

PA

4-5-6

City of Cambridge

WHEN RECEIVED

MASSACHUSETTS

In City Council

August 6 1979

L. Crane Motion to Amend -

	YEA	NAY	ABSENT	PRESENT
Mr. Crane	✓			
Mr. Duchay		✓		
Mr. Frisoli	✓			
Ms. Graham		✓		
Ms. Preusser		✓		
Mr. Sullivan	✓			
Mr. Vellucci		✓		
Mr. Wylie		✓		
Mayor Danahy			✓	

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Appt Davis Be exempt =
of 4-5-6 - OWNER RECEIVED -

City of Cambridge

MASSACHUSETTS

In City Council August 6 1979

L. Frisoli to SR

	YEA	NAY	ABSENT	PRESENT
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Mr. Duehay	✓			
Mr. Frisoli		✓		
Ms. Graham	✓			
Ms. Preusser	✓			
Mr. Sullivan	✓			
Mr. Vellucci	✓			
Mr. Wylie	✓			
Mayor Danehy			✓	

7 1 1

*Rules Suspended on Motion of
Councilor Frisoli to take action
on Amendment Ordinance*

City of Cambridge

MASSACHUSETTS

In City Council

August 6 1979

L. Crane Amendment

	YEA	NAY	ABSENT	PRESENT
Mr. Crane	✓			
Mr. Duehay		✓		
Mr. Frisoli	✓			
Ms. Graham		✓		
Ms. Preusser		✓		
Mr. Sullivan	✓			
Mr. Vellucci		✓		
Mr. Wylie		✓		
Mayor Danehy			✓	

3 5 1

To except any owner occupied STRUCTURE

Pay rent over 5. prices



City of Cambridge

IN CITY COUNCIL

CERTIFICATE OF HABITATION ORDINANCE

Whenever a dwelling unit, other than a unit in a hotel, motel, inn, lodging house, hospital, convent, monastery, asylum, nursing home, college or school dormitory, owner occupied single family unit or owner occupied two or three family structures are vacated by the occupant or occupants residing therein, such unit must be certified by the City of Cambridge, Department of Health, Hospital and Welfare (hereinafter, the Department,) as meeting the standards set in the "State Sanitary Code, Article II - Minimum Standards of Fitness for Human Habitation" as promulgated and from time to time amended by the Department of Public Health of the Commonwealth of Massachusetts, pursuant to Massachusetts General Law, Chapter III, Section 127A.

The owner or his agent shall notify the Department, in writing, whenever a dwelling unit is vacated or is to be vacated. Thereafter the Department shall inspect the dwelling unit to determine if said unit meets the standards set in the "State Sanitary Code, Article II". If the Department determines that said unit does meet such standards, a "Certificate of Habitation" shall be issued to the owner. The fee for such Certificate shall be twenty-five (\$25.00) per unit. Additional inspection within a given building shall be \$1.00 per unit

in the same building in a calendar year. The Cambridge Housing Authority shall be exempt from these fees. No Certificate shall be issued until such fee is paid. Upon receipt of such Certificate, the owner shall prominently post said Certificate within the dwelling unit for which it was issued. Certificates of Denial shall also be prominently posted.

No "Certificate of Habitation" shall be issued by the Department if the inspection determines that said dwelling unit does not meet the standards set in the "State Sanitary Code, Article II." Any such dwelling unit for which a "Certificate of Habitation" has been denied shall not be re-occupied until the Department issues a "Certificate of Habitation" for said unit.

Any owner who shall fail to comply with this regulation shall upon conviction be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00). Each day's failure to comply shall constitute a separate violation of this regulation.

Information concerning whether a "Certificate of Habitation" has been issued by the Department shall be available at the office of the Department of Health, Hospital and Welfare.

This ordinance shall be effective ninety (90) days after passage by the City Council.



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 Eleven, entitled "Health" is hereby amended by adding at the end thereof a new Article IV entitled "Certificate of Habitation," which will read as follows:-

ARTICLE IV. CERTIFICATE OF HABITATION.

Whenever a dwelling unit, other than a unit in a hotel, motel, inn, lodging house, hospital, convent, monastery, asylum, nursing home, college or school dormitory, owner occupied single family unit or owner occupied two or three family structures are vacated by the occupant or occupants residing therein, such unit must be certified by the City of Cambridge, Department of Health, Hospital and Welfare (hereinafter, the Department) as meeting the standards set in the "State Sanitary Code, Article II - Minimum Standards of Fitness for Human Habitation as promulgated and from time to time amended by the Department of Public Health of the Commonwealth of Massachusetts, pursuant to Massachusetts General Law, Chapter III, Section 127A.

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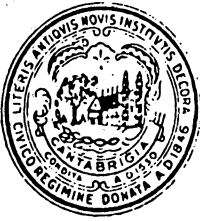
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This ordinance shall be effective ninety (90) days after passage by the City Council.

Passed to a second reading at the City Council meeting held on
and on or after
the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Eight

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 Eleven entitled: "Health and Housing" is hereby amended by striking out the present Chapter Eleven and substituting in place thereof a new Chapter Eleven which reads as follows:-

CHAPTER ELEVEN

HEALTH, HOSPITALS AND HOUSING.

Section 11-1. Qualifications of Commissioner of Health and Hospitals.

There shall be a Commissioner of Health and Hospitals and in addition to the qualifications required by any Special Act of the Legislature, the Commissioner shall have proven administrative experience in the areas of planning, establishing priorities, personnel, program management, and/or budgeting.

Section 11-2. Duties and Powers of Commissioner.

(a) The Commissioner shall be responsible for promoting and protecting the health of the citizens of Cambridge. The Commissioner shall see that, within the City, the laws of the Commonwealth, including regulations, and the Ordinances of the City pertaining to public health, hospitals and housing are faithfully executed and enforced. The Commissioner shall have overall charge of all city operated health care programs and treatment facilities.

(b) The Commissioner shall appoint and supervise health department personnel and shall appoint the members of the medical staff or staffs of said facilities and their assistants from those recommended by the medical staff in conformity with the medical staff by-laws, with the approval of the City Manager.

City of Cambridge

- (c) The Commissioner shall acquire, analyze, use and store health related statistics for program planning and evaluation purposes.
- (d) The Commissioner shall identify anticipated community health needs and assess the adequacy of public and private health resources to meet those needs.
- (e) The Commissioner shall coordinate with federal, state, regional and private health planning and/or delivery groups to ensure that the department of Health and Hospitals is responsive to the health service needs of all members of the community.
- (f) Although the Commissioner retains full authority for action, the Commissioner shall discuss major problem areas and proposed policy changes with the Health Policy Board and is expected to reach agreement with them before making policy changes.
- (g) The Commissioner shall supply information and staff support as reasonably requested by the Health Policy Board so that it may be fully informed.
- (h) The Commissioner shall attend all meetings of the Cambridge Health Policy Board except for justifiable cause such as illness, absence from the city or unless otherwise assigned by the City Manager, and attend as many sub-committee meetings of said Board as is reasonably practical or possible.
- (i) The Commissioner shall present the budget for the Department of Health and Hospitals to the Cambridge Health Policy Board for review and comment, prior to its submission to the City Manager.
- (j) The Commissioner shall develop needed proposals and programs; shall approve and coordinate all grant proposals relating to health matters in the community; shall coordinate the delivery of care by city and private health providers; shall monitor the quality of private facilities such as hospitals, nursing homes, day care centers, and community residences; shall promote health education and advocate health standards.
- (k) The Commissioner shall prepare and submit to the City Manager an annual report on the activities of his department during the preceding fiscal year.
- (l) The Commissioner shall perform such other duties and responsibilities as may from time to time be assigned by the City Manager.
- (m) The Commissioner shall promulgate and enforce such rules and regulations necessary or proper for the administration of the Department of Health, Hospitals and Housing as may be required by this Chapter and by law.

City of Cambridge

Section 11-3. Compensation.

(a) The Commissioner shall receive such salary as the City Council shall determine from time to time. The Commissioner shall be provided with suitable office accommodations at the expense of the city and under the direction of the City Manager.

(b) Members of the Health Policy Board shall serve without compensation, but they may be reimbursed for any expense which may reasonably be incurred through service on the board.

Section 11-4. Cambridge Health Policy Board.

(a) There shall be a Cambridge Health Policy Board consisting of fifteen (15) members, which number may be altered by an amendment to this ordinance by the City Council.

(b) The members shall be appointed by the City Manager for terms of three years. Initial appointments shall be for the following terms: five (5) members for a term of three (3) years, five (5) members for a term of two (2) years and five (5) members for a term of one (1) year.

(c) One month prior to making said appointments or reappointments, the City Manager shall solicit nominations from as many public service groups and other sources as possible, including but not limited to:-

1. Medical professionals - physicians, dentists, nurses and social workers.
2. Other professionals and people representing the public interest - lawyers, clergy, environmentalists, financial professionals (bankers, accountants,) and individuals suggested by business organizations, social agencies and universities.
3. Consumers - representing low income, elderly, non English speaking and other consumer groups.

The City Manager shall at all times endeavor to achieve and maintain a fair balance on the Board among these three major categories. He shall endeavor to locate individuals who have made significant contributions to public service activities, and who represent a broad cross section of the city's consumer interests. Such individuals must also have been residents of Cambridge for at least four (4) years.

(d) The Health Policy Board shall hold regular meetings at least once each month, and if board members fail to attend a third of the regular meetings without adequate explanation, the City Manager shall replace them automatically by the same method.

City of Cambridge

(e) The Health Policy Board shall effectively address all aspects of the health of the City of Cambridge and to accomplish this end, shall establish sub-committees as outlined below.

There shall be at least but not limited to four (4) standing sub-committees, one on the Cambridge Hospital and Clinics, a second on the Michael J. Neville Manor, a third concerned with Public Health, Environment, Code Enforcement and Sanitation and a fourth for over all planning. These sub-committees shall advise the administrative directors concerned, who shall attend their respective sub-committee meetings. To the extent possible, each sub-committee should reflect the composition of the Board as outlined in (c) above.

Each sub-committee shall report in writing to the full Board on matters taken up in sub-committee.

All matters necessitating a vote shall be put to the full Board. The City Manager shall appoint a part time secretary for the sub-committee on the Hospital and Clinics, and for such other sub-committees as the Board shall request assistance therefor.

(f) The City Manager shall appoint a secretary or a part time secretary for the Health Policy Board who shall prepare meeting agendas, coordinate the gathering of information for said Board, record minutes of Board meetings, distribute the above material to Board members, and perform whatever additional functions as may be assigned by said Board from time to time.

Section 11-5. Adoption of Housing Code Regulations.

The Housing Code Regulations of the City of Cambridge, dated May 1, 1962, are hereby adopted and by this reference made a part of this Code with the same force and effect as though set out in full herein. At least three (3) copies of said Housing Code Regulations are on file and open to public inspection in the office of the City Clerk.

Section 11-6. Severability of Sections.

If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such 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 June 26, 1978.

Passed to be ordained as amended by a yea and nay vote: Yeas 6; Nays 2; Absent 0; Present 1.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

1. Write in pub. book.
2. Fill in Ord #
Fill in final pub. #
(4 digits)
3. Fill in C C date & vote.
4. Make 10 copies
for { mgr
C Council Off.
City Council meeting
folder
Health Dept.



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:

Health, Hospital, Housing

Chapter Eleven, entitled "Health" is hereby amended by adding at the end thereof a new Article IV entitled "Certificate of Habitation," which will read as follows:-

ARTICLE IV. CERTIFICATE OF HABITATION.

Whenever a dwelling unit, other than a unit in a hotel, motel, inn, lodging house, hospital, convent, monastery, asylum, nursing home, college or school dormitory, owner occupied single family unit or owner occupied two or three family structures are vacated by the occupant or occupants residing therein, such unit must be certified by the City of Cambridge, Department of Health, Hospital and Welfare (hereinafter, the Department) as meeting the standards set in the "State Sanitary Code, Article II - Minimum Standards of Fitness for Human Habitation" as promulgated and from time to time amended by the Department of Public Health of the Commonwealth of Massachusetts, pursuant to Massachusetts General Law, Chapter III, Section 127A.

The owner or his agent shall notify the Department, in writing, whenever a dwelling unit is vacated or is to be vacated. Thereafter the Department shall inspect the dwelling unit to determine if said unit meets the standards set in the "State Sanitary Code, Article II". If the Department determines that said unit does meet such standards, a "Certificate of Habitation" shall be issued to the owner. The fee for such Certificate shall be twenty-five (\$25.00) per unit. Additional inspection within a given building shall be \$1.00 per unit in the same building in a calendar year. The Cambridge Housing Authority shall be exempt from these fees. No Certificate shall be issued until such fee is paid. Upon receipt of such Certificate, the owner shall prominently post said Certificate within the dwelling unit for which it was issued. Certificates of Denial shall also be prominently posted.

City of Cambridge

No "Certificate of Habitation" shall be issued by the Department if the inspection determines that said dwelling unit does not meet the standards set in the "State Sanitary Code, Article II." Any such dwelling unit for which a "Certificate of Habitation" has been denied shall not be re-occupied until the Department issues a "Certificate of Habitation" for said unit.

Any owner who shall fail to comply with this regulation shall upon conviction be punished by a fine of not less than twenty-five (\$25.00) nor more than fifty dollars (\$50.00). Each day's failure to comply shall constitute a separate violation of this regulation.

Information concerning whether a "Certificate of Habitation" has been issued by the Department shall be available at the office of the Department of Health, Hospital and Welfare.

This ordinance shall be effective ninety (90) days after passage by the City Council.

In City Council

Passed to be ordained by a yea and nay vote: Yeas ; Nays ;

Absent

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

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This ordinance shall be effective ninety (90) days after passage by the City Council.

Passed to a second reading at the City Council meeting held on
and on or after
the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

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*Passed to End Reading
A. Crono in the negative*

City of Cambridge

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and on or after
the question may be on passing to be ordained.

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City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

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April 28, 1980 and on or after May 12, 1980
the question may be on passing to be ordained.

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CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) ~~876-3366~~ 498-9094

March 20, 1980

The Honorable, The City Council:

Enclosed please find a communication from Carl Barron, President of the Cambridge Property Owners, to Mayor Duehay.

This letter endorses the proposed Certificate of Habitation Ordinance which has been placed on file. A copy of the Ordinance is attached.

Very truly yours,

A handwritten signature in cursive script that reads "Richard McKinnon".

Richard McKinnon
Administrative Assistant to the
City Council

RM/smc

Attachment (2)

Putnam

FURNITURE LEASING COMPANY, INC.

"WE RENT FINE FURNITURE"

March 6, 1980

Massachusetts 02139
Mayor Francis Duehay
Cambridge City Hall
Cambridge, Massachusetts 02139

Dear Frank:

Dated December 11, 1979, I received a letter from Richard McKinnon, relative to the enclosed.

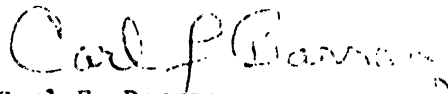
You and I have previously spoken about this, in person, as well as on the telephone, and I did advise you that I believe this would have merit provided that the enforcing city authorities did not indulge in nit-picking and that there is a definite awareness of the fact that a property owner, particularly a small one, with limited financial resources, would not be placed in the unenviable position of demands being made for repairs and improvements not commensurate with the rent paid by the tenant, nor within the realistic possibility of reimbursement on a practical basis for repairs that might be required.

This is especially true today when the prime rate has reached 16 3/4% and the average borrower, if able to do so at between 2 to 3 points of prime, is finding that the cost of money, if it is available, is extremely high.

On the other hand, I am positive that accepted standards particularly when proven by a written inspection certificate, should eliminate a great deal of friction in the housing area, between tenant and owner, whereby proof of condition of the premises would be in the form of the certificate from an impartial inspector. One of my conditions for this is the fact that the inspections must be made by members of the building department, or Board of Health, and completely separated from the Rent Board. The latter organization, at the present time, now combines all of the functions of judge, jury and legislative branches, and certainly the City of Cambridge should be able to provide inspectors from the regularly accepted and experienced City Departments of Building and Health, thereby providing the expertise required and eliminating further friction.

Based upon the above, and the fact that I am positive that you are a man of good faith and integrity, you may consider this letter as my endorsement of your plan for introducing the Certificate of Habitation Ordinance, with my support, as evidenced hereby.

Sincerely,



Carl F. Barron

CFB

cc to: Richard McKinnon
enclosure



FRAA Furniture Rental Association of America



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

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#1 Unfinished
Business

CERTIFICATE OF HABITATION ORDINANCE

Referred to Ordinance
for hearing + report.

11/9/79 Mendments passed 3-5-1

- Referred to the City
Council Meeting -

7/7/79 Unfinished Business
but

Passed to a second reading 4/28/80
published Chronicle 5/1/80
Ready for ordination 5/12/80

6/16/80 No Motion Taken 6/16/80

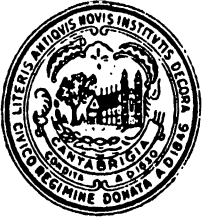
6/30/1980 No Motion Taken 6/30/80

Remains on Calendar

Aug 4, 1980 No Motion Taken

Remains on Calendar -

6/27/83 Placed on File



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0-23

Proposed amendment to the General Ordinances
in Chapter Eleven entitled "Health, Hospital,
Housing" by adding at the end thereof a new
Article IV entitled "Certificate of Habitation"

Passed to a second reading 4/28/80
Published in Chronicle 5/1/80
Ready for ordination on or after 5/12/80

6/27/83 PLACED ON FILE