

February 1, 1989

Mayor Dellucci:

ORDERED: That Chapter Two, entitled: "Administration" of the Code of the City of Cambridge be and hereby is amended in Article XXIX, Public Development Arts Fund by adding and deleting the following:

Adding to Section 2, Definitions Paragraph (F) adding the words "educational materials".

Adding to Section 2, Definitions Paragraph (G) Cambridge Schools Art Department - shall mean the Art Department of the Cambridge Schools

Deleting in Section 7, Cambridge Public Development Arts Fund Paragraph (A) the wording no less than one percent and inserting the wording no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department.

and; be it further

ORDERED: That this amendment be referred to the Ordinance Committee for a hearing and a report.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

Chapter Two, entitled: "Administration" is hereby amended by adding at the end thereof a new Article XXIX entitled: "Public Development Arts Fund" which reads as follows:-

ARTICLE XXIX. PUBLIC DEVELOPMENT ARTS FUND.

Section 1. Title, Findings and Purposes.

(A) This ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

- (1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;
- (2) The city wishes to increase the benefits which its citizens will derive from the creative efforts of artists;
- (3) The city should expand the access of its residents to the benefits of the arts by designating a portion of appropriations for capital expenditures for the acquisition, creation, design and/or development of art which shall be utilized in and about city buildings and public facilities.

City of Cambridge

(C) The purposes of this ordinance are:-

- (1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;
- (2) To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and
- (3) To create a funding program which, without substantially increasing the total cost of construction projects as hereafter defined, will ensure that arts are acquired, created, developed and otherwise made available for the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions.

For the purposes of this ordinance the following words and descriptions shall have the following meanings:

- (A) Public Development Arts Fund - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.
- (B) Construction Project - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility, or utility or any portion thereof within the corporation limits of the city and with respect to the construction of which bidding is required under Massachusetts law.
- (C) Eligible Funds - means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure.
- (D) Supplemental Funds - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (E) Cambridge Arts Council - shall mean the Council established in 1974 by order of the City Council.
- (F) Public Development Arts Project or Projects - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing

City of Cambridge

arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, landscape items and educational materials, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

(G) Cambridge School Art Department - shall mean the Art Department of the Cambridge Schools.

Section 3. Cambridge Arts Council - Additional Functions and Duties.

To carry out its responsibilities under this ordinance, the Cambridge Arts Council shall:

- (1) Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested Cambridge citizens and artists, and after holding a public hearing publicized for a full calendar week in at least two newspapers of local general circulations a Plan for the Development and Creation of Arts in public buildings and spaces in the various neighborhoods and sections of the City of Cambridge; said plan shall include an itemization of the city's priorities for choosing, creating and placing works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects;
- (2) Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate;
- (3) Determine the geographic location of such works of art and architecture, and the location within individual sites and buildings where such works shall be placed or created provided that to the maximum feasible extent each such Public Development Arts Project shall be placed, created or performed in and about the Construction Project from which funds were derived for payment of that Public Development Arts Projects;
- (4) Establish budgets for all commissioned projects, including budgets for materials, fees, operating and maintenance expenses, and other reasonably contemplated items of expense in the acquisition, development, creation, implementation, and, where applicable, ongoing maintenance of such projects;
- (5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;
- (6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;
- (7) Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

City of Cambridge

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Section 4. Cambridge Public Development Arts Fund.

(A) Allocation of Funds and Designation. All requests by city department for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Fund to the Cambridge Arts Council and Cambridge Schools Arts Department as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

City of Cambridge

Section 4. Cambridge Public Development Arts Fund.

(A) Allocation of Funds and Designation. All requests by city department for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Fund to the Cambridge Arts Council, as early as possible in the planning stages of the Projects.

↓
and Cambridge Schools Arts Dept.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council ~~exclusively~~ to carry out the purposes of this ordinance.

↳ Cambridge Schools Arts Dept.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided, that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

(C) **Eligible Funds** - means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure.

(D) **Supplemental Funds** - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.

(E) **Cambridge Arts Council** - shall mean the Council established in 1974 by order of the City Council.

(F) **Public Development Arts Project or Projects** - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, ~~and~~ landscape items, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

and educational materials

(C) Camb School Arts Dept shall mean the

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ORDINANCE NO. 923.

Final Publication No. 2004. First Publication in the Herald on June 15, 1979.

CITY OF CAMBRIDGE

In the Year One Thousand, Nine Hundred Seventy-nine
AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows: Chapter Two, entitled: "Administration" is hereby amended by adding at the end thereof a new Article XXIX entitled: "Public Development Arts Fund" which reads as follows:-

Article XXIX. Public Development Arts Fund.

Section 1. Title, Findings and Purposes.

(A) This ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

(1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;

(2) The city wishes to increase the benefits which its citizens will derive from the creative efforts of artists;

(3) The city should expand the access of its residents to the benefits of the arts by designating a portion of appropriations for capital expenditures for the acquisition, creation, design and-or development of art which shall be utilized in and about city buildings and public facilities.

(C) The purposes of this ordinance are:-

(1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;

(2) To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and

(3) To create a funding program which, without substantially increasing the total cost of construction projects as hereafter defined, will ensure that arts are acquired, created, developed and otherwise made available for the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions.

For the purposes of this ordinance the following words and descriptions shall have the following meanings:

(A) **Public Development Arts Fund** - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.

(B) **Construction Project** - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility, or utility or any portion thereof within the corporation limits of the city and with respect to the construction of which bidding is required under Massachusetts law.

Section 3. Cambridge Arts Council - Additional Functions and Duties.

To carry out its responsibilities under this ordinance, the Cambridge Arts Council shall:

(1) Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested Cambridge citizens and artists, and after holding a public hearing publicized for a full calendar week in at least two newspapers of local general circulations a Plan for the Development and Creation of Arts in public buildings and spaces in the various neighborhoods and sections of the City of Cambridge; said plan shall include an itemization of the city's priorities for choosing, creating and placing works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects;

(2) Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate;

(3) Determine the geographic location of such works of art and architecture, and the location within individual sites and buildings where such works shall be placed or created provided that to the maximum feasible extent each such Public Development Arts Project shall be placed, created or performed in and about the Construction Project from which funds were derived for payment of that Public Development Arts Projects;

(4) Establish budgets for all commissioned projects, including budgets for materials, fees, operating and maintenance expenses, and other reasonably contemplated items of expense in the acquisition, development, creation, implementation, and, where applicable, ongoing maintenance of such projects;

(5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;

(6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;

(7) Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

Section 4. Cambridge Public Development Arts Fund.

(A) **Allocation of Funds and Designation.** All requests by city departments for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to ~~no less than one percent of~~ the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Funds to the Cambridge Arts Council as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4 (A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council exclusively to carry out the purposes of this ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided, that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

In City Council

June 25, 1979

Passed to be ordained by a ye and nay vote:- Yeas 6; Nays 2; Absent 1.
James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy,

City Clerk.

(C)Jn28

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COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Probate of Will Without Surrender
 Docket No. 89P02232
Mid Essex Division
 Case of **Barbara L. Lowe**
 of the County of **Mid Essex**

NOTICE

A petition has been presented in the above-captioned matter praying for a certain instrument to be proved and allowed and that **Eric L. Lowe** of Cambridge in the County of **Mid Essex** be appointed executor with full powers to act.

If you desire to object to the allowance of said petition, you may do so by filing a written application in said Court at Cambridge on or before 10:00 in the forenoon on March 1, 1989.

In addition you may be appointed as executor of the petition, stating the specific facts and grounds upon which the objection is based, within 30 days of the return day for such other time as the Court, on motion with notice to the petitioner, may allow in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-second day of the month of April, 1989. Lord one thousand nine hundred and eighty-nine.

(C)Feb 9

Paul J. Cavanaugh
 Register of Probate

INVITATION TO BID
 The Cambridge Housing Authority will receive sealed bids at 270 Green Street, Cambridge, MA 02139, at 3:00 p.m. for:

Floor Refinishing at Three Developments
Term Contract
Bid Surety - \$500

Sealed bids and contractual documents are available at 270 Green Street, Cambridge, MA 02139, Purchasing Department.

All bids shall be subject to the provisions of M.G.L. Chapter 30C, Sec. 39M, in addition to all other applicable public bidding provisions contained in the General Laws of the Commonwealth of Massachusetts, all as most recently amended.

Bid proposals shall be invocable for a period of 30 days after the date of opening, and may be accepted by the Authority at any time within that period or thereafter, unless withdrawn by written notice of the bidder after the expiration of said 30 day period.

The Cambridge Housing Authority reserves the right to accept or reject all bids and to waive any informalities if it is in the public interest to do so.

CHA is an equal opportunity employer
 Cambridge Housing Authority
 270 Green Street
 Cambridge, MA 02139

Stephen C. Smith,
 Senior Purchasing Agent

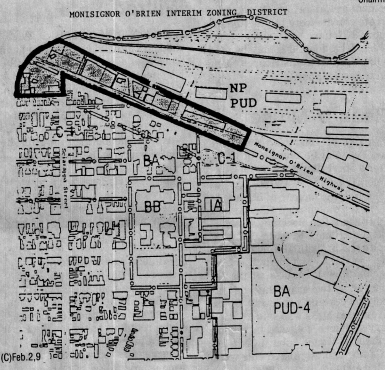
PUBLIC NOTICE
RELATIVE TO ZONING OFFICE OF THE CITY CLERK
MASSACHUSETTS

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, February 22, 1989 at 8:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board to amend the **Zoning Ordinance of the City of Cambridge by establishing a new Monisthorpe O'Brien Interim Zoning District** as shown on the accompanying map, having the following requirements:

- All requirements of the existing I-9 base zoning district shall apply except as modified and amended by the requirements of this Section's subsections 2-4 below.
- The floor area ratio applicable on any lot shall be limited to 2.0.
- The maximum height of any building shall be 85 feet.

The Monisthorpe O'Brien Interim Zoning District shall be in effect through June 1, 1989. Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts. All persons interested in this matter may appear at this time and be heard.

For the Committee,
 Councilor William H. Walsh
 Chairman



CITY OF CAMBRIDGE
Department of Human Services Programs

PUBLIC HEARING
CITY OF CAMBRIDGE
Community Development
Block Grant (CDBG)
Final Services Contract
Year 15 (July 1, 1988-June 30, 1990)
February 15, 1989, 7:30 p.m.
51 Main Street, 5th Floor
Third Floor Conference Room

This public hearing will provide an opportunity for the City to present a review of FY 89 CDBG activities and to obtain feedback from residents and to obtain Cambridge residents' views about ways in which changes in the environment have affected social service needs in the City of Cambridge. Cambridge's allocation of Federal CDBG funds for Human Services Programs: 51 Main Street, on February 21st. Please direct questions about the public hearing and appearance to Gloria Palladino at 498-0700. Transportation for the handicapped may be arranged upon request. The snow date for the hearing is February 22nd.

(C)Feb 9

Paul J. Cavanaugh
 Register of Probate

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Elm Auto Parts Co., Inc.** holder of a Used Car Dealer license, Class III, No. 010145 has applied for a change in corporate officers.

The officers and directors of Elm Auto Parts Co., Inc. are: Herbert M. Silver, President and Director; Norma E. Silver, Treasurer and Director; Joy Browne, Secretary and Director.

The hearing on this application will be held on Tuesday afternoon, February 14, 1989, at 2 o'clock, in the Barbara Ackerman Room, Room 200, City Hall.

James Thaddeus McDwitt
 Anthony M. Paolillo
 Thomas V. Scott
 License Commission

CITY OF CAMBRIDGE
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
GUARDIAN-SALE OF REAL ESTATE
 Docket No. 85P3951

NOTICE

To all persons interested in the estate of **Elizabeth L. Doody** of Cambridge in said County, Elizabeth I. person. A petition has been presented to said Court praying for leave to sell - at private sale - certain real estate of said Elizabeth L. Doody for her maintenance.

If you desire to object to the allowance of said petition, you or your attorney must file a written application in said Court at Cambridge on or before 10:00 in the forenoon on February 22, 1989.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the 15th day of the month of the year of our Lord, one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
 Register of Probate

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Emmett Reeves d/b/a Andante Linen Service**, 95R Inna License for one limousine garaged in Townhouse.

The hearing on this application will be held on Tuesday afternoon, February 9, 1989, at 2 o'clock, in the Barbara Ackerman Room, Room 200, City Hall.

James Thaddeus McDwitt
 Anthony M. Paolillo
 Thomas V. Scott
 License Commission

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

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James Thaddeus McDwitt
 Anthony M. Paolillo
 Thomas V. Scott
 License Commission

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BOARD OF LICENSE COMMISSIONERS

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The hearing on this application will be held on Tuesday afternoon, February 9, 1989, at 2 o'clock, in the Barbara Ackerman Room, Room 200, City Hall.

James Thaddeus McDwitt
 Anthony M. Paolillo
 Thomas V. Scott
 License Commission

NOTICE TO BIDDERS
COMMONWEALTH OF MASSACHUSETTS
OFFICE FOR CHILDREN
FOR THE PROTECTION AND WELFARE OF CHILDREN

The Massachusetts Division of Capital Planning and Operations on behalf of the Office for Children is soliciting bids for **100,000 sq. ft. of new office space** to be located in the **Cambridge/Somerville area for occupancy commencing May 1, 1990.** Plans and drawings are available at 270 Green Street, Cambridge, MA 02139.

Specifications and proposals may be obtained from the Office of Real Property Administration, Division of Capital Planning and Operations, 15th Floor, One Ashburton Place, Boston, MA 02108.

Proposals should be submitted to the Real Property Administration, Room 1512, One Ashburton Place, Boston, MA 02108 prior to Monday, March 6, 1989 at 2:00 p.m. Proposals received later than the designated time shall be returned or deemed null and void. The return of proposals is at the respective proponents.

(C)Feb 9

COMMONWEALTH OF MASSACHUSETTS
Probate Court
Mid Essex ss. No. 86D-4140-D
SUMMONS BY PUBLICATION
Carla Wheaton Plaintiff
vs.
Albert C. Wheaton Defendant

To the above-named Defendant: Albert Wheaton, a complaint has been presented to this Court by your spouse, Carla Wheaton Plaintiff. Said complaint seeks to set aside your divorce. Said P.C., Richard C. Weiner Esquire, Ronald H. Rainer Esquire, Attorney at Law, 200 State Street, Boston, MA 02109 your answer on or before March 6, 1989. If you fail to do so, the Court will proceed to the hearing and judgment will be rendered in favor of the plaintiff to file a copy of your answer in the office of the Register of the City of Cambridge.

Witness Sheila E. McGovern, Esq., First Justice of said Court at Cambridge, January 11, 1989.

Paul J. Cavanaugh
 Register of Probate

First Publication No. 2429.
CITY OF CAMBRIDGE
In the Year One Thousand
Hundred Eighty-nine
AN ORDINANCE

In amendment to an ordinance formerly enacted as "The Code of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge" as follows:

SECTION ONE. Amend the Code of the City of Cambridge, Chapter 15, by adding thereto a new Article XXIV entitled "Public Development Arts Fund," which reads as follows:

ARTICLE XXIV. PUBLIC DEVELOPMENT ARTS FUND.

Section 1. Title, Findings and Purpose. The Public Development Arts Ordinance of 1979:

- The City Council of the City of Cambridge finds that:
 - To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of arts available in public buildings, facilities and spaces;
 - To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and
 - To create a funding program which, without substantially increasing the total cost of construction projects to be erected, will ensure that arts are acquired, developed and otherwise made available to the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions. For the purposes of this ordinance the following words and descriptions shall have the following meanings:

- (A) Public Development Arts Fund** - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.
- (B) Construction Project** - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, carried or retained under the City's common-law structure, park, street, sidewalk, parking, utility or utility or any portion thereof within the corporation limits of which arts and with respect to the construction of which bidding is required under Massachusetts law.
- (C) Supplemental Funds** - shall mean those funds appropriated by the City Council or contributed by individuals or other persons to the City of Cambridge for the purpose of supplementing the monies made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (D) Public Development Arts Project** - shall mean any project funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing arts performed in a public building or space; said art may include, but not be limited to, paintings, drawings, engravings, carvings, frescoes, mosaics, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, landscape items and educational materials, including the artistic placement of natural materials and objects.
- (E) Cambridge School Art Council** - shall mean the Art Department of the Cambridge Schools.

Section 3. Cambridge School Art Council - Additional Functions and Duties.

- To carry out its responsibilities under the Cambridge Schools Art Council shall:
 - Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested community citizens, a calendar of arts and cultural activities and a plan for the development and creation of arts in public buildings and spaces in the various municipalities and sections of the City of Cambridge; said plan shall include an itemization of the various activities and projects and the various works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects.
 - Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate.
 - Obtain the approval and location of such works of art and architecture, and the location within individual sites and buildings; where such works shall be placed or created provided that to the maximum feasible extent such Public Development Arts Project shall be placed, created or performed in or attached to the construction Project from which funds were derived for payment of that Public Development Arts Project.
 - Establish budgets for all commissioned projects, including budgets for materials, fees, operating rates and expenses, and for the selection of artists and art works; such budgets shall be approved and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city, criteria for choosing among various artists and recording acquisition and maintenance of art or architectural works and such other rules as may be appropriate or necessary for the implementation of this ordinance.
 - Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

Section 4. Cambridge Public Development Arts Fund.

- (Allocation of Funds and Designation.) All requests by the City Department for appropriations or other authorized for Construction Project from the Eligible Funds shall include and set aside an amount equal to not less than one half of one percent of the Cambridge Arts Council and not less than one half of one percent of the Cambridge Schools Art Department of the total estimated project cost.
- There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be paid. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.
- Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or upon special approval by the City Council, shall be returned to the City of Cambridge for the purposes of the fund. All funds of the City Hall, art funds and funds derived from revenue of general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive as if they had never been appropriated.
- Passed to a second reading on the City Council meeting held on February 6, 1989 and on an alternate February 20, 1989 the reading comes on passing to be ordained.

Joseph E. Conantton,
 City Clerk

Early childhood forum planned

"How To Integrate a Non-Sexist, Multicultural Approach Into Your Curriculum" is the topic for the next Early Childhood Community Forum which will be held February 15th, 6 to 8:30 pm at the Martin Luther King School Cafeteria, 100 Putnam Ave. Admission to the forum is free. A buffet dinner is available for \$4.

The speakers for the forum are Carolyn Davis and Bernadette Davidson, both co-instructors at the Center for Early Childhood Education.

Two more forums remain in this season's Early Childhood Community Forum series on "methods for teaching young children in a multicultural world." These are scheduled for March 15 and April 12 at the King School Cafeteria. To register for dinner or child care, or to obtain flyers announcing the remaining forum topics, call Shell Wozniak at 498-9200, extension 9518.

Support research

The General Ordinances of the City of Cambridge as revised in 1972 and now designated as "The Code of the City of Cambridge" as follows:

SECTION ONE. Amend the Code of the City of Cambridge, Chapter 15, by adding thereto a new Article XXIV entitled "Public Development Arts Fund," which reads as follows:

ARTICLE XXIV. PUBLIC DEVELOPMENT ARTS FUND.

Section 1. Title, Findings and Purpose. The Public Development Arts Ordinance of 1979:

- The City Council of the City of Cambridge finds that:
 - To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of arts available in public buildings, facilities and spaces;
 - To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and
 - To create a funding program which, without substantially increasing the total cost of construction projects to be erected, will ensure that arts are acquired, developed and otherwise made available to the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions. For the purposes of this ordinance the following words and descriptions shall have the following meanings:

- (A) Public Development Arts Fund** - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.
- (B) Construction Project** - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, carried or retained under the City's common-law structure, park, street, sidewalk, parking, utility or utility or any portion thereof within the corporation limits of which arts and with respect to the construction of which bidding is required under Massachusetts law.
- (C) Supplemental Funds** - shall mean those funds appropriated by the City Council or contributed by individuals or other persons to the City of Cambridge for the purpose of supplementing the monies made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (D) Public Development Arts Project** - shall mean any project funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing arts performed in a public building or space; said art may include, but not be limited to, paintings, drawings, engravings, carvings, frescoes, mosaics, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, landscape items and educational materials, including the artistic placement of natural materials and objects.
- (E) Cambridge School Art Council** - shall mean the Art Department of the Cambridge Schools.

Section 3. Cambridge School Art Council - Additional Functions and Duties.

- To carry out its responsibilities under the Cambridge Schools Art Council shall:
 - Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested community citizens, a calendar of arts and cultural activities and a plan for the development and creation of arts in public buildings and spaces in the various municipalities and sections of the City of Cambridge; said plan shall include an itemization of the various activities and projects and the various works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects.
 - Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate.
 - Obtain the approval and location of such works of art and architecture, and the location within individual sites and buildings; where such works shall be placed or created provided that to the maximum feasible extent such Public Development Arts Project shall be placed, created or performed in or attached to the construction Project from which funds were derived for payment of that Public Development Arts Project.
 - Establish budgets for all commissioned projects, including budgets for materials, fees, operating rates and expenses, and for the selection of artists and art works; such budgets shall be approved and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city, criteria for choosing among various artists and recording acquisition and maintenance of art or architectural works and such other rules as may be appropriate or necessary for the implementation of this ordinance.
 - Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

Section 4. Cambridge Public Development Arts Fund.

- (Allocation of Funds and Designation.) All requests by the City Department for appropriations or other authorized for Construction Project from the Eligible Funds shall include and set aside an amount equal to not less than one half of one percent of the Cambridge Arts Council and not less than one half of one percent of the Cambridge Schools Art Department of the total estimated project cost.
- There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be paid. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.
- Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or upon special approval by the City Council, shall be returned to the City of Cambridge for the purposes of the fund. All funds of the City Hall, art funds and funds derived from revenue of general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive as if they had never been appropriated.
- Passed to a second reading on the City Council meeting held on February 6, 1989 and on an alternate February 20, 1989 the reading comes on passing to be ordained.

Joseph E. Conantton,
 City Clerk

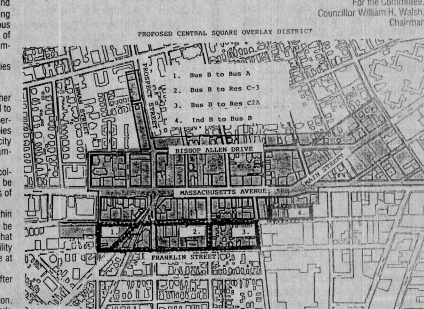
PROPOSED CENTRAL SQUARE OVERLAY DISTRICT

1. See B to Box A
 2. See B to Box C-2
 3. See B to Box C-3
 4. See B to Box D
 5. See B to Box E

PUBLIC NOTICE
RELATIVE TO ZONING OFFICE OF THE CITY CLERK
MASSACHUSETTS

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, February 22, 1989 at 8:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board to amend the **Zoning Ordinance of the City of Cambridge by establishing the Central Square Overlay District and changing the applicable base zoning district designation in some areas from Business to Residence-C3, or Residence C2A, Industry I or Industrial I.** The text of the ordinance is available at the City Clerk's Office, City Hall, Cambridge, Massachusetts. All persons interested in this matter may appear at this time and be heard.

For the Committee,
 Councilor William H. Walsh
 Chairman



DEATHS

Maura Mahony

Maura A. Mahony, 62, died Jan. 30 at Cambridge Hospital after a short illness. A lifelong resident of Cambridge, she was a retired reservationist for area hotels.

She was the daughter of the late John and Catherine E. (Mullen) Mahony, and sister of Ruth C. Mahony of Belmont, John F. and Robert E. of Boston, Richard C. of Washington Crossing, Pa., William J. of Centerville, Alan D. of Arlington and the late Paul T. Mahony and Janet A. Daley.

A funeral Mass was said at Our Lady of Mercy Church, followed by interment at Cambridge Cemetery. Arrangements were by the Stanton Funeral Home.

Memorial donations may be made to the Hospice of Cambridge, 185 Alewife Brook Pkwy., Cambridge, MA 02138.

Ada Ford

Ada (Gittens) Ford, 86, died Feb. 1 at Mount Auburn Hospital in Cambridge after a short illness. Born in Barbados, West Indies, she was a longtime resident of Cambridge.

She was the wife of Joseph N. and also survived by several nieces, nephews and other relatives and friends in Barbados and Trinidad, West Indies.

A funeral service was held at the First Baptist Church, followed by the interment at Mount Auburn Hospital in Cambridge. Arrangements were by the A.J. Spears Funeral Home.

Pauline Rimsaita

Pauline Rimsaita, 80, died Jan. 31 at Cambridge Hospital after a long illness. Born in Lithuania, she was a longtime resident of Cambridge. She was the friend of Valintina Solod.

A funeral Mass was said at St. Hedwig's Church, followed by the interment at Mount Auburn Cemetery in Cambridge. Arrangements were by the Szulewski Funeral Home.

John McCarthy

John D. McCarthy, 60, died suddenly Feb. 1 at Cambridge Hospital. A lifelong resident of Cambridge, he was a security officer at the Franklin Hospital in Cambridge.

He was a Korean War Army veteran. He was the son of Elizabeth McCarthy Ready and the late Dennis McCarthy, and brother of Edward and Joseph McCarthy and the late James McCarthy.

A funeral Mass was said at St. Mary's Church, followed by the interment at Cambridge Cemetery. Arrangements were by the John C. Burns Funeral Home.

Memorial donations may be made to Boys Town, Omaha, Neb.

Harmon Tyler

Harmon Tyler, 65, died Feb. 1 at Sancta Maria Hospital in Cambridge after a long illness. Born in Illinois, he was a longtime resident of Cambridge.

He was a graduate of George Washington University in Washington, DC.

He was a draftsman in the armed forces during World War II.

Also, she was a technical editor and librarian for the Atomic Energy Commission in New Mexico and Boston. She had also done photo research in the Arctic during -60-degree weather.

A funeral service was held at St. James Episcopal Church, followed by the interment at Cambridge Cemetery. Arrangements were by the William T. Hickey & Son Funeral Home.

Julia Murray

Julia A. (Riordan) Murray, 90, died Feb. 2 at Cambridge Nursing Home after a short illness. Born in Ireland, she was a longtime resident of Cambridge.

She was the wife of the late Teresa Teeven and Timothy, and mother-in-law of Ann Murray of Somerville. She is also survived by nine grandchildren and three great-grandchildren.

A funeral Mass was said at St. Peter's Church, followed by the interment at Cambridge Cemetery. Arrangements were by the William T. Hickey Funeral Home.

Memorial donations may be made to the St. Peter's Restoration Fund, 31 Buckingham St., Cambridge, MA 02138.

Miriam Edmonds

Miriam (Davis) Edmonds, 101, died Feb. 5 at North River Manor in Pembroke after a short illness. Born in London, England, she was a longtime resident of Cambridge.

She was a retired garment worker. She was the wife of the late Frank; sister of Frank Davis of Marshfield; and aunt of Jane Cash of Arlington. She is also survived by several nieces and nephews.

A funeral service was held at St. Andrew's Episcopal Church, followed by the interment at Mount Auburn Cemetery in Cambridge. Arrangements were by the Stanton Funeral Home.



WALTER MARCHANT

Walter Marchant

Walter J. Marchant, 62, died suddenly Feb. 1 at Mount Auburn Hospital in Cambridge. A lifelong resident of Cambridge, he was a retired steamfitter and heating worker.

He was a World War II Coast Guard disabled veteran.

For the past 22 years, he was a member of the Cambridge BPOE Lodge 839 which he joined in 1967. He was named "Elk of the Year" only two years later. That same year he was elected Esteemed Lecturing Knight and rose to become the lodge's Exalted Ruler in 1973. In 1974 he was voted Honorary Life member and was elected to the Board of Trustees for five years and was re-elected again in 1979.

He also chaired many committees at the Cambridge Lodge 839 and at the Massachusetts State level during the following years. In 1988, at the United States Elks Convention in Las Vegas, Nev., he was selected

by the Grand Exalted Ruler of the Benevolent and Protective Order of Elks to the honorable position of Grand Exalted Ruler District Deputy, Metropolitan District, Massachusetts, in which he was serving at the time of his death.

He was the husband of Grace M. (Yulso) - father of Elaine Zelinski, Mary T., Walter J., Judith M., Paul E., and William F., and brother of Albert and Francis Girard, Alice Plet, Margaret Mary Lemaster and the late Paul Girard. He is also survived by six grandchildren.

A funeral Mass was said at St. Peter's Church, followed by the interment at Cambridge Cemetery. Arrangements were by the Keefe Funeral Home.

Memorial donations may be made to the Massachusetts Heart and Lung Associations.

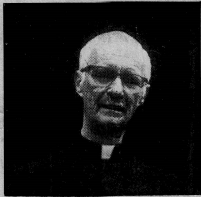
Eleanor Muise

Eleanor M. (Shallow) Muise, 60, died Feb. 2 at Cambridge Hospital after a short illness. She was a lifelong resident of Cambridge.

She was the mother of Elizabeth F. Muise; daughter of Elizabeth R. and the late Leo H. Shallow; and sister of William F. and Edward M. Shallow, Elizabeth McLaughlin, Theresa Calvin and the late Leo J. and Matthew J. Shallow. She is also survived by two grandchildren and many nieces and nephews.

A funeral Mass was said at St. Mary's Church, followed by the interment at Mount Auburn Cemetery in Cambridge. Arrangements were by the John C. Burns Funeral Home.

Memorial donations may be made to the American Heart Fund, 33 Fourth Ave., Needham, MA.



REV. WILFRED RICE

Wilfred Rice

The Rev. Wilfred G. Rice, 80, died suddenly at his daughter's home in St. Cloud, CA, Born in Peekskill, NY, he was a longtime resident.

He attended Bowdoin College and graduated from Harvard University and the New Church Theological School in 1932.

As a Swedish parish minister, he served parishes in Chicago, Ill., Fryeburg, Maine, St. Paul, Minn., and Elmwood, Brockton and Cambridge.

He was general pastor of the Massachusetts Association of New Jerusalem and pastor emeritus of the Cambridge Church of the New Jerusalem, Swedenborgian.

He was a life member of the Pythagorean Lodge, AF & AM, in Fryeburg, Maine. He was a Scoutmaster and avid philatelist. He edited religious books for the Hertel Co. of Chicago.

He was the husband of Ethel V. (Denison), father of Carolyn Barnes of San Diego, CA., Miriam Marra of Cambridge and Ellen Johnson of British Columbia and Dennis G. of Springfield; son of Carleton and Clara B. (Johnston) Rice; and brother of Carolyn Slesler of Thomaston, Maine. He is also survived by seven grandchildren and several nieces and nephews.

A funeral service was held at the Hall Funeral Home. The interment was at Village Cemetery in Thomaston, Maine. Arrangements were by the Hall Funeral Home.

Edward Griffin, Jr.

Edward W. Griffin, Jr., 45, died Jan. 9 at Massachusetts General Hospital after a long illness. Born in Hartford, CT, he was a longtime resident of Franklin and Malden.

He was an accountant for the Visiting Nurse Association in Boston.

Also, he was a Vietnam War Army veteran.

He was the husband of Kathleen (Galligan) of Cambridge; and father of Pamela Griffin of Franklin and Christine Griffin of Franklin.

A funeral service was held at the John Ward & Sons Funeral Home, followed by the interment at Holy Cross Cemetery in Malden. Arrangements were by the John Ward & Sons Funeral Home.

Memorial donations may be made to the Heart Fund of Boston.

Frank Dunn

Frank Louis Dunn a native of Cambridge died in Carlsbad, California on January 28 of cancer. He was 71.

He resided in Cambridge all his life until his retirement in 1974. He was a teacher at the Peabody School for 16 years. During the building of the new school he taught at the Fletcher School for four years.

Mr. and Mrs. Dunn lived in Carlsbad for 11 years following a two-year residence in Guadalajara, Mexico.

He was a graduate of Boston University and had attended Harvard University and the Sorbonne (University of Paris).

He was a life member of Paris, France American Legion the first and original founding post of the American Legion. He was also a member of Kappa Delta Phi Fraternity, the Colonne Francaise, the Reserve Officers Association and several honorary groups.

He retired from the Army as a Major.

In earlier years one of his greatest interests was in donating free blood for children, specifying that it be given anonymously.

In recent years he was a staunch supporter of the Christian Children's Fund contributing to the support of an American Indian child; Brother Benno's Kitchen for the Homeless in Oceanside, California, and a children's orphanage in Mexico.

As a small child in Cambridge Frank Louis Dunn was a talented dancer. At age 3 he was performing in public raising thousands of dollars for the wounded veterans of World War I.

He was the official mascot of five years of age of Massachusetts Yankee Division. His authentic Army uniform was custom made by a military tailor from cloth given by General Devens and the brass buttons were donated by General Edwards. That uniform, now a collector's item, is on display in a military museum.

The Dunns were the owners of a famous World War II dog, Corporal Derek Dunn, USMC who served with distinction in the South Pacific for two years as a Scout Messenger dog in jungle warfare.

Corporal Derek was lent to the Marine Corps because the Dunns could not keep him when Mr. Dunn went overseas and Mrs. Dunn lived in New York City. It was specified that the dog was to be returned to them after the war. Corporal Derek lived to a good age after his return serving 64 AKC puppies after his Honorable Discharge. The Dobbman took part in many Boston community affairs and charitable events for the Red Cross, Community Fund, etc. and marched in the Cambridge Victory Parade, winning First Prize (he never received it).

Corporal Derek went to the White House twice and travelled around the country for the Marine Corps League escorted by a veteran Marine Corps Sergeant. He had his own hotel rooms and train compartments. He also received fan mail and appeared on radio broadcasts.

He was buried with full military honors in the MSPCA Animal Cemetery in Methuen. A large granite memorial of the Marine Corps emblem marks his grave.

Corporal Derek was credited with saving the lives of two Marines as well as contributing to the protection of hundreds of other Marines.

Frank Dunn worked his way upwards from staff sergeant to officer rank.

He had a colorful military career. His unexpected personal encounters in the battlefield several times with General George Patton were part of his adventures.

Another of his experiences was the subject of an hour-long national broadcast of a radio program called "Thanks To The Yanks" during World War II. Mrs. Dunn had won 100,000 cigarettes on a quiz show in New York, supposedly they were to be sent to military hospitals in the US. Instead they arrived in Europe to a snowbound regiment suffering from acute battle fatigue. It was a mystery how they ever got overseas as no civilian packages were allowed in that area.

Frank Dunn had a propensity for attracting excitement and action and enjoyed every minute of his life.

He was survived by his wife of 47 years, Patricia Hasting Dunn of Carlsbad, a daughter, Mrs. Candace Dunn Schwartz of Sterling, Massachusetts, and a brother, Mr. Curtis Dunn of Rockland, Massachusetts.

Arrangements are by the Teleshope Society and interment will be today at Fort Rosekrans National Cemetery in Point Loma, San Diego. Full military honors will be accorded. Major Dunn had a total of over 30 years military service and served overseas with the 74th Field Artillery. He was captured during the Battle of the Bulge in Belgium but later released.

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PROGRAM SCHEDULE FOR CHANNEL 3 "YOUR NEIGHBORHOOD NETWORK"

Thursday, February 9	6:00pm	Local Focus: Bullmoose
	7:00pm	Dance Jam
	7:30pm	The Wine Specialist
	8:00pm	The Forum: The State of Childhood in America
Friday, February 10	7:00pm	Dance Jam/House Party Mix
	7:30pm	African Dervish - Traces Roots of African Heritage
	8:30pm	The Battle is Far From Won - History of the NAACP
Monday, February 13	6:30pm	Our Place In The Sun - History of Blacks on Martha's Vineyard
	7:00pm	The Battle is Far From Won - History of the NAACP
	7:30pm	School Talk with Dr. Sizer: Restructure of American High Schools
	8:00pm	In Performance
	8:30pm	The Ritual Killing of Animals
Tuesday, February 14	6:30pm	Local Focus: Bullmoose
	7:00pm	Healthnet: Malignant Nominas
	8:00pm	The Forum: Recruiting Minority Journalist
Wednesday, February 15	6:30pm	The Baseball Show
	7:00pm	The Bob Coll Show
	7:30pm	Personal Perspectives: Eloquent Silence Pt. 1
	8:00pm	The Acoustic: Cafe with Cindy Kallet
	8:30pm	In Performance
Thursday, February 16	6:30pm	Local Focus: with Alice Walker author of The Color Purple
	7:00pm	Dance Jam
	7:30pm	The Wine Specialist
	8:00pm	The Forum: Recruiting Minority Journalist

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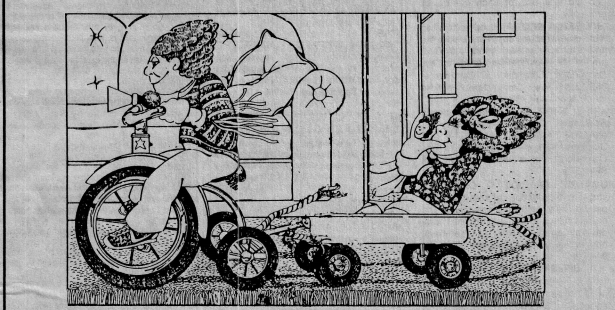
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SALE PRICE \$23.75/Sq. Yd.	SALE PRICE \$20.75/Sq. Yd.	SALE PRICE \$26.25/Sq. Yd.	SALE PRICE \$14.95/Sq. Yd.

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OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

February 8, 1989

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

Dear Mr. Higley:

Enclosed you will find a copy of a proposed amendment to the Zoning Ordinances regarding the Cambridgeport Interim Planning Overlay District which was passed to be ordained at the City Council meeting held on February 6, 1989.

Enclosed also you will find a copy of a proposed amendment to the General Ordinances regulating the sale and marketing of replica firearms which was also passed to be ordained at the City Council meeting held on February 6, 1989.

Finally, enclosed you will find a proposed amendment to the General Ordinances amending the Public Development Arts Fund which was passed to a second reading at the City Council meeting held on February 6, 1989.

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

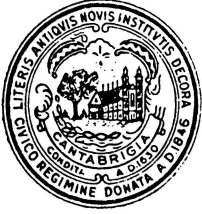
Your kind attention in this matter will be greatly appreciated.

Very truly yours,
Joseph E. Connarton
Joseph E. Connarton
City Clerk

JEC/dl

Encs. (3) Ordinances numbered 1077, 1078 and First publication number 2429.

c.c. Councillor William Walsh, Chairman, Committee on Ordinances.
Joseph E. Cellucci, Commissioner of Inspectional Services.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge."

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by deleting paragraph 3 of Section 3.14 - Cambridgeport Interim Planning Overlay District and substituting therefor the following (with new language underlined):

3. The maximum height of any building shall be 45 feet (;) inclusive of those structural elements otherwise exempt under the provisions of Section 5.23 of the Zoning Ordinance;

- 5.23 *Height Exceptions.* The provisions of this ordinance governing the height of buildings and structures in all districts shall not apply to chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators and other necessary features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy, nor to domes, towers or spires above buildings if such features are not used for human occupancy and occupy less than ten percent of the lot area, nor to wireless or broadcasting towers and other like unenclosed structures which occupy less than ten percent of the lot area. Nothing in this section shall prevent a property owner from repair and/or replacing a chimney or television antenna.
- 5.24 *Yards*
- 5.241 Every part of a required yard shall be open to the sky and unobstructed. Awnings, arbors, fences, flagpoles, recreational and laundry drying equipment and similar objects shall not be considered obstructions when located within a required yard. Open or lattice-enclosed fire escapes for emergency use only are permitted to encroach on yard areas.
- 5.242 Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half feet and which are part of a building not more than thirty-five feet in height, and unenclosed steps, unroofed porches and the like which do not project more than ten feet beyond the line of the foundation wall and which are not over four feet above the average level of the adjoining ground, may extend beyond the minimum yard regulations otherwise provided for the district in which the structure is built.
- 5.243 On lots abutting streets on more than one side, the front yard requirements of each of the abutting streets shall apply regardless of designated front lot lines. Any remaining sides shall be subject to side yard requirements.
- 5.244 Measurements for minimum yards which are determined by formula shall be made in the following manner:
- (1) "H" is the height of the building. "L" is the length of wall measured parallel to the corresponding lot or street line. The front yard is measured from the street line, or building line where such has been established, except where otherwise indicated herein. For buildings of forty feet or less in height the denominator in the yard formulas in the Tables in Section 5.30 may be increased by two subject to the minimum yard requirements set forth in footnotes a, b and c of Tables 5-1 and 5-2.
 - (2) Where a building consists of various roof levels an average height, or "H", may be used in the required yard formula. Average height is determined by adding the products of the height of each roof level facing the given lot line, (H₁, H₂, etc.) times the length of each roof level (L₁, L₂, etc.) and dividing the sum by the sum of the length of the levels (L₁, L₂, etc.) (see formula below)

$$\text{AVERAGE HEIGHT} = \frac{(H_1 \times L_1) + (H_2 \times L_2)}{L_1 + L_2}$$

In City Council February 6, 1989.

Passed to be ordained as amended by a yeas 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 Eighty-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

SECTION ONE. City of Cambridge Code, Ordinances, Chapter 13 is hereby amended by inserting after Section 13-17 the following new section and caption:

**SECTION 13-17a. REGULATING THE SALE AND MARKETING OF REPLICA
FIREARMS IN THE CITY OF CAMBRIDGE.**

Subsection A. Definitions.

As used herein, the following words shall have the following meanings:

- (1) "Chief": The chief of the Cambridge Police Department or his designee.
- (2) "Department": the Cambridge Police Department.
- (3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimile pistol, revolver, shotgun, rifle, air rifle, B-B gun, pellet gun, machine gun or other similar simulated weapon which because of its color, size, shape or other characteristics, can reasonably be perceived to be a real firearm from which a shot or bullet can be fired and which, pursuant to Subsection D of this ordinance, has been determined to pose a threat to public safety.

(5) "Sell": To exchange or deliver

(a) for money or its equivalent; or

(b) as a promotion or an inducement to buy.

Subsection B. Regulation.

Except as provided in Subsection C herein, no person or entity shall sell or market any replica firearm in the City of Cambridge.

Subsection C. Exceptions.

Notwithstanding the foregoing, the sale of replica firearms shall be permitted if the sale of such replica firearms is solely for purposes of or for transportation in intrastate, interstate or foreign commerce.

Subsection D. Enforcement.

(1) The Chief shall identify those replica firearms which he deems to pose a threat to public safety and shall make a list thereof. Such list shall include, where available, the following information: the product name, the manufacturer and the model number. The Chief shall post the list in the Department and shall make available copies thereof to the general public. The Chief shall update the list from time to time as he deems warranted. Any individual may provide information to the Chief regarding replica firearms to be added to the list.

(2) Any person who observes the sale or marketing of a replica firearm which he believes to be a violation of this ordinance may register a written or oral complaint with the Department. A Cambridge police officer, in response to each complaint, shall investigate the complaint forthwith in person and determine whether there is such a violation.

(3) Any Cambridge police officer who observes the sale or marketing of a replica firearm which he believes to be a violation of this ordinance shall investigate forthwith and determine whether there is such a violation.

(4) If a Cambridge police officer determines that there is a violation of this ordinance, he shall order the individual or entity to remove immediately from sale or marketing all the replica firearms found to be in violation. In addition, the Department shall impose the following penalties on the individual or entity violating the ordinance:

- (a) a written citation or warning for the first violation;
- (b) a \$100 fine for the second violation; and
- (c) a \$200 fine for the second and any subsequent violations.

For purposes of penalties to be imposed under this ordinance, if a Cambridge police officer determines that a sale or marketing of replica firearms has occurred, that determination shall constitute one violation, regardless of the number of replica firearms involved. A Cambridge police officer shall return, unannounced, to the site of the violation within the thirty (30) day period following the determination of a violation to ensure that the individual or entity has not resumed the sale or marketing of replica firearms.

Subsection E. Appeal Procedure.

Any individual who is aggrieved by an action taken by a Cambridge police officer under this ordinance may, within ten (10) days of such action, file an appeal, in writing, to the Chief. After notice to such individual, the Chief shall hold a hearing, after which he shall issue a decision in which he affirms, annuls or modifies an action taken by a Cambridge police officer, giving his reasons therefor. The Chief shall send the decision to the individual by first class mail within ten (10) days after the hearing. The decision shall be a final administrative decision. The individual shall have thirty (30) days from the date of the written decision to seek judicial review in the Third District Court of Eastern Middlesex County.

SECTION TWO. This Ordinance shall take effect thirty (30) days after enactment.

In City Council February 6, 1989.

Passed to be ordained by a yeas and nays 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 Eighty-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

Chapter Two, entitled: "Administration" is hereby amended by adding at the end thereof a new Article XXIX entitled: "Public Development Arts Fund" which reads as follows:-

ARTICLE XXIX. PUBLIC DEVELOPMENT ARTS FUND.

Section 1. Title, Findings and Purposes.

(A) This ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

- (1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;
- (2) The city wishes to increase the benefits which its citizens will derive from the creative efforts of artists;
- (3) The city should expand the access of its residents to the benefits of the arts by designating a portion of appropriations for capital expenditures for the acquisition, creation, design and/or development of art which shall be utilized in and about city buildings and public facilities.

City of Cambridge

(C) The purposes of this ordinance are:-

- (1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;
- (2) To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and
- (3) To create a funding program which, without substantially increasing the total cost of construction projects as hereafter defined, will ensure that arts are acquired, created, developed and otherwise made available for the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions.

For the purposes of this ordinance the following words and descriptions shall have the following meanings:

- (A) Public Development Arts Fund - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.
- (B) Construction Project - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility, or utility or any portion thereof within the corporation limits of the city and with respect to the construction of which bidding is required under Massachusetts law.
- (C) Eligible Funds - means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure.
- (D) Supplemental Funds - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (E) Cambridge Arts Council - shall mean the Council established in 1974 by order of the City Council.
- (F) Public Development Arts Project or Projects - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing

City of Cambridge

arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, landscape items and educational materials, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

(G) Cambridge School Art Department - shall mean the Art Department of the Cambridge Schools.

Section 3. Cambridge Arts Council - Additional Functions and Duties.

To carry out its responsibilities under this ordinance, the Cambridge Arts Council shall:

- (1) Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested Cambridge citizens and artists, and after holding a public hearing publicized for a full calendar week in at least two newspapers of local general circulations a Plan for the Development and Creation of Arts in public buildings and spaces in the various neighborhoods and sections of the City of Cambridge; said plan shall include an itemization of the city's priorities for choosing, creating and placing works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects;
- (2) Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate;
- (3) Determine the geographic location of such works of art and architecture, and the location within individual sites and buildings where such works shall be placed or created provided that to the maximum feasible extent each such Public Development Arts Project shall be placed, created or performed in and about the Construction Project from which funds were derived for payment of that Public Development Arts Projects;
- (4) Establish budgets for all commissioned projects, including budgets for materials, fees, operating and maintenance expenses, and other reasonably contemplated items of expense in the acquisition, development, creation, implementation, and, where applicable, ongoing maintenance of such projects;
- (5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;
- (6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;
- (7) Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

City of Cambridge

- 5 -

Section 4. Cambridge Public Development Arts Fund.

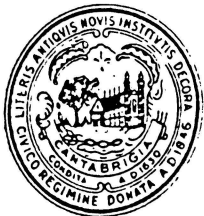
(A) Allocation of Funds and Designation. All requests by city department for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Fund to the Cambridge Arts Council and Cambridge Schools Arts Department as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

Passed to a second reading at the City Council meeting held on February 6, 1989 and on or after February 20, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

Chapter Two, entitled: "Administration" is hereby amended by adding at the end thereof a new Article XXIX entitled: "Public Development Arts Fund" which reads as follows:-

ARTICLE XXIX. PUBLIC DEVELOPMENT ARTS FUND.

Section 1. Title, Findings and Purposes.

(A) This ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

- (1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;
- (2) The city wishes to increase the benefits which its citizens will derive from the creative efforts of artists;
- (3) The city should expand the access of its residents to the benefits of the arts by designating a portion of appropriations for capital expenditures for the acquisition, creation, design and/or development of art which shall be utilized in and about city buildings and public facilities.

City of Cambridge

(C) The purposes of this ordinance are:-

- (1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;
- (2) To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and
- (3) To create a funding program which, without substantially increasing the total cost of construction projects as hereafter defined, will ensure that arts are acquired, created, developed and otherwise made available for the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions.

For the purposes of this ordinance the following words and descriptions shall have the following meanings:

- (A) Public Development Arts Fund - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.
- (B) Construction Project - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility, or utility or any portion thereof within the corporation limits of the city and with respect to the construction of which bidding is required under Massachusetts law.
- (C) Eligible Funds - means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure.
- (D) Supplemental Funds - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (E) Cambridge Arts Council - shall mean the Council established in 1974 by order of the City Council.
- (F) Public Development Arts Project or Projects - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing

City of Cambridge

arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, landscape items and educational materials, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

(G) Cambridge School Art Department - shall mean the Art Department of the Cambridge Schools.

Section 3. Cambridge Arts Council - Additional Functions and Duties.

To carry out its responsibilities under this ordinance, the Cambridge Arts Council shall:

- (1) Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested Cambridge citizens and artists, and after holding a public hearing publicized for a full calendar week in at least two newspapers of local general circulations a Plan for the Development and Creation of Arts in public buildings and spaces in the various neighborhoods and sections of the City of Cambridge; said plan shall include an itemization of the city's priorities for choosing, creating and placing works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects;
- (2) Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate;
- (3) Determine the geographic location of such works of art and architecture, and the location within individual sites and buildings where such works shall be placed or created provided that to the maximum feasible extent each such Public Development Arts Project shall be placed, created or performed in and about the Construction Project from which funds were derived for payment of that Public Development Arts Projects;
- (4) Establish budgets for all commissioned projects, including budgets for materials, fees, operating and maintenance expenses, and other reasonably contemplated items of expense in the acquisition, development, creation, implementation, and, where applicable, ongoing maintenance of such projects;
- (5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;
- (6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;
- (7) Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

City of Cambridge

- 5 -

Section 4. Cambridge Public Development Arts Fund.

(A) Allocation of Funds and Designation. All requests by city department for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Fund to the Cambridge Arts Council and Cambridge Schools Arts Department as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

Passed to a second reading at the City Council meeting held on February 6, 1989 and on or after February 20, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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Section 1. Title, Findings and Purposes.

(A) This ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

- (1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;
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City of Cambridge

(C) The purposes of this ordinance are:-

- (1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;
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- (C) Eligible Funds - means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure.
- (D) Supplemental Funds - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (E) Cambridge Arts Council - shall mean the Council established in 1974 by order of the City Council.
- (F) Public Development Arts Project or Projects - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing

City of Cambridge

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To carry out its responsibilities under this ordinance, the Cambridge Arts Council shall:

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- (5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;
- (6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;
- (7) Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

City of Cambridge

- 5 -

Section 4. Cambridge Public Development Arts Fund.

(A) Allocation of Funds and Designation. All requests by city department for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Fund to the Cambridge Arts Council and Cambridge Schools Arts Department as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

Passed to a second reading at the City Council meeting held on February 6, 1989 and on or after February 20, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

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Section 1. Title, Findings and Purposes.

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(B) The City Council of the City of Cambridge finds that:

- (1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;
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City of Cambridge

(C) The purposes of this ordinance are:-

- (1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;
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- (D) Supplemental Funds - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (E) Cambridge Arts Council - shall mean the Council established in 1974 by order of the City Council.
- (F) Public Development Arts Project or Projects - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing

City of Cambridge

arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, landscape items and educational materials, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

(G) Cambridge School Art Department - shall mean the Art Department of the Cambridge Schools.

Section 3. Cambridge Arts Council - Additional Functions and Duties.

To carry out its responsibilities under this ordinance, the Cambridge Arts Council shall:

- (1) Establish annually, after meetings held regularly with relevant Cambridge City agencies, private, non-profit organizations, neighborhood organizations, and interested Cambridge citizens and artists, and after holding a public hearing publicized for a full calendar week in at least two newspapers of local general circulations a Plan for the Development and Creation of Arts in public buildings and spaces in the various neighborhoods and sections of the City of Cambridge; said plan shall include an itemization of the city's priorities for choosing, creating and placing works of art in public buildings within the neighborhoods of the city; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects;
- (2) Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate;
- (3) Determine the geographic location of such works of art and architecture, and the location within individual sites and buildings where such works shall be placed or created provided that to the maximum feasible extent each such Public Development Arts Project shall be placed, created or performed in and about the Construction Project from which funds were derived for payment of that Public Development Arts Projects;
- (4) Establish budgets for all commissioned projects, including budgets for materials, fees, operating and maintenance expenses, and other reasonably contemplated items of expense in the acquisition, development, creation, implementation, and, where applicable, ongoing maintenance of such projects;
- (5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;
- (6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;
- (7) Make an annual report to the City Council describing its program for meeting its responsibilities under this ordinance.

City of Cambridge

- 5 -

Section 4. Cambridge Public Development Arts Fund.

(A) Allocation of Funds and Designation. All requests by city department for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one half of one percent to the Cambridge Arts Council and no less than one half of one percent to the Cambridge Schools Art Department of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the city department or agency responsible for obtaining the Eligible Fund to the Cambridge Arts Council and Cambridge Schools Arts Department as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the city treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used by the Cambridge Arts Council and Cambridge Schools Arts Department to carry out the purposes of this ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

Passed to a second reading at the City Council meeting held on February 6, 1989 and on or after February 20, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

Chapter Two, entitled: "Administration" is hereby amended by adding at the end thereof a new Article XXIX entitled: "Public Development Arts Fund" which reads as follows:-

ARTICLE XXIX. PUBLIC DEVELOPMENT ARTS FUND.

Section 1. Title, Findings and Purposes.

(A) This ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

- (1) The city recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the city to fulfill this responsibility;
- (2) The city wishes to increase the benefits which its citizens will derive from the creative efforts of artists;
- (3) The city should expand the access of its residents to the benefits of the arts by designating a portion of appropriations for capital expenditures for the acquisition, creation, design and/or development of art which shall be utilized in and about city buildings and public facilities.

City of Cambridge

(C) The purposes of this ordinance are:-

- (1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;
- (2) To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and
- (3) To create a funding program which, without substantially increasing the total cost of construction projects as hereafter defined, will ensure that arts are acquired, created, developed and otherwise made available for the enjoyment of the residents of the City of Cambridge.

Section 2. Definitions.

For the purposes of this ordinance the following words and descriptions shall have the following meanings:

- (A) Public Development Arts Fund - the fund set aside by this ordinance in the city treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge.
- (B) Construction Project - any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility, or utility or any portion thereof within the corporation limits of the city and with respect to the construction of which bidding is required under Massachusetts law.
- (C) Eligible Funds - means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure.
- (D) Supplemental Funds - shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this ordinance.
- (E) Cambridge Arts Council - shall mean the Council established in 1974 by order of the City Council.
- (F) Public Development Arts Project or Projects - art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing

City of Cambridge

arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, landscape items and educational materials, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

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- (5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;
- (6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the city; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this ordinance;
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City of Cambridge

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(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the city's General Fund for the purposes of the general art needs of the city; provided that funds derived from revenue or general obligation bond issues authorized by the City Council or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

Passed to a second reading at the City Council meeting held on February 6, 1989 and on or after February 20, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

0-18

M. Vellucci order re: that the attached proposed amendment to Chapter Two, Administration, of the Code of the City to amend same in Article XXIX, Public Development Arts Fund, be referred to the Committee on Ordinances for hearing & report.

*2/5/90 Placed on file
on motion of
Councillor Quekay.*

In City Council,
February 6, 1989