delegated by Chapter 23B, Section 21 to the State Building Code Commission, and most recently, to the Board of Building Regulations and Standards by Chapter 143, Section 98.

For these reasons, no local authority may restrict or regulate the issuance of building or demolition permits unless specific authorization has been granted by the authority which promulgates the State Building Code.

However, in order for the Board of Building Regulations and Standard (BBRS) to allow the imposition of more restrictive standards, it must be shown that the standards:

- 1) Are reasonable necessary, owing to special conditions locally; and
- 2) Conform with accepted engineering and fire protection practice; and
- 3) Do not conflict with the general purposes of a State Wide building code.

April 26, 1990

To: Robert Healy, City Manager

From: Charles M. Sullivan, Executive Director
Cambridge Historical Commission

Re: Awaiting Report #39 - April 23, 1990
(Procedure to require on-site posting of intent to
demolish a building)

Please be advised that the demolition review ordinance, Ordinance 965, requires that the Historical Commission give notice of any public hearing concerning the demolition of a significant building. The ordinance allows the Commission to post a placard on the building, and this is routinely done.

In 1989, 34 demolition permit applications were received. Fourteen were for backyard garages. Two were considered significant buildings and were placarded.

OFFICE OF THE CITY MANAGER

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CITY OF CAMBRIDGE

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EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

April 30, 1990

To The Honorable, The City Council:

In response to Awaiting Report Item No. 30, relative to the on-site posting of the intention to demolish a building, 48 hours prior to demolition, attached please find a response from Joseph Cellucci, Commissioner of Inspectional Services, and Charles M. Sullivan, Executive Director of the Cambridge Historical Commission, regarding this matter.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
enclosure

Agenda # 2

S-453

Awaiting Report Item Number 30, regarding
the posting of intention to demolish a
building, 48 hours prior to demolition.

In City Council,

April 30, 1990

Referred back to
the City Manager
for process to be
employed by
Councillor Cyr.
Copy sent to City Manager
5/1/90 de