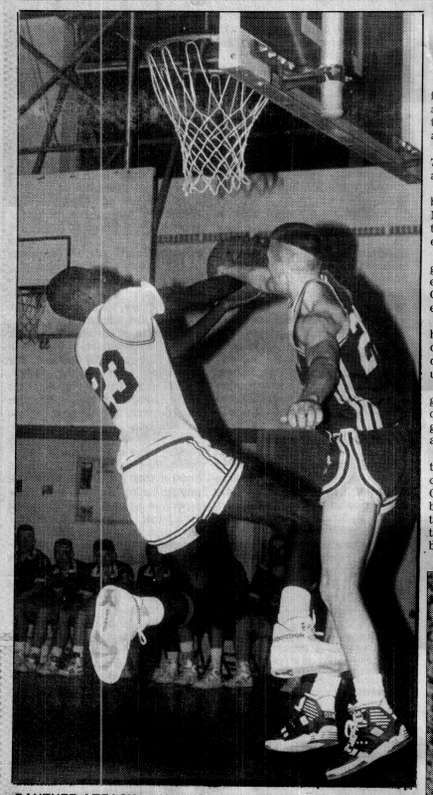
SPORTS



PANTHER ATTACK — North Cambridge Catholic's senior captain Scott Pugh, left, attempts to drive past St. Clement's Steve Fabiano in the Panthers' 79-77 losing game to their Somerville rivals on Friday. (Staff photo by Jon Friedman)

St. C's edges Panthers

The North Cambridge Catholic boys basketball team finished the regular season this past week with both a win and a loss. The Panthers are now preparing for competition in both the Catholic Suburban League Tournament, as well as the Division III State Tournament.

Last Friday, NCC lost a heartbreaker to St. Clement's, 79-77. Before an overflowing crowd, the two teams put on a performance unheralded in most high school games.

The Panthers came out in the first quarter ready for battle. Fueled by junior forward Jay Heggie's 13 points NCC had a 22-18 lead after one quarter. St. Clement's battled back in the second quarter and took the lead. At the end of the first half, the Anchormen led 37-34.

The frantic pace continued in the second half. Senior guard Scott Pugh and junior forward John Bernard paced the Panthers with 9 points each in the third quarter. St. Clement's would not come unglued, however, and at the end of three held a slim 55-54 lead.

The fourth quarter may have been one of the best in high school basketball history. Both teams went up and down the court trading baskets, diving for loose balls and displaying to fans why they are the top two seeds in the upcoming Division III State Tournament.

With only two and one-half minutes remaining in the game the Panthers trailed by 9, 69-60. NCC would not quit. Scott Pugh buried a three pointer, 69-63. Sophomore guard Lorenzo Gross stole the ensuing in-bounds pass and laid the ball in, 69-65.

St. Clement's went into their four corners offense. They took a quick shot, however, and missed. Sophomore center Ricky Ace grabbed the rebound and outletted to Gross who, again, laid it in, 68-67. St. Clement's came back up the court quickly and scored on a controversial three-point play, 75-70. With only 50 seconds remaining in this wild shootout, John Bernard answered the call with a bucket of his own, 75-72. The Anchormen followed with another bucket, 77-72. Pugh answered with two and was fouled. He went to the line and hit the foul shot, 77-75. Again the inbound pass was stolen and again Gross laid it in, while also being fouled.

At 77-77 and only 28 seconds remaining in the game, Gross was at the line for one shot when the Panthers were called for a lane violation. The Panthers, again, stole the inbounds pass. This time it was junior center Jon Ace, who, after he passed off, was called for an offensive foul. The referees turned the ball over to St. Clement's again with only 24 seconds remaining in the game. The Anchormen held onto the ball for the final shot and scored with only 2 seconds remaining on the clock to take a 79-77 victory.

On Sunday, the Panthers bounced back with a 69-54 victory over Hudson Catholic to close their regular season schedule.

In the game, NCC jumped out to a 25-6 first quarter lead and never looked back. Scott Pugh and John Bernard each had 14 points to lead the Panthers in scoring. Pugh also had 10 rebounds.

This weekend, NCC competes in the Catholic Suburban League Tournament to be held at Newton Catholic High School.

On Saturday, the Panthers tap-off against Mission High School. NCC has defeated Mission twice this season. The first time, 62-42, and the second, 77-67. In the second semifinal, St. Clement's will play Hudson Catholic, whom they have also beaten twice.

The tournament sets up another possible match up between N.C.C. and St. Clement's. "We would love to play St. Clement's again but first we have to get by Mission. They are the defending champs in this tournament and they always give us a tough time," explained coach McGrail.

NCC girls beat St. C

The North Cambridge Catholic High School girls varsity basketball team defeated St. Clement last Friday, 55-21, to complete its regular season with 12 victories and only 4 losses.

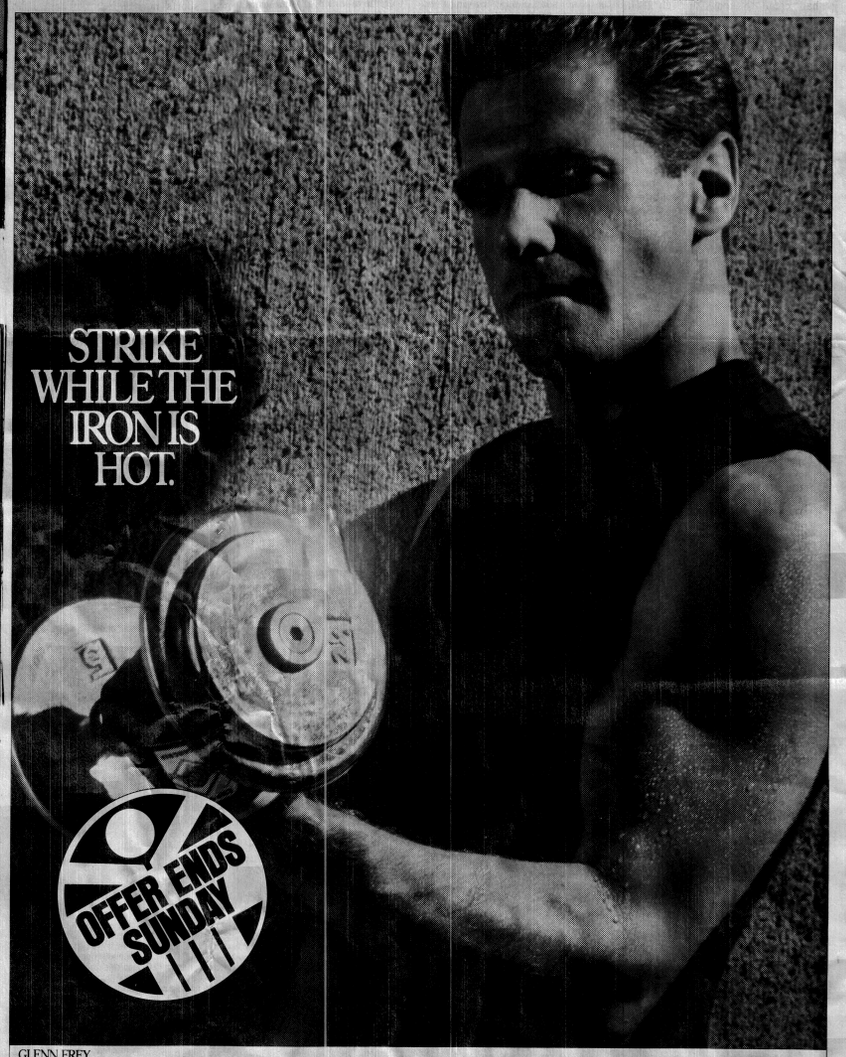
NCC finished in second place in the Catholic Suburban Large School League, behind undefeated Hudson Catholic. This marks the best record in the brief history of the NCC girls basketball program.

St. Clement came into last week's game with only two victories on the season, looking to upset the playoff-bound Lady Panthers.

The visitors from Somerville played aggressive defense in the first quarter and forced NCC into several turnovers. St. Clement held a 10-8 lead entering the second period. But the game quickly turned around when NCC went on a 16-2 run to take a 24-12 halftime lead. The NCC pressure defense continued to cause problems for St. Clement in the second half.

Eva Ace led all scorers with 18 points. Shannon Dottin had a strong offensive game, contributing 11 points. Dalila M'Causland added 9 points, Christine Hafey scored 7, and Joanne Desrosiers and Rima Zahr pitched in with 5 points each.

Before the game, the last regular season home game for NCC, Coach Val Bonds made a special presentation to the four senior members of this year's squad. Honored were co-captains Sharon Silva and Dee M'Causland, Shannon Dottin, and Rima Zahr.



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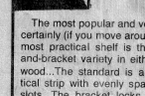
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Ed Ver Planck

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'idge Chronicle

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C FEB 23

Major crime in '88 gets mixed reviews

By LAURA BECK
Chronicle staff

As far as major crime in Cambridge is concerned, 1988 gets a mixed review from the Cambridge police.

According to police statistics for the year, most major crimes like robberies and rape decreased in Cambridge last year, but other crimes like drug trafficking increased.

Based on the number of arrests and reported crimes, the 1988 crime rate went down 3 percent from 1987. Of the major crimes, rape was 17 percent lower, robbery was 4 percent lower and burglary was 10 percent lower.

"Granted, these are only reports of rape and burglaries," said Police Chief Anthony Paolillo. "But we're able to pinpoint areas having troubles more quickly and neighborhood crime watch groups have helped keep things down."

But in some parts of the city, residents are having a hard time believing the crime rate is down. Residents of Cambridgeport have had an ongoing rash of house breakins and burglaries since November, according to Caroline Hunter, who is organizing a new crime watch in that neighborhood.

"We haven't felt that 3 percent," Hunter said. "We don't feel that crime is down in our neighborhood. We don't even feel safe in our homes."

Police say they may have caught one of the city's notorious "career" robbers a few months ago, and believe he may be responsible for some of the Cambridgeport burglaries, especially around River, Laurel and Cottage streets.

Since the arrest, however, Hunter says the break-ins started again, averaging four a week. Police say this new surge of burglaries is probably unrelated to last year's problem.

"These things go in cycles that tend to last about two months," Paolillo said. "After hitting a certain neighborhood for awhile, criminals pick another spot."

All reports and arrests are entered into a computer data system in the crime analysis department. Police use the reports and information to peg high risk areas and to predict where regular criminal offenders will be, according to Police Crime Analyst Richard Sevieri.

One of the current trends for city criminals is turning from robberies to drug trafficking, Sevieri and Paolillo say.

"Our most notorious career criminals have stopped breaking into houses. Now they're out on the streets selling drugs," Paolillo said.

The city's hottest spots for drug dealing are in Area Four, especially near Columbia terrace, Paolillo says.

Several neighborhood activists near the Central Square area also say they see less assaults and "street" robberies, but instead see more suspicious groups of people loitering near corners.

"I've seen more people buying drugs on the streets, and I also notice more people hanging around that I know don't live in my neighborhood," said Janet Rose, who lives near Central Square. "It's winter now, so that keeps more people inside, but by April they'll be back."

Please see CRIME, page 5

We haven't felt that 3 percent. We don't feel that crime is down in our neighborhood. We don't even feel safe in our homes.
Caroline Hunter
Cambridgeport resident



FAULTY WIRING is being blamed for an early Friday morning fire which left 13 persons homeless. The fire broke out at 30-32 Fairmont street and took firefighters four hours to control. See story inside. (Staff photos by Cheryl Miller)

Sancta Maria up for sale as funds dry up

By JAY WEAVER
Chronicle staff

Many hospitals were counting on that (state) money and now many hospitals are in financial trouble.
Sr. Mary Mark Pizzotti
president,
Sancta Maria

Unable to cure its financial ills, Sancta Maria Hospital in West Cambridge is up for sale and could be converted into an alternate health care facility by spring, hospital officials said this week.

Sancta Maria, an acute-care hospital owned and operated since 1948 by the Daughters of Mary of the Immaculate Conception, could be recycled into a long-term and ambulatory care facility by May, Sister Mary Mark Pizzotti, president of the hospital, said Tuesday.

Sancta Maria has fallen on hard times in recent years due to escalating health care costs and competition, federal funding shortfalls for Medicare patients and the state's recent decision to withhold payments to cover the funding gap, Sister Pizzotti said.

"The financial troubles have been coming for the past two years because of the number of elderly patients we treat," Sister Pizzotti said. "Our problem is we don't have the patient mix to offset the losses from Medicare." About 80 percent of the hospital's patients are on Medicare.

She stressed, however, that Sancta Maria does not plan to close in May, as reported in the "Boston Herald" on Monday.

Sancta Maria, a 150-bed facility, is among two dozen or so acute-care hospitals across the state that have been severely hurt by Medicare cutbacks over the past year, according to the state Department of Public Health and industry officials.

Many hospitals, including the Cambridge Hospital, have also been damaged by state cutbacks in Medicaid and free-care compensation and by the new rate formula set up last year as part of the universal health care bill. The formula was designed to create financial pressures for hospitals with low-occupancy rates, forcing them to restructure, sell or close, state and industry officials said.

Sister Pizzotti said Sancta Maria officials plan to meet with the Hospital Conversion Board, a state panel created by the universal health care bill to help ease the transition for hospitals seeking to close, convert or merge.

She said the hospital, which has an occupancy rate well below the statewide average of 78 percent, plans to phase out its medical/surgical programs by May and that officials are talking with "other parties" about alternate uses, such as long-term and ambulatory care.

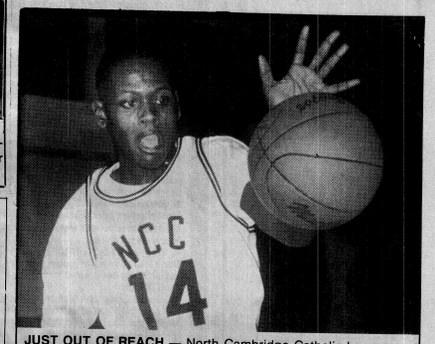
She said the city, which for years has subsidized the twin deficits at the Cambridge Hospital and Neville J. Manor Nursing Home, is not among the parties interested in buying the facility.

She said Sancta Maria's goal is to ensure that its tradition of caring for the elderly is continued. It is the only hospital owned and run by the Daughters of Mary of the Immaculate Conception, a congregation based in New Britain, CT. She also expressed concern about preserving jobs for the hospital's 250 employees, some of whom are Cantabrigians.

The death knell for Sancta Maria was sounded a few weeks ago when Gov. Michael Dukakis killed $214 million in payments that the state had promised to many hospitals to cover federal funding shortfalls for Medicare and free care for the poor. The action was taken because of the state's current budget crisis.

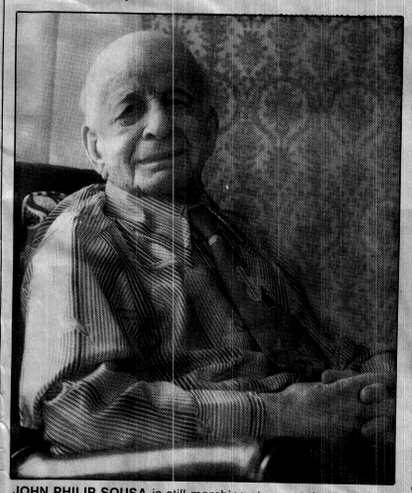
"Many hospitals were counting on that money," Sister Pizzotti said. "And now many hospitals are in financial trouble."

Please see HOSPITAL, page 3



JUST OUT OF REACH — North Cambridge Catholic hoop captain Henry Prophete swats down a loose ball in the Panthers' game against St. Clement on Friday. The Panthers came up on the shy side of the 79-77 cliff-hanger. See story, other photos inside. (Staff photo by Jon Friedman)

At 98, J. P. Sousa is still marching along



JOHN PHILIP SOUSA is still marching strong at the age of 98. (Staff photo by Jon Friedman)

By E_IOT SPALDING
Special to the Chronicle

When it comes to seniority among Cambridge senior citizens, Elm street's John Philip Sousa is entitled to prominent mention.

He's not only 98 years old, but he's also 5 feet 4½ inches of bright and lively manhood, as chipper as they come.

A retired trolley car motorman, he is quite possibly the oldest living member of both the Boston Carmen's Union and the Cambridge Lodge of Elks.

He was happily married for 34 years to his first wife, Phoebe (Meahan) — they had three sons — and now has been happily wedded for 35 years more to his present wife, his beloved Hazel (Eisnor).

But his age and his good fortune in matrimony are not the only notable things about him.

He is, for one thing, that rare resident of heavily Democratic Ward two who is a Republican. In fact, he was for 19 years chairman of the Ward two Republican Committee — Hazel was its secretary.

At that time, he says, there were about 100 registered Republicans in Ward two, but by diligent house-to-house calling, he sometimes got out 200 persons to vote Republican on election day. "It was," he concedes. "hard, hard work."

Although his name is the same as that of the world famous bandmaster and composer, he says he was not named for the March King. "When I was confirmed at St. Mary's Church," he says, "the only reason I chose the middle name of Philip was because I liked it."

He doesn't play any band instrument either. "I play the guitar a little now and then," he says, "but I'm not very good at it. "And he used to sing with an Elm street group, adding, "I had a good tenor voice, but that was once upon a time."

Another thing, besides his age and his alertness, which makes him notable in Cambridge is that he likes his landlord, Manny Barros, and his landlord apparently likes him. He quotes Manny, a much younger man, as saying, "John, you're a miracle; you can walk around and do anything I can do."

And John Philip does walk around the neighborhood, walking every morning to the All-Bright novelty store on Broadway to get his morning paper and chat with friends. He doesn't look or walk his age.

His wife drives him in the family car when they go grocery shopping

Please see SOUSA, page 7

ON THE INSIDE

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Wild Women

A look back at black voices



See page 2A in The Weekender

Food Pantry lists hours, locations

The Cambridge Food Pantry Network, which serves nearly 4,000 persons each month in Cambridge, has announced its schedule of pantry hours and food distribution days for March.

According to Gerald Bergman of CEOC, the coordinator of the Cambridge Food Pantry Network, "The number of persons served by programs of the Cambridge Food Pantry Network has nearly doubled over the past year." In Cambridge, 13,000 persons live under the poverty line, with the greatest increase in pantry use coming from the ranks of the working poor. Pantries have reported that the majority of the hungry in Cambridge are young, mostly under the age of 14. It is estimated that one child in five lives in poverty, unable to maintain an even minimally adequate diet. With one of the highest housing costs in the nation, Cambridge residents are making choices between rent and nutritionally adequate food. However, Cambridge is not alone in this rapid rise in reported hunger. According to the Massachusetts Anti-Hunger Coalition, "Hunger is increasing in our economy, with one child in five suffering from hunger during some part of each month: Last year, at least 14.4 million meals were served through emergency food networks in Massachusetts."

The effects of hunger in Cambridge are being felt in schools, health centers, families and on the streets. Prolonged hunger causes more than discomfort — malnutrition can lead to permanent tissue damage, and leaves its sufferers, particularly children and elders, susceptible to illness and infection, Bergman said.

"Food is the only area left in the family budget where cuts are made. Housing and utility costs are paid, but nutritional needs suffer. The poor are juggling their basic needs of food, clothing and shelter."

Volunteers are desperately needed by the members of the Pantry Network. Working at food pantries, food distribution sites, shopping, planning resource drives and educational activities are only some of the volunteer opportunities that exist through the Pantry Network program.

For more information about the Cambridge Food Pantry Network, volunteer opportunities and how you can help, contact the Cambridge Food Pantry Network at CEOC, 11 Inman St. in Cambridge or call Gerald Bergman at 868-2900.

The following is the list of pantry hours and distribution days for March:

• **CAMBRIDGE ECONOMIC OPPORTUNITY COMMITTEE/CEOC, 11 INMAN ST., 868-2900;** Distribution of USDA Commodities to income eligible households during the week of March 27 - March 31. Dry milk, butter and peanut butter will be distributed at 30 sites by 200 volunteers to more than 13,500 persons.

• **RED CROSS/CEOC FOOD PANTRY ON THE COMMONS, 9 WATERHOUSE ST., 354-7800;** Hours: Monday 9-12, Wednesday 9-12, Friday 12-4, open every week except holidays. Three days worth of nutritionally balanced food according to household size. Serving Arlington, Belmont, Cambridge, Somerville and Watertown. Pantry available once a month, except in cases of extreme emergency when documented by social service staff etc.

• **SALVATION ARMY EMERGENCY PANTRY, 402 MASSACHUSETTS AVE., 547-3400;** Open for emergency food. Must have a referral from any social service source. Please try to call before coming to the pantry.

• **MARGARET FULLER NEIGHBORHOOD HOUSE PANTRY, 71 CHERRY ST., 547-4680;** Hours: Second and fourth Thursdays of every month from 9-1. Accepts calls for emergencies.

• **PENTECOSTAL TABERNACLE CHURCH, 77 COLUMBIA ST., 661-0222;** Available 7 days a week through referral only. Call and leave message on machine including name, phone number and need. A pantry volunteer will respond within one day and arrange for delivery or pickup.

• **EAST END HOUSE, 105 SPRING ST., 876-4414;** Hours: Monday through Friday, 10-4. By referral only. Limited number of times each year.

• **ELDER FOOD SHELF, 15 PEARL ST., 868-0800;** Hours: Tuesday and Thursday 1-4. Supplemental food pantry serving low-income elders. Individuals may receive up to eight items each week. Income verification necessary.

• **ST. JAMES EPISCOPAL CHURCH/HELPING HAND PANTRY, 1991 MASSACHUSETTS AVE., 547-4070;** Hours: Tuesday, Thursday and Saturday 11-1. Pantry available once a month.

• **FOOD FOR FREE, 11 INMAN ST., 868-2900;** Weekly supplemental deliveries of perishable and nonperishable food: Monday: Jefferson Park, Salvation Army, Tuesday: Western Ave. Baptist Church, Newtowne Court/Washington Elms, Elders Food Shelf, Wednesday: Centro Presente, Committee of Elders, Thursday: Roosevelt Towers, Harvard Square Meals Program, Elders Food Shelf, Friday: Metropolitan Baptist Church, Pilgrim Church.

Delivery schedule and frequency depends on the supply of donations. Call for information.



MIDDLESEX COUNTY DISTRICT ATTORNEY Scott Harshbarger (left) addresses several high school students from the Soviet Union (right) who recently visited his office in the Cambridge Superior Courthouse. District Attorney Harshbarger explained the criminal justice system to the students and discussed his job as the chief prosecutor in the County. The students, ages 15-17 years old, are from Moscow and are part of an exchange program sponsored by the Buckingham, Browne and Nichols School of Cambridge.

SCHOOL NOTEBOOK

Budget forum

The proposed School Department budget for 1989-90 will be officially announced at a public hearing scheduled for 7 pm on Tuesday, March 14 in room 222 at Cambridge Rindge and Latin School. Budget Subcommittee Chair Tim Toomey said the meeting is open to all parents, teachers and community residents interested in public education funding.

Back to school

Superintendent Mary Lou McGrath reminds all students that classes will resume, following this week's winter vacation, on Monday, February 27. Buses will follow the regular schedule.

The Cambridge School Committee is scheduled to meet on Tuesday, February 28. Mayor Vellucci said this meeting was changed from last Tuesday because of the school vacation. The Committee will hold a public session in room 222 at CRLS beginning at 6:45 p.m.

Learning through play

Who said learning isn't fun. A special workshop for preschool parents and staff titled, "Learning Through Play," sponsored by the Special Education Early Childhood Outreach Grant staff at the Fitzgerald School on March 22 at 5:00 p.m., will make learning fun for children. Call 498-9285 for information.

'I was working in my lab...'

CRLS science students are working in their labs in preparation for the March 9 CRLS Annual Science Fair. Dr. Angela Johnson, science teacher-in-charge, said that the public is invited to view the experiments from 6:30 to 9 pm on March 9 in the CRLS field house.

Time out

Watch for Longfellow students and volunteers on WBZ-TV during Channel 4, "Time Out" segments from February 20 through 24.

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Rx
Dry Mouth: Causes & Cures
Dry mouth is a common ailment in the aged and is a side effect of hundreds of medicines. Dry mouth occurs when saliva secretion is diminished, either temporarily or permanently. The mouth may feel parched with a burning sensation.
Dry mouth is found in 40 percent of those over age 65. Health problems such as anemia, dehydration, diabetes, and fever can cause dry mouth. Nasal congestion, stress, and smoking may also dry out the mouth. Antihistamines, decongestants, appetite suppressants, and certain medicines for heart arrhythmias, depression, and hypertension contribute to dry mouth. Many people with rheumatoid arthritis and disorders of the salivary glands may experience permanent dry mouth.
Temporary relief from dry mouth may be obtained from sipping water or sucking on ice chips, lozenges, hard sugarless candy, or chewing sugarless gum. But saliva substitute products have therapeutic advantages over home remedies. These substitutes are similar to natural saliva and last longer than other remedies. If dry mouth is a side effect of medicines, the dosage sometimes can be decreased or a different medicine prescribed. And always follow your dentist's advice for effective oral hygiene.
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PUBLIC NOTICE
CAMBRIDGE WATER BOARD
WATER CONSERVATION
VOLUNTARY RESTRICTIONS
Because of the continued below-normal precipitation patterns in eastern Massachusetts, the Cambridge Board of Water Commissioners is requesting that the residents and the commercial/industrial/institutional customers conserve water in order to preserve our water supply. The Board recommends that the following practices be adopted.
1. SAVINGS IN HOME
Household water conservation not only saves water, it saves energy needed to heat water and run appliances. Two-thirds of the water used in an average home is used in the bathroom, mostly for flushing toilets and for showers and baths. Much of this water may be going into the sewer system needlessly.
2. TOILETS
Every time a toilet is flushed, about seven gallons of water goes into the sewer. Toilets should not be used as a trash can to flush away tissues, gum wrappers, cigarettes, diapers or anything else that ought to go in a waste basket or garbage can. Toilets should be checked for leaks at the overflow pipe and plunger ball.
3. SHOWERS/BATHS
Most showers pour out between five and ten gallons per minute. A partially filled tub uses far less water than a long shower, while a short shower uses less than a full tub.
4. SHAVING/TOOTHBRUSHING
Don't leave the water running. Run as much as you need, then turn off the tap until you need some more.
5. KITCHEN
Automatic dishwashers claim the most water in kitchens, about 15 gallons per run. Fully loaded washers use the same amount of water as partially loaded dishwashers. Don't let water run in sink. Wasted water goes into the sewer system needlessly.
6. DRINKING WATER
Don't run water endlessly for a cold drink; store jug of ice water in container in the refrigerator.
7. LAUNDRY
Many washing machines use 40 or more gallons of water per load whether stuffed full or half empty. Save up for a full load. As with the dishwasher, you can save energy, electricity and sewer user fees.
8. LEAKS/METERS
Most leaks, aside from toilets, are in faucets and are usually caused by worn washers. If your faucet leaks, turn off the supply line, take the faucet apart and replace the washer.
Your water meter can tell whether you have sizable leaks, as well as how much water various appliances are using. For leak detection, turn off all water in the house and check meter reading. After 30 minutes, re-check the meter reading. If it hasn't moved, you have a water-tight home. Otherwise start looking for leaks at sinks, toilets and appliances.
9. LANDSCAPING
The basic principle of lawn and garden watering is not to give them more than you need. Water when the grass or plants show signs of needing it. Avoid watering on windy or sunny days. Let water sink in slowly. Lots of water applied fast mostly runs into gutters.
10. OUTDOOR USE/CAR WASHING
Remember that when you leave the sprinkler running all day or leave the hose unattended, thousands of gallons can be lost.
When washing the car, use a bucket for soapy water and use the hose only for rinsing. Running water in the driveway won't get the car any cleaner. Hoses should have automatic shut-offs.
11. RESTAURANTS
Serve drinking water only on request. This practice will also save water, soap, and energy required for cleaning.
HELP CONSERVE WATER
USE WHAT YOU NEED
THEN TURN IT OFF



Wrapping your electric water heater can save you $35 a year
and COM/Electric will do it FREE!
For your convenience, we can even schedule a Saturday appointment!
A simple toll-free phone call to COM/Electric is all it takes to have your electric water heater wrapped with a blanket of insulation. We provide the materials, we do the work...and IT COSTS YOU ABSOLUTELY NOTHING!
CALL TODAY, TOLL-FREE:
1-800-642-7030
(OUTSIDE MASSACHUSETTS, CALL (508) 291-0950)
COM/Electric
$35 savings based on current rate plus average savings of previous customers

CAMBRIDGE HOUSING AUTHORITY
OFFICE OF PHYSICAL PLANNING AND CONSTRUCTION
INVITATION TO REBID
GENERAL CONTRACTORS ONLY
Jefferson Park Clinic/Day Care Facility 884-1, New Construction

The Cambridge Housing Authority, Cambridge, Massachusetts (the Owner) will receive sealed bids for: **Cambridge 884-1** in accordance with documents presared by Comunitas, Inc. Estimated cost of this project is **$1,000,000.** The category for which the General Bidder must be DCPO-certified is General Construction.

General Bids will be accepted from bidders **only when accompanied by a Certificate of Eligibility and an Update Statement** (DCFO Forms CO7 and CO3).

Plans and Specifications will be available on February 22, 1989 after 2:00 PM at the Office of Physical Planning and Construction, Cambridge Housing Authority, 2nd Floor, 485 Massachusetts Avenue, Cambridge, Massachusetts. Bidders may obtain Plans and Specifications weekdays, between the hours of 9:00 AM and 5:00 PM by depositing $50 per set. This fee shall be refundable upon the return of the documents in usable condition within thirty (30) days of the General Bid Opening, after which all deposits become the property of the Cambridge Housing Authority. Contract Documents will not be mailed; they may be examined at the plan room of Dodge Construction Reports, Prudential Tower, Suite 320, 800 Boylston Street, Boston, Massachusetts.

Site Inspection will be held as follows: March 1, 1989, 10:00 AM

Interested parties will meet at Jefferson Park Manager's Office, Rindge Avenue, Cambridge.

Filed Sub Bid Sections for this Work: Painting, Plumbing, HVAC, Electrical, Masonry, Roofing

Sub Bids have been filed and accepted. All prices will be retained and are available to General Contractors upon pick-up of plans and specifications.

General Bids shall be submitted with DCPO Forms CO7 and CO3 no later than 2:00 PM on March 8, 1989, and shall be received at the above address of the Office of Physical Planning and Construction.

General Bidders must agree to contract with minority and women-owned businesses as certified by the State Office of Minority and Women Business Assistance (SOMWBA). The amount of participation reserved for such enterprises shall not be less than seventeen percent (17%) of the final contract price of which the MBE set aside is 12% and WBE set aside is 5% including accepted alternates.

All Bidders Please Note: Equal employment opportunity guidelines regarding minorities and females shall be strictly enforced on this project. Please refer to Labor Regulations of the general requirements.

(C)Feb.23

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 88D1824D-1
ORDER FOR SERVICE
BY PUBLICATION
Solange Saint Jean Petit Frere, Plaintiff
vs.
Eddy Petit Frere, Defendant

Upon motion of plaintiff for an order directing Eddy Petit Frere, the defendant herein, to appear, plead or answer, in accordance with Mass.R.Civ.P./Mass.R.Dom.Rel.P.Rule 4, it appearing to the Court that this is an action to dissolve the bonds of matrimony — that the said Eddy Petit Frere cannot be found within the Commonwealth and that her present whereabouts are unknown, that personal service on said defendant is therefore not practicable, and that said defendant has not voluntarily appeared in this action, it is

Ordered that said Eddy Petit Frere is directed to appear, plead, answer or otherwise move with respect to the complaint herein on or before the tenth day of April, 1989, or in default thereon this Court will proceed to the hearing and adjudication of this suit.

Paul J. Cavanaugh
Justice of the Probate and Family Court

(C)Feb.16,23,March 2

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No.89P0560A
ADMINISTRATION WITHOUT SURETIES
Estate of **Genesta M. Pelletier**
also known as **Genesta Marie Pelletier**
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that **Albert E. Pelletier** of Cambridge in the County of Middlesex be appointed administrator of said estate without giving surety on his bond.

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

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

Paul J. Cavanaugh
Register of Probate Court

(C)Feb.23

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Austin J. Jordan** to the **Home Savings Bank FSB** dated January 13, 1984, and recorded with the Middlesex South Registry of Deeds at Book 15405, Page 053, of which mortgage the undersigned is the assignee and present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 o'clock, A.M. on the 23rd day of March, A.D., 1989, on premises hereafter described all and singular the premises described in said mortgage. To wit:

A certain parcel of land with the buildings thereon now known as and numbered 7-9 Walnut Street, situated in Belmont Middlesex County, Massachusetts, being Lot 57B on a plan by Joseph W. Kales, dated April 1941, recorded with Middlesex South District Registry of Deeds at the end of Book 6488, bounded and described as follows:

Southeasterly by Walnut Street, Seventy-three and 12/100 (73.12) feet;

Southwesterly by Lot 58 on plan recorded with said Middlesex South District Registry of Deeds in Plan Book 190, Plan 6, Thirty-eight (38) feet;

Northwesterly by Lot 56 on above-mentioned plan, Seventy-three and 12/100 (73.12) feet;

Northeasterly by Lot 57A on first mentioned plan, Thirty-eight (38) feet.

Containing, according to said plan 2,779 square feet of land.

Together with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water, water rights, and water stock and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the property covered by this Mortgage; and all of the foregoing, together with said property (or the leasehold estate if this Mortgage is on a leasehold) are herein referred to as the "Property."

Terms of Sale:

Said premises will be sold subject to any and all unpaid taxes and assessments, tax sales, tax titles and other municipal liens and water liens, if any there are, and **Five Thousand ($5,000.00) Dollars** in cash, treasurer's check or certified check will be required to be paid by the purchaser at the time and place of sale as a non-refundable deposit and the balance will be due in thirty (30) days.

Dated: February 9, 1989
The Boston Five Cents Savings Bank FSB
Present holder of said mortgage
By: Ann Daly, Vice President and
Assistant Treasurer
Harrison & Maguire, P.C.
24 School Street
Boston, Massachusetts 02108
617-742-3810

(C)Feb.23;Mar.2,9

CAMBRIDGE HOUSING AUTHORITY
OFFICE OF PHYSICAL PLANNING AND CONSTRUCTION
INVITATION TO BID
Compactor Replacement (667-1)

The Cambridge Housing Authority, Cambridge, Massachusetts (the Owner) will receive sealed bids for: compactor replacement at **Manning Apartments** in accordance with documents prepared by Hresko Yost Associates. Estimated cost of this project is $25,000. The category for which the General Bidder must be DCPO-certified is General Contractor.

Plans and Specifications will be available on February 22, after 10:00 AM at the Office of Physical Planning and Construction, Cambridge Housing Authority, 2nd Floor, 485 Massachusetts Avenue, Cambridge, Massachusetts. Bidders may obtain Plans and Specifications weekdays, between the hours of 9:00 AM and 5:00 PM by depositing $10.00 per set. This fee shall be refundable upon the return of the documents in usable condition within thirty (30) days of the General Bid Opening, after which all deposits become the property of the Cambridge Housing Authority. Contract Documents will not be mailed; they may be examined at the plan room of Dodge Construction Reports, Prudential Tower, Suite 320, 800 Boylston Street, Boston, Massachusetts.

Site Inspection will be held as follows: 10:00 AM, Wednesday, March 1, 1989.

Interested parties will meet at: Manning Apartments, 237 Franklin Street, Cambridge, MA.

There are No Filed Sub Bid Sections for this Work.

General Bids shall be submitted no later than 10:00 AM on Wednesday, March 8, 1989, and shall be received at the above address of the Office of Physical Planning and Construction.

Every General Bid shall be accompanied by a Bid Deposit payable to the CHA in the form of cash, certified check, bid bond, or treasurer's or cashier's check issued by a responsible bank or trust company, in the amount of 5% of the bid. Bids are subject to the provisions of M.G.L., Chapter 30, Section 39M, and Chapter 149, Section 44A to H inclusive.

All bidders please note: Equal Employment Opportunity guidelines regarding minorities and females shall be strictly enforced on this project. Please refer to Labor Regulations of the General Requirements.

(C)Feb.23

REQUEST FOR PROPOSALS

Employment Resources, Inc. (ERI) will be receiving federal and state funding for education, employment and training programs during Fiscal Year 1990. The agency is seeking proposals from interested parties to provide training and/or educational services to unemployed residents of the following cities and towns: Arlington, Belmont, Burlington, Cambridge, Chelsea, Everett, Malden, Medford, Melrose, North Reading, Reading, Revere, Somerville, Stoneham, Wakefield, Watertown, Wilmington, Winchester, Winthrop, Woburn. Private profit or non-profit firms and public organizations are encouraged to apply. Deadline for submission of proposals is April 4, 1989. To obtain specifications package, or for more information, contact Liz Sweeney, Marlene Resnick or Linda Bass at 494-1154 or c/o ERI, 432 Columbia Street, Cambridge, MA 02141. A bidders conference will be held at ERI on March 1, 1989 at 9:30 A.M.

(C)Feb.23

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
SALE OF REAL ESTATE
GUARDIAN INVESTMENT
Middlesex Division Docket No. 525592
NOTICE

To all persons interested in the estate of **Mary F. Melanson** of Cambridge in said County of Middlesex, mentally ill person. A petition has been presented to said Court praying for license to sell - at private sale - public auction - certain real estate of said Mary F. Melanson.

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

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

Paul J. Cavanaugh
Register of Probate

(C)Feb.23

BURSTER/IMPRINTER

Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Superior Court House, 40 Thorndike St., East Cambridge, MA until 2:00 PM Tuesday, March 14, 1989. Proposals will be opened for Burster/Imprinter for Middlesex County Treasurer's Office, Cambridge, MA at 3:30 PM Tuesday, March 14, 1989 at the Leonard J. Russell Hearing Room, 40 Thorndike St., Level 3, East Cambridge, MA. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any informalities they may deem in the best interest of Middlesex County, or accept any bid or part thereof they may deem in the best interest of Middlesex County. Specifications may be obtained at the Central Purchasing Office, 3rd floor, Superior Court House, 40 Thorndike St., E. Cambridge, MA (494-4106).

Middlesex County Commissioners Office
Carole Kelley, Purchasing Agent

(C)Feb.23

COMPUTER SUPPLIES & ACCESSORIES

Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Superior Court House, 40 Thorndike St., East Cambridge, MA until 2:00 PM Tuesday, March 14, 1989. Proposals will be opened for Computer Supplies & Accessories for Middlesex County Commissioners Dept., Cambridge, MA at 3:30 PM Tuesday, March 14, 1989 at the Leonard J. Russell Hearing Room, 40 Thorndike St., Level 3, East Cambridge, MA. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any informalities they may deem in the best interest of Middlesex County, or accept any bid or part thereof they may deem in the best interest of Middlesex County. Specifications may be obtained at the Central Purchasing Office, 3rd floor, Superior Court House, 40 Thorndike St., E. Cambridge, MA (494-4106).

Middlesex County Commissioners Office
Carole Kelley, Purchasing Agent

(C)Feb.23

Half Crown Neighborhood Conservation District Commission

A public hearing will be held on Tuesday, March 7 at 4:00 PM in the third floor Conference Room, City Hall Annex, 57 Inman Street, to consider the following application for a Certificate of Appropriateness:

Case 28: 8 Gerry Street. Construct dormers on the north and south roof planes. By Michiko and Donald Hisaka.

Anna Strobel
Chairman

(C)Feb.23;Mar.2

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88D 4725 D-1
Summons by Publication
Rosemary Theresa Roberts, Plaintiff
vs.
George B. H. Roberts, Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, **Rosemary Theresa Roberts,** seeking Divorce.

You are required to serve upon Alan Neal Kaplan, plaintiff's attorney, whose address is One Kendall Square, Suite 2200, Cambridge, MA. 02139 your answer on or before May 8, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
January 24, 1989

Paul J. Cavanaugh
Register of Probate

(C)Feb.16,23,March 2

CAMBRIDGE HOUSING AUTHORITY
OFFICE OF PHYSICAL PLANNING AND CONSTRUCTION
INVITATION TO BID
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 heeby 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.**

Nothing in this section shall prevent a property owner from repair and/or replacing a chimney or television antenna.

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.

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 to 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, (H_1, H_2, etc.) times the length of each roof level (L_1, L_2, etc.) and dividing the sum by the sum of the length of the levels (L_1, L_2, 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 yes and nay vote:- Yeas 9; Nays 0; Absent 0.
Robert W. Healy, City Manager.
Joseph E. Connarton, City Clerk
ATTEST:-
(C)Feb.23

CITY OF CAMBRIDGE
LICENSE COMMISSION
NOTICE

The office of the Cambridge License Commission will be open for emergency business only on February 23 and February 24, 1989, at Cambridge City Hall, 795 Massachusetts Avenue.

Said office will reopen on February 27, 1989 at **The Michael J. Lombardi Municipal Building**, 831 Massachusetts Avenue, First Floor. The new telephone number of said office at 831 Massachusetts Avenue is 499-6140.

James T. McDavitt
License Commission Chairman

(C)Feb.23

CITY OF CAMBRIDGE
DEPARTMENT OF TRAFFIC & PARKING

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation.

REGULATION No. 69-09

Regulation No. 66-1 Schedule 9 "Stopping, Standing Or Parking Prohibited During Certain Hours On Certain Sides Of Certain Streets" is hereby amended by adding the following:

Upton Street, south side, 30'W of Magazine Street to Magazine Street, 8AM-10AM and 2PM-4PM, Except Sat. & Sun.

Upton Street, north side, 30'W of Magazine Street to Magazine Street, 8AM-10AM and 2PM-4PM, Except Sat. & Sun.

Pleasant Street, west side, 8'S of east curb line extension of Pleasant Street to 46'N of east curb line extension of Pleasant Street, 8AM-10AM and 2-4PM. Except Sat. & Sun.

This regulation shall take effect 3 March 1989.

George Teso
Traffic Director

(C)Feb.23;Mar.2,9

AMENDED ORDINANCE NO. 1078
Final Publication No. 2428.
First Publication in the Chronicle on Feburary 9, 1989
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 13-17b.

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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.
Robert W. Healy
City Manager.
Joseph E. Connarton
City Clerk
ATTEST:-
(C)Feb.23

AMENDED ORDINANCE NO. 1077
FINAL PUBLICATION NO. 2427.
FIRST PUBLICATION IN THE CHRONICLE ON JANUARY 26, 1989
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 heeby 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.**

Nothing in this section shall prevent a property owner from repair and/or replacing a chimney or television antenna.

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.

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

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 F. 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 Belmont Cemetery. Arrangements were by the Stanton Funeral Home.

Memorial donations may be made to the Hospice of Cambridge, 186 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 is 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 Youville 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, she was a longtime resident of Cambridge.

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

She 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 Patrick; mother 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 in at the time of his death.

He was the husband of Grace M. (Vulso); father of Elaine Zielinski, 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.

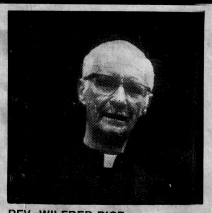
Eleanor Muise

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 San Diego, 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 Swedenborgian 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 Pythagorian 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. (Dennison); father of Carolyn Barnes of San Diego, CA., Miriam Marra of Cambridge and Ellen Johnson of British Columbia and Dennison G. of Springfield; son of Carleton and Clara B. (Johnston) Rice; and brother of Elizabeth Shesler 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 29 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 Colonie 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 at 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 unifrorn, 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 siring 64 AKC puppies after his Honorable Discharge. The Doberman 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 memorail 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 call "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.

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

Arrangements are by the Telophase Society and interment will be today at Fort Rosekranz 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 740th Field Artillery. He was captured during the Battle of the Bulge in Belgium but later released.

Florence Kelleher

Florence E. (Davison) Kelleher, 60, died Feb. 5 at Mount Auburn Hospital in Cambridge. A lifelong resident of Cambridge, she was a homemaker and an avid bowler.

She was the wife of John J.; mother of John J. Jr. of Arlington, Sharon Tomasino of Maine, Helen Louendowski of Long Island, NY, Gerald A. and Kevin Barry Kelleher, both of Cambridge; and sister of Katherine Cox of Florida, Walter Davison of Maine and the late Helen Cox and Betty White. She is also survived by four grandchildren.

A funeral Mass was said at Sacred Heart Church, followed by the interment at Cambridge Cemetery.

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ANNUAL WINTER SALE
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• LONDON FOG • JAYMAR SLAX
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FULL SERVICE BOSTON & SUBURBS
METROPOLITAN FUEL CORP.
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Neighborhood Network
CHANNEL 3
PROGRAM SCHEDULE FOR CHANNEL 3
"YOUR NEIGHBORHOOD NETWORK"

Thursday, February 9
6:30pm 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 Derivation - Traces Roots of African Heritage
8:30pm The Battle is Far From Won - History of the NAACP

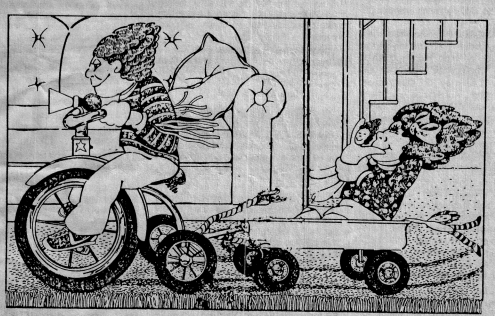
Monday, February 13
6:30pm Our Place In The Sun - History of Blacks on Martha's Vineyard
7:00pm The Battle is Far From Won - History of the NAACP
7:30pm School Talk: with Dr. Sizer Restructure of American High Schools
8:00pm In Performance
9:00pm The Ritual Killing of Animals

Tuesday, February 14
6:30pm Local Focus: Bullmoose
7:00pm Healthnet: Malignant Mellanomas
8:00pm The Forum: Recruiting Minority Journalist

Wednesday, February 15
6:30pm The Baseball Show
7:00pm The Bob Colt 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

Does your carpet take a lot of kidding?



LEES STAIN RESISTANT CARPET SALE

Lees Most Luxurious Plush
Pure elegance underfoot, this magnificent Lees carpet is a DuPont Certified STAINMASTER(CM) carpet, the new revolutionary breakthrough from DuPont.
Reg. $27.75 Sq. Yd.
SALE PRICE $23.75 Sq. Yd.

Lees Top Quality Twist
The famous carefree Lees twist texture in a DuPont Certified STAINMASTER(CM) carpet. Stain resistance never before available.
Reg. Price $24.25
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Lees Extra-Heavy Plush
Thick, rich and luxurious. A STAINMASTER(CM) carpet, it gives you unsurpassed stain and soil resistance. Dirt doesn't cling.
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Fashioned to give years of beauty. Certified and warranted by DuPont. Designed to conceal footprints and traffic marks.
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SALE PRICE $14.95 Sq. Yd.

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Thurs. till 8

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COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Probate of Will Without Sureties
Middlesex Division Docket No. 89P0232E

Estate of **Barbara L. Lowe**
late of **Cambridge**
in the County of **Middlesex**

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Eric L. Lowe** of Cambridge in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on March 2, 1989.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or 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-sixth day of January in the year of our Lord one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
Register of Probate

(C)Feb.9

CITY OF CAMBRIDGE
Department of Human Service Programs
PUBLIC HEARING
CITY OF CAMBRIDGE
Community Development Block Grant (CDBG)
Human Services Component
Year 15 (July 1, 1989-June 30, 1990)
February 15 1989, 7:30 p.m.
City Hall Annex, 57 Inman Street
Third Floor Conference Room

This public hearing will provide an opportunity for the City to present a review of FY '89 CDBG-funded Human Services activities 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 in FY '90 is projected to be $437,000. This will be the only public hearing on the FY '90 CDBG human services plan. Applications for funding will be available at the Department of Human Service Programs, 51 Inman Street, on February 21st. Please direct questions about the public hearing and application process to Gloria Palladino at 498-9076. Transportation for the handicapped may be arranged upon request. The snow date for the hearing is February 22nd.

(C)Feb.9

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 508171

NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Theodore L. Storer** late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 5th thru 12th accounts of **Roscoe W. Brooks** and **Arthur L. Stevenson** as Trustees (the fiduciaries) under the will of said deceased for the benefit of **Katherine Storer** and others have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts you or your attorney must file a written appearance in said Court at Cambridge on or before the 13th day of April, 1989, the return day of this citation. You may upon written request by registered or certified mail to the fiduciaries, or to the attorney for the fiduciaries obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after the said return day or within such other time as the Court upon motion may order a written statement of each such item, together with the grounds for each objection thereto, a copy to be served upon the fiduciaries pursuant to Mass. R.Civ.P. Rule 5.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 26th day of January, 1989.

Paul J. Cavanaugh
Register

(C)Feb.9

INVITATION TO BID

The Cambridge Housing Authority will receive sealed bids at 270 Green Street, Purchasing Department, Cambridge, MA 02139, on February 23, 1989 at 3:00 p.m. for:

Exterior Paint to Window Panels at Millers River Apartments (Mass 3-10)
Bid Surety - 5%

Specifications 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 30, Sec. 39M, in addition to all other applicable public bidding procedures contained in the General Laws of the Commonwealth of Massachusetts, all as most recently amended.

Bid proposals shall be irrevocable for a period of 30 days from the date of the bid opening, and may be accepted by the Authority at any time within such 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 reject any and all bids and to waive any informalities if it is in the best 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

(C)Feb.9

PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK.

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 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Susan Yanow,** et al **to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43** which would read as follows:

"When any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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,
Councillor William H. Walsh
Chairman

(C)Feb.2,9

INVITATION TO BID

The Cambridge Housing Authority will receive sealed bids at 270 Green Street, Purchasing Department, Cambridge, MA 02139, on February 23, 1989 at 3:00 p.m. for:

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

Specifications 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 30, Sec. 39M, in addition to all other applicable public bidding procedures contained in the General Laws of the Commonwealth of Massachusetts, all as most recently amended.

Bid proposals shall be irrevocable for a period of *30 days from the date of the bid opening*, and may be accepted by the Authority at any time within such 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 reject any and all bids and to waive any informalities if it is in the best 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

(C)Feb.9

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 at 333 Elm Street 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 Brownell, Clerk and Director.

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

James Thaddeus McDavitt
Anthony G. Padillo
Thomas V. Scott
License Commission

(C)Feb.9

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
GUARDIAN—SALE OF REAL ESTATE
Middlesex Division Docket No. 85P3951

NOTICE

To all persons interested in the estate of **Elizabeth L. Doody** of Cambridge in said County, mentally ill person. A petition has been presented to said Court praying for license 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 appearance 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 1st day of February, in the year of our Lord, one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
Register of Probate

(C)Feb.9

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Emanuel Rui Neves** d/b/a **Andante Limousine Service,** 95R Inman Street (office only), has applied for a Limousine License for one limousine garaged in Tewksbury, Mass.

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

James Thaddeus McDavitt
Anthony G. Padillo
Thomas V. Scott
License Commission

(C)Feb.9

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to General Laws, Chapter 140, section 177a, notice is hereby given that the License Commission has received an application for one juke box at **Yardarm, Inc.** d/b/a **Pizzeria Regina, Robert D'Andrea, Manager** at 8 Holyoke Street.

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

James Thaddeus McDavitt
Anthony G. Padillo
Thomas V. Scott
License Commission

(C)Feb.9

NOTICE TO BIDDERS
COMMONWEALTH OF MASSACHUSETTS
OFFICE FOR CHILDREN
REQUEST FOR PROPOSALS

The Massachusetts Division of Capital Planning and Operations on behalf of the Office for Children is requesting proposals for approximately **1500 square feet of net rentable space for use in the Cambridge/Somerville area for occupancy commencing** May 1, 1989. Utilities and cleaning service should be included.

Specifications and proposal forms may be obtained from the Office of Real Property Administration, Division of Capital Planning and Operations, 15th Floor, One Ashburton Place, Boston. Telephone number is 727-0468.

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 refused or deemed nonresponsive, and will be returned immediately to the respective proponents.

(C)Feb.9

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. Probate Court
No. 86D-4140-D1

SUMMONS BY PUBLICATION
Cara 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, Cara Wheaton, seeking Divorce.

You are required to serve upon Ronald H. Rainer P.C., Rickie T. Weiner Esquire - plaintiff's attorney, whose address is One Liberty Square, Boston, Mass. 02109 your answer on or before March 6, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

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

Paul J. Cavanaugh
Register of Probate

(C)Jan.26,Feb.2,9

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, February 16, 1989 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

Service Contract for Miscellaneous Laboratory Equipment
Negatives
Electromechanical Jacks
Computer Equipment
Janitorial Supplies
Surgical Shoes
Removal of Chemical Hazardous Waste

See proposal for old deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for 'Designate Item'" and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)Feb.2,9

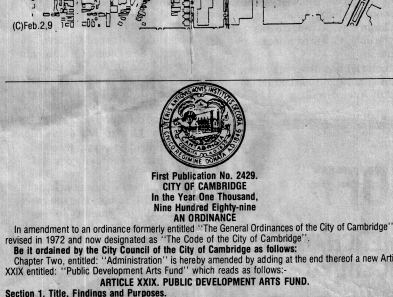
PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk

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 6:00 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 Monsignor O'Brien Interim Zoning District** as shown on the accompanying map, having the following requirements:

1. All requirements of the existing Industry B base zoning district shall apply except as modified and limited by the requirements of this Section's subsections 2-4 below;
2. The floor area ratio applicable on any lot shall be limited to 2.0;
3. The maximum height of any building shall be 85 feet;
4. The Monsignor 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,
Councillor William H. Walsh
Chairman



(C)Feb.2,9

First Publication No. 2429.
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.

(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 that 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, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, crafts, 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 circulation 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 Project;

(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 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.

(C)Feb.9

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 Wheelock College, teaching multicultural issues in day care. Davis is the director of Old South Church Pre-School. Davidson is assistant director of Child Care Search, an information and referral center in Waltham. She is the former director a A Kangaroo's Pouch, a multicultural day care center in Chelsea.

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 Worris at 498-9200, extension 9618.

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THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex ss. Division Docket No. 88P0453GM

NOTICE OF GUARDIANSHIP — MINOR WITHOUT SURETIES

NOTICE

To all persons interested in **Jermain Johnson Buckley** and **Rogelio Johnson Buckley** both of Cambridge in said County Middlesex, a minor.

A petition has been presented in the above-captioned matter praying that **Rogena Previlma** of Cambridge in the county of Middlesex be appointed guardian of said minors with custody without giving sureties on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before February 17, 1989.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventeenth of January, in the year of our Lord one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
Register of Probate

(C)Feb.9

ORDINANCE NO. 1078.
Final Publication No. 2428.
First publication in the Chronicle on February 9, 1989.
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, immediately, 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 of the Chief shall be the decision to the individual by first class mail within ten (10) days after the hearing. The decision of the Chief shall be the decision to the individual by first class mail within ten (10) days after the hearing. The decision of the Chief shall be the 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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager
Joseph E. Connarton, City Clerk

ATTEST:-

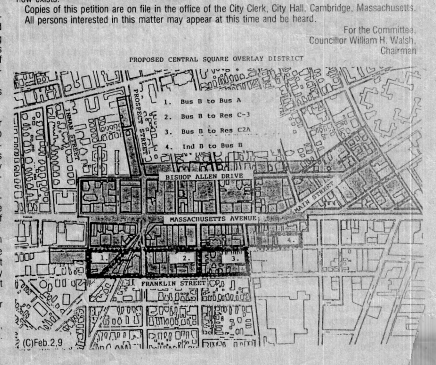
(C)Feb.9

PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk

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 5:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of the City of Cambridge Planning Board to amend the **Zoning Ordinance and map of the City of Cambridge by creating the Central Square Overlay District and changing the applicable** base zoning district designation in some **areas from Business B to Residence C-3, or Residence C2A,** Industry B to Business B, and Business B **to business as shown on the accompanying map.** The text changes would include amending Article 2.000 - Definitions by adding to the existing Fast Order Food establishments definitions and inserting a definition for retail, bakery. The Central Square Overlay District would become an area of special planning concern with specific project proposals subject to development permit consultation procedures outlined in Section 11.40; the District would in addition reduce permitted FAR and establish height limits where none now exists.

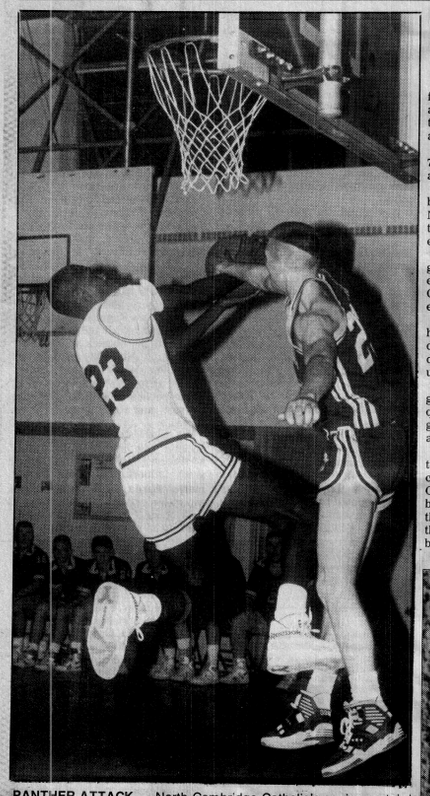
Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts. All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor William H. Walsh
Chairman



(C)Feb.2,9

SPORTS



PANTHER ATTACK — North Cambridge Catholic's senior captain Scott Pugh, left, attempts to drive past St. Clement's Steve Fabiano in the Panthers' 79-77 losing game to their Somerville rivals on Friday. (Staff photo by Jon Friedman)

St. C's edges Panthers

The North Cambridge Catholic boys basketball team finished the regular season this past week with both a win and a loss. The Panthers are now preparing for competition in both the Catholic Suburban League Tournament, as well as the Division III State Tournament.

Last Friday, NCC lost a heartbreaker to St. Clement's, 79-77. Before an overflowing crowd, the two teams put on a performance unheralded in most high school games.

The Panthers came out in the first quarter ready for battle. Fueled by junior forward Jay Heggie's 13 points NCC had a 22-18 lead after one quarter. St. Clement's battled back in the second quarter and took the lead. At the end of the first half, the Anchormen led 37-34.

The frantic pace continued in the second half. Senior guard Scott Pugh and junior forward John Bernard paced the Panthers with 9 points each in the third quarter. St. Clement's would not come unglued, however, and at the end of three held a slim 55-54 lead.

The fourth quarter may have been one of the best in high school basketball history. Both teams went up and down the court trading baskets, diving for loose balls and displaying to fans why they are the top two seeds in the upcoming Division III State Tournament.

With only two and one-half minutes remaining in the game the Panthers trailed by 9, 69-60. NCC would not quit. Scott Pugh buried a three pointer, 69-63. Sophomore guard Lorenzo Gross stole the ensuing in-bounds pass and laid the ball in, 69-65.

St. Clement's went into their four corners offense. They took a quick shot, however, and missed. Sophomore center Ricky Ace grabbed the rebound and outletted to Gross who, again, laid it in, 68-67. St. Clement's came back up the court quickly and scored on a controversial three-point play, 75-70. With only 50 seconds remaining in this wild shootout, John Bernard answered the call with a bucket of his own, 75-72. The Anchormen followed with another bucket, 77-72. Pugh answered with two and was fouled. He went to the line and hit the foul shot, 77-75. Again the inbound pass was stolen and again Gross laid it in, while also being fouled.

At 77-77 and only 28 seconds remaining in the game, Gross was at the line for one shot when the Panthers were called for a lane violation. The Panthers, again, stole the inbounds pass. This time it was junior center Jon Ace, who, after he passed off, was called for an offensive foul. The referees turned the ball over to St. Clement's again with only 24 seconds remaining in the game. The Anchormen held onto the ball for the final shot and scored with only 2 seconds remaining on the clock to take a 79-77 victory.

On Sunday, the Panthers bounced back with a 69-54 victory over Hudson Catholic to close their regular season schedule.

In the game, NCC jumped out to a 25-6 first quarter lead and never looked back. Scott Pugh and John Bernard each had 14 points to lead the Panthers in scoring. Pugh also had 10 rebounds.

This weekend, NCC competes in the Catholic Suburban League Tournament to be held at Newton Catholic High School.

On Saturday, the Panthers tap-off against Mission High School. NCC has defeated Mission twice this season. The first time, 62-42, and the second, 77-67. In the second semifinal, St. Clement's will play Hudson Catholic, whom they have also beaten twice.

The tournament sets up another possible match up between N.C.C. and St. Clement's. "We would love to play St. Clement's again but first we have to get by Mission. They are the defending champs in this tournament and they always give us a tough time," explained coach McGrail.

NCC girls beat St. C

The North Cambridge Catholic High School girls varsity basketball team defeated St. Clement last Friday, 55-21, to complete its regular season with 12 victories and only 4 losses.

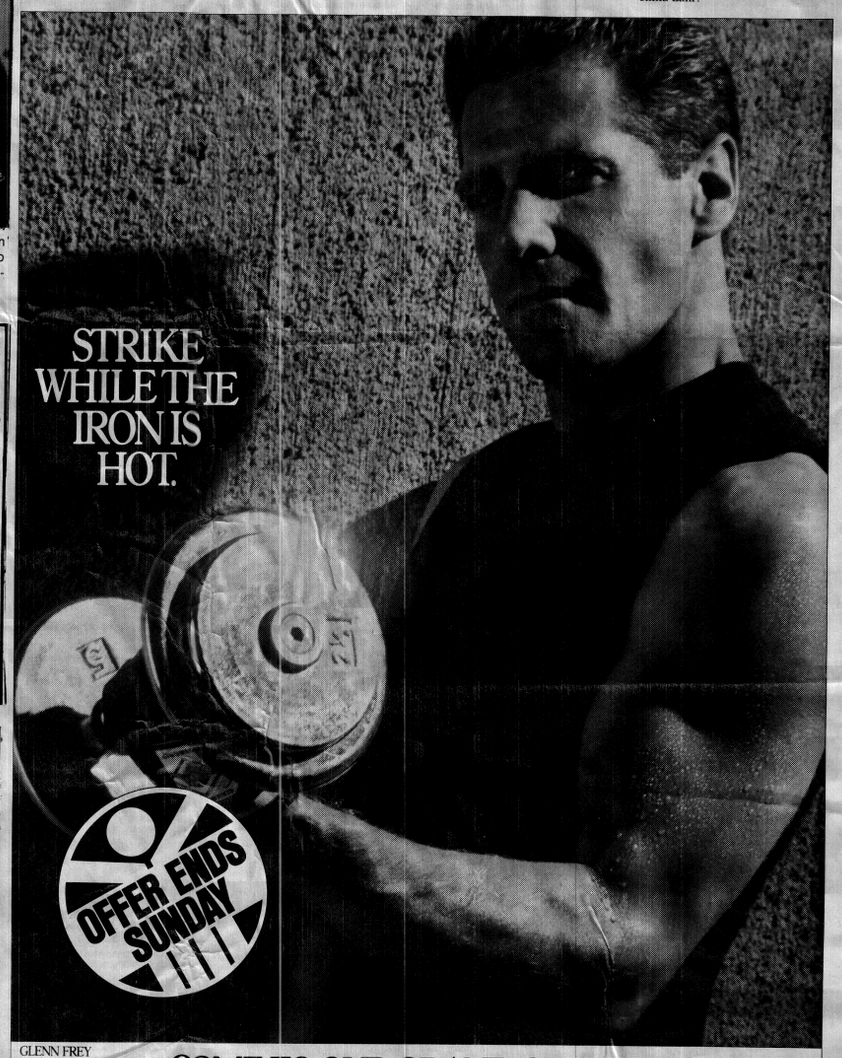
NCC finished in second place in the Catholic Suburban Large School League, behind undefeated Hudson Catholic. This marks the best record in the brief history of the NCC girls basketball program.

St. Clement came into last week's game with only two victories on the season, looking to upset the playoff-bound Lady Panthers.

The visitors from Somerville played aggressive defense in the first quarter and forced NCC into several turnovers. St. Clement held a 10-8 lead entering the second period. But the game quickly turned around when NCC went on a 16-2 run to take a 24-12 halftime lead. The NCC pressure defense continued to cause problems for St. Clement in the second half.

Eva Ace led all scorers with 18 points. Shannon Dottin had a strong offensive game, contributing 11 points. Dalila M'Causland added 9 points, Christine Hafey scored 7, and Joanne Desrosiers and Rima Zahr pitched in with 5 points each.

Before the game, the last regular season home game for NCC, Coach Val Bonds made a special presentation to the four senior members of this year's squad. Honored were co-captains Sharon Silva and Dee M'Causland, Shannon Dottin, and Rima Zahr.



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CAMBRIDGE, MA 02138

C FEB 23

ATTN: MS. DONNA LOPEZ
LEGAL NOTICE TEARSHEET

ridge Chronicle

VOL. 143, NO. 8 THURSDAY, FEBRUARY 23, 1989 ©1989 CAMBRIDGE SUN PUBLISHING CO. 50 CENTS

Major crime in '88 gets mixed reviews

By LAURA BECK
Chronicle staff

As far as major crime in Cambridge is concerned, 1988 gets a mixed review from the Cambridge police.

According to police statistics for the year, most major crimes like robberies and rape decreased in Cambridge last year, but other crimes like drug trafficking increased.

Based on the number of arrests and reported crimes, the 1988 crime rate went down 3 percent from 1987. Of the major crimes, rape was 17 percent lower, robbery was 4 percent lower and burglary was 10 percent lower.

"Granted, these are only reports of rape and burglaries," said Police Chief Anthony Paolillo. "But we're able to pinpoint areas having troubles more quickly and neighborhood crime watch groups have helped keep things down."

But in some parts of the city, residents are having a hard time believing the crime rate is down. Residents of Cambridgeport have had an ongoing rash of house breakins and burglaries since November, according to Caroline Hunter, who is organizing a new crime watch in that neighborhood.

"We haven't felt that 3 percent," Hunter said. "We don't feel that crime is down in our neighborhood. We don't even feel safe in our homes."

Police say they may have caught one of the city's notorious "career" robbers a few months ago, and believe he may be responsible for some of the Cambridgeport burglaries, especially around River, Laurel and Cottage streets.

Since the arrest, however, Hunter says the break-ins started again, averaging four a week. Police say this new surge of burglaries is probably unrelated to last year's problem.

"These things go in cycles that tend to last about two months," Paolillo said. "After hitting a certain neighborhood for awhile, criminals pick another spot."

All reports and arrests are entered into a computer data system in the crime analysis department. Police use the reports and information to peg high risk areas and to predict where regular criminal offenders will be, according to Police Crime Analyst Richard Sevieri.

One of the current trends for city criminals is turning from robberies to drug trafficking, Sevieri and Paolillo say.

"Our most notorious career criminals have stopped breaking into houses. Now they're out on the streets selling drugs," Paolillo said.

The city's hottest spots for drug dealing are in Area Four, especially near Columbia terrace, Paolillo says.

Several neighborhood activists near the Central Square area also say they see less assaults and "street" robberies, but instead see more suspicious groups of people loitering near corners.

"I've seen more people buying drugs on the streets, and I also notice more people hanging around that I know don't live in my neighborhood," said Janet Rose, who lives near Central Square. "It's winter now, so that keeps more people inside, but by April they'll be back."

Please see CRIME, page 5

We haven't felt that 3 percent. We don't feel that crime is down in our neighborhood. We don't even feel safe in our homes.
Caroline Hunter
Cambridgeport resident



FAULTY WIRING is being blamed for an early Friday morning fire which left 13 persons homeless. The fire broke out at 30-32 Fairmont street and took firefighters four hours to control. See story inside. (Staff photos by Cheryl Miller)

Sancta Maria up for sale as funds dry up

By JAY WEAVER
Chronicle staff

Many hospitals were counting on that (state) money and now many hospitals are in financial trouble.
Sr. Mary Mark Pizzotti president, Sancta Maria

Unable to cure its financial ills, Sancta Maria Hospital in West Cambridge is up for sale and could be converted into an alternate health care facility by spring, hospital officials said this week.

Sancta Maria, an acute-care hospital owned and operated since 1948 by the Daughters of Mary of the Immaculate Conception, could be recycled into a long-term and ambulatory care facility by May, Sister Mary Mark Pizzotti, president of the hospital, said Tuesday.

Sancta Maria has fallen on hard times in recent years due to escalating health care costs and competition, federal funding shortfalls for Medicare patients and the state's recent decision to withhold payments to cover the funding gap, Sister Pizzotti said.

"The financial troubles have been coming for the past two years because of the number of elderly patients we treat," Sister Pizzotti said. "Our problem is we don't have the patient mix to offset the losses from Medicare." About 80 percent of the hospital's patients are on Medicare.

She stressed, however, that Sancta Maria does not plan to close in May, as reported in the "Boston Herald" on Monday.

Sancta Maria, a 150-bed facility, is among two dozen or so acute-care hospitals across the state that have been severely hurt by Medicare cutbacks over the past year, according to the state Department of Public Health and industry officials.

Many hospitals, including the Cambridge Hospital, have also been damaged by state cutbacks in Medicaid and free-care compensation and by the new rate formula set up last year as part of the universal health care bill. The formula was designed to create financial pressures for hospitals with low-occupancy rates, forcing them to restructure, sell or close, state and industry officials said.

Sister Pizzotti said Sancta Maria officials plan to meet with the Hospital Conversion Board, a state panel created by the universal health care bill to help ease the transition for hospitals seeking to close, convert or merge.

She said the hospital, which has an occupancy rate well below the statewide average of 78 percent, plans to phase out its medical/surgical programs by May and that officials are talking with "other parties" about alternate uses, such as long-term and ambulatory care.

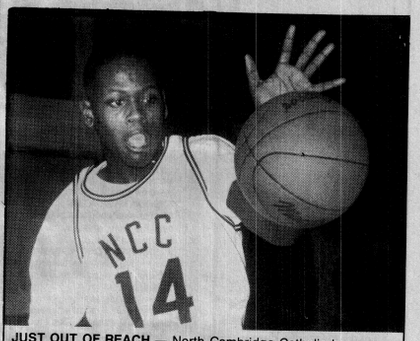
She said the city, which for years has subsidized the twin deficits at the Cambridge Hospital and Neville J. Manor Nursing Home, is not among the parties interested in buying the facility.

She said Sancta Maria's goal is to ensure that its tradition of caring for the elderly is continued. It is the only hospital owned and run by the Daughters of Mary of the Immaculate Conception, a congregation based in New Britain, CT. She also expressed concern about preserving jobs for the hospital's 250 employees, some of whom are Cantabrigians.

The death knell for Sancta Maria was sounded a few weeks ago when Gov. Michael Dukakis killed $214 million in payments that the state had promised to many hospitals to cover federal funding shortfalls for Medicare and free care for the poor. The action was taken because of the state's current budget crisis.

"Many hospitals were counting on that money," Sister Pizzotti said. "And now many hospitals are in financial trouble."

Please see HOSPITAL, page 3



JUST OUT OF REACH — North Cambridge Catholic hoop captain Henry Prophete swats down a loose ball in the Panthers' game against St. Clement on Friday. The Panthers came up on the shy side of the 79-77 cliff-hanger. See story, other photos inside. (Staff photo by Jon Friedman)

At 98, J. P. Sousa is still marching along



JOHN PHILIP SOUSA is still marching strong at the age of 98. (Staff photo by Jon Friedman)

By ELIOT SPALDING
Special to the Chronicle

When it comes to seniority among Cambridge senior citizens, Elm street's John Philip Sousa is entitled to prominent mention.

He's not only 98 years old, but he's also 5 feet 4½ inches of bright and lively manhood, as chipper as they come.

A retired trolley car motorman, he is quite possibly the oldest living member of both the Boston Carmen's Union and the Cambridge Lodge of Elks.

He was happily married for 34 years to his first wife, Phoebe (Meahan) — they had three sons — and now has been happily wedded for 35 years more to his present wife, his beloved Hazel (Eisnor).

But his age and his good fortune in matrimony are not the only notable things about him.

He is, for one thing, that rare resident of heavily Democratic Ward two who is a Republican. In fact, he was for 19 years chairman of the Ward two Republican Committee — Hazel was its secretary.

At that time, he says, there were about 100 registered Republicans in Ward two, but by diligent house-to-house calling, he sometimes got out 200 persons to vote Republican on election day. "It was," he concedes, "hard, hard work."

Although his name is the same as that of the world famous bandmaster and composer, he says he was not named for the March King. "When I was confirmed at St. Mary's Church," he says, "the only reason I chose the middle name of Philip was because I liked it."

He doesn't play any band instrument either. "I play the guitar a little now and then," he says, "but I'm not very good at it. "And he used to sing with an Elm street group, adding, "I had a good tenor voice, but that was once upon a time."

Another thing, besides his age and his alertness, which makes him notable in Cambridge is that he likes his landlord, Manny Barros, and his landlord apparently likes him. He quotes Manny, a much younger man, as saying, "John, you're a miracle; you can walk around and do anything I can do."

And John Philip does walk around the neighborhood, walking every morning to the All-Bright novelty store on Broadway to get his morning paper and chat with friends. He doesn't look or walk his age.

His wife drives him in the family car when they go grocery shopping

Please see SOUSA, page 7

ON THE INSIDE

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Wild Women

A look back at black voices



See page 2A in The Weekender

Food Pantry lists hours, locations

The Cambridge Food Pantry Network, which serves nearly 4,000 persons each month in Cambridge, has announced its schedule of pantry hours and food distribution days for March.

According to Gerald Bergman of CEOC, the coordinator of the Cambridge Food Pantry Network, "The number of persons served by programs of the Cambridge Food Pantry Network has nearly doubled over the past year." In Cambridge, 13,000 persons live under the poverty line, with the greatest increase in pantry use coming from the ranks of the working poor. Pantries have reported that the majority of the hungry in Cambridge are young, mostly under the age of 14. It is estimated that one child in five lives in poverty, unable to maintain an even minimally adequate diet. With one of the highest housing costs in the nation, Cambridge residents are making choices between rent and nutritionally adequate food. However, Cambridge is not alone in this rapid rise in reported hunger. According to the Massachusetts Anti-Hunger Coalition, "Hunger is increasing in our economy, with one child in five suffering from hunger during some part of each month. Last year, at least 14.4 million meals were served through emergency food networks in Massachusetts."

The effects of hunger in Cambridge are being felt in schools, health centers, families and on the streets. Prolonged hunger causes more than discomfort — malnutrition can lead to permanent tissue damage, and leaves its sufferers, particularly children and elders, susceptible to illness and infection, Bergman said.

"Food is the only area left in the family budget where cuts are made. Housing and utility costs are paid, but nutritional needs suffer. The poor are juggling their basic needs of food, clothing and shelter."

Volunteers are desperately needed by the members of the Pantry Network. Working at food pantries, food distribution sites, shopping, planning resource drives and educational activities are only some of the volunteer opportunities that exist through the Pantry Network program.

For more information about the Cambridge Food Pantry Network, volunteer opportunities and how you can help, contact the Cambridge Food Pantry Network at CEOC, 11 Inman St. in Cambridge or call Gerald Bergman at 868-2900.

The following is the list of pantry hours and distribution days for March:

• **CAMBRIDGE ECONOMIC OPPORTUNITY COMMITTEE/CEOC, 11 INMAN ST., 868-2900;** Distribution of USDA Commodities to income eligible households during the week of March 27 - March 31. Dry milk, butter and peanut butter will be distributed at 30 sites by 200 volunteers to more than 13,500 persons.

• **RED CROSS/CEOC FOOD PANTRY ON THE COMMONS, 9 WATERHOUSE ST., 354-7800;** Hours: Monday 9-12, Wednesday 9-12, Friday 12-4, open every week except holidays. Three days worth of nutritionally balanced food according to household size. Serving Arlington, Belmont, Cambridge, Somerville and Watertown. Pantry available once a month, except in cases of extreme emergency when documented by social service staff etc.

• **SALVATION ARMY EMERGENCY PANTRY, 402 MASSACHUSETTS AVE., 547-3400;** Open for emergency food. Must have a referral from any social service source. Please try to call before coming to the pantry.

• **MARGARET FULLER NEIGHBORHOOD HOUSE PANTRY, 71 CHERRY ST., 547-4680;** Hours: Second and fourth Thursdays of every month from 9-1. Accepts calls for emergencies.

• **PENTECOSTAL TABERNACLE CHURCH, 77 COLUMBIA ST., 661-0222;** Available 7 days a week through referral only. Call and leave message on machine including name, phone number and need. A pantry volunteer will respond within one day and arrange for delivery or pickup.

• **EAST END HOUSE, 105 SPRING ST., 876-4444;** Hours: Monday through Friday, 10-4. By referral only. Limited number of times each year.

• **ELDER FOOD SHELF, 15 PEARL ST., 868-0800;** Hours: Tuesday and Thursday 1-4. Supplemental food pantry serving low-income elders. Individuals may receive up to eight items each week. Income verification necessary.

•**ST. JAMES EPISCOPAL CHURCH/HELPING HAND PANTRY, 1991 MASSACHUSETTS AVE., 547-4070;** Hours: Tuesday, Thursday and Saturday 11-1. Pantry available once a month.

• **FOOD FOR FREE, 11 INMAN ST., 868-2900;** Weekly supplemental deliveries of perishable and nonperishable food: Monday: Jefferson Park, Salvation Army, Tuesday: Western Ave. Baptist Church, Newtowne Court/Washington Elms, Elders Food Shelf, Wednesday: Centro Presente, Committee of Elders, Thursday: Roosevelt Towers, Harvard Square Meals Program, Elders Food Shelf, Friday: Metropolitan Baptist Church, Pilgrim Church.

Delivery schedule and frequency depends on the supply of donations. Call for information.



MIDDLESEX COUNTY DISTRICT ATTORNEY Scott Harshbarger (left) addresses several high school students from the Soviet Union (right) who recently visited his office in the Cambridge Superior Courthouse. District Attorney Harshbarger explained the criminal justice system to the students and discussed his job as the chief prosecutor in the County. The students, ages 15-17 years old, are from Moscow and are part of an exchange program sponsored by the Buckingham, Browne and Nichols School of Cambridge.

SCHOOL NOTEBOOK

Budget forum

The proposed School Department budget for 1989-90 will be officially announced at a public hearing scheduled for 7 pm on Tuesday, March 14 in room 222 at Cambridge Rindge and Latin School. Budget Subcommittee Chair Tim Toomey said the meeting is open to all parents, teachers and community residents interested in public education funding.

Back to school

Superintendent Mary Lou McGrath reminds all students that classes will resume, following this week's winter vacation, on Monday, February 27. Buses will follow the regular schedule.

The Cambridge School Committee is scheduled to meet on Tuesday, February 28. Mayor Vellucci said this meeting was changed from last Tuesday because of the school vacation. The Committee will hold a public session in room 222 at CRLS beginning at 6:45 p.m.

Learning through play

Who said learning isn't fun. A special workshop for preschool parents and staff titled, "Learning Through Play," sponsored by the Special Education Early Childhood Outreach Grant staff at the Fitzgerald School on March 22 at 5:00 p.m., will make learning fun for children. Call 498-9285 for information.

'I was working in my lab...'

CRLS science students are working in their labs in preparation for the March 9 CRLS Annual Science Fair. Dr. Angela Johnson, science teacher-in-charge, said that the public is invited to view the experiments from 6:30 to 9 pm on March 9 in the CRLS field house.

Time out

Watch for Longfellow students and volunteers on WBZ-TV during Channel 4, "Time Out" segments from February 20 through 24.

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The 'Chronicle' news office has moved!
Our new location and mailing address is P.O.Box 312, 360-366 Summer Street, Somerville, MA 02144.
Tel: 628-6200

PUBLIC NOTICE
CAMBRIDGE WATER BOARD
WATER CONSERVATION
VOLUNTARY RESTRICTIONS

Because of the continued below-normal precipitation patterns in eastern Massachusetts, the Cambridge Board of Water Commissioners is requesting that the residents and the commercial/industrial/institutional customers conserve water in order to preserve our water supply. The Board recommends that the following practices be adopted.

1. SAVINGS IN HOME
Household water conservation not only saves water, it saves energy needed to heat water and run appliances. Two-thirds of the water used in an average home is used in the bathroom, mostly for flushing toilets and for showers and baths. Much of this water may be going into the sewer system needlessly.
2. TOILETS
Every time a toilet is flushed, about seven gallons of water goes into the sewer. Toilets should not be used as a trash can to flush away tissues, gum wrappers, cigarettes, diapers or anything else that ought to go in a waste basket or garbage can. Toilets should be checked for leaks at the overflow pipe and plunger ball.
3. SHOWERS/BATHS
Most showers pour out between five and ten gallons per minute. A partially filled tub uses far less water than a long shower, while a short shower uses less than a full tub.
4. SHAVING/TOOTHBRUSHING
Don't leave the water running. Run as much as you need, then turn off the tap until you need some more.
5. KITCHEN
Automatic dishwashers claim the most water in kitchens, about 15 gallons per run. Fully loaded washers use the same amount of water as partially loaded dishwashers. Don't let water run in sink. Wasted water goes into the sewer system needlessly.
6. DRINKING WATER
Don't run water endlessly for a cold drink; store jug of ice water in container in the refrigerator.
7. LAUNDRY
Many washing machines use 40 or more gallons of water per load whether stuffed full or half empty. Save up for a full load. As with the dishwasher, you can save energy, electricity and sewer user fees.
8. LEAKS/METERS
Most leaks, aside from toilets, are in faucets and are usually caused by worn washers. If your faucet leaks, turn off the supply line, take the faucet apart and replace the washer.
Your water meter can tell whether you have sizable leaks, as well as how much water various appliances are using. For leak detection, turn off all water in the house and check meter reading. After 30 minutes, re-check the meter reading. If it hasn't moved, you have a water-tight home. Otherwise start looking for leaks at sinks, toilets and appliances.
9. LANDSCAPING
The basic principle of lawn and garden watering is not to give them more than you need. Water when the grass or plants show signs of needing it. Avoid watering on windy or sunny days. Let water sink in slowly. Lots of water applied fast mostly runs into gutters.
10. OUTDOOR CAR WASHING
Remember that when you leave the sprinkler running all day or leave the hose unattended, thousands of gallons can be lost.
When washing the car, use a bucket for soapy water and use the hose only for rinsing. Running water in the driveway won't get the car any cleaner.
Hoses should have automatic shut-offs.
11. RESTAURANTS
Serve drinking water only on request. This practice will also save water, soap, and energy required for cleaning.

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Dry Mouth: Causes & Cures

Dry mouth is a common ailment in the aged and is a side effect of hundreds of medicines. Dry mouth occurs when saliva secretion is diminished, either temporarily or permanently. The mouth may feel parched with a burning sensation.

Dry mouth is found in 40 percent of those over age 65. Health problems such as anemia, dehydration, diabetes, and fever can cause dry mouth. Nasal congestion, stress, and smoking may also dry out the mouth. Antihistamines, decongestants, appetite suppressants, and certain medicines for heart arrhythmias, depression, and hypertension contribute to dry mouth. Many people with rheumatoid arthritis and disorders of the salivary glands may experience permanent dry mouth.

Temporary relief from dry mouth may be obtained from sipping water or sucking on ice chips, lozenges, hard sugarless candy, or chewing sugarless gum. But saliva substitute products have therapeutic advantages over home remedies. These substitutes are similar to natural saliva and last longer than other remedies. If dry mouth is a side effect of medicines, the dosage sometimes can be decreased or a different medicine prescribed. And always follow your dentist's advice for effective oral hygiene.

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1613 CAMBRIDGE STREET, CAMBRIDGE
Open 7 Days a Week for Your Health Protection
354-5600

Poet's house to mark Longfellow birthday

The public is invited to join descendants of Henry Wadsworth Longfellow in honoring the 182nd anniversary of the poet's birth with a special wreath-laying ceremony at the Longfellow family burial plot in historic Mt. Auburn Cemetery.

The ceremony will take place on Monday, February 27 at 12 noon. All interested participants should meet in front of the Mt. Auburn Administration Building near the entrance on Mt. Auburn street. The brief ceremony will be held rain or shine.

This marks the second year in which the National Park Service staff of the Longfellow National Historic Site in Cambridge has paid homage to the poet's birth, and the Park Service hopes to make the family walk and wreath-laying an annual tradition.

Henry Wadsworth Longfellow resided in the large yellow house at 105 Brattle Street from 1837 until his death in 1882. In 1973, the National Park Service acquired the historic residence from the Longfellow family and since then has been entrusted with the preservation of the structure and its original furnishings along with interpreting Longfellow's life and work to the visiting public.

Several programs in honor of the 182nd anniversary of Henry Wadsworth Longfellow's birthday will be offered by the National Park Service on Sunday, February 26 and Monday, February 27, 1989. The following is a schedule and description of the celebration events.

Sunday, February 26
Curatorial Tour of the Longfellow Archives: The Site Curator will conduct a 45-minute tour of the Longfellow archives which include family artifacts, paper, silver, jewelry and other heirlooms rarely viewed by the public. The tour's emphasis will be on the National Park Service's work in the restoration, preservation, and protection of these priceless objects. Tours will be offered at 11 am and 2 pm for groups of up to eight individuals by reservation only. Admission is free, but call to reserve your space. (876-4491)

Book Signing and Reception: The Longfellow National Historic Site is pleased to host Alison R. Ridley and Curtis F. Garfield, authors of the newly published book "As Ancient is This Hostelry: The Story of The Wayside Inn." Made famous in Longfellow's "Tales," the Wayside Inn in Sudbury, Mass. continues to be a notable New England landmark. A reception in which the public may chat with the authors will be held from 1:00 to 3:00 pm in the Longfellow House Visitor Center, located at 105 Brattle Street. Copies of the publication will be available for sale, and refreshments will be served.

The Gloucester Hornpipe & Clog Society: This internationally traveled singing group will perform a program of American and European folk music. Based on a custom-made repertoire entitled "Longfellow and Folk Music," the group will explore through music elements of Longfellow's life and poetry. The program will be offered at the Friends Meeting House, 5 Longfellow Park, Cambridge from 5 to 6:30 pm. Free admission.

Monday, February 27
Memorial Service and Wreath Laying: Join with Longfellow descendants and staff members of the Longfellow National Historic Site for a short memorial service and the second annual wreath laying at the Longfellow family gravesite at Mt. Auburn Cemetery. The public is invited. Meet at Cemetery Administration Building near the entrance on Mt. Auburn Street at 12 noon.

Tours of the Longfellow House for anniversary celebration: Regular 30-minute tours will be offered from 10 am to 4:30 pm. Tours will include sections of the house not normally open to the public. In honor of the occasion, admission to the site will be free of charge on February 26 and February 27.

For more information about these special events and ongoing programs at the Longfellow National Historic Site, contact the Visitor Services Office at 617-876-4491.

Parents urged to meet babysitter course grads

Parents in search of reliable babysitters are invited to attend the Cambridge Public Library Main Library Children's Room Meet the Babysitters reception. The reception on Thursday, February 23, at 7 pm, will allow parents to meet children who have completed the library's babysitter training course.

During the course children learned about safety from police and firefighters, first aid from a staff member of the American Red Cross, child development, and ways to entertain and amuse children of all ages.

The reception will include a ceremony where the babysitters will be awarded certificates for completing the course. Following this ceremony refreshments will be served and parents will be able to meet and talk with babysitters.

For more information about the program call the Cambridge Public Library Main Library Children's Room, 498-9080.

Jubilee Mass is planned

On Saturday, February 25 at 5 pm, there will be a Mass of celebration to mark the 50th Anniversary of the St. Francis Fraternity of the Secular Franciscan Order (Third Order of St. Francis) in St. Francis of Assisi Church, Cambridge and Sciarappa streets.

A buffet in the church hall will follow. Friends, parishioners, all those interested in the Secular Franciscans are invited.

Peabody has enrichment course openings

Peabody Community School's children's Enrichment Courses are already underway, but there is one opening in recorder on Thursdays, a few openings in drama on Tuesdays at 3:45 for 8-12 year olds and on Wednesdays at 2:45 for 5-7 year olds.

Call Mary Ellen Ryan at 498-9065 after 2:30 pm to register or for more information.

CAMBRIDGE HOUSING AUTHORITY
OFFICE OF PHYSICAL PLANNING AND CONSTRUCTION
INVITATION TO REBID
GENERAL CONTRACTORS ONLY
Jefferson Park Clinic/Day Care Facility 884-1, New Construction

The Cambridge Housing Authority, Cambridge, Massachusetts (the Owner) will receive sealed bids for: **Cambridge 884-1** in accordance with documents prepared by Comunitas, Inc. Estimated cost of this project is **$1,000,000.** The category for which the General Bidder must be DCPO-certified is General Construction.

General Bids will be accepted from bidders **only when accompanied by a Certificate of Eligibility and an Update Statement** (DCPO Forms CO7 and CO3).

Plans and Specifications will be available on February 22, 1989 after 2:00 PM at the Office of Physical Planning and Construction, Cambridge Housing Authority, 2nd Floor, 485 Massachusetts Avenue, Cambridge, Massachusetts. Bidders may obtain Plans and Specifications weekdays, between the hours of 9:00 AM and 5:00 PM by depositing $50 per set. This fee shall be refundable upon the return of the documents in usable condition within thirty (30) days of the General Bid Opening, after which all deposits become the property of the Cambridge Housing Authority. Contract Documents will not be mailed; they may be examined at the plan room of Dodge Construction Reports, Prudential Tower, Suite 320, 800 Boylston Street, Boston, Massachusetts.

Site Inspection will be held as follows: March 1, 1989, 10:00 AM

Interested parties will meet at Jefferson Park Manager's Office, Rindge Avenue, Cambridge.

Filed Sub Bid Sections for this Work: Painting, Plumbing, HVAC, Electrical, Masonry, Roofing

Sub Bids have been filed and accepted. All prices will be retained and are available to General Contractors upon pick-up of plans and specifications.

General Bids shall be submitted with DCPO Forms CO7 and CO3 no later than 2:00 PM on March 8, 1989, and shall be received at the above address of the Office of Physical Planning and Construction.

General Bidders must agree to contract with minority and women-owned businesses as certified by the State Office of Minority and Women Business Assistance (SOMWBA). The amount of participation reserved for such enterprises shall not be less than seventeen percent (17%) of the final contract price of which the MBE set aside is 12% and WBE set aside is 5% including accepted alternates.

All Bidders Please Note: Equal employment opportunity guidelines regarding minorities and females shall be strictly enforced on this project. Please refer to Labor Regulations of the general requirements.

(C)Feb.23

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 88D1824D-1
ORDER FOR SERVICE BY PUBLICATION
Solange Saint Jean Petit Frere, Plaintiff
vs.
Eddy Petit Frere, Defendant

Upon motion of plaintiff for an order directing Eddy Petit Frere, the defendant herein, to appear, plead or answer, in accordance with Mass.R.Civ.P./Mass.R.Dom.Rel.P.Rule 4, it appearing to the Court that this is an action to dissolve the bonds of matrimony — that the said Eddy Petit Frere cannot be found within the Commonwealth and that her present whereabouts are unknown, that personal service on said defendant is therefore not practicable, and that said defendant has not voluntarily appeared in this action, it is

Ordered that said Eddy Petit Frere is directed to appear, plead, answer or otherwise move with respect to the complaint herein on or before the tenth day of April, 1989, or in default thereon this Court will proceed to the hearing and adjudication of this suit.

Paul J. Cavanaugh
Justice of the Probate and Family Court

(C)Feb.16,23,March 2

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No.89P0560A
ADMINISTRATION WITHOUT SURETIES
Estate of **Genesta M. Pelletier**
also known as **Genesta Marie Pelletier**
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that **Albert E. Pelletier** of Cambridge in the County of Middlesex be appointed administrator of said estate without giving surety on his bond.

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

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

Paul J. Cavanaugh
Register of Probate Court

(C)Feb.23

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Austin J. Jordan** to the **Home Savings Bank FSB** dated January 13, 1984, and recorded with the Middlesex South Registry of Deeds at Book 15405, Page 053, of which mortgage the undersigned is the assignee and present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 o'clock, A.M. on the 23rd day of March, A.D., 1989, on premises hereafter described all and singular the premises described in said mortgage. To wit:

A certain parcel of land with the buildings thereon now known as and numbered 7-9 Walnut Street, situated in Belmont, Middlesex County, Massachusetts, being Lot 57B on a plan by Joseph W. Kales, dated April 1941, recorded with Middlesex South District Registry of Deeds at the end of Book 6488, bounded and described as follows:

Southeasterly by Walnut Street, Seventy-three and 12/100 (73.12) feet;

Southwesterly by Lot 58 on plan recorded with said Middlesex South District Registry of Deeds in Plan Book 190, Plan 6, Thirty-eight (38) feet;

Northwesterly by Lot 56 on above-mentioned plan, Seventy-three and 12/100 (73.12) feet;

Northeasterly by Lot 57A on first mentioned plan, Thirty-eight (38) feet.

Containing according to said plan 2,779 square feet of land.

Together with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water, water rights, and water stock and all fixtures now or hereafter attached to the property, all of which, including replacements and additions thereto, shall be deemed to be and remain a part of the property covered by this Mortgage; and all of the foregoing, together with said property (or the leasehold estate if this Mortgage is on a leasehold) are herein referred to as the "Property."

Terms of Sale:

Said premises will be sold subject to any and all unpaid taxes and assessments, tax sales, tax titles and other municipal liens and water liens, if any there are, and **Five Thousand ($5,000.00) Dollars** in cash, treasurer's check or certified check will be required to be paid by the purchaser at the time and place of sale as a non-refundable deposit and the balance will be due in thirty (30) days.

Dated: February 9, 1989
The Boston Five Cents Savings Bank FSB
Present holder of said mortgage
By: Ann Daly, Vice President and
Assistant Treasurer
Harrison & Maguire, P.C.
24 School Street
Boston, Massachusetts 02108
617-742-3810

(C)Feb.23,Mar.2,9

CAMBRIDGE HOUSING AUTHORITY
OFFICE OF PHYSICAL PLANNING AND CONSTRUCTION
INVITATION TO BID
Compactor Replacement (667-1)

The Cambridge Housing Authority, Cambridge, Massachusetts (the Owner) will receive sealed bids for: compactor replacement at **Manning Apartments** in accordance with documents prepared by Hresko Yost Associates. Estimated cost of this project is $25,000. The category for which the General Bidder must be DCPO-certified is General Contractor.

Plans and Specifications will be available on February 22, after 10:00 AM at the Office of Physical Planning and Construction, Cambridge Housing Authority, 2nd Floor, 485 Massachusetts Avenue, Cambridge, Massachusetts. Bidders may obtain Plans and Specifications weekdays, between the hours of 9:00 AM and 5:00 PM by depositing $10.00 per set. This fee shall be refundable upon the return of the documents in usable condition within thirty (30) days of the General Bid Opening, after which all deposits become the property of the Cambridge Housing Authority. Contract Documents will not be mailed; they may be examined at the plan room of Dodge Construction Reports, Prudential Tower, Suite 320, 800 Boylston Street, Boston, Massachusetts.

Site Inspection will be held as follows: 10:00 AM, Wednesday, March 1, 1989.

Interested parties will meet at: Manning Apartments, 237 Franklin Street, Cambridge, MA.

There are No Filed Sub Bid Sections for this Work.

General Bids shall be submitted no later than 10:00 AM on Wednesday, March 8, 1989, and shall be received at the above address of the Office of Physical Planning and Construction.

Every General Bid shall be accompanied by a Bid Deposit payable to the CHA in the form of cash, certified check, bid bond, or treasurer's or cashier's check issued by a responsible bank or trust company, in the amount of 5% of the bid. Bids are subject to the provisions of M.G.L., Chapter 30, Section 39M, and Chapter 149, Section 44A to H inclusive.

All bidders please note: Equal Employment Opportunity guidelines regarding minorities and females shall be strictly enforced on this project. Please refer to Labor Regulations of the General Requirements.

(C)Feb.23

REQUEST FOR PROPOSALS

Employment Resources, Inc. (ERI) will be receiving federal and state funding for education, employment and training programs during Fiscal Year 1990. The agency is seeking proposals from interested parties to provide training and/or educational services to unemployed residents of the following cities and towns: Arlington, Belmont, Burlington, Cambridge, Chelsea, Everett, Malden, Medford, Melrose, North Reading, Reading, Revere, Somerville, Stoneham, Wakefield, Watertown, Wilmington, Winchester, Winthrop, Woburn. Private profit or non-profit firms and public organizations are encouraged to apply. Deadline for submission of proposals is April 4, 1989. To obtain specifications package, or for more information, contact Liz Sweeney, Marlene Resnick or Linda Bass at 494-1154 or c/o ERI, 432 Columbia Street, Cambridge, MA 02141. A bidders conference will be held at ERI on March 1, 1989 at 9:30 A.M.

(C)Feb.23

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
SALE OF REAL ESTATE
GUARDIAN INVESTMENT
Middlesex Division Docket No. 525592
NOTICE

To all persons interested in the estate of **Mary F. Melanson** of Cambridge in said County of Middlesex, mentally ill person. A petition has been presented to said Court praying for license to sell - at private sale - public auction - certain real estate of said Mary F. Melanson.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on March 13, 1989.

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

Paul J. Cavanaugh
Register of Probate

(C)Feb.23

BURSTER/IMPRINTER

Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Superior Court House, 40 Thorndike St., East Cambridge, MA until 2:00 PM Tuesday, March 14, 1989. Proposals will be opened for Burster/Imprinter for Middlesex County Treasurer's Office, Cambridge, MA at 3:30 PM Tuesday, March 14, 1989 at the Leonard J. Russell Hearing Room, 40 Thorndike St., Level 3, East Cambridge, MA. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any informalities they may deem in the best interest of Middlesex County, or accept any bid or part thereof they may deem in the best interest of Middlesex County. Specifications may be obtained at the Central Purchasing Office, 3rd floor, Superior Court House, 40 Thorndike St., E. Cambridge, MA (494-4106).

Middlesex County Commissioners Office
Carole Kelley, Purchasing Agent

(C)Feb.23

COMPUTER SUPPLIES & ACCESSORIES

Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Superior Court House, 40 Thorndike St., East Cambridge, MA until 2:00 PM Tuesday, March 14, 1989. Proposals will be opened for Computer Supplies & Accessories for Middlesex County Commissioners Dept., Cambridge, MA at 3:30 PM Thursday, March 14, 1989 at the Leonard J. Russell Hearing Room, 40 Thorndike St., Level 3, East Cambridge, MA. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any informalities they may deem in the best interest of Middlesex County, or accept any bid or part thereof they may deem in the best interest of Middlesex County. Specifications may be obtained at the Central Purchasing Office, 3rd floor, Superior Court House, 40 Thorndike St., E. Cambridge, MA (494-4106).

Middlesex County Commissioners Office
Carole Kelley, Purchasing Agent

(C)Feb.23

Half Crown Neighborhood Conservation District Commission

A public hearing will be held on Tuesday, March 14 at 4:00 PM in the third floor Conference Room, City Hall Annex, 57 Inman Street, to consider the following application for a Certificate of Appropriateness:

Case 28: 8 Gerry Street. Construct dormers on the north and south roof planes. By Michiko and Donald Hisaka.

Anna Strobel
Chairman

(C)Feb.23;Mar.2

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 880 4725 D-1
Summons by Publication
Rosemary Theresa Roberts, Plaintiff
vs.
George B. H. Roberts, Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, **Rosemary Theresa Roberts,** seeking divorce.

You are required to serve upon Alan Neal Kaplan Plaintiff's attorney, whose address is One Kendall Square, Suite 2200, Cambridge, MA 02139 your answer on or before May 8, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
January 24, 1989

Paul J. Cavanaugh
Register of Probate

(C)Feb.16,23,March 2

CAMBRIDGE LICENSE COMMISSION
NOTICE

The office of the Cambridge License Commission will be open for emergency business only on February 23 and February 24, 1989, at Cambridge City Hall, 795 Massachusetts Avenue.

Said office will reopen on February 27, 1989 at **The Michael J. Lombardi Municipal Building,** 831 Massachusetts Avenue, First Floor. The new telephone number of said office at 831 Massachusetts Avenue is 499-6140.

James T. McDavitt
License Commission Chairman

(C)Feb.23

CITY OF CAMBRIDGE
DEPARTMENT OF TRAFFIC & PARKING

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation.

REGULATION No. 86-29

Regulation No. 86-1 Schedule 9 "Stopping, Standing or Parking Prohibited During Certain Hours On Certain Sides Of Certain Streets" is hereby amended by adding the following:

Upton Street, south side, 30'W of Magazine Street to Magazine Street, 8AM-10AM and 2PM-4PM, Except Sat. & Sun.

Upton Street, north side, 30'W of Magazine Street to Magazine Street, 8AM-10AM and 2PM-4PM, Except Sat. & Sun.

Pleasant Street, west side, 8'S of east curb line extension of Pleasant Street to 46'N of east curb line extension of Pleasant Street, 8AM-10AM and 2-4PM. Except Sat. & Sun.

This regulation shall take effect 3 March 1989.

George Teso
Traffic Director

(C)Feb.23;Mar.2,9

AMENDED ORDINANCE NO. 1078
Final Publication No. 2428.
First Publication in the Chronicle on Feburary 9, 1989
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Eighty-Nine
AN ORDINANCE

In amendment to an ordinance 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 13-17b.

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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy
City Manager.
Joseph E. Connarton
City Clerk

ATTEST:-

(C)Feb.23

AMENDED ORDINANCE NO. 1077
FINAL PUBLICATION NO. 2427.
FIRST PUBLICATION IN THE CHRONICLE ON JANUARY 26, 1989
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.**

Nothing in this section shall prevent a property owner from repair and/or replacing a chimney or television antenna.

5.23

AMENDED ORDINANCE NO. 1078.

Final Publication No. 2428. First publication in the Chronicle on February 9, 1989.

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 13-17b. 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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

AMENDED ORDINANCE NO. 1078.

Final Publication No. 2428. First publication in the Chronicle on February 9, 1989.

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 13-17b. 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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

AMENDED ORDINANCE NO. 1078.
Final Publication No. 2428. First publication in the Chronicle on February 9, 1989.

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 13-17b. 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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba added to the list.

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(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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

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.

ORDINANCE NO. 1077

Final Publication No. 2427. First publication in the Chronicle on January 26, 1989.

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, (H_1, H_2, etc.) times the length of each roof level (L_1, L_2, etc.) and dividing the sum by the sum of the length of the levels (L_1, L_2, 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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

ORDINANCE NO. 1078.

Final Publication No. 2428. First publication in the Chronicle on February 9, 1989.

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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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;

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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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

FIRST PUBLICATION NO. 2429.

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 distinquished 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

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.

C. C. 108

City of Cambridge

MASSACHUSETTS

Replica Firearms In City Council Feb. 6 1989

C. Duehay Unfinished Bus. #1

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Alfred E. Vellucci	✓			
	9	0	0	

Passed to be ordained

ORDINANCE NO. 1078.

Final Publication No. 2428. First publication in the Chronicle on February 9, 1989.

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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

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(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 yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

ORDINANCE NO. 1078.

Final Publication No. 2428. First publication in the Chronicle on February 9, 1989.

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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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.

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Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk

In City Council January 23, 1989

The Committee on Ordinances conducted a public hearing on Wednesday, January 11, 1989 beginning at 8:14 p. m. in the Sullivan Chamber, City Hall.

The purpose of the hearing was to review the proposed amendment to the General Ordinances in Chapter Thirteen relative to the regulation for sale and marketing of replica firearms.

At this time Councillor Duehay stated that he has had a long time concern regarding the sale of replica firearms in the city and consequently sponsored trhe motion calling for the City Solicitor to draft an amendment to the General Ordinances regulating the sale and marketing of firearms. He further stated that he believes this regulation is needed due to the fact that replica firearms are perceived as weapons and present a threat to public safety. He urged the members of the committee to support this amendment.

At this time the Chair requested anyone else to come forward to speak in favor the the petition.

No one appeared.

The Chair requested those in opposition to come forward.

No one appeared in opposition.

At this time Councillor Russell moved to refer the petition to the full City Council with a favorable recommendation.

The motion - Carried.

The hearing was adjourned at 8:15 p.m.

For the Committee,

Councillor William H. Walsh,
Chairman.

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Area clinic targets one form of dyslexia

By COLLES STOWELL

He was fatigued from the eight-hour trip the day before. But the journey could have been over a greater distance and he still would have come to the Irlen Clinic in Kendall Square.

Throughout his childhood, Don Khoury, 17, of Fredericton, New Brunswick, Canada, had to confront the often overwhelming and discouraging comments of his teachers, fellow students and educational specialists. They all thought the reason he could not coherently read out loud in class was because of lack of application or that he was lazy. It was difficult for Khoury not to believe them.

But at 9:30 on a recent Friday morning, Don Khoury put on his violet-tinted glasses and began to read an article from "Newsweek" out loud. He didn't miss a beat.

Khoury is one of many people who suffer from "Scotopic Sensitivity Syndrome," or "SSS," a form of dyslexia involving a reading disorder and considered a learning disability. "SSS" is a special category of dyslexia and those who are afflicted with it have difficulties with the appearance of a printed page in front of them. Only a few years ago, people with dyslexia were pretty much on their own. Often thought to be less intelligent than others, they were left to struggle to overcome the condition which made reading very difficult. More recently, however, educational specialists have learned to diagnose the reading disorder and have also learned it has nothing whatsoever to do with intelligence.

As for "SSS" itself. Helen Irlen, a California psychologist, has found what she and many others believe is an answer to help those affected read normally be altering their perception of printed words.

"Maybe the appearance of the page seemed to be such an obvious factor that no one bothered to really ask those people how they saw the entire page," says Irlen. "When I first started asking this, I found that several of the patients were complaining that the print was unstable, and quite often that the brightness of the white page was distorting the black print."

In 1983, Helen Irlen submitted a report to the American Psychological Association documenting how she isolated this condition as one form of dyslexia. Her report detailed symptoms such as abnormal sensitivity to light, eye strain, poor focusing ability and problems with depth perception. Irlen also described how she found that by having the patient view the printed page through colored lenses or colored overlays, they could in fact read clearly.

Sarah Brill, an educational therapist and diagnotician at the Irlen Clinic in Kendall Square, says the problem lies in how the retina receives light or the intensity of light. It is the eyes' sensitivity to light that causes the perceptual distortions, and consequently makes reading very tedious, if not impossible.

Irlen reasoned that tinted eyeglass lenses could regulate the wavelength of light that reaches the retina, thereby eliminating the distortion. In effect, reading becomes easier for people afflicted with "SSS" since less energy is expended trying to focus.

There are about 150 different lens color combinations available that are individually prescribed through a two-hour process.

"While one person may read better with a yellow tint, Don reads best with the violet lenses," says Georgianna Saba, educational therapist and director of the clinic in Kendall Square.

About 15 percent of the general population in the U.S. has Scotopic Sensitivity Syndrome. Nearly 40 percent of those considered learning disabled have SSS. According to Saba, the typical patient has an average or an above average intelligence, but is frustrated by a learning disability.

"The damage to the self esteem because one is unable to perform on a par with one's peers can be severe," she says.

Don recalls his personal experiences with SSS: "It was embarrassing in grade school because I could only concentrate on reading for one to five minutes."

Saba says the average concentration span ranges from 15 to 20 minutes.

"I found it easier to read in the dark but my parents used to come in and turn the light on claiming that it was bad for my eyes to read with the lights so dim," Khoury says. Saba reinforces his comment by saying that the intensity of flourescent lights often creates problems for those who have SSS.

"I took every intelligence test in the book," Khoury recalls, "all of which proved that I had the mental capacity. All of my teachers and doctors thought that I must not have been applying myself."

Don's mother, Clara, also felt at first that he was stubborn, that he just did not want to read.

"We took him to an ophthalmologist who told us that he has 20-20 vision," she says.

(The clinic insists that all patients undergo a complete eye exam before being tested for SSS to ensure that the problem is not a result of imperfect vision.)

While in the fifth grade, Don was taken to a learning center where he was found to have a superior I.Q., but there wasn't enough evidence to classify him as learning disabled.

"Then we began to believe that it was no longer an attitude problem," says Clara Khoury.

Last spring Don saw an edition of "60 Minutes" involving a story on Helen Irlen's discoveries.

"At first I was a bit skeptical, but as soon as I looked through an overlay at some print, I could tell that I had the same problem," he says. "I had my glasses in three weeks, and my grades have improved ever since."

Mrs. Khoury adds that they were very thankful to find out what the problem was "because you can't deal with a problem if you don't know what it is."

Helen Irlen believes "SSS" is one of the major factors contributing to the large numbers of learning disabled today.

"When people suffering from SSS are told by experts that they are either lazy or they are dyslexic, they tend to feel helpless to try to correct the problem," she says. Their frustration intensifies and they begin to believe the experts, when in fact, there may be a possible solution.

Saba says another problem arises when people don't know of the clinic's existence.

"Although we see people from quite a large state-wide network, there are only a few from the Cambridge and Somerville area." The clinic in Kendall Square also offers frequent seminars to qualified educators, counselors and psychologists.

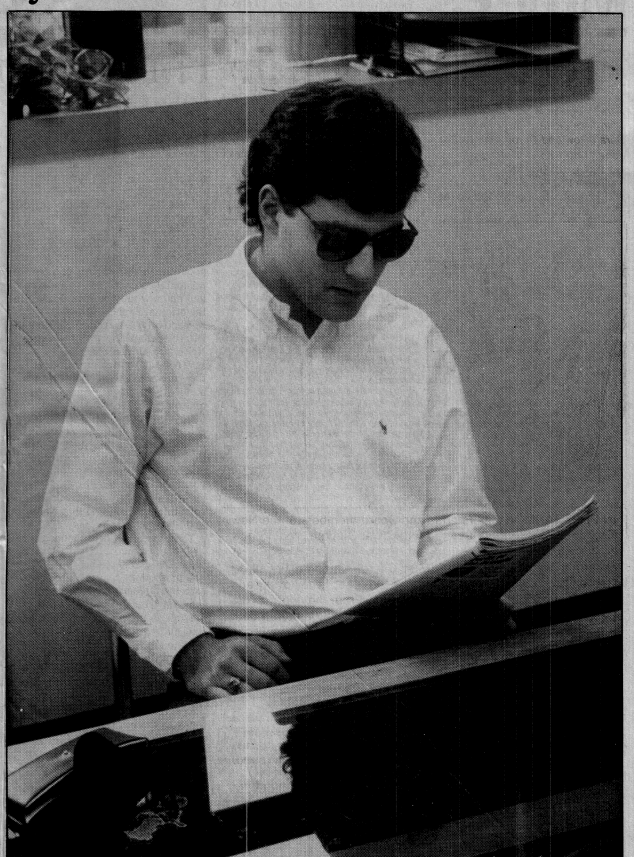
Helen Irlen claims her 35 worldwide clinics, some of which are in Hong Kong, Australia and Ireland, have experienced roughly a 95 percent success rate.

According to Irlen, there are still several unanswered questions about Scotopic Sensitivity Syndrome. Sarah Brill agrees: "That the tinted lenses work is fact; the reason that they work is still theory." The specific cause of "SSS" also remains a mystery.

Irlen says in order for the general public to effectively confront "SSS," individuals suffering from the documented symptoms will have to identify themselves as potential victims of this dysfunction. Most people think it's worth the cost of the office visit to possibly eliminate the anxieties of a learning disability. Ask Don Khoury, who is now the captain of his high school football team and an "A" student.

***

For information about the Irlen Clinic, call 621-0830.



CLIENT Don Khoury has found that reading through specially tinted lenses is a whole lot easier because of a particular form of dyslexia called 'SSS' which is the specialty of the Irlen Clinic at One Kendall Square. At the right is Clinic Director Georgianna Saba. (Photo by Colles Stowell)

Research works.
American Heart Association

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Sun. FEB. 19 ..... 12NOON ..... 3:30PM 7:30PM
Mon. FEB. 20 ..... 1:00PM 5:00PM
Wed. FEB. 22 ..... 12NOON ..... 3:30PM 7:30PM
Thu. FEB. 23 ..... 1:00PM 7:30PM
Fri. FEB. 24 ..... 1:00PM 7:30PM
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Tuesday, Jan. 31, 7:30 p.m.
Briggs Athletic Center at Soldiers Field, Cambridge
Bring the whole family and join the Crimson family. Come watch Harvard (2-1) and Dartmouth (3-0) fight it out for first place in the Ivy League!
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Respite care available

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Storer, Damon & Lund Insurance
SDL
Insurance Highlights
by John H. Dyer
BETTER THAN AN IRA
Tax reform has altered the way that many working people view Individual Retirement Accounts (IRA's). IRA contributions are no longer necessarily tax deductible. This has given former contributors reason to search out other investment vehicles. One such product is the deferred annuity. While contributions to a deferred annuity are not tax deductible, either, there is no limit placed on the size of the contribution a person can make. IRA contributions are limited. Also, like an IRA, earnings from a deferred annuity are able to accumulate on a tax-deferred basis. Because that income is not taxed until it is withdrawn, the new variable annuity can replace investments which used to benefit from long-term capital gains status. Otherwise, long-term gains are now taxed as ordinary income.
The medium of insurance offers many benefits including planning for one's future financial needs. The professional staff at STORER, DAMON & LUND INSURANCE, 30 Brattle St., Cambridge, will be happy to analyze your current position as well as your future needs and outline the insurance program that will help you achieve those goals. Tel. 864-4850. Open 8:30-4:30 Mon.-Thurs.; 8:30-4 Fri. and by appointment. "Professionals Who Care About You."
HINT: Annuities can guarantee regular income payments for life.

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. Probate Court
No. 88D-4506-D1
Summons by Publication
Harcourt Phillips Plaintiff
vs.
Joann Pringle Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Harcourt Phillips, seeking to dissolve the bonds of matrimony.

You are required to serve upon Harvey Alford, Esquire, plaintiff's attorney, whose address is 600 Pleasant St., Watertown, MA 02172 your answer on or before March 27, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
December 19, 1988

Paul J. Cavanaugh
Register of Probate

(C)Jan.12,19,26

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Plymouth Division Docket No. 84D0665-D2
Summons By Publication
Joan Foote Plaintiff
vs.
James Foote Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, James Foote, seeking to dissolve the bonds of matrimony.

You are required to serve upon Leonard Ullian, Esq. plaintiff's attorney, whose address is 220 Forbes Road, Suite 106, Braintree, MA 02184 your answer on or before March 16, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court.

Witness, James R. Lawton, Esquire, First Justice of said Court at Plymouth.
December 21, 1988

John J. Daly
Register of Probate

(C)Jan.12,19,26

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
SALE OF REAL ESTATE
EXECUTOR
Middlesex Division Docket No. 88P1253E
Estate of **Edith Sloan Griscom**
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that for license to sell at private sale - certain real estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on February 17, 1989.

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

Paul J. Cavanaugh
Register of Probate

(C)Jan.26

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 552247
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Suzanne van Amerongen** (late) of Cambridge, in said County, deceased:

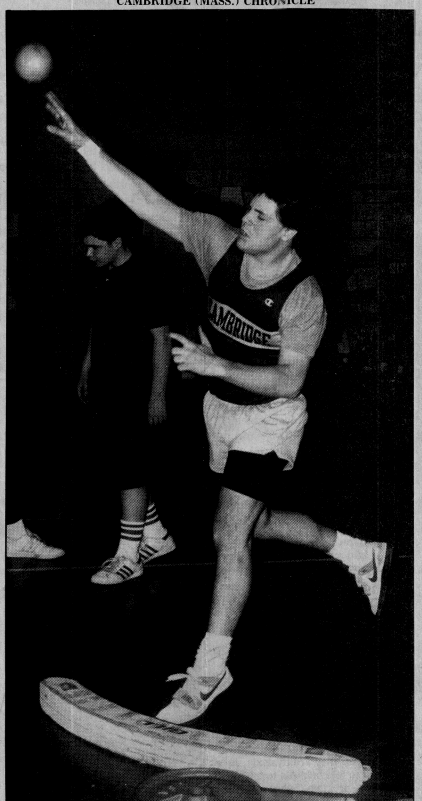
You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the First and Final account of **Cambridge Trust Company** and **Evoeleen N. Rexford,** as Executors (the fiduciaries) of the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 17th day of February, 1989, the return day of this citation. You may upon written request by registered or certified mail to the fiduciaries, or to the attorney for the fiduciaries, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciaries pursuant to Mass. R.Civ.P. Rule 5.

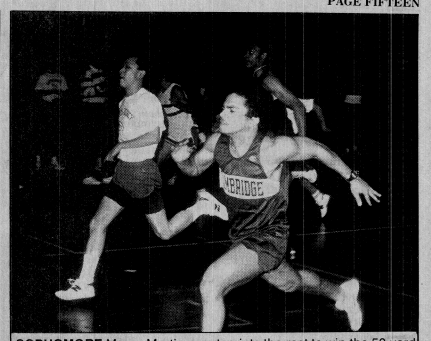
Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 17th day of January, 1989.

Paul J. Cavanaugh
Register

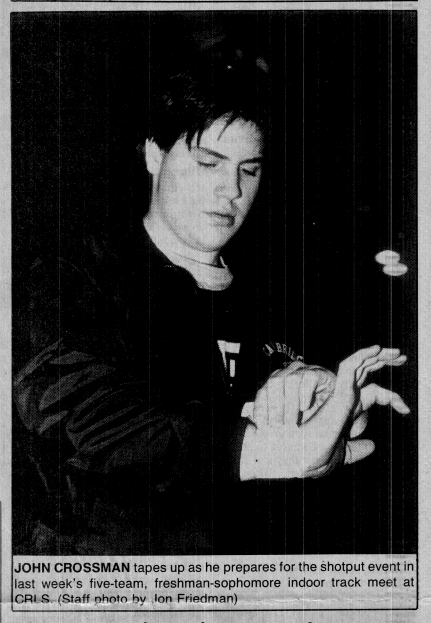
(C)Jan.26



SHOTPUTTER John Crossman outshot the rest with his 39-foot throw in the CRLS freshman-sophomore meet against Newton North, North Quincy, Don Bosco and Brockton last week. (Staff photo by Jon Friedman)



SOPHOMORE Marco Martinez outsprints the rest to win the 50-yard dash in the CRLS freshman-sophomore indoor track meet against four other teams last week. (Staff photos by Jon Friedman)



JOHN CROSSMAN tapes up as he prepares for the shotput event in last week's five-team, freshman-sophomore indoor track meet at CRLS. (Staff photo by Jon Friedman)

FIRST PUBLICATION NO. 2425.
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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk.

(C)Jan.26

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
Middlesex Division Docket No. 88P5587GI
Notice of
Guardianship - Mentally Ill with Sureties
NOTICE

To **Joseph Souza** of Cambridge in said County Middlesex and his heirs apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Joseph Souza is a mentally ill person and praying that **Eileen Mank** of Medford in the County of Middlesex or some other suitable person be appointed his guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before February 3, 1989.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirteenth of January, in the year of our Lord one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
Register of Probate

(C) Jan.26

FIRST PUBLICATION NO. 2424.
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.

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.

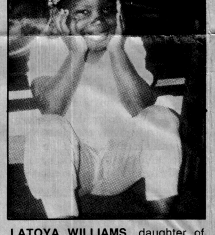
(2) Where a building consists of various roof levels an average height, or "H", may be used in the required yard formula. Average height is determined by adding the products of the height of each roof level facing the given lot line, (H1, H2, etc) times the length of each roof level (L1, L2, etc.) and dividing the sum by the sum of the length of the levels (L1, L2, etc.) (see formula below)

$$\text{Average Height} = \frac{(H_1 \times L_1) + (H_2 \times L_2)}{L_1 + L_2}$$

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk

(C)Jan.26





LATOYA WILLIAMS, daughter of Cheryl and Lester Williams of Cambridge, has completed the professional modeling course in the preteen modeling and TV workshop program at the Barbizon School of Modeling in Boston. A Morse School student, she is involved in the Brownies and the Morse after school program. Her father works for Polaroid and her mother for the MBTA. She graduated from the program Tuesday.

JENNIFER JOYNT, granddaughter of Mr. and Mrs. Almond Goduti of Reservoir street, and a resident of Nantucket, was among 500 high school students from across the nation who were in Washington last week as part of the Congressional Youth Leadership Council's youth inaugural conference. She is the daughter of Jim and Jane Joynt.

Literacy project plans open house

From 6 to 8 pm, February 2, the Cambridge Public Library Literacy Project, located at the Central Square Branch Library, 45 Pearl St., will have an open house during which a video about the project will be shown for the first time.

The Cambridge Public Library Literacy Project has been in existence for two years. Initially funded by state and federal grants, and begun with the technical assistance of the Community Learning Center in Cambridge, the Project became Library-supported on October 1, 1988. Along with its location in the library, the project offers many other unique features.

Adults receive classroom instruction with a trained literacy teacher as well as one to one tutoring with volunteers. The project emphasizes both reading and writing in its classes and offers computer-assisted instruction in phonics, spelling, writing, and typing. The literacy classroom contains an extensive collection of workbooks, story books, and non-fiction specifically geared toward the adult new reader.

The video was developed through a grant from the Mass Board of Library Commissioners and will be of interest both to organizations considering starting a literacy program and to individuals who are interested in seeking literacy instruction or who may want to volunteer. The video will be shown throughout the evening and the literacy teacher will be present to answer any questions. Refreshments will be served. For more information, call Meghan McLaughlin at 498-9081.

Concert boosts refugee rights

Por la Paz gives a concert to benefit the Moakley-DeConcini Refugee Bill Project. Featured guest will be Congressman John Joseph Moakley. Sunday, February 12, 4 pm at the Old Cambridge Baptist Church, 1151 Mass Ave., Cambridge.

Por la Paz (For Peace) is composer/guitarist/actor Jeffry Steele and keyboardist Julia Bady. Having each distinguished themselves in the Boston area as freelance classical musicians, they formed the duo to develop a new genre that combines dramatic readings with Latino, folk, rock and classical musical styles. In addition to the traditional classical guitar, the duo employs synthesizers and electric guitar to the full range of their expressive possibilities. They have performed throughout New England on classical and coffeehouse series, in colleges and high schools, and for Central America solidarity fundraisers. Their Suite for Nicaragua, based on Mr. Steele's travels in that country, has affected audiences to the point of sparking a fund drive for Nicaraguan war orphans. Jeffry Steele is also known for having written and produced the "Voices of Latin America" concerts (1983) and for acting the role of William Walker and writing the music for Stage Left's production of "The Nation Thief" (1985-6).

The concert will include a touching, humorous piece about a teenage Heavy Metal rocker, who becomes moved to help the people of Central America. Another work will be a tribute to the life of Archbishop Romero, which integrates music and dramatic readings with slides. Robert Starner, bassoonist, will be featured on this last work.

Tickets are $7 for the concert; $20 for concert and reception with Congressman Moakley. For further information call (617) 524-1952. Sponsored by CPPAX and The Sanctuary Task Force.

Dance school sets benefit

The Deborah Mason School of Dance, 1000 Cambridge St., will hold a scholarship fund raiser for young local aspiring dancers at the Harrington School, Cambridge street, on Saturday, Jan. 28, at 7:30 pm. Tickets are $10 general and $7 for children under 12 and senior citizens.

The performance will include dancers from Mason's school, the Boston Ballet School, Boston Conservatory, and the Gene Murray Dancers.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 84P4359C
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Edith Cobb Allen** of Cambridge, in said County, a person under conservatorship:

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the substitute 3rd account of **BayBank Harvard Trust Company,** as Conservator (the fiduciary) of the property of said ward has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 6th day of February, 1989, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 10th day of January, 1989.

Paul J. Cavanaugh
Register

(C)Jan.26

FINAL PUBLICATION NO. 2426.
CITY OF CAMBRIDGE
Agenda Item 23
IN CITY COUNCIL
December 12, 1988

Ordered:

That **$2,000,000 is appropriated for remodeling, reconstruction, or making extraordinary repairs to the Cambridge Hospital** and that to meet this appropriation the Treasurer, with the approval of the City Manager, is authorized to borrow $2,000,000 under Chapter 44, Section 7 (3A) of the General Laws.

In City Council January 23, 1989.

Adopted by a yea and nay vote:- Yeas 8; Nays 0; Absent 1.

ATTEST:- Joseph E. Connarton
City Clerk.

(C)Jan.26

DOLE CLASSIFIED AD FORMAT

Apartments Wanted

WILLING TO SWAP studio in North End, $355 for rent controlled studio or one bdrm. in Harvard Sq. area. Call Laurel, 742-0480 or 722-1666.

ERA/AAA REALTY CENTER
Allow us to:
- Help you establish rent
- Show your apt or condo
- Pre-qualify tenants
- Provide applications & leases. All subject to your final approval.

ERA/AAA REALTY CTR. 497-9501
Open 7 days.

Forum mulls park, playground plans

A community meeting to discuss the proposed renovations to the Alberico Playground, Lopez Playground and the Morse School Playground will be held on Thursday, February 2 at 6:30 pm at the Morse School.

Representatives from the Department of Human Services and the Community Development Department will be present to discuss the process for renovations.

For further information, contact the Morse Community School at 498-9064 or the Department of Human Services - Recreation Division at 498-9028.

Give.

WE'RE FIGHTING FOR YOUR LIFE

American Heart Association

In City Council January 23, 1989

The Committee on Ordinances conducted a public hearing on Wednesday, January 11, 1989 beginning at 8:14 p. m. in the Sullivan Chamber, City Hall.

The purpose of the hearing was to review the proposed amendment to the General Ordinances in Chapter Thirteen relative to the regulation for sale and marketing of replica firearms.

At this time Councillor Duehay stated that he has had a long time concern regarding the sale of replica firearms in the city and consequently sponsored trhe motion calling for the City Solicitor to draft an amendment to the General Ordinances regulating the sale and marketing of firearms. He further stated that he believes this regulation is needed due to the fact that replica firearms are perceived as weapons and present a threat to public safety. He urged the members of the committee to support this amendment.

At this time the Chair requested anyone else to come forward to speak in favor the the petition.

No one appeared.

The Chair requested those in opposition to come forward.

No one appeared in opposition.

At this time Councillor Russell moved to refer the petition to the full City Council with a favorable recommendation.

The motion - Carried.

The hearing was adjourned at 8:15 p.m.

For the Committee,

Councillor William H. Walsh,
Chairman.

Comm. from Joseph E. Connarton, City Clerk, trasnmitting the report of Councillor William H. Walsh, Chairman, Committee on Ordinances Re: petition of the City Council to amend the General Ordinances in Chapter 13 on the regulation of the sale & marketing of replica firearms.

In City Council,

January 23, 1989

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

January 25, 1989

Mr. 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 General Ordinances regulating the sale and marketing of replica firearms which was passed to a second reading at the City Council meeting of January 23, 1989.

Also enclosed you will find a proposed amendment to the Zoning Ordinances of the City of Cambridge relative to an interim Planning Overlay District for the Cambridgeport area which was passed to a second reading at the City Council meeting held on January 23, 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
City Clerk

JEC/dl

Encs. (2) First publication number 2424 and 2425

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

FIRST PUBLICATION NO. 2424.

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.

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, (H_1, H_2, etc.) times the length of each roof level (L_1, L_2, etc.) and dividing the sum by the sum of the length of the levels (L_1, L_2, etc.) (see formula below)

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

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk

FIRST PUBLICATION NO. 2425.

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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk.

FIRST PUBLICATION NO. 2425.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

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(1) "Chief": The chief of the Cambridge Police Deparment or his designee.

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(3) "Market": to display for sale.

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(5) "Sell": To exchange or deliver

(a) for money or its equivalent; or

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

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(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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk.

FIRST PUBLICATION NO. 2425.

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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk.

FIRST PUBLICATION NO. 2425.

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.

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(1) "Chief": The chief of the Cambridge Police Deparment or his designee.

(2) "Department": the Cambridge Police Department.

(3) "Market": to display for sale.

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
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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:

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Subsection A. Definitions.

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(1) "Chief": The chief of the Cambridge Police Deparment or his designee.

(2) "Department": the Cambridge Police Department.

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(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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;

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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.

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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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
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FIRST PUBLICATION NO. 2425.

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.

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(1) "Chief": The chief of the Cambridge Police Deparment or his designee.

(2) "Department": the Cambridge Police Department.

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(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 ba added to the list.

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(a) a written citation or warning for the first violation;

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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.

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

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk.

FIRST PUBLICATION NO. 2425.

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.

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(1) "Chief": The chief of the Cambridge Police Deparment or his designee.

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(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 ba 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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
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FIRST PUBLICATION NO. 2425.

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 Deparment or his designee.

(2) "Department": the Cambridge Police Department.

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(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 ba 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;

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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.

Passed to a second reading at the City Council meeting held on January 23, 1989 and on or after February 6, 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-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:

WHEREAS: Replica firearms can be so authentic looking as to be visually indistinguishable from real firearms; and

WHEREAS: Replica firearms have been used in the commission of crimes in the City of Cambridge; and

WHEREAS: When such replica firearms are perceived as actual firearms, fear and dangerous defensive actions may result; and

WHEREAS: Such prevalence and use is a threat to public safety and security; and

WHEREAS: The City of Cambridge must address this threat to public safety and can best do so by limiting the availability of such replica firearms; and

WHEREAS: Cambridge police officers, because of their training and experience, have the knowledge and ability to assess the similarities between real and replica firearms and the violence that can result from the use of replica firearms; NOW, THEREFORE, be it ordained by the City Council 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 facsimilie 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.

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(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 ba added to the list.

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(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;

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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.

CCM-101

City of Cambridge

16.

IN CITY COUNCIL

July 25, 1988

COUNCILLOR DUEHAY

ORDERED: That the attached proposed amendment to the General Ordinances of the City of Cambridge in Chapter 13 entitled "Offenses" by inserting after Section 13-17 a new Section 13-17a entitled "Regulating the Sale and Marketing of Replica Firearms in the City of Cambridge" be referred to the Committee on Ordinances for hearing and report.

In City Council July 25, 1988.
Adopted by the affirmative vote of eight members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- Joseph E. Connarton

Joseph E. Connarton
City Clerk.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-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:

WHEREAS: Replica firearms can be so authentic looking as to be visually indistinguishable from real firearms; and

WHEREAS: Replica firearms have been used in the commission of crimes in the City of Cambridge; and

WHEREAS: When such replica firearms are perceived as actual firearms, fear and dangerous defensive actions may result; and

WHEREAS: Such prevalence and use is a threat to public safety and security; and

WHEREAS: The City of Cambridge must address this threat to public safety and can best do so by limiting the availability of such replica firearms; and

WHEREAS: Cambridge police officers, because of their training and experience, have the knowledge and ability to assess the similarities between real and replica firearms and the violence that can result from the use of replica firearms; NOW, THEREFORE, be it ordained by the City Council 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 facsimilie 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 ba 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.

CCM-101

City of Cambridge

16.

IN CITY COUNCIL

July 25, 1988

COUNCILLOR DUEHAY

ORDERED: That the attached proposed amendment to the General Ordinances of the City of Cambridge in Chapter 13 entitled "Offenses" by inserting after Section 13-17 a new Section 13-17a entitled "Regulating the Sale and Marketing of Replica Firearms in the City of Cambridge" be referred to the Committee on Ordinances for hearing and report.

In City Council July 25, 1988.
Adopted by the affirmative vote of eight members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- Joseph E. Connarton

Joseph E. Connarton
City Clerk.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-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:

WHEREAS: Replica firearms can be so authentic looking as to be visually indistinguishable from real firearms; and

WHEREAS: Replica firearms have been used in the commission of crimes in the City of Cambridge; and

WHEREAS: When such replica firearms are perceived as actual firearms, fear and dangerous defensive actions may result; and

WHEREAS: Such prevalence and use is a threat to public safety and security; and

WHEREAS: The City of Cambridge must address this threat to public safety and can best do so by limiting the availability of such replica firearms; and

WHEREAS: Cambridge police officers, because of their training and experience, have the knowledge and ability to assess the similarities between real and replica firearms and the violence that can result from the use of replica firearms; NOW, THEREFORE, be it ordained by the City Council 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 facsimilie 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 ba 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.

CCM-101

City of Cambridge

16.

IN CITY COUNCIL

July 25, 1988

COUNCILLOR DUEHAY

ORDERED: That the attached proposed amendment to the General Ordinances of the City of Cambridge in Chapter 13 entitled "Offenses" by inserting after Section 13-17 a new Section 13-17a entitled "Regulating the Sale and Marketing of Replica Firearms in the City of Cambridge" be referred to the Committee on Ordinances for hearing and report.

In City Council July 25, 1988.
Adopted by the affirmative vote of eight members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- Joseph E. Connarton

Joseph E. Connarton
City Clerk.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-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:

WHEREAS: Replica firearms can be so authentic looking as to be visually indistinguishable from real firearms; and

WHEREAS: Replica firearms have been used in the commission of crimes in the City of Cambridge; and

WHEREAS: When such replica firearms are perceived as actual firearms, fear and dangerous defensive actions may result; and

WHEREAS: Such prevalence and use is a threat to public safety and security; and

WHEREAS: The City of Cambridge must address this threat to public safety and can best do so by limiting the availability of such replica firearms; and

WHEREAS: Cambridge police officers, because of their training and experience, have the knowledge and ability to assess the similarities between real and replica firearms and the violence that can result from the use of replica firearms; NOW, THEREFORE, be it ordained by the City Council 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) "Weapon" [illegible]

(4) "Replica firearm": any toy, imitation, or facsimilie 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 ba 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.

DRAFT ORDINANCE

REGULATING THE SALE AND MARKETING OF

REPLICA FIREARMS IN THE CITY OF CAMBRIDGE.

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

WHEREAS: The sale and possession of replica firearms has increased in the City of Cambridge in recent years; and

WHEREAS: Replica firearms can be so authentic looking as to be visually indistinguishable from real firearms; and

WHEREAS: Replica firearms have been and continue to be used in the commission of violent crimes in the City of Cambridge; and

WHEREAS: When such replica firearms are perceived as actual firearms, fear and dangerous defensive actions may result; and

WHEREAS: Such prevalence and use is a threat to public safety and security; and

WHEREAS: The City of Cambridge must address this threat to public safety and security; and

WHEREAS: The City of Cambridge must address this threat to public safety and can best do so by limiting the availability of such replica firearms; and

WHEREAS: Cambridge police officers, because of their training and experience, have the knowledge and ability to assess the similarities between real and replica firearms and the violence that can result from the use of replica firearms; NOW, THEREFORE, be it ordained by the City Council 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 facsimilie 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 ba 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 Middlesex County Superior Court.

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

CCM-101

City of Cambridge

16.

IN CITY COUNCIL

July 25, 1988

COUNCILLOR DUEHAY

ORDERED: That the attached proposed amendment to the General Ordinances of the City of Cambridge in Chapter 13 entitled "Offenses" by inserting after Section 13-17 a new Section 13-17a entitled "Regulating the Sale and Marketing of Replica Firearms in the City of Cambridge" be referred to the Committee on Ordinances for hearing and report.

In City Council July 25, 1988.
Adopted by the affirmative vote of 8 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy; Joseph E. Connarton

ATTEST:-

Joseph E. Connarton
City Clerk

Order #16 O-12

C. Duehay order re: that the attached proposed amendment to the General Ordinances in Chapter 13 entitled "Offenses" by inserting after Section 13-17 a new Section 13-17b entitled "Regulating the Sale and Marketing of Replica Firearms in the City of Cambridge" be referred to the Ordinance Committee for hearing & report.

2/6/89 - Passed to be ordained 9-0-0.

2/9/89 - published - Chronicle

In City Council,

July 25, 1988

Order adopted
Referred