



CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

CAMBRIDGE, MASS.

To James L. Sullivan, City Manager

Date June 26, 1980

From *G. Teso*
George Teso, Traffic Director

Reference

Subject State Statute Setting Up The Traffic & Parking Department

Enclosed is a copy of the state statute setting up the
Traffic and Parking Department as requested by City
Councilor Al Vellucci.

C: City Clerk

Chap. 455. AN ACT ESTABLISHING A DEPARTMENT OF TRAFFIC AND PARKING AND A BOARD OF TRAFFIC AND PARKING IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. There is established in the city of Cambridge, hereinafter referred to as the city, a department of traffic and parking, consisting of a director of traffic and parking, hereinafter referred to as the traffic director, and such staff as may be appointed. The traffic director shall be a traffic engineer, possessing the qualifications required for associate or full membership in the Institute of Traffic Engineers. He shall be appointed and may be removed by the city manager. The traffic director's compensation shall be fixed by the city council. Upon recommendation of the traffic director, the city manager shall have the authority to create subordinate staff positions in the department of traffic and parking. The city manager may appoint persons to fill these positions and may remove them pursuant to law. The traffic director shall not be subject to the provisions of chapter thirty-one of the General Laws.

SECTION 2. There is also established in the city of Cambridge a board of traffic and parking, hereinafter referred to as the traffic board, consisting of three citizen members to be appointed by the city manager. Of the members first appointed by said manager, one shall be appointed for a term of one year, one for a term of two years and one for a term of three years. Upon the expiration of the term of a member his successor shall be appointed for a term of three years. Members shall be eligible for reappointment. No person holding public office in said city and no salaried employee of said city shall be eligible for appointment. A member shall not receive any compensation for his services, but shall be reimbursed for all reasonable expenses incurred by him in carrying

ton; provided, however, that the Boston traffic commission shall not establish under the provisions of this paragraph any fine exceeding fifteen dollars.

SECTION 7. The city of Cambridge shall from time to time establish by ordinance a schedule of fines for offenses subject to section twenty A of chapter ninety of the General Laws and committed in the city of Cambridge; but said city shall not establish any fine for any such offense which shall exceed fifteen dollars.

SECTION 8. Sections six and seven of this act shall take effect upon its passage. Sections one to five, inclusive, and section nine of this act shall take effect, and section seven shall be repealed, upon acceptance by vote of the city council of said city, subject to the provisions of its charter. All existing ordinances and regulations relating to the control of vehicular traffic, including those relating to the parking of vehicles on any streets, ways, highways, roads and parkways, under the control of the city, shall remain in full force and effect until superseded by rules and regulations adopted by the traffic director pursuant to clause (a) of section three, and the adoption thereof shall not affect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending at the time of such adoption.

SECTION 9. At any time after the expiration of four years from the date of acceptance of this act, such acceptance may be revoked by a two thirds vote of the city council. Upon such revocation, all existing rules and regulations shall remain in full force and effect until superseded by ordinances and regulations adopted in accordance with the provisions of law then applicable to said city, and neither such revocation nor such adoption of superseding ordinances or regulations shall affect any act done, any right accrued, any penalty incurred or any suit, prosecution or proceeding pending, prior to said revocation or said adoption.

Approved May 12, 1961.

Chap. 456. AN ACT PROVIDING FOR LANDSCAPING AND OTHER IMPROVEMENTS OF THE YANKEE DIVISION MEMORIAL AT CAMP EDWARDS.

Be it enacted, etc., as follows:

The special military reservation commission, established by section one of chapter one hundred and ninety-six of the acts of nineteen hundred and thirty-five, shall landscape and install walks and other improvements at the Yankee Division Memorial at Camp Edwards, also known as Otis Air Force Base, and for such purpose may expend such sums as may be appropriated therefor, but not more than an amount equal to such amount as may be provided by the United States for the same purpose.

Approved May 12, 1961.

Chap. 457. AN ACT FURTHER EXTENDING THE DURATION OF THE BOARD OF SCHOOLHOUSE STRUCTURAL STANDARDS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 675 of the acts of 1955, as amended by section 1 of chapter 361 of the acts of 1958, is hereby further amended by striking out, in line 3, the word "six"

has been adopted, altered or repealed for a period of at least thirty days, the traffic board shall hold a public hearing thereon within two weeks of the date the petitions were filed and shall, following such hearing, determine by majority vote whether to void the adoption, alteration or repeal of the rule or regulation.

(b) The traffic director may erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of traffic and parking in the city and for informing and warning the public as to rules and regulations adopted under this act, subject, however, to section two of chapter eighty-five and to sections eight and nine of chapter eighty-nine of the General Laws.

(c) The traffic director may recommend to the city council the alteration, construction, erection, installation and maintenance of street lights.

(d) The traffic director with the approval of the city manager may retain the services of qualified consultants when such retention is deemed necessary or advisable.

Nothing in this act shall be construed to authorize the traffic director to adopt, alter or repeal any rule or regulation excluding the trackless trolley vehicles or buses of a street railway or bus company from any way or part thereof in which said company has a location; or to modify or limit any power or authority of the metropolitan district commission, state department of public works or state department of public utilities; or to modify or limit any power or authority of the mayor, city council, city manager or of any board or head of a department with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks for reasons not relating to traffic.

SECTION 4. The planning director, the chief of police, the chief of the fire department, the commissioner of public works, the city engineer, the city electrician and city solicitor shall be available to the department of traffic and parking to advise on matters relating to their respective departments and shall be responsible for putting into effect the rules and regulations adopted by the department of traffic and parking in so far as such rules and regulations relate to their respective departments. The traffic director shall co-operate with the planning board and with such public carriers as may be authorized and licensed to render service within the city, on matters relating to traffic planning, and shall co-operate with the planning board on all matters that may relate to the need for, location, construction, erection and maintenance of public parking facilities or of private parking facilities for public use within the city. When it is necessary to co-ordinate with federal, state or other local agencies on matters of traffic movement and traffic planning, the traffic director may serve as liaison for the city.

SECTION 5. Chapter one hundred and sixty-three of the acts of nineteen hundred and thirty-two is hereby repealed.

SECTION 6. Section 20A of chapter 90 of the General Laws is hereby amended by striking out the fifth paragraph, inserted by section 3 of chapter 233 of the acts of 1961, and inserting in place thereof the following paragraph: —

The Boston traffic commission shall from time to time establish, with the approval of the city council of the city of Boston, in accordance with the provisions of the charter of said city, by rule or regulation, a schedule of fines for offenses subject to this section committed in the city of Bos-

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CAMBRIDGE, MASS.

out his duties. The city manager shall each year designate one of the members to serve as chairman of the traffic board.

The traffic board shall carry out the functions prescribed for it in clause (a) of section three and, in addition, shall be available to the traffic director for advice and consultation with respect to all of his activities.

Meetings of the traffic board shall be called by the chairman either on his own motion or on request of the traffic director. Notice of meetings shall be sent to the board members, the traffic director, the planning director, the chief of police, the chief of the fire department and the commissioner of public works. All of said persons may attend board meetings and may present their views, but only board members may vote.

SECTION 3. The traffic director shall have exclusive authority, except as otherwise provided in this act, to take any and all of the following actions, if he determines that such actions serve the public safety, welfare or convenience. Subject to the provisions of section two of chapter eighty-five of the General Laws: —

(a) The traffic director may adopt, alter or repeal rules and regulations, not inconsistent with general law as modified by this act, relative to vehicular and pedestrian traffic in the streets of the city, and to the movement, stopping, standing or parking of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways under the control of the city, including rules and regulations designating any way or part thereof under such control as a through way under and subject to the provisions of section nine of chapter eighty-nine of the General Laws. The traffic director may prescribe a schedule of fines not exceeding fifteen dollars for each violation of parking regulations in the calendar year as authorized by section twenty A of chapter ninety of the General Laws. All other violations of regulations adopted under the provisions of this act, except as otherwise provided by statute, shall be subject to fines not to exceed fifty dollars for each offense as set forth in the regulations.

No such adoption, alteration or repeal shall take effect until public notice of the proposed action has been given, except with respect to such special rules or regulations as are declared by the traffic director to be urgently required for the public safety or welfare or such as are of a temporary nature and are to be effective for a period of not more than three weeks. Public notice shall be given by publication in full of the proposed adoption, alteration or repeal not less than once in each of three successive weeks in one or more newspapers published or distributed in the city. The public notice shall include a statement of the effective date of the proposed action, which shall not be less than twenty-one days following the first of the three newspaper publications. Upon the filing of petitions with the traffic board by not less than fifty registered voters of the city, relative to any rule or regulation proposed to be adopted, altered or repealed, and not yet in effect, the proposed action shall be suspended, and the traffic board shall hold a public hearing thereon within two weeks of the date the petitions were filed, and shall by majority vote approve or disapprove the proposed action within two weeks following the public hearing.

Upon the filing of petitions with the traffic board by not less than fifty registered voters of the city, relative to any rule or regulation which

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S-349

Comm. from George Teso, Traffic Director
transmitting state statute setting up the
Traffic and Parking Department

In City Council,

June 30, 1980

Placed on File-

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