



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 498-9021

LICENSE COMMISSION

MARY E. CALNAN
Chairman

October 25, 1982

To: Robert W. Healy, City Manager
Fr: Mary E. Calnan, License Commissioner *MC*

Subj: Council Order 12 - 10/18/82 re: video games in The Garage

Dream Machine of Harvard Square, Inc. applied for a license to operate 60 video games at 36 John F. Kennedy Street on July 1, 1982. They were immediately referred to the Zoning Board to make application for a Special Permit as required by City Ordinance.

The hearing before the Board of Zoning Appeal was held and the special Permit was granted. Those objecting have 20 days after October 14, 1982 to appeal to the Superior Court. The time for appeal will expire October 30, 1982.

John F. Cremens, Attorney for Dream Machine of Harvard Square, Inc., has been in touch with the License Commission. He intends to proceed with the application some time after October 30th. Our normal procedure is to advertise the application for two weeks, notify abutters and all interested civic groups, and set a hearing date before the License Commission. Obviously, none of this has yet been done. It is also necessary for the applicant to obtain Fire Department approval.

There are certain other requirements which must be met. These are contained in our "Procedure", a copy of which is attached.

Oct 25 10 13 AM '82

Procedure

Automatic Amusement Machine License

1. Applicant must fill out an application at License Commission office. The applicant must provide the name of the manufacturer, the trade name of the machines, their State ID numbers, the name of the distributor, and the agent's name.
2. Before the application is acted upon, the following steps must be completed:
 - a. A plan, in triplicate, should be drawn up, one copy of which is to be filed with the application. The plan shall designate the street and number, entrances and exits, the type of establishment, and the exact location and number of the machines to be licensed.
 - b. Approval of the premises where the applicant proposes to maintain automatic amusement devices shall be obtained by the applicant from the Superintendent of Buildings. Such approval shall include but not be limited to zoning, occupancy and building code requirements. One copy of the plan will be submitted to the Building Department along with Certificate of Occupancy inspection card, in duplicate. One card will be returned to the License Commission marked either "approved" or "Disapproved", and signed by the Superintendent of Buildings.
 - c. Fire Department approval must be obtained. A Safety Inspection card, in duplicate, must be submitted to the Fire Department (Deputy Gelinas) along with a copy of the plan. It is suggested that the applicant call him (876-0215) and make an appointment. One card will be returned to the License Commission marked either "Approved" or "Disapproved."
 - d. If the applicant is a corporation, a copy of its Articles of Organization must be filed.
 - e. If the applicant is an individual or a partnership doing business under a trade name, a copy of the business certificate of the individual or partnership must be filed.
 - f. Probation checks are made on all applicants and on officers and the manager of a corporation. The Commission states that the existence of a criminal record will not result in automatic Commission in acting on applications for licensure.

G. The applicant shall identify " under the pains and penalties of perjury" the names, business and residential addresses of every corporation, trust, partnership, natural person or other entity which either has contributed capital to or may receive income of over \$ 1000.00 in any year as a result of licensure. Such information shall be up-dated annually.

Every application will acted upon after a hearing before the Board of License Commissioners. The Commission will establish a time and location for such hearing and will notify the applicant of same.

If an applicant proposes to maintain ^{Four} ~~five~~ or more automatic amusement devices in any one place, whether by original or subsequent application prior notice of the hearing on said application shall be given by the applicant to all abutters, every ~~schools~~, place of worship and hospital within 500 feet of the premises, and such neighborhood groups as may be identified by the chairperson or her designee. Said notice shall contain a copy of the application and notice of the date and place of the hearing. The applicant shall submit to the Commission proof (by Certified Mail, Receipt or otherwise) that notice was given in accordance with this paragraph. The applicant additionally shall advertise said notice in a newspaper of general circulation, within the City of Cambridge, on least two separate occasions, and submit to the Commission, proof of said advertising, at least ten (10) days prior to any scheduled hearing. All notices shall state in bold, prominent print, "MEMBERS OF THE GENERAL PUBLIC ARE INVITED TO PRESENT THEIR VIEWS IN FAVOR OR OPPOSITION TO THE APPLICATION TO LICENSE AUTOMATIC AMUSEMENT DEVICES INCLUDING PINBALL MACHINES, BY APPEARING IN PERSON OR SUBMITTING WRITTEN COMMENTS TO THE COMMISSION- CAMBRIDGE LICENSING COMMISSION, CAMBRIDGE CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139."

In acting on applications for licensure , the Commission shall consider whether the granting of licenses requested would be consistent with the general good, order and welfare of the community. The Commission may consider, among other things:

- a. Whether the maintenance of automatic amusement devices could affect traffic and pedestrian congestion.
- b. Whether the maintenance of automatic amusement devices proximate in distance to schools, houses of worship and hospitals would adversely affect their proper operations.
- c. Whether maintenance of automatic amusement devices is consistent with the best economic and social interest of the area.
- d. Whether maintenance of automatic amusement devices would unreasonably increase the level of noise in the area which the premises are located.

6. In granting licenses the Commission may place reasonable restrictions on the operation of automatic amusement devices.

7. Schoolchildren are not permitted to operate automatic amusement machines during school hours (8:30-2:30) on weekdays only.

8. The Commission may revoke or modify any license granted upon giving ten (10) days written notice to the original applicant.

9. No person shall transfer or alienate, either with or without consideration, any license issued by the Commission.

Mary E. Calnan
Mary Calnan, Chairperson

Approved by Commission Vote: Feb., 27, 1979

Fees: \$ 22.00.....Advertising
25.00.....Hearing Fee
100.00.....per machine weekdays
100.00.....State for Sundays
50.00.....City for Sundays



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

October 25, 1982

To the Honorable, the City Council:

With reference to Awaiting Report Item No. 10,
City Council Order No.12 of October 18, 1982, I transmit
herewith communication from Mary E. Calnan, License Com-
missioner, relative to the installation of sixty video
games in the Garage in Harvard Square.

Very truly yours,


Robert W. Healy
City Manager

RWH/b

Agenda Item Number Five S-69

Re: response to Awaiting Report Item No.
20 Re: installation of 60 video games in
the Garage in Harvard Square.

In City Council,

October 25, 1982

10/25/82
Placed
on
File-