



CAMBRIDGE LICENSE COMMISSION CITY OF CAMBRIDGE

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ALEX RODRIGUEZ
Commission Chairman

KEVIN FITZGERALD
Chief-of-Fire Department
Commission Member

HENRY BREEN
Police Representative
Commission Member

RICHARD V. SCALI
Commission Executive Officer

Date: May 20, 1992

To: Robert W. Healy, City Manager

Fr: Richard V. Scali, Executive Officer

Re: Council Order #9, dated 5/11/92
MBTA property use by vendor

This is to advise you that the License Commission has recently had to consider this problem at a hearing involving a flower vendor at 3 Cambridge Center.

The problem basically revolves around the issue of whether this Commission has the jurisdiction to license or regulate a vendor on private property.

After researching M.G.L. c. 101, s. 16A, this statute prohibits the banning of flower vendors whether public or private property is involved. If the vendor is on public property, the city may regulate them but not ban them. I see no provision for private property.

Under Cambridge Ordinance Chapter 5.36, this provides for peddlers, which are in moving vehicles. Flower vendors are usually stationary vendors. In any event, flower vendors are not mentioned in this chapter and it refers to M.G.L. c. 101, s. 17 for enumerated articles that may be sold.

Therefore, this Commission has ruled that if you are a vendor on private property, no license is required. As such a vendor on MBTA property would not require a license from this office.

If you need further information, please let me know.

RECEIVED
MAY 21 AM 9:15
OFFICE OF THE CITY MANAGER

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CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 1, 1992

To The Honorable, The City Council:

In reference to Awaiting Report Item No. 39, regarding street vendor's use of MBTA property on Garfield Street and Massachusetts Avenue, please find attached a response received from Richard V. Scali, Executive Officer of the License Commission.

I have also advised the General Manager of the MBTA, Mr. John J. Haley of the City Council's concern in this matter.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

Consent Agenda # 7

S 459

Awaiting REport Item Number 39 regarding
street vendor's use of MBTA property on
Garfield Street and Mass. Ave.

In City Council,

June 1, 1992

Placed on file