AMENDED PUBLICATION

ORDINANCE NO. 922.

Final Publication No. 2003. First Publication in the Chronicle May 24, 1979.

City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

Chapter Four entitled: "Animals" Article I, Sections 4-6 through 4-9 is hereby amended by striking out the present sections and substituting in place thereof the following new sections which read as follows:-

Section 4-6. Licensing of Dogs.

The fee for every license shall, except as otherwise provided, be three dollars ($3.00) for a male dog and six dollars ($6.00) for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the city clerk, in which case the fee shall be three dollars ($3.00). If the city clerk is satisfied that the certificate of the veterinarian who spayed the dog cannot be obtained, he may accept in lieu thereof a sworn statement of a veterinarian registered and practicing in the Commonwealth, describing the dog and stating that he has examined the dog, and that it appears to have been and in his opinion has been spayed. No fee shall be charged for a license for a dog specially trained to lead or serve a blind person; provided that the Division of the Blind certifies that such dog is so trained and actually in the service of a blind person. No part of the license fee shall be refunded because of the subsequent death, loss, spaying or removal from the Commonwealth or other disposal, of the dog; nor shall any part of the license fee paid by mistake be refunded after it has been paid over to the County under 4 A.L.M., c. 140, S147.

Section 4-7. Control of Dogs - Fresh Pond Reservation.

Dogs may go unleashed on the Fresh Pond Reservation provided they have been trained by their masters to follow oral commands and provided further that they are not allowed to romp in mowed, grassy areas and provided further that their owners are Cambridge residents who have received Resident Sticker Parking Permits approved by the Water Board and issued by the Traffic Department

Provided further, that the Water Board post appropriate signs in conspicious locations throughout the Reservation relative to the control of dogs.

City of Cambridge

Section 4-8. Leashing of Dogs.

(a) No person owning or keeping a dog shall permit it to be at large other than on his own premises; if it be on the premises of another person it shall be with the knowledge and permission of such other person. The owner, keeper or person having custody of the dog which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person shall keep the dog under control by means of a chain, rope or cord not exceeding six (6') feet in length of sufficient strength to control the actions of said dog.

(b) In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had.

(c) Any dog found to be at large in violation of this Article shall be caught and confined by the Dog Officer who shall notify forthwith in writing, by certified mail, return receipt requested, the licensed owner of keeper of said dog. The owner or keeper shall have ten (10) days from the date or receipt of such notice within which to recover the dog.

(d) Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The Dog Officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this section, provided, however, if within the twelve (12) months next preceding this offense the owner or keeper has not been convicted for violation of this Article or a dog owned or kept by him has not been taken into custody for violation of this Article, the Dog Officer may waive prosecution.

(e) No person owning or keeping a dog shall permit it to defecate or urinate within the boundaries of any municipally owned playground, tot lot, park or open space to which the public has access, unless expressly permitted in specially designated areas.

(f) No person owning or keeping a dog shall permit it to defecate or urinate within the bounds of any public sidewalk, however, it shall be permissible for any such person owning or keeping a dog to permit it to defecate or urinate in the gutter of any public street.

(g) For the purposes of enforcing the provisions of subsection a, e, and f of section 4-8, NOTICES OF VIOLATION (appearance tickets) may be issued by Sanitation Inspectors and Code Enforcement Inspectors detailed within the Department of Health, Hospital and Welfare, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the animal control officer, and employees of the Water Department recommended by the Water Board and approved by the Chief of Police in those areas under the jurisdiction of the Water Board.

Any owner or keeper of a dog, who has been observed by a police officer to have violated any provisions of sections 4-6, 4-7, 4-8 of this Chapter, and who refuses to give proper personal identification of his or her person to said police officer upon request, shall be subject to arrest.

City of Cambridge

Section 4-9. Appointment of Dog Officer.

A full time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this Article.

Section 4-10. Disposition of Complaints.

ALL NOTICES OF VIOLATION (appearance tickets) shall be returnable to the Clerk of the Third District Court of Eastern Middlesex located in Cambridge. Unless the person named on said NOTICE OF VIOLATION appears before said Clerk within twenty-one days of said violation either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the NOTICE the fine provided therein, a complaint will be sought against the person named on said NOTICE. If the violation is the first offense subject to Section 4-8 of this chapter committed by such person within a calendar year, the payment to the clerk of a fine of five ($5.00) dollars shall operate as a final disposition of the case; if it is the second offense so committed in the calendar year, the payment to the clerk of a fine of twenty-five ($25.00) dollars shall operate as a final disposition of the case; if it is the third or subsequent offense so committed in the calendar year, the payment of a fine of fifty ($50.00) dollars shall operate as a final disposition of the case. A violation of section 4-6 of this chapter, shall be punishable by a fine of not more than fifteen ($15.00) dollars for each offense.

Also the present sections designated as 4-10, 4-11 and 4-12 shall now be designated as sections 4-11, 4-12 and 4-13.

In City Council June 25, 1979

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.

ORDINANCE NO. 922.

Final Publication No. 2003. First Publication in the Chronicle May 24, 1979.

City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

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Dogs may go unleashed on the Fresh Pond Reservation provided they have been trained by their masters to follow oral commands and provided further that they are not allowed to romp in mowed, grassy areas and provided further that their owners are Cambridge residents who have received Resident Sticker Parking Permits approved by the Water Board and issued by the Traffic Department

Provided further, that the Water Board post appropriate signs in conspicious locations throughout the Reservation relative to the control of dogs.

City of Cambridge

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(a) No person owning or keeping a dog shall permit it to be at large other than on his own premises; if it be on the premises of another person it shall be with the knowledge and permission of such other person. The owner, keeper or person having custody of the dog which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person shall keep the dog under control by means of a chain, rope or cord not exceeding six (6') feet in length of sufficient strength to control the actions of said dog.

(b) In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had.

(c) Any dog found to be at large in violation of this Article shall be caught and confined by the Dog Officer who shall notify forthwith in writing, by certified mail, return receipt requested, the licensed owner of keeper of said dog. The owner or keeper shall have ten (10) days from the date or receipt of such notice within which to recover the dog.

(d) Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The Dog Officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this section, provided, however, if within the twelve (12) months next preceding this offense the owner or keeper has not been convicted for violation of this Article or a dog owned or kept by him has not been taken into custody for violation of this Article, the Dog Officer may waive prosecution.

(e) No person owning or keeping a dog shall permit it to defecate or urinate within the boundaries of any municipally owned playground, tot lot, park or open space to which the public has access, unless expressly permitted in specially designated areas.

(f) No person owning or keeping a dog shall permit it to defecate or urinate within the bounds of any public sidewalk, however, it shall be permissible for any such person owning or keeping a dog to permit it to defecate or urinate in the gutter of any public street.

(g) For the purposes of enforcing the provisions of subsection a, e, and f of section 4-8, NOTICES OF VIOLATION (appearance tickets) may be issued by Sanitation Inspectors and Code Enforcement Inspectors detailed within the Department of Health, Hospital and Welfare, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the animal control officer, and employees of the Water Department recommended by the Water Board and approved by the Chief of Police in those areas under the jurisdiction of the Water Board.

Any owner or keeper of a dog, who has been observed by a police officer to have violated any provisions of sections 4-6, 4-7, 4-8 of this Chapter, and who refuses to give proper personal identification of his or her person to said police officer upon request, shall be subject to arrest.

City of Cambridge

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A full time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this Article.

Section 4-10. Disposition of Complaints.

ALL NOTICES OF VIOLATION (appearance tickets) shall be returnable to the Clerk of the Third District Court of Eastern Middlesex located in Cambridge. Unless the person named on said NOTICE OF VIOLATION appears before said Clerk within twenty-one days of said violation either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the NOTICE the fine provided therein, a complaint will be sought against the person named on said NOTICE. If the violation is the first offense subject to Section 4-7 of this chapter committed by such person within a calendar year, the payment to the clerk of a fine of five ($5.00) dollars shall operate as a final disposition of the case; if it is the second offense so committed in the calendar year, the payment to the clerk of a fine of twenty-five ($25.00) dollars shall operate as a final disposition of the case; if it is the third or subsequent offense so committed in the calendar year, the payment of a fine of fifty ($50.00) dollars shall operate as a final disposition of the case. A violation of section 4-6 of this chapter, shall be punishable by a fine of not more than fifteen ($15.00) dollars for each offense.

Also the present sections designated as 4-10, 4-11 and 4-12 shall now be designated as sections 4-11, 4-12 and 4-13.

In City Council June 25, 1979

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.

FIRST PUBLICATION NO. 1999.

City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Nine

AN ORDINANCE

In Amendment to an Ordinance formerly entitled "The General Ordinances 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 four entitled: "Animals" is hereby amended as follows:

The first sentence of Section 4-6 entitled: "Licensing of Dogs" is stricken and a new sentence is inserted therein, to read as follows:

> The fee for every license shall, except as otherwise provided, be three dollars for a male dog and six dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the town clerk, in which case the fee shall be three dollars.

The second sentence of Subsection (a) of Section 4-7 is amended by striking therefrom the words, "or by such personal presence and attention as will reasonably control its actions and conduct."

The second sentence of Section 4-7(a) shall then appear as follows:

> The owner, keeper or person having custody of the dog which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person, shall keep the dog under control by means of a chain, rope or cord not exceeding six (6') feet in length of sufficient strength to control the actions of said dog.

Section 4-7(e) is hereby stricken.

Section 4-7 is hereby further amended by adding the following new subsections to be denoted as"(e), (f) and (g)" and to appear as follows:

(e) No person owning or keeping a dog shall permit it to defecate or urinate within the boundaries of any municipally owned playground, tot lot, park or open space to which the public has access, unless expressly permitted in specially designated areas.

(f) No person owning or keeping a dog shall permit it to defecate or urinate within the bounds of any public sidewalk, however, it shall be permissible for any such person owning or keeping a dog to permit it to defecate or urinate in the gutter of any public street.

(g) For the purposes of enforcing the provisions of subsection a,e, and f of section 4-7, NOTICES OF VIOLATION (appearance tickets) may be issued by Sanitation inspectors and Code Enforcement inspectors detailed within the Department of Health, Hospital and Welfare, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the animal control officer.

Any owner or keeper of a dog, who has been observed by a police officer to have violated any provision of Sections 4-6 or 4-7 of this Chapter, and who refuses to give proper personal identification of his or her person to said police officer upon request, shall be subject to arrest.

Section 4-9 entitled: "Penalty" is hereby stricken and a new section entitled: "Disposition of Complaints" shall appear as follows:

Section 4-9. Disposition of Complaints.

ALL NOTICES OF VIOLATION (appearance tickets) shall be returnable to the Clerk of the Third District Court of Eastern Middlesex located in Cambridge. Unless the person named on said NOTICE OF VIOLATION appears before said Clerk within 21 days of said violation either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the NOTICE the fine provided therein, a complaint will be sought against the person named on said NOTICE. If the violation is the first offense subject to Section 4-7 of this chapter committed by such person within a calendar year, the payment to the clerk of a fine of five ($5.00) dollars shall operate as a final disposition of the case; if it is the second offense so committed in the calendar year, the payment to the clerk of a fine of twenty-five ($25.00) dollars shall operate as a final disposition

of the case; if it is the third or subsequent offense so committed in the calendar year, the payment of a fine of fifty ($50.00) dollars shall operate as a final disposition of the case. A violation of Section 4-6 of this chapter, shall be punishable by a fine of not more than fifteen ($15.00) dollars for each offense.

Passed to a second reading at the City Council Meeting held on June 4, 1979 and on or after June 18, 1979 the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9020

LAW DEPARTMENT

RECEIVED BY
OFFICE OF CITY CLERK
MAY 22 1 54 PM '79
CAMBRIDGE, MASS.

RUSSELL B. HIGLEY
CITY SOLICITOR

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
MICHAEL C. COSTELLO
ROBERT F. SYDNEY
LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

May 22, 1979

Mr. Paul E. Healy
City Clerk
City Hall
Cambridge, Massachusetts

Re: Licensing of dogs

Dear Mr. Healy:

I am in receipt of your request for an opinion regarding whether or not the licensing of dogs is a delegable duty which may be performed outside of your office by the Cambridge Animal Commission.

As you are aware, General Laws, Chapter 140, section 137 specifically states that "the registering, numbering, describing and licensing of a dog, if kept in Boston, shall be in the office of the police commissioner or if kept in any other town, in the office of the clerk thereof." (Emphasis added) Additionally, General Laws, Chapter 66, section 10 provides that with some exceptions (not applicable to dog licenses), the records of the city clerk are to be open to public inspection in the office of the city clerk at all reasonable times and the clerk, as custodian of public records, must furnish copies of said records on request and on payment of a reasonable fee. This is a responsibility which, in my opinion, is clearly non-delegable absent specific statutory language to the contrary.

In light of the abovementioned statutes, it is my opinion that your office has a non-delegable mandate to license and maintain accurate records of the licensing of all dogs in the City. Absent a Special Act of the State Legislature to the contrary, this responsibility clearly must remain within your office.

If you have further questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Russell B. Higley

Russell B. Higley
City Solicitor

RBH:jl

cc: Ms. Ginger Gay
Animal Commission

CCM-101

City of Cambridge

AMENDED ORDER

18.

IN CITY COUNCIL

June 25, 1979

COUNCILLOR SULLIVAN

ORDERED: That the proposed ordinance regulating the control of dogs be amended by adding a new section 4-7 entitled "Control of Dogs - Fresh Pond Reservation" which reads as follows:-

4-7. Control of Dogs - Fresh Pond Reservation.

Dogs may go unleashed on the Fresh Pond Reservation provided they have been trained to follow oral commands from their masters, excpt for the mowed, grassy areas, and be it futher provided that the Water Board be instructed to issue Resident Sticker Permits to Cambridge residents only and to enforce said regulation immediately.

In City Council June 25, 1979.
Adopted as amended by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy,
ATTEST:- Paul E. Healy

C. C. 106

3.

Passing to be Ordained

City of Cambridge

MASSACHUSETTS

As Amended

In City Council June 25 1979

	YEA	NAY	ABSENT	PRESENT
Mr. Crane	✓			
Mr. Duehay	✓			
Mr. Frisoli			✓	
Ms. Graham	✓			
Ms. Preusser	✓			
Mr. Sullivan	✓			
Mr. Vellucci	✓			
Mr. Wylie	✓			
Mayor Danehy	✓			
	8	0	1	

RWSR
RF
A

C. C. 106

1/ Councillor Wylie Amendment to the Ordinance Re Contract

City of Cambridge

MASSACHUSETTS

In City Council June 25 1979

	YEA	NAY	ABSENT	PRESENT
Mr. Crane	✓			
Mr. Duehay	✓			
Mr. Frisoli			✓	
Ms. Graham		✓		
Ms. Preusser		✓		
Mr. Sullivan	✓			
Mr. Vellucci	✓			
Mr. Wylie	✓			
Mayor Danehy	✓			
	6	2	1	

Amendment Carried -

C. C. 106

2/ C. Graham Motion to Amend -

City of Cambridge

re design guidelines areas

MASSACHUSETTS

In City Council June 25 1979

	YEA	NAY	ABSENT	PRESENT
Mr. Crane		✓		
Mr. Duehay		✓		
Mr. Frisoli			✓	
Ms. Graham	✓			
Ms. Preusser		✓		
Mr. Sullivan		✓		
Mr. Vellucci	✓			
Mr. Wylie		✓		
Mayor Danehy		✓		
	2	6	1	

- Amendment failed -

ORDINANCE NO. 922.

Final Publication No. 2003. First Publication in the Chronicle May 24, 1979.

City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

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Control of Dogs

Section 4-7 Fresh Pond Reservation—

City of Cambridge

8

Section 4-7. Leashing of Dogs.

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(c) Any dog found to be at large in violation of this Article shall be caught and confined by the Dog Officer who shall notify forthwith in writing, by certified mail, return receipt requested, the licensed owner of keeper of said dog. The owner or keeper shall have ten (10) days from the date or receipt of such notice within which to recover the dog.

(d) Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The Dog Officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this section, provided, however, if within the twelve (12) months next preceding this offense the owner or keeper has not been convicted for violation of this Article or a dog owned or kept by him has not been taken into custody for violation of this Article, the Dog Officer may waive prosecution.

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City of Cambridge

9

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A full time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this Article.

10

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In City Council

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

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

AMENDED PUBLICATION

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City of Cambridge

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(c) Any dog found to be at large in violation of this Article shall be caught and confined by the Dog Officer who shall notify forthwith in writing, by certified mail, return receipt requested, the licensed owner of keeper of said dog. The owner or keeper shall have ten (10) days from the date or receipt of such notice within which to recover the dog.

(d) Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The Dog Officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this section, provided, however, if within the twelve (12) months next preceding this offense the owner or keeper has not been convicted for violation of this Article or a dog owned or kept by him has not been taken into custody for violation of this Article, the Dog Officer may waive prosecution.

(e) No person owning or keeping a dog shall permit it to defecate or urinate within the boundaries of any municipally owned playground, tot lot, park or open space to which the public has access, unless expressly permitted in specially designated areas.

(f) No person owning or keeping a dog shall permit it to defecate or urinate within the bounds of any public sidewalk, however, it shall be permissible for any such person owning or keeping a dog to permit it to defecate or urinate in the gutter of any public street.

(g) For the purposes of enforcing the provisions of subsection a, e, and f of section 4-8, NOTICES OF VIOLATION (appearance tickets) may be issued by Sanitation Inspectors and Code Enforcement Inspectors detailed within the Department of Health, Hospital and Welfare, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the animal control officer, and employees of the Water Department recommended by the Water Board and approved by the Chief of Police in those areas under the jurisdiction of the Water Board.

Any owner or keeper of a dog, who has been observed by a police officer to have violated any provisions of sections 4-6, 4-7, 4-8 of this Chapter, and who refuses to give proper personal identification of his or her person to said police officer upon request, shall be subject to arrest.

City of Cambridge

Section 4-9. Appointment of Dog Officer.

A full time Dog Officer and an Assistant shall be appointed by the City Manager and shall have the responsibility of enforcing this Article.

Section 4-10. Disposition of Complaints.

ALL NOTICES OF VIOLATION (appearance tickets) shall be returnable to the Clerk of the Third District Court of Eastern Middlesex located in Cambridge. Unless the person named on said NOTICE OF VIOLATION appears before said Clerk within twenty-one days of said violation either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the NOTICE the fine provided therein, a complaint will be sought against the person named on said NOTICE. If the violation is the first offense subject to Section 4-8 of this chapter committed by such person within a calendar year, the payment to the clerk of a fine of five ($5.00) dollars shall operate as a final disposition of the case; if it is the second offense so committed in the calendar year, the payment to the clerk of a fine of twenty-five ($25.00) dollars shall operate as a final disposition of the case; if it is the third or subsequent offense so committed in the calendar year, the payment of a fine of fifty ($50.00) dollars shall operate as a final disposition of the case. A violation of section 4-6 of this chapter, shall be punishable by a fine of not more than fifteen ($15.00) dollars for each offense.

Also the present sections designated as 4-10, 4-11 and 4-12 shall now be designated as sections 4-11, 4-12 and 4-13.

In City Council June 25, 1979

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.

June 6, 1979

Dear Councillor Frisoli:

We honestly feel that our proposed budget is the minimum amount necessary for proper implementation of the Animal Commission ordinance. Please bear in mind that ours is one of the very few departments capable of generating revenue nearly equal to or better than operating costs with enforcement of the animal laws.

City Manager James Sullivan has said we may have only $3,000 for all of fiscal year 1979-80.

We hope you will give our budget request consideration.

Sincerely,

Ginger Gay
Director

Capt. Joseph Cusack
Captain Joseph Cusack
Assistant Director

Brandon Reines
Brandon Reines
Project Coordinator

FIRST PUBLICATION
NO. 1944.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Seventy-Eight
AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

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

Chapter Four, entitled: "Animals" is hereby amended by adding a new ordinance at the end thereof entitled: **Article III, Cambridge Animal Commission"**, which will read as follows:

Article III. Cambridge Animal Commission

Section 4-13. Establishment.

There shall be and hereby is established a Cambridge Animal Commission.

Section 4-14. Function and Purpose.

It shall be the function of the Commission to facilitate and promote programs affecting animal control within the City of Cambridge. Such programs shall include:

(a) A low cost spaying and neutering program.

(b) A euthanasia program.

(c) A dog pound and adoption program.

(d) An animal census program.

(e) A citizen education program.

(f) Such other activities activities which, by and with the approval of the City Manager, are considered necessary and appropriate to insure effective animal control within the City of Cambridge.

Section 4-15. Membership, Appointment, Term.

(a) The Commission shall consist of seven members. The Chief of the Cambridge Police Department and the Commissioner of Health and Hospitals shall be permanent members of the Commission. The remaining five members shall be appointed initially by the City Manager to serve for the following terms:

(1) One member shall serve for a one year term.

(2) Two members shall serve for a two year term.

(3) Two members shall serve for a three year term.

After the initial terms all Commissioners shall be appointed for a term of three years.

(b) Members of the Commission shall have demonstrated ability in the animal welfare field with related experience in any of the following:

(1) Public information programs.

(2) Animal shelter operations.

(3) Spaying and neutering programs.

(4) Affiliations with national and local animal protection societies.

(5) Knowledge of animal health care and diseases.

Section 4-16 Appointment of a Director.

The City Manager shall appoint a Director from a list of names recommended by the Commission. The Director shall have general charge of all animal control activities in the city.

It shall be the function of the Director to coordinate activities of all departments and divisions of City government which affect the control of animals within the City of Cambridge, and to provide such other related services as are deemed necessary and proper by the Commission, subject to the approval of the City Manager.

The Director shall serve a term of employment to be determined by the Commission by and with the approval of the City Manager.

In City Council June 12, 1978.

Passed to a second reading at the City Council meeting of June 12, 1978 and on or after June 26, 1978 the question may be on passing to be ordained.

ATTEST:-

Paul E. Healy,
City Clerk

(C) Jun15

ACTUAL 1977-78	1978-79 REVISED FIRST 1/3	1978-79 REVISED LAST 2/3	1978-79 REVISED TOTAL	DEPT. Animal Commission DIV. C.C. PROJ.	1979-80 BUDGET DETAIL	1979-80 BUDGET TOTAL
				SALARIES & WAGES		
101				positioned — worktime	101 7,300	
107				positioned — incentive/longevity/hazardous duty	107	
108				positioned — duty differential	108	
				positioned — non-productive time	10(N)	
111				non-positioned — worktime	111	
117				non-positioned — incentive/longevity/hazardous duty	117	
118				non-positioned — duty differential	118	
				non-positioned — non-productive time	11(N)	
121				overtime — peakload requirements	121	
122				overtime — vacation leave coverage	122	
124				overtime — holiday coverage	124	
128				overtime — shift differential	128	
129				overtime — authorized payments	129	
TOTAL					S & W TOTAL	7,300
				TRAVEL & TRAINING		
200				business travel	200	
210				training/education	210	
220				conference attendance	220	
230				professional affiliations	230	
TOTAL					T & T TOTAL	
				OTHER ORDINARY MAINTENANCE		
300				general operations	300 5,500	
310	3,000	3,000		professional/technical services	310	
320				plant operation	320	
330				plant maintenance	330	
340				equipment operation	340	
350				equipment maintenance	350	
360				library resources	360	
370				educational resources	370 400	
380				medical & surgical resources	380 900	
390				miscellaneous resources	390	
TOTAL	3,000	3,000			O O M TOTAL	6,800
				EXTRAORDINARY EXPENDITURES		
400				additional equipment	400 400	
410				water works materials	410	
420				health equipment	420	
430				public investments	430	
450				replacement equipment	450	
TOTAL					E E TOTAL	400
G TOTAL	3,000	3,000			GRAND TOTAL	14,500

STATUTORY ANALYSIS 11/1/78

Form 15 Revised 10/20/77

DEPT. Animal Commission DIV. C.C. PROJ.	POSITION NUMBER	BASE		CONTRACT SETTLEMENT 1/1/79-6/30/80	INCREMENT 1st 2nd	LONGEVITY/ INCENTIVE	BUDGET TOTAL
		RATE	TIME COST				
	Director		4,500				
	Project Coordinator		2,800				7,300

ACTUAL 1977-78	REVISED 1978-79		BUDGET 1979-80

SOURCES OF REVENUE TO THE ANIMAL COMMISSION

Unleashed dogs	Estimate 200 tickets at $10/violation	$ 2,000	
Unlicensed dogs	Estimate according to previous reports by the Police Department of 900 tickets at $10/violation	$ 9,000	
Curbing	Estimate 250 tickets per year with a penalty of $5 for first offense	$ 1,250	
TOTAL REVENUE GENERATED DUE TO ENFORCEMENT OF ANIMAL LAWS			$12,250
Placement of dogs from dog pound ($5 profit after spaying-neutering charge)		$ 500	$ 500
Donations		$ 1,000	$ 1,000
TOTAL - ALL SOURCES			$13,750

CAMBRIDGE

ACTUAL 1977-78	REVISED 1978-79		BUDGET 1979-80

SALARIES AND WAGES

The Animal Commission currently has two full-time staff personnel--the Director, and Project Coordinator--who receive a salary of $7,500 and $7,200 per year respectively. The proposed salary supplement by the City would raise the salary of the Director to $12,000 and the Project Coordinator to $10,000 per year. We feel this is justified as the Director has over ten years experience in the humane field and the Project Coordinator has a Bachelor's degree in Zoology (Phi Beta Kappa) and experience in the humane field. (See enclosed resumes for verification.) $ 7,300

GENERAL OPERATING EXPENSES

1. Advertising - To ensure the effectiveness of programs (a) (e) and (f) (see enclosed ordinance) the Commission is purchasing a 3 1/2 x 2 inch front page ad in the Cambridge Chronicle for six months. Services offered by the Commission--low cost spaying/neutering/inoculations, stray dog and cat placement, injured animal emergency assistance, licensing and legal information, cruelty investigation, humane education, pet health care information--and general information, such as alerting the public to the new leashing/curbing ordinance and licensing will be advertised. $ 1,000

2. Dog Pound Adoption Program

   a. Advertising - In accordance with (c) of the Commission ordinance we will be advertising a description of the animals for adoption from the dog pound in The Boston Globe and Herald. We estimate placement of 100 dogs. Costs will be approximately $20/week. $ 1,000

   b. Also, in accordance with (c) of the ordinance adoptable dogs would be retained for an extra 5 days so as to allow time for placement Estimated cost is based on 100 adoptable dogs per year @ $2.50/day 5 days each. $ 2,000

3. Euthanasia Program - In accordance with (b) of the ordinance, dogs and cats will be euthanized by Dr. Yashar Bahceli and carcasses will be stored in the new DPW freezer. Estimated cost to the Commission of this program is based on an average of 300 animals euthanized per year at $5/carcass. $ 1,500

CAMBRIDGE

ACTUAL 1977-78	REVISED 1978-79		BUDGET 1979-80

4. Vaccinations - For animals to be properly protected against distemper they must be vaccinated upon entry to the pound. At present this is not done and creates health problems for the animals in their ten day stay. Estimated cost is based on 900 dogs/year at $1 per vaccination. $ 900

5. Citizen Education Program - In accordance with (e) of the ordinance, a film about pet overpopulation and purchase of humane literature is needed for our humane education program. $ 400

6. Injured, Unmanageable and Wild Animals - A Ketch-All pole, two pairs of heavy-duty protection gloves, a live trap and first aid equipment (gauze and tranquilizers, etc.)are needed for proper handling of injured, unmanageable domestic and wild animals. $ 400

TOTAL BUDGET REQUEST $14,500

CAMBRIDGE

Ginger Gay
294 Prospect Street
Cambridge, Massachusetts 02139
(617) 491-0735

EXPERIENCE

1970-Present — Volunteer Representative, Friends of Animals, Inc.
11 West 60th Street, New York, New York 10023

As a representative for Friends of Animals, Inc. the past eight years, I have been implementing their low cost spaying and neutering program in Massachusetts. In this capacity I receive a minimum of 350 calls a month from persons wishing to use FoA's services. Not only do I help clients with the spaying program, but also can answer a myriad of questions relating to animal health care. We have over 80 veterinarians participating in our program, and I must also see that everything flows smoothly between the veterinarians and the client. I have an excellent working relationship with the veterinarians on our program in Massachusetts. Of the below listed experience and expertise, I find the work I do for FoA (unpaid) the most beneficial as it is the only program in the United States that offers persons unable to afford the full fee for spaying and neutering the opportunity to do so.

1970-Present — President, Middlesex Animal Shelter, Inc.
294 Prospect Street, Cambridge, Massachusetts 02139

I have operated a non-profit animal shelter for eight years. These animals come from the Cambridge-Somerville Dog Pound. I place approximately 40 dogs and 10 cats a year. No unspayed animal is ever placed from my shelter. I have them spayed at my own expense. I use advertising in local newspapers and charge a fee to insure a responsible person adopts these dogs and cats. At present the shelter operates at a loss due to the high cost of food, spaying, veterinarian costs, advertising, etc.

1969-1970 — Veterinarian Assistant, Dr. Kevin Callanan, DVM
1274 Soldiers Field Road, Brighton, Massachusetts 02135

As a veterinarian assistant I assisted Dr. Callanan in operating procedures. Because I was so interested in gaining knowledge from working with a veterinarian, I grasped many of the complicated operating procedures and was able to recognize many diseases in dogs and cats after a very short stay. Working for a veterinarian is both rewarding and maddening, as you see the very best and the very worst in animal owners.

OTHER EXPERIENCE

Jan. 1978-Present — Member, Committee for Humane Alternatives

As a member of this Committee we all spent many hours formulating a proposal for the City of Cambridge to establish a professional approach to animal control. At our meetings there were many ideas that we had to condense into a workable proposal. I feel proud that a small group of dedicated persons came together and worked extremely hard through the complicated political process for something in which they believed.

1968-1972 — Office Manager, Mitech Systems Inc.
184 Hampshire Street, Cambridge, Massachusetts 02139

As office manager for a small company I was responsible for: proposal preparation; accounting (through a trial balance); record keeping; office files; telephone and correspondence.

1972-1976 — Office Manager, Geo-Search
470 Totten Pond Road, Waltham, Massachusetts 02154

Again, as office manager for a small firm, I had essentially the same duties as above.

1976-Present — Office Manager, Report Production Associates (RPA)
17 Dunster Street, Cambridge, Massachusetts 02138

RPA is a small firm in Harvard Square where as office manager I must confer with many clients and a typing staff in meeting deadlines and professional report preparation. We do typing, editing, graphics, resume consulting, and automated letters.

MISCELLANEOUS

I work in close cooperation with various other humane societies -- Animal Aid, Inc.; Buddy Dogs; Dog Orphans, Inc.; Winchester SPCA; South Shore Humane Society, Ellen Gifford Home for Cats; also, national and international societies -- International Society for the Protection of Animals; Massachusetts Society for the Prevention of Cruelty to Animals; Friends of Animals, Fund for Animals.

I have also lent time and support to humane legislation within Massachusetts, such as banning the decompression chamber, banning the steel leghold trap and recodifying the present animal laws within Massachusetts.

I have also done public speaking before the South Shore Humane Society, Massachusetts Animal Control Commission and the Boston Animal Control Commission.

ORGANIZATIONS

Member, Society for Animal Protective Legislation, Inc.
Member, Society for Animal Rights, Inc.
Member, National Cat Protection Society
Member, International Society for the Protection of Animals
Member, World Wildlife Fund
Member, Humane Information Services, Inc.
Member, Friends of Animals, Inc.
Member, Whale Protection Fund

REFERENCES AVAILABLE UPON REQUEST

BRANDON P. REINES
165 B Putnam Ave.
Cambridge, MA 02139
(617)661-9828

CAREER GOAL

Regional coordinator and lobbyist for animal conservation or humane organization.

EDUCATION

B. S.-May 1978-University of Massachusetts at Amherst
Major: Zoology
Minor: Journalism and Speech

HONORS

Phi Beta Kappa

EXPERIENCE

6/78-
Full-time fundraiser for GREENPEACE NEW ENGLAND, INC. (marine mammal conservation organization).

6/77-9/77
Full-time work at Verrill Farm, Concord, MA: administering drug therapies, delivering calves, milking cows.

5/76-9/76
Full-time veterinary assistant at Natick Animal Clinic, MA.

6/69-8/69
6/70-8/70
6/71-9/71
Part-time work at Rolling Ridge Horse Farm, Woodstock, Vt.

EXTRA-CURRICULAR ACTIVITIES

Freelance writing; Animal Betterment League; Fund for Animals; Newsletter coordinator for the Coalition for Environmental Quality; Debating team; Alpha Phi Omega service fraternity; Israel Emergency Fund; Intramural soccer, football, volleyball, basketball; jazz drumming.

PERSONAL

Single, 6'5", 185 lbs., 22 years old.

CITY OF CAMBRIDGE

RECEIVED BY
OFFICE OF CITY CLERK
JUN 7 3 35 PM '79
CAMBRIDGE, MASS.

INTEROFFICE CORRESPONDENCE

To Paul Healy, City Clerk **Date** June 7, 1979

From Jon M. Beekman, Watershed Manager JMB **Reference**

Subject Requested addendum to ordinance entitled: "Animals"

Mr. John Seites, Superintendent, Water Department, requests that the following statement or a like statement be entered into the ordinance under Section 4-7 (g), entitled "Enforcement."

"The Water Board may recommend employees to the Chief of Police for appointment with authorization to act in the enforcement of this ordinance."

JMB/mp

Comm. from Jon M. Beekman, Watershed Mgr., in behalf of John Seites, Supt., Water Dept requesting an amendment to the General Ordinances in Chapter Four entield "Animals' Section 4-7 (g) entitled "Enforcement".

In City Council,

June 11, 1979

6/11/1979

Referred to the Hearing 6/25/79 re Dog Ordinance -

ORDINANCE NO. 765
Final Publication No. 1621. First Publication in Cambridge Chronicle-Sun, June 7, 1967.

CITY OF CAMBRIDGE

In the Year One Thousand Nine Hundred Sixty - Eight

AN ORDINANCE

In amendment to an Ordinance entitled: "The General Ordinance of the City of Cambridge."

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

Chater 3 of the General Ordinances of the City of Cambridge is hereby amended by inserting after Section 4 of said Chapter the following sections which are not intended in any manner to be inconsistent with the provisions of the General Laws of Massachusetts.

SECTION 5:

LICENSING OF DOGS

The fee for every license shall, except as otherwise provided, be ~~two~~ 3 dollars for a male dog and ~~five~~ 6 dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the town clerk, in which case the fee shall be three dollars. If the town clerk is satisfied that the certifcate of the veterinarian who spayed the dog can't be obtained, he may accept in lieu thereof a statement signed under the penalties of perjury by a veterinarian registered and practicing in the commonwealth, describing the dog and stating that he has examined such dog, and that it appears to have been and in his opinion has been, spayed and thereby deprived of the power of propagation. No fee shall be charged for a license for a dog specially rained to lead or serve a blind person; provided, that the division of the blind ecrtifies ehat such dog is so trained and actually in the service of a blind person. No license fee or part thereof shall be refunded because of the subsequent death, loss, spaying, or removal from the commonwealth or other disposal, of the dog, nor shall any license fee or part thereof paid by mistake be paid or recovered back after it has been paid over to the country under seltion one hundred forty-seven.

SECTION 6:

LEASHING OF DOGS

No person owning or keeping a dog in the City of Cambridge shall permit such dog to be at large in said city elsewhere than on the premises of the owner or keeper, except if it be on the premises of another person with the knowledge and permission of suih other person. Such owner or keeper or person having custody of said dog with the permission of the owner or keeper of a dog in the City of Cambridge, which is not on the premises of the owner or upon the premises of another person wth the knowledge and permission of such person shall keep said dog under control by means of a chain, rope or cord not exceeding 6 feet in length of sufficient strength to control the actions of said dog or by such personal presence and attention as will reasonably control its actions and conduct.

In any prosecution hereunder, the presence of such dog at large upon premises other than the premises of the owner or keeper of such dog shall be prima facie evidence that such knowledge and permission was not had.

Any dog found to be at large in violation of this ordinance shall be caught and confined by the dog officer who shall notify forthwith in writing, by registered mail, return receipt requested, the licensed owner or keeper of said dog. The owner or keeper shall have a period of ten days from the date of receipt of such notice within which to recover the dog.

Return of the dog to the licensed owner or keeper shall be dependent on admission of ownership or the keeping of the dog and the assumption of responsibility by the licensed owner or keeper. The dog officer shall enter and prosecute a complaint against the owner or keeper of any dog taken into his custody under this section provided, however, if within the twelve months next preceding this offense the owner or keeper has not been convicted for violation of this by-law or a dog owned or kept by him has not been taken into custody for violation of this by-law, the dog officer may waive prosecution.

A dog officer having custody of a dog confined under this by-law shall be allowed the sum of one dollar and fifty cents per day for each day of confinement for the care of such dog, payable by the owner or keeper thereof.

A violation of this by-law shall be punishable by a fine of not more than ten dollars for each offense.

SECTION 7:

A full time Dog Officer and an assistant shall be appointed by the city and shall have the responsibility of enforcing this ordinance.

This ordinance shall take effect on July 22, 1968.

In City Council April 22, 1968.
Passed to be ordained by a yea and nay vote —
Yeas 7; Nays 2; Absent 0.
Ralph J. Dunphy,
Acting City Manager.

A true copy, Attest: —
Thomas M. McNamara,
City Clerk

(C)Ap.25

City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Nine

AN ORDINANCE

In Amendment to an Ordinance formerly entitled "The General Ordinances 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 four entitled: "Animals" is hereby amended as follows:

The first sentence of Section 4-6 entitled: "Licensing of Dogs" is stricken and a new sentence is inserted therein, to read as follows:

> The fee for every license shall, except as otherwise provided, be three dollars for a male dog and six dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the [~~town~~] clerk, in which case the fee shall be three dollars.

The second sentence of Subsection (a) of Section 4-7 is amended by striking therefrom the words, "or by such personal presence and attention as will reasonably control its actions and conduct."

The second sentence of Section 4-7(a) shall then appear as follows:

> The owner, keeper or person having custody of the dog which is not on the premises of the owner or upon the premises of another person with the knowledge and permission of such person, shall keep the dog under control by means of a chain, rope or cord not exceeding six (6') feet in length of sufficient strength to control the actions of said dog.

Section 4-7(e) is hereby stricken.

Section 4-7 is hereby further amended by adding the following new subsections to be denoted as"(e), (f) and (g)" and to appear as follows:

(e) No person owning or keeping a dog shall permit it to defecate or urinate within the boundaries of any municipally owned playground, tot lot, park or open space to which the public has access, unless expressly permitted in specially designated areas.

(f) No person owning or keeping a dog shall permit it to defecate or urinate within the bounds of any public sidewalk, however, it shall be permissible for any such person owning or keeping a dog to permit it to defecate or urinate in the gutter of any public street.

(g) For the purposes of enforcing the provisions of subsection a,e, and f of section 4-7, NOTICES OF VIOLATION (appearance tickets) may be issued by Sanitation inspectors and Code Enforcement inspectors detailed within the Department of Health, Hospital and Welfare, by persons appointed as Parking Control Officers detailed within the Department of Traffic and Parking, by any Police Officer, and by the animal control officer.

Any owner or keeper of a dog, who has been observed by a police officer to have violated any provision of Sections 4-6 or 4-7 of this Chapter, and who refuses to give proper personal identification of his or her person to said police officer upon request, shall be subject to arrest.

Section 4-9 entitled: "Penalty" is hereby stricken and a new section entitled: "Disposition of Complaints" shall appear as follows:

Section 4-9. Disposition of Complaints.

ALL NOTICES OF VIOLATION (appearance tickets) shall be returnable to the Clerk of the Third District Court of Eastern Middlesex located in Cambridge. Unless the person named on said NOTICE OF VIOLATION appears before said Clerk within 21 days of said violation either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the NOTICE the fine provided therein, a complaint will be sought against the person named on said NOTICE. If the violation is the first offense subject to Section 4-7 of this chapter committed by such person within a calendar year, the payment to the clerk of a fine of five ($5.00) dollars shall operate as a final disposition of the case; if it is the second offense so committed in the calendar year, the payment to the clerk of a fine of twenty-five ($25.00) dollars shall operate as a final disposition

of the case; if it is the third or subsequent offense so committed in the calendar year, the payment of a fine of fifty ($50.00) dollars shall operate as a final disposition of the case. A violation of Section 4-6 of this chapter, shall be punishable by a fine of not more than fifteen ($15.00) dollars for each offense.

CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway EXTENSION 344

To James L. Sullivan, City Manager

From David R. Vickery, Assistant City Manager for Community Development

Date May 1, 1979

Subject Dog Ordinance

Attached is the proposed dog ordinance drafted by the Blue Ribbon Committee appointed by you in response to the Council Order No. 9. It represents close to unanimous agreement on the severity of the problems and the need for stringent laws. I call your attention especially to Section 4-7(e) and 4-7(f) on the second page.

The single most important issue, however, is contained in Section 4-7(g) - ENFORCEMENT. Members of the City Council and the public will first and foremost want to know how the City will enforce these laws. Section 4-7 (g) says that tickets may be issued by the Health and Hospital inspectors, or the meter maids, or policemen or the one animal control officer we now have. The last one is the only one who would be enforcing these laws unless an administrative decision is made to direct the Police Chief, the Director of Traffic and Parking, or the Commissioner of Health and Hospitals to deploy their departments to enforce this ordinance.

When this proposed ordinance is sent to the City Council, some outline of enforcement strategies should be included. This would be along the following lines:

1. A commitment to deploying people from some or all of the above departments in writing tickets.
2. A comprehensive sign program for all public parks, playgrounds, and areas mentioned in Section 4-7(e). This is important because it would make it much easier for people in parks to exert moral or civic pressure on people who have their dogs defecate in an area used by people. One can at least point to a sign and tell the offender that this is illegal. This should be an IMMEDIATE PRIORITY.
3. An extensive publicity and education campaign to be implemented through newspapers, mailouts in municipal bills, handouts through school children and so on. The Animal Commission should be supported in spearheading this effort with strong input from CDD.

I urge you to transmit this to the City Council immediately before the June adjournment and the City Council campaigns, if at all possible. Members of the special committee are prepared to testify on the health hazards of the dog crisis and the need for this ordinance.

Attachment

RECEIVED
APR 31 2 48 PM '79
OFFICE OF THE
CITY MANAGER

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

May 14, 1979

To the Honorable, the City Council:

With respect to City Council Order No. 9 of January 22, 1979, enclosed please find copy of a proposed dog ordinance drafted by the Blue Ribbon Committee.

Very truly yours,

James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda #4 O-30A

Proposed dog ordinance drafted by the Blue Ribbon Committee.

Hearing held
6/4/1979
Passed to 2nd Reading
6/4/79
Published 6/7/79

In City Council,

May 14, 1979

Communication
Placed on File
5/14/79
Proposed Ordinance
to
Ordinance Committee
for
Hearing -
6/25/1979
Passed to Be Ordained
as Amended