

ORDINANCE NO. 927.

Final Publication No. 2015. First Publication in the Herald American on August 10, 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 a new article at the end thereof entitled: "Article XXXI. Cambridge Commission on the Handicapped," which reads as follows:

**Article XXXI. Cambridge Commission on the handicapped.
Section 1. Establishment.**

There shall be a Cambridge Commission on the Handicapped.

Section 2. Function and Purpose.

It shall be the function of the Commission to:

(a) Act as a centralizing force in the City of Cambridge and the community which will deal with all handicapped issues: providing information, referral, guidance, coordination, offering and providing technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination against person (s) with handicap (s) because of their status as a person with a handicap or as a minority person with a handicap.

(b) Take such action as the Commission considers appropriate to insure the equal status of person (s) with a handicap (s) of every race, creed, color, national origin, age and sexual preference.

(c) Assure that no otherwise qualified individual with a handicap in the City of Cambridge shall, solely by reason of his or her handicap, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity within the City of Cambridge.

Section 3. Definition of a Person with a Handicap.

For purposes of this Ordinance a person with a handicap shall be defined as any person who: (1) has a physical or mental impairment with substantially limits one or more major life activities; (2) Has a record of such an impairment; or (3) Is regarded as having such impairments.

Section 4. Powers and Duties.

The powers and duties of the Commission shall include the following:

(a) To insure the equal status of the handicapped in education, employment, economic, political, health, legal and social spheres.

(b) To design and implement programs that promote equality for all handicapped in the City.

(c) To review recommendations and policies of all department, divisions, and agencies of the City, including, but not limited to, the City Manager, the Purchasing Agent and the City Council.

(d) To initiate, coordinate, and monitor the enactment of legislation which promotes equal status of the handicapped on the City, State, and Federal Levels, and to insure that appropriate regulations are adopted and enforced pursuant to such legislation, including, but not limited to implementation of Sec. 504.

(e) To assist in the planning and coordination of activities of all departments and divisions.

(f) To participate in an advisory capacity in the hearing of complaints brought alleging discrimination against the handicapped including but not limited to the Office of Affirmative Action.

(g) To obtain from City departments, divisions, and agencies any and all information necessary to carry out the functions, purposes, programs and activities of the Commission.

(h) To assist in public awareness of the handicapped through participation in public and media events sponsored by the Administrative and/or Legislative bodies of the City including but not limited to city sponsored recreational, educational, and development activities.

(i) To raise funds for the use of the Commission in accordance with established procedures and statutes and to accept money, gifts and services for its exclusive use and expend or sue the same, and subject to appropriation or to receipt of such money, gifts, and services, employ clerical and technical assistants or consultants; and to be assisted by and make recommendations to the City Manager with regard to the designation of the Executive Director.

(j) To be an active and participating member of appropriate organizations dealing with issues effecting the handicapped.

(k) To recruit and recommend prospective members to the Commission subsequent to appointment by the City Manager.

(l) To serve on the Commission without compensation with the understanding that they will be reimbursed for any expense which may reasonably be incurred through service as a member of the Commission.

(m) To acquire, analyze, use and store handicapped related statistics and related materials in conjunction with the Cambridge Public Library for program planning and evaluation purposes.

(n) To hold at least ten regular meetings throughout the year and to conduct additional meetings as necessary.

(o) Such other powers and duties as may be agreed on by the City Manager and the Commission.

Section 5. Membership, Appointment, Term, Removal.

(a) The Commission shall consist of 11 members, all of whom shall be appointed initially by the City Manager, There shall be one (1) representative appointed from the Department of Public Works for a period of three (3) years and one (1) representative appointed from the Department on Human Services to serve for a period of three (3) years and other representatives to be appointed from time to time to assist the Commission in the carrying out of its activities; Of the remaining 9 members, at least 5 shall be persons with a handicap as defined in Section 3 of this Ordinance and represent as many cross-disabilities from the handicapped community as possible. The remaining members shall be parents, friends, or other interested persons of the handicapped. These 9 members shall initially serve for the following terms:

(1) 3 members shall serve for a one year term;

(2) 3 members shall serve for a two year term;

(3) 3 members shall serve for a three year term.

After the initial terms all Commissioners shall be appointed for a term of three years.

(b) One month prior to making said appointments the City Manager shall solicit nominations from as many organizations representing the handicapped as possible, and insure appointees represent a broad cross section of the city's citizens interests and are residents of the City themselves.

(c) If any member misses three unexcused meetings of the Commission during the calendar year, that position of said commissioner shall be automatically vacated upon certification to the City Manager by the Commission. The City Manager shall then proceed to immediately fill said vacancy.

(d) That the Commission at all times be concerned about the needs and expectations of all persons with handicaps.

Section 6. Election of Chairperson; By-Laws.

The members of the Commission shall elect a Chairperson from among its members, and shall adopt By-laws for the Commission.

Section 7. Appointment and Term of Executive Director.

(a) There shall be an Executive Director of the Commission on the Handicap whose selection and length of employment shall be determined by the City Manager with the advise of the Commission.

(b) The Executive Director shall have demonstrated administrative ability, be knowledgeable about the city's organizational structure and be willing to learn about the special needs of the handicapped, and the ability to work cooperatively with people of various socio-economic backgrounds of races, creeds, national origin and age.

(c) The Executive Director shall have adequate staff assistance.

Section 8. Severability of Sections.

If any section, sub-section, sentence, clause, phase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction said portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

In City Council September 10, 1979.

Passed to be ordained by a yeas and nay vote:- Yeas 9; Nays 0; Absent 0.

James L. Sullivan,
City Manager.
Paul E. Healy,
City Clerk.

ATTEST:-
(C) Sept. 13

