



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

February 27, 1991

Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:

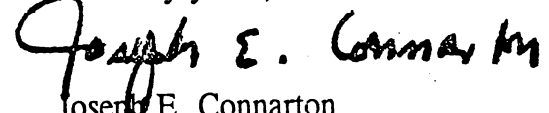
Please be advised that at the City Council meeting held on February 25, 1991 the City Council passed to be ordained a proposed amendment to the Municipal Code of the City of Cambridge in Chapter 8.24 by striking out the existing section 8.24.090 and substituting in place thereof a new section 8.24.090 entitled Receptacles - Sidewalk placement time restrictions, a copy of which is enclosed.

The City Council has requested that I confer with you relative to the initiation of Home Rule Legislation regarding the time element for the placement of rubbish on the sidewalk.

Would you please review this amendment and prepare the requested legislation for submission by the City Council to the Great and General Court.

Thank you for your cooperation in this matter.

Sincerely yours,


Joseph E. Connarton
City Clerk

JEC/dl

Enc. Ordinance Number 1116

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



RECEIVED

CITY OF CAMBRIDGE

91 FEB 13 PM 3:26

Russell B. Higley
City Solicitor

Office of the City Solicitor
City Hall

OFFICE OF THE CITY MANAGER

Gail S. Gabriel
Legal Counsel

Donald A. Drisdell
Deputy City Solicitor

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Joseph M. Kaigler
Legal Counsel

Michael C. Costello
Assistant City Solicitor

(617) 498-9020

Diane Wynshaw-Boris
Legal Counsel

Birge Albright
Legal Counsel

Edward J. O'Connell
Legal Counsel

February 11, 1991

Mr. Joseph Connarton
City Clerk
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Time restrictions on sidewalk placement
of rubbish receptacles

Dear Mr. Connarton:

Thank you for your letter of February 2 enclosing a copy of proposed Code § 8.24.090, which would allow rubbish receptacles to be placed on the sidewalk any time after 3 p.m. of the day before the day of collection.

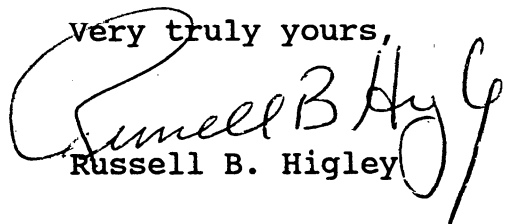
Your letter indicates that the Council would like to amend this section further to preclude the placement of trash on public sidewalks on Sunday.

In researching this issue, we have discovered that the State Sanitary Code, Chapter II (Minimum Standards of Fitness For Human Habitation), 105 CMR 410.600 (Storage of Garbage and Rubbish), provides, in subsection (A) that "Garbage and rubbish shall be put out for collection no earlier than the day of collection". I enclose a copy of this regulation. The State Sanitary Code consists of regulations adopted by the State Department of Public

Health pursuant to G.L. c. 111, § 127A.

In my opinion, § 8.24.090, as it is presently worded, is in conflict with the State Sanitary Code and, therefore, invalid. See Decoulos v. City of Peabody, 360 Mass. 428, 429 (1971), where the Court said, "We assume (without deciding) that the city could not in its zoning ordinance require the making of sewer connections on a basis which in any degree relaxes any standards laid down in ... the State Sanitary Code"

Very truly yours,


Russell B. Higley

RBH/jab

cc: Robert W. Healy ✓

ORD#3\RUBBISH\



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

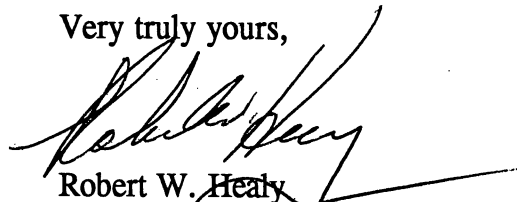
RICHARD C. ROSSI
Deputy City Manager

February 25, 1991

To The Honorable, The City Council:

In reference to Awaiting Report Item No. 24, regarding time restrictions on placing rubbish receptacles on sidewalks, please find attached a response from City Solicitor Russell B. Higley, concerning this issue.

Very truly yours,



Robert W. Healy
City Manager

RWH/mev
attachment

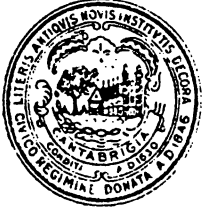
CONSENT AGENDA # 5

Awaiting Report Item Number Twenty-Four
regarding time restrictions on placing
rubbish receptacles on sidewalks.

In City Council,

February 25, 1991

*Referred to Unfinished
Business # 1*



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than **three p.m. of the day immediately** prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

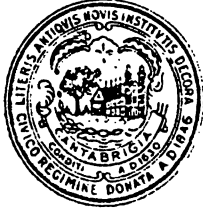
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than **three p.m. of the day immediately** prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

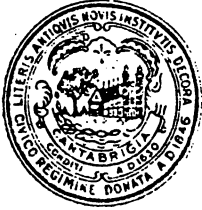
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

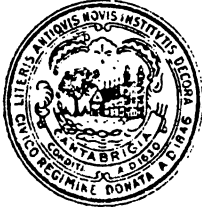
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

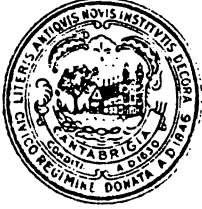
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

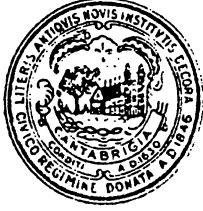
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

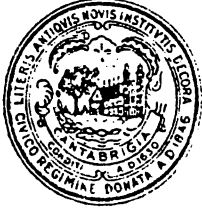
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than **three p.m. of the day immediately** prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

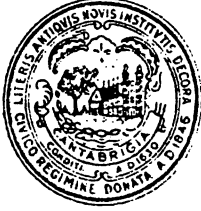
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

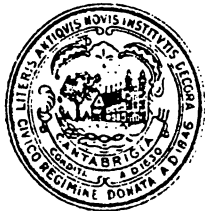
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than ~~three p.m. of the day immediately~~ prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

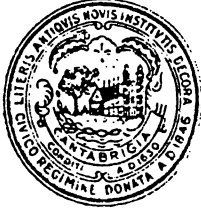
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than ~~three p.m. of the day immediately~~ prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

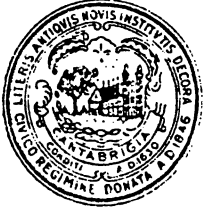
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than ~~three p.m. of the day immediately~~ prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

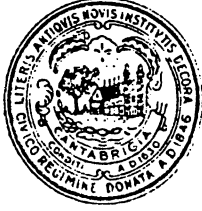
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

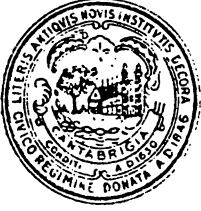
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

**8.24.090 Receptacles—Sidewalk placement
time restrictions.**

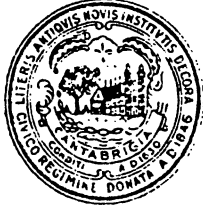
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than ~~three p.m.~~ of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

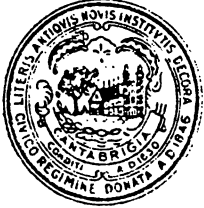
Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

Passed to be ordained by a yeas and nays 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

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

February 2, 1991

Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:

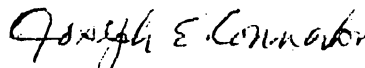
Please be advised that at the City Council meeting held on January 28, 1991 the City Council passed to a second reading a proposed amendment to the Municipal Code of the City of Cambridge in Chapter 8.24 by striking out the existing section 8.24.090 and substituting in place thereof a new section 8.24.090 entitled Receptacles - Sidewalk placement time restrictions, a copy of which is enclosed.

During the discussion on the proposed amendment the City Council has asked that I communicate with you their interest in amending the ordinance further to preclude the placement of trash on public sidewalks on Sunday.

Would you please review the issue and prepare language for ordination by the City Council in time for its meeting scheduled for February 11, 1991.

Thank you for your cooperation in this matter.

Sincerely yours,


Joseph E. Connarton
City Clerk

JEC/dl

Enc. First publication number 2520

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than **three p.m. of the day immediately** prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

In City Council February 25, 1991.

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

City of Cambridge

MASSACHUSETTS

In City Council Feb. 25 1991

C. Duehay

Unfinished Bus. #1

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell	✓			
Mr. Walter J. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh	✓			
Mayor Alice K. Wolf	✓			

9 0 0

*C. Solicitor
C. 108*

City of Cambridge

The Ordinance Committee conducted a public hearing on Thursday, July 26, 1990 beginning at 6:12 p.m. in the Sullivan Chamber, City Hall.

Councillor Francis H. Duehay, Chair of the above referenced Committee convened the hearing and stated that the Committee would take testimony on a petition of the Planning Board to amend the text of Section 3.15 - East Cambridge Interim Planning Overlay District to remain in effect until September 30, 1990. The Chair then outlined several procedural points that would be followed in this date's proceedings. The entire membership of the City Council participated in this hearing.

Upon conclusion of the Chair's remarks Councillor Sullivan asked for suspension of the Rules in order to offer a motion. The Rules were suspended and the following motion was offered:

In Section 8.24.090 entitled Receptacles - Sidewalk Placement time restrictions of the Municipal Code in the First Sentence the wording "six p.m.," be stricken and insert the following wording "three p.m."

On a voice vote the motion carried.

Councillor Sullivan then offered the following motion:

That the Amendment be forwarded to the full City Council with a favorable recommendation.

On a voice vote the motion carried.

At this time the Chair introduced Mr. Michael Rosenberg, Assistant City Manager for Community Development for an explanation of the proposed amendment to the Zoning Ordinances. Accompanying Mr. Rosenberg was Ms. Elizabeth Fleming, Project Planner in Community Development.

Mr. Rosenberg outlined to the Committee the workings of the Advisory Committee appointed by the City Manager to study the Zoning in this area and to make recommendations to the Planning Board. After a considerable amount of time and energies being expended the Committee was not able to reach a consensus on this matter.

Since the time of the impasse being reached, the Chair of the Advisory Committee proposed that the Committee reconvene and see if a consensus could be reached within three weeks time. The Planning Board agreed with the request to reconvene but with guidelines.

Mayor Wolf inquired if the petition included the area surrounding the Transportation Building in Kendall Square. Mr. Rosenberg responded in the affirmative and stated that some affordable housing was possible since the Department of Transportation has expressed interest in this concept.

The Chair then requested if any member of the public wanted to speak in favor of the Petition.

Recorded as favoring the Petition was:

Mr. Hugo Saleme
89 Third Street
Cambridge, MA 02139

The Chair then requested if any member of the Public wanted to speak against the petition.

Recorded as opposing the Petition was:

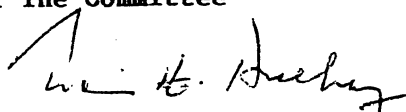
Mr. Paul Casey
5 Westmond Avenue
W. Roxbury, MA
(Representing ComEnergy)

Upon completion of Public testimony Mayor Wolf made the following motion: That the Petition be forwarded to the City Council with a favorable recommendation.

The motion carried on a voice vote.

The hearing was adjourned at 6:26 p.m.

For The Committee

A handwritten signature in cursive script, appearing to read "Francis H. Duehay".

Councillor Francis H. Duehay, Chair



RECEIVED
CITY CLERK

FEB 14 AM 9:29

CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

CAMBRIDGE MA.

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Edward J. O'Connell
Legal Counsel

February 11, 1991

Mr. Joseph Connarton
City Clerk
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Time restrictions on sidewalk placement
of rubbish receptacles

Dear Mr. Connarton:

Thank you for your letter of February 2 enclosing a copy of proposed Code § 8.24.090, which would allow rubbish receptacles to be placed on the sidewalk any time after 3 p.m. of the day before the day of collection.

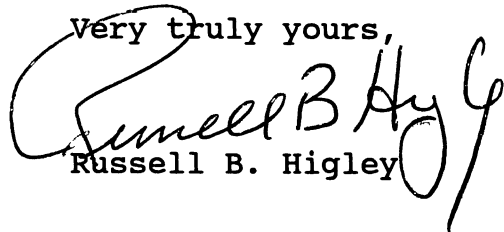
Your letter indicates that the Council would like to amend this section further to preclude the placement of trash on public sidewalks on Sunday.

In researching this issue, we have discovered that the State Sanitary Code, Chapter II (Minimum Standards of Fitness For Human Habitation), 105 CMR 410.600 (Storage of Garbage and Rubbish), provides, in subsection (A) that "Garbage and rubbish shall be put out for collection no earlier than the day of collection". I enclose a copy of this regulation. The State Sanitary Code consists of regulations adopted by the State Department of Public

Health pursuant to G.L. c. 111, § 127A.

In my opinion, § 8.24.090, as it is presently worded, is in conflict with the State Sanitary Code and, therefore, invalid. See Decoulos v. City of Peabody, 360 Mass. 428, 429 (1971), where the Court said, "We assume (without deciding) that the city could not in its zoning ordinance require the making of sewer connections on a basis which in any degree relaxes any standards laid down in ... the State Sanitary Code"

Very truly yours,

A handwritten signature in cursive script that reads "Russell B. Higley". The signature is written in dark ink and is positioned above the typed name.

Russell B. Higley

RBH/jab

cc: Robert W. Healy

ORD#3\RUBBISH\



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

That Chapter 8.24 of the Municipal Code of the City of Cambridge is hereby amended by striking out the existing section 8.24.090 entitled Receptacles - Sidewalk Placement Time Restrictions and substituting in place thereof the following new section.

8.24.090 Receptacles—Sidewalk placement time restrictions.

Whoever desires the removal of rubbish from private property shall cause the rubbish to be placed in authorized rubbish receptacles and to be set in an easily accessible place in the yard adjoining the premises or upon the sidewalk, but if placed upon the sidewalk, the authorized rubbish receptacles shall be placed on the sidewalk no earlier than three p.m. of the day immediately prior to the day of collection as designated by the Commissioner of Public Works for collection the area where the premises are located and shall be removed from the sidewalk no later than six p.m. of the day of collection. The rubbish receptacles shall not be placed upon the sidewalks in a manner to inconvenience the use of the sidewalks by pedestrians.

Passed to a second reading at the City Council meeting held on January 28, 1991 and on or after February 11, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk.

City of Cambridge

The Ordinance Committee conducted a public hearing on Thursday, July 26, 1990 beginning at 6:12 p.m. in the Sullivan Chamber, City Hall.

Councillor Francis H. Duehay, Chair of the above referenced Committee convened the hearing and stated that the Committee would take testimony on a petition of the Planning Board to amend the text of Section 3.15 - East Cambridge Interim Planning Overlay District to remain in effect until September 30, 1990. The Chair then outlined several procedural points that would be followed in this date's proceedings. The entire membership of the City Council participated in this hearing.

Upon conclusion of the Chair's remarks Councillor Sullivan asked for suspension of the Rules in order to offer a motion. The Rules were suspended and the following motion was offered:

In Section 8.24.090 entitled Receptacles - Sidewalk Placement time restrictions of the Municipal Code in the First Sentence the wording "six p.m.," be stricken and insert the following wording "three p.m."

On a voice vote the motion carried.

Councillor Sullivan then offered the following motion:

That the Amendment be forwarded to the full City Council with a favorable recommendation.

On a voice vote the motion carried.

At this time the Chair introduced Mr. Michael Rosenberg, Assistant City Manager for Community Development for an explanation of the proposed amendment to the Zoning Ordinances. Accompanying Mr. Rosenberg was Ms. Elizabeth Fleming, Project Planner in Community Development.

Mr. Rosenberg outlined to the Committee the workings of the Advisory Committee appointed by the City Manager to study the Zoning in this area and to make recommendations to the Planning Board. After a considerable amount of time and energies being expended the Committee was not able to reach a consensus on this matter.

Since the time of the impasse being reached, the Chair of the Advisory Committee proposed that the Committee reconvene and see if a consensus could be reached within three weeks time. The Planning Board agreed with the request to reconvene but with guidelines.

Mayor Wolf inquired if the petition included the area surrounding the Transportation Building in Kendall Square. Mr. Rosenberg responded in the affirmative and stated that some affordable housing was possible since the Department of Transportation has expressed interest in this concept.

The Chair then requested if any member of the public wanted to speak in favor of the Petition.

Recorded as favoring the Petition was:

Mr. Hugo Saleme
89 Third Street
Cambridge, MA 02139

The Chair then requested if any member of the Public wanted to speak against the petition.

Recorded as opposing the Petition was:

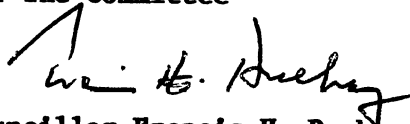
Mr. Paul Casey
5 Westmond Avenue
W. Roxbury, MA
(Representing ComEnergy)

Upon completion of Public testimony Mayor Wolf made the following motion: That the Petition be forwarded to the City Council with a favorable recommendation.

The motion carried on a voice vote.

The hearing was adjourned at 6:26 p.m.

For The Committee

A handwritten signature in black ink, appearing to read "Francis H. Duehay". The signature is written in a cursive style with a prominent initial "F".

Councillor Francis H. Duehay, Chair

3.

Cap #8

COMMITTEE REPORTS

0-15

Report from the Ordinance Committee for a hearing held on Thursday, July 26, 1990 relative to an amendment to Section 3.15 East Cambridge Interim Planning Overlay District to remain in effect until September 30, 1990.

Proposed amendment to the Municipal Code in Section 8.24.090 entitled "Receptacles Sidewalk Placement Time Restriction"; said amendment submitted on the floor at the Ordinance Committee hearing.

*2/25/91 Passed to be
Ordained*

In City Council,

September 10, 1990

*Both items
tabled by Councillor
Duckay.*

*11/5/90 East Cambridge
petition - placed on file
due to expiration of
time limit.*