

CITY OF CAMBRIDGE
Traffic and Parking
57 Inman Street,
Cambridge, Massachusetts 02139

George Teso
Director

Administration	349-4700
Parking Violations	349-4705
Resident Parking	349-4701

DATE: April 21, 1994

TO: Robert Healy, City Manager

FROM: Lauren M. Preston, Deputy Traffic Director

SUBJECT: Communication #10 dated 4-11-94

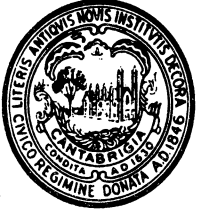
RE: Petition from Cycle Sports

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We have reviewed the petition from Cycle Sports to park a van on Akron Street to display and rent in line skates and protective gear. They are proposing to park between 11 AM and 5 PM from May 1st to November 30th, 1994.

Akron Street is a two way 26 foot wide Street running between Banks Street and Memorial Drive. Resident permit parking is allowed on the north side along Peabody Terrace apartments. Parking is restricted on the south side which abuts Growers Market nursery and a parking lot.

The petition is not clear if they would be there ever day or just on Sundays when Memorial Drive is closed. If it were every day, I would be concerned about the safety of people in the area of the van crossing Memorial Drive to use the bike path and children as well as adults skating on the travel ways. If they are only going to be there on Sundays when the Drive is closed, it is our opinion that their van should be on Memorial Drive.



CAMBRIDGE LICENSE COMMISSION CITY OF CAMBRIDGE

831 MASSACHUSETTS AVE., 1ST FLOOR, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 349-6140

ALEX RODRIGUEZ
Commission Chairman

KEVIN FITZGERALD
Chief-of-Fire Department
Commission Member

HENRY BREEN
Police Representative
Commission Member

RICHARD V. SCALI
Commission Executive Officer

Date: May 4, 1994

To: Robert W. Healy, City Manager

Fr: Richard V. Scali, Executive Officer 

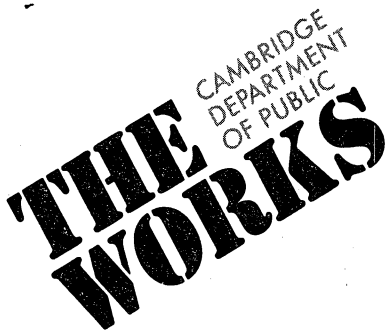
Re: Communication #10, dated 4/11/94
Cycle Sports

Pursuant to the attached investigation, on the above council communication, Memorial Drive is MDC property and therefore the License Commission has no jurisdiction over this site. Traffic and Parking states Akron Street would be restricted parking.

Therefore, the I agree with the opinion of Traffic and Parking that the sites requested are either not appropriate or not within the jurisdiction of Cambridge. The applicant may still at his option, apply for a vendor's license hearing before our board, but the outcome is likely to be negative in light of the above information.

cc: Alex Rodriguez, Chairman; Andrea Boyer, Chief Investigator; Lauren Preston, Deputy Traffic Director; Cycle Sports; Ralph Dunphy, Public Works Commissioner; Mary Ellen Vera, City Manager's Office

RECEIVED
MAY -5 AM 9:17
OFFICE OF THE CITY CLERK

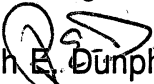


May 3, 1994

Ralph E. Dunphy
Commissioner

147 Hampshire Street
Cambridge, MA 02139
617-349-4800
TDD 617-349-4805

TO: Robert W. Healy
City Manager

FROM:  Ralph E. Dunphy
Public Works Commissioner

RE: **Communication #10, dated 4/11/94**
RE: Petition from Cycle Sports For A Van
to Display Merchandise

Robert Keating, Superintendent of Streets and Sidewalks has reviewed the petition from Cycle Sports to park a van on Akron Street to display and rent in line skates and protective gear.

Mr. Keating agrees with the findings of our Traffic Department. The north side of Akron Street is posted for resident parking only. Parking is restricted on the south side which abuts Growers Market Nursery & a parking lot. A van parked on the south side would obstruct traffic.

I am in agreement with Mr. Keating and the Traffic Department that their van should be parked on Memorial Drive. Permits for Memorial Drive are not handled by the City of Cambridge and should be referred to the M.D.C.

Also attached is a copy of City Ordinance Number 5.36.060 which prohibits any person from selling merchandise within the confines of Memorial Drive with the exception of permission from the Chief of Police.

RED/a

Enclosure

cc: Robert Keating



Chapter 5.36

PEDDLERS

Sections:

- 5.36.010 Permit required—Fee.
- 5.36.020 Selling of certain foods—Permit required—Fee.
- 5.36.030 Hour restrictions—Disturbing the peace.
- 5.36.040 Manner of conveying wares—Perishable goods.
- 5.36.050 Article sold by weight or measure.
- 5.36.060 Restricted areas.
- 5.36.070 Conditions and terms—Revocation.
- 5.36.080 Violation—Penalty.

5.36.010 Permit required—Fee.

No person shall, except in accordance with a permit from the Superintendent of Streets, sell upon any sidewalk of any public way any goods or article or permit to remain in any public way, for more than ten minutes, any goods or article of which he is the owner or in charge. No person shall place or keep any table, stall, booth or other erection, in any street, public place or any sidewalk, for the sale of any merchandise, without permission from the Superintendent of Streets. The fee for the permit set out in this chapter shall be fifty cents. (Prior code § 6-21)

5.36.020 Selling of certain foods—Permit required—Fee.

The Board of License Commissioners may grant a license to hawk and peddle meats, butter, cheese, fish and fresh fruits or vegetables to a resident of the City who is of good repute as to morals and integrity. The fee for such license shall be ten dollars. This section shall not apply to any person who is not a resident of the City and who now holds a license. (Ord. 1047 (part), 1987; prior code § 6-23)

5.36.030 Hour restrictions—Disturbing the peace.

No person hawking, peddling or selling or exposing for sale, any of the articles enumerated in 3 G.L., c. 101, § 17, shall cry his wares, before the hours of eight a.m. or after the hours of nine p.m., or at any time to the disturbance of the peace and comfort of the inhabitants of the City. (Ord. 1092 (part), 1989; prior code § 6-24)

5.36.040 Manner of conveying wares—Perishable goods.

No hawker or peddler shall carry or convey any of the articles enumerated in 3 G.L., c. 101 § 17, in any manner that will tend to injure or disturb the public health or comfort, and if such articles are perishable in their nature, they shall be conveyed in vehicles or receptacles which are neat and clean and do not leak. Any vehicles, used as aforesaid, shall have printed on them in letters and figures at least two inches in height the name of the person selling and the number given him by the Board of License Commissioners. (Ord. 1092 (part), 1989; prior code § 6-25)

5.36.050 Article sold by weight or measure.

No hawker or peddler shall sell any of the articles enumerated in 3 G.L., c. 101, § 17, when such articles are sold by weight or measure, until such weight or measure shall have been stamped by the Sealer of Weights and Measures. (Ord. 1092 (part), 1989; prior code § 6-26)

5.36.060 Restricted areas.

No person shall, within the limits of Memorial Drive on the south from the Western Avenue Bridge to Hawthorn Street, to Mount Auburn Street, to Ash Street, to Mason Street, to Garden Street, to Chauncy Street, to Everett Street, to Oxford Street, to Kirkland Street, to Trowbridge Street, to Putnam Square to Putnam Avenue, to Western Avenue and return to Memorial Drive at the Western Avenue Bridge hawk or peddle, sell or expose for sale, distribute or give away goods, wares or merchandise within the confines

5.36.060

of the area set out in this section except when authorized to do so by Chapter 101 of the General Laws and acts in amendments thereof or in addition thereto, except under a permit issued by the Chief of Police. The provisions of this section shall not apply to the sale of newspapers. (Prior code § 6-28)

5.36.070 Conditions and terms—Revocation.

The permit set out in Section 5.36.010 shall state the conditions and terms under which such

permission shall be granted, with all of which the license shall be deemed to comply by accepting the permit, and a violation of any of the terms of such permit shall of itself be a sufficient cause for the revocation thereof. (Prior code § 6-27)

5.36.080 Violation—Penalty.

Any person violating any of the provisions of this chapter shall be liable to a penalty of not exceeding fifty dollars for each offense. (Prior code § 6-29)

If selling food, you would first get permission and your vehicle inspected by the Health Department, which is located at 831 Massachusetts Avenue. The telephone number is 349-6100.

To obtain your license you would go to the Director of Standards (McCormack Building) at One Ashburton Place, Boston. The telephone number is 727-3481.

Restricted area is Harvard Square.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300

FAX. 349-4307

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

May 9, 1994

To The Honorable, The City Council:

In response to Awaiting Report Item No. 23, regarding a petition received from Cycle Sports for a van to display merchandise, please find attached reports from Deputy Traffic Director Lauren M. Preston, Executive Officer of the License Commission Richard V. Scali as well as Public Works Commissioner Ralph E. Dunphy.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev

S-212

Consent Agenda #9

Transmitting communication from R.W. Healy
relative to Awaiting Report Item NO 23 re:
a petition from Cycle Sports for a vasn to
display merchandise.

for original see 1994
Highways # 301

In City Council May 9, 1994

Placed on file