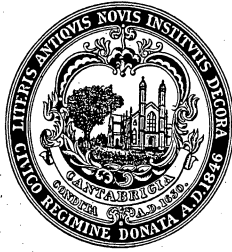


Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Nancy E. Glowa
First Assistant
City Solicitor



Arthur J. Goldberg
Supervising Legal Counsel

Legal Counsel
Birge Albright
Vali Buland
Cheryl Anne Watson
Nancy B. Schlacter
Christine E. McGinn

CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

June 5, 2002

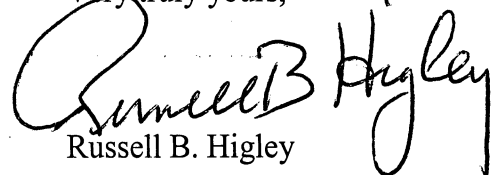
Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Council Order #10, dated 4/22/02 Re: Report on whether the Noise Ordinance adequately addresses boom cars

Dear Mr. Healy:

In response to Council Order #10, I enclose for your consideration an Ordinance to amend § 8.16.080 of the Cambridge Municipal Code, in order to include automobile stereos and sound systems among the non-measured noise disturbances that are prohibited. The Ordinance currently provides that a fine in the amount of \$300.00 may be assessed for each violation of the Ordinance, and that any person found in violation of the provisions of the Ordinance may be prosecuted for a misdemeanor and upon conviction thereof, fined \$300.00. It would be possible to include other penalties for violations of the Ordinance, up to and including impounding a vehicle for a first or subsequent offense, for example, as has been done in certain other municipalities. Therefore, in the event that the City Council decides to enact this or a similar amendment to the Noise Ordinance to address boom cars, you may wish to consider whether to expand upon the existing penalties for violations of the Ordinance.

Very truly yours,


Russell B. Higley

AN ORDINANCE

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

In Chapter 8.16 of the Cambridge Municipal Code (NOISE CONTROL), amend

§ 8.16.080 (Non-Measured noise disturbances) by revising Paragraph B to read as

follows:

B. Radios, Phonographs, Stereos, Sound Systems, etc. The playing, using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, stereo or sound system in an automobile or other vehicle, loudspeaker or public address system, unless used by the City of Cambridge, or other machine or device for the producing or reproducing of sound in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, automobile, vehicle or dwelling unit in which it is located, played, used or operated.



18.

CITY OF CAMBRIDGE • EXECUTIVE DEPARTMENT

Robert W. Healy, City Manager

Richard C. Rossi, Deputy City Manager

June 10, 2002

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 02-35, regarding a report on whether the Noise Ordinance adequately addresses boom cars, received from City Solicitor Russell B. Higley.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

S-183

Consent Agenda #18

Awaiting Report Item

Number 02-35, regarding a
report on whether the Noise
Ordinance adequately
addresses boom cars.

In City Council June 10, 2002

**REFERRED TO HEALTH AND
ENVIRONMENT AND PUBLIC
SAFETY COMMITTEES.**

Public Hearing
held June 18, 2002

Copies
sent
6-12-02
me