

SEPTEMBER 18, 1975.



City of Cambridge

In the Year One Thousand, Nine Hundred seventy-five

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 13, entitled: "Offenses" is hereby amended by adding at the end thereof a new Article VIII, entitled: "Arrest Without Warrant" Section 13-19 entitled: "Penalty for Vandalism, Destruction of Property and Other Related Offenses." which reads as follows:-

ARTICLE VIII ARREST WITHOUT WARRANT

Section 13-19. Penalty for Vandalism, Destruction of Property and Other Related Offenses.

No person shall wilfully, and maliciously, intentionally and without right:

A. Break down, injure, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guide-board erected upon a public way or railroad, or deface or alter the inscription on any such stone or board.

B. Mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage.

C. Deface or otherwise injure, remove, interfere with or destroy any traffic regulating sign, light, signal, marking or device lawfully erected or placed under public authority on any public way.

D. Or Wantonly and without cause, destroy, deface mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith.

City of Cambridge

Page Two.

E. Or wantonly and without cause, destroy, deface mar or injure any playground apparatus or equipment located in a public park or playground.

F. Destroy, injure, deface or mar a dwelling house or other building, whether upon the inside or outside.

G. Mar or injure the walls, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City of Cambridge or the appurtenances thereof, by cutting, writing or otherwise.

H. Maliciously remove, displace, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

Whoever violates any provision of this ordinance in the presence of a police officer authorized to serve criminal process and the identity of such person is unknown to the officer, such person may be arrested by such officer and detained in a safe place without a warrant until his identity is ascertained. Reasonable diligence shall be exercised by the arresting officer in ascertaining the identity of the offender and when identified he shall be released from arrest unless a warrant was issued against him. If the offender is known to the police officer he shall seek a complaint in court against such offender.

If upon conviction under the above City Ordinance, it is shown that the act committed was a first offense, and if the person makes restitution to the party injured, the Justice of the District Court may continue the case without finding.

In City Council September 29, 1975.

Passed to be ordained as amended by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

Proposed to be Ordained - Ordinance Providing
FOR City of Cambridge Against the MERCHANT

AS -

MASSACHUSETTS

Amended -

In City Council Sept 27 1928

#5 UNFINISHED BUSINESS

	YEA	NAY	ABSENT	PRESENT
Mrs. Ackermann	✓			
Mr. Clinton	✓			
Mr. Danehy	✓			
Mr. Duehay			✓	
Mrs. Graham	✓			
Mr. Russell	✓			
Mr. Vellucci	✓			
Mr. Wylie	✓			
Mayor Sullivan	✓			
	8	0	1	

Amendment

Submitted by Chirp Pawan

CAMBRIDGE POLICE DEPARTMENT
CAMBRIDGE, MASSACHUSETTS

Proposed Ordinance of the City of Cambridge

No person shall wilfully and maliciously, intentionally and without right:

- a. breakdown, injure, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guideboard erected upon a public way or railroad, or deface or alter the inscription on any such stone or board.
- b. mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage.
- c. deface or otherwise injure, remove, interfere with or destroy any traffic regulating sign, light, signal, marking or device lawfully erected or placed under public authority on any public way.
- d. or wantonly and without cause, destroy, deface, mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith.

CAMBRIDGE POLICE DEPARTMENT
CAMBRIDGE, MASSACHUSETTS

Proposed Ordinance of the City of Cambridge {continued}

- e. or wantonly and without cause, destroy, deface, mar or injure any playground apparatus or equipment located in a public park or playground.
- f. destroy, injure, deface, or mar a dwelling house or other building, whether upon the inside or outside.
- g. mar or injure the walls, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City of Cambridge or the appurtenances thereof, by cutting, writing or otherwise.
- h. maliciously remove, displace, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

Whoever violates any provision of this ordinance in the presence of a police officer authorized to serve criminal process and the identity of such person is unknown to the officer, such person may be arrested by such officer and detained in a safe place without a warrant until his identity is ascertained. Reasonable diligence shall be exercised by the arresting officer in ascertaining the identity of the offender and when identified he shall be released from arrest unless a warrant has issued against him. If

CAMBRIDGE POLICE DEPARTMENT
CAMBRIDGE, MASSACHUSETTS

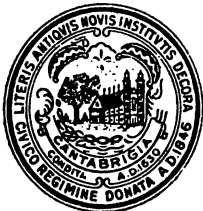
Proposed Ordinance of the City of Cambridge {continued}

the offender is known to the police officer he shall seek a complaint in court against such offender.

If, upon conviction under the above City Ordinance, it is shown that the act committed was a first offense, and if the person makes restitution to the party injured, the Justice of the District Court may continue the case without finding.

First Realization

See Branded Copy



City of Cambridge

In the Year One Thousand, Nine Hundred seventy-five

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 13, entitled: "Offenses" is hereby amended by adding at the end thereof a new Article VIII, entitled: "Arrest Without Warrant" Section 13-19 entitled: "Penalty for Vandalism, Destruction of Property and Other Related Offenses." which reads as follows:-

ARTICLE VIII ARREST WITHOUT WARRANT

Section 13-19. Penalty for Vandalism, Destruction of Property and Other Related Offenses.

No person shall wilfully, intentionally and without right:-

A. Break down, injury, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guide-board erected upon a public way or railroad, or deface or alter the inscription on any such stone or board.

B. Mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage.

C. Deface or otherwise injure, remove, interfere with or destroy any traffic regulating sign, light, signal, marking or device lawfully erected or placed under public authority on any public way.

D. Or Wantonly and without cause, destroy, deface mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith.

City of Cambridge

Page Two.

E. Or wantonly and without cause, destroy, deface mar or injure any playground apparatus or equipment located in a public park or playground.

F. Destroy, injure, deface or mar a dwelling house or other building, whether upon the inside or outside.

G. Mar or injure the walls, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City of Cambridge or the appurtenances thereof, by cutting, writing or otherwise.

H. Maliciously remove, displace, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

Whoever violates this ordinance may be arrested without a warrant by an Officer authorized to serve criminal process if he is unknown to the officer.

Passed to a second reading at the meeting of September 15, 1975 and on or after September 29, 1975 the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred seventy-five

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 13, entitled: "Offenses" is hereby amended by adding at the end thereof a new Article VIII, entitled: "Arrest Without Warrant" Section 13-19 entitled: "Penalty for Vandalism, Destruction of Property and Other Related Offenses." which reads as follows:-

ARTICLE VIII ARREST WITHOUT WARRANT

Section 13-19. Penalty for Vandalism, Destruction of Property and Other Related Offenses.

No person shall wilfully, intentionally and without right:-

A. Break down, injury, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guide-board erected upon a public way or railroad, or deface or alter the inscription on any such stone or board.

B. Mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage.

C. Deface or otherwise injure, remove, interfere with or destroy any traffic regulating sign, light, signal, marking or device lawfully erected or placed under public authority on any public way.

D. Or Wantonly and without cause, destroy, deface mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith.

City of Cambridge

Page Two.

E. Or wantonly and without cause, destroy, deface mar or injure any playground apparatus or equipment located in a public park or playground.

F. Destroy, injure, deface or mar a dwelling house or other building, whether upon the inside or outside.

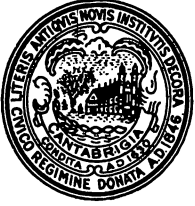
G. Mar or injure the walls, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City of Cambridge or the appurtenances thereof, by cutting, writing or otherwise.

H. Maliciously remove, displace, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

Whoever violates this ordinance may be arrested without a warrant by an Officer authorized to serve criminal process if he is unknown to the officer.

Passed to a second reading at the meeting of September 15, 1975 and on or after September 29, 1975 the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 876-6800

LAW DEPARTMENT

EDWARD D. MCCARTHY
CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

CHARLES WATSON
LEGISLATIVE AGENT

RUSSELL B. HIGLEY
SPECIAL COUNSEL

May 21, 1975

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, Massachusetts

Dear Mr. Sullivan:

I am enclosing a proposed amendment to the City Ordinances of the City of Cambridge. Chief Pisani and I have discussed the matter at great length and feel that it is absolutely essential that the police have a right to arrest without a warrant for violations of the types set forth in the attached Ordinance, particularly in light of the large number of transient persons who frequent Cambridge and are unknown to the police.

Would you please take the necessary steps to place this matter on the City Council's agenda.

Very truly yours,


Edward D. McCarthy
City Solicitor

EDMcC: jm

Enc.

MAY 21 3 09 PM '75

OFFICE OF THE
MANAGER

The General Ordinances of the City of Cambridge also known as the City of Cambridge Code is hereby amended by inserting after Section 15-14 the following Section 15-15:

No person shall wilfully, intentionally and without right:

- a. break down, injure, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guideboard erected upon a public way or railroad, or deface or alter the inscription on any such stone or board.
- b. mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage.
- c. deface or otherwise injure, remove, interfere with or destroy any traffic regulating sign, light, signal, marking or device lawfully erected or placed under public authority on any public way.
- d. or wantonly and without cause, destroy, deface mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith.

e. or wantonly and without cause, destroy, deface, mar or injure any playground apparatus or equipment located in a public park or playground.

f. destroy, injure, deface or mar a dwelling house or other building, whether upon the inside or outside.

g. mar or injure the walls, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City of Cambridge or the appurtenances thereof, by cutting, writing or otherwise.

h. maliciously remove, displace, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

Whoever violates this ordinance may be arrested without a warrant by an Officer authorized to serve criminal process if he is unknown to the officer.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 876-6800

LAW DEPARTMENT

EDWARD D. MCCARTHY
CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

CHARLES WATSON
LEGISLATIVE AGENT

RUSSELL B. HIGLEY
SPECIAL COUNSEL

May 21, 1975

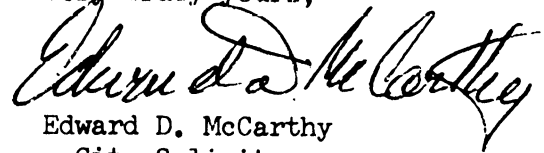
Mr. James L. Sullivan
City Manager
City Hall
Cambridge, Massachusetts

Dear Mr. Sullivan:

I am enclosing a proposed amendment to the City Ordinances of the City of Cambridge. Chief Pisani and I have discussed the matter at great length and feel that it is absolutely essential that the police have a right to arrest without a warrant for violations of the types set forth in the attached Ordinance, particularly in light of the large number of transient persons who frequent Cambridge and are unknown to the police.

Would you please take the necessary steps to place this matter on the City Council's agenda.

Very truly yours,


Edward D. McCarthy
City Solicitor

EDMcC: jm

Enc.

The General Ordinances of the City of Cambridge also known as the City of Cambridge Code is hereby amended by inserting after Section 15-14 the following Section 15-15:

No person shall wilfully, intentionally and without right:

- a. break down, injure, remove or destroy a monument erected for, or tree marked for, the purpose of designating the boundaries of a town or of a tract or lot of land, or a milestone, mileboard or guideboard erected upon a public way or railroad, or deface or alter the inscription on any such stone or board.
- b. mar or deface a building or signboard, or extinguish a light, or break, destroy or remove a lamp, lamp post, railing or post erected on a bridge, sidewalk, public way, court or passage.
- c. deface or otherwise injure, remove, interfere with or destroy any traffic regulating sign, light, signal, marking or device lawfully erected or placed under public authority on any public way.
- d. or wantonly and without cause, destroy, deface mar or injure a schoolhouse, church or other building erected or used for purposes of education or religious instruction, or for the general diffusion of knowledge, or an outbuilding, fence, well or appurtenance of such schoolhouse, church or other building, or furniture, apparatus or other property belonging thereto or connected therewith.

e. or wantonly and without cause, destroy, deface, mar or injure any playground apparatus or equipment located in a public park or playground.

f. destroy, injure, deface or mar a dwelling house or other building, whether upon the inside or outside.

g. mar or injure the walls, wainscoting or any other part of a courthouse, or any other building or room used for county business or any building belonging to the Commonwealth or any building belonging to the City of Cambridge or the appurtenances thereof, by cutting, writing or otherwise.

h. maliciously remove, displace, destroy, deface, mar or injure any monument, tablet or other device erected to mark an historic place or to commemorate an historic event.

Whoever violates this ordinance may be arrested without a warrant by an Officer authorized to serve criminal process if he is unknown to the officer.

City of Cambridge

In City Council September 8, 1975

The Ordinance

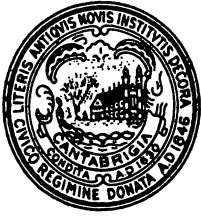
Committee

to which was referred a proposed amendment to the General Ordinance relative to the right of arrest without warrant by police officers for specified offenses.

Reports, That a hearing before said committee was held on Thursday, June 26, 1975 at 7:40 P.M., in the City Council Chambers and it was recommended by those members present that the proposed ordinance change be reported out of committee to the full City Council without recommendation.

For the Committee


David A. Wylie
Chairman



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 876-6800

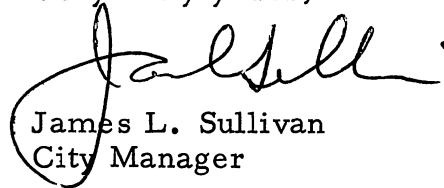
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 2, 1975

To the Honorable, the City Council:

I transmit herewith a communication from Edward D. McCarthy, City Solicitor, relative to a proposed amendment to the City Ordinances of the City of Cambridge giving the police the right to arrest without a warrant for certain violations.

Very truly yours,


James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda #8

Ordinance re: giving the police the
right to arrest without a warrant for
certain violations.

In City Council,
June 2, 1975

*Referred to Ordinance
Committee*

*Copy sent to Ordinance
Committee 6/13/75*

To Dad

Chase - Chap

*135
150*

City of Cambridge

In City Council..... September 8, 1975

The Ordinance Committee

to which was referred a proposed amendment to the General Ordinance relative to the right of arrest without warrant by police officers for specified offenses.

Reports, That a hearing before said committee was held on Thursday, June 26, 1975 at 7:40 P.M., in the City Council Chambers and it was recommended by those members present that the proposed ordinance change be reported out of committee to the full City Council without recommendation.

For the Committee



David A. Wylie
Chairman

REPORT

Committee on Ordinances

RE: Right of arrest without a
warrant for specified Offenses.

Published: 9/2/1975

in The Chronicle -

Amended Publication -

9/9/75 including
entire amendment

In City Council,

Sept. 8, 1975

9/8/75 Tabled by

L. FRANKLIN

9/15/75 Passed to 2nd

Pending w/o amendment
Sept 22 Amendment filed

9/29/75 Passed to 3rd

Ordained 9/29/75

As Amended.