



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

August 21, 1984

Mr. Joseph Cellucci, Commissioner
Inspectional Services Department
City Hall
Cambridge, MA

Dear Mr. Cellucci:

Enclosed you will find the following:

1. Proposed amendment to the General Ordinances of the City of Cambridge by adding at the end thereof a new Chapter Twenty-Five entitled "Human Rights" which was passed to a second reading at the City Council meeting held on August 15, 1984.
2. Proposed amendment to the Zoning Ordinances of the City of Cambridge on the petition of Ann Haycox, et al which was passed to be ordained at the City Council meeting of August 15, 1984. - *Revised*
3. An order adopted by the City Council together with a proposed amendment to the General Ordinances of the City of Cambridge in Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Housing Units" which was passed to be ordained as amended at the City Council meeting of August 15, 1984.

This information is for your office files.

If you need any more information, please contact me.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/d1

Joseph Cellucci

- 2 -

August 21, 1984

Encs. First publication no. 2256
Ordinance no. 1013 - *Revised*
Order for communication no. 42
Ordinance no. 1014.



City of Cambridge

Communication # 42

IN CITY COUNCIL

August 15, 1984

COUNCILLOR D. SULLIVAN

RESOLVED: That it is the intent of this City Council that the Ordinance for Full Occupancy be administered and construed as follows:

1. All complaints under this ordinance shall be submitted to the Rent Control Board by affidavit or on a form to be devised by the Rent Control Board and signed under the pains and penalties of perjury.
2. An owner may make a showing of compliance for a habitable unit by providing evidence either:
 - a. that he/she has rented the unit in good faith and that a bona fide tenant lives in the unit. A bona fide tenancy may be established by some combination of a lease, proof of payment of rent or other consideration, the length of tenancy, and the presence of the tenant's personal belongings and furnishings in the unit. Special consideration shall be given to units to be occupied by immediate family members of the owner of an owner-occupied house; or
 - b. that he/she has offered the unit for rent in good faith throughout the one hundred twenty (120) day period, but has been unable to rent the unit.
3. An owner may make a showing of good cause for a unit found to be unfit for human habitation by the Inspectional Services Department by providing evidence either:

- a. that he/she is making the repairs required for habitability and is pursuing completion of those repairs with due diligence; or
 - b. that he/she is unable to make the repairs required for habitability in a timely fashion because the necessary approvals or financing has not yet been received from public agencies. In this case the one hundred twenty (120) day period required to establish vacancy may be extended up to an additional six (6) months at the discretion of the Rent Control Board, provided that applications for such approvals and/or financing have been filed in a timely manner.
4. At any point in proceedings before the Rent Control Board, an owner may make a showing under 2 (a) above that a bona fide tenant has been accepted and is currently occupying the unit; and be it further

RESOLVED:

That a copy of this resolution be delivered to the Rent Control Board.

In City Council August 15, 1984.

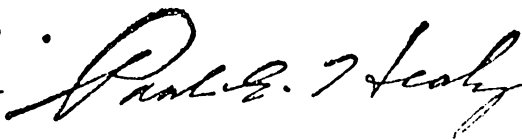
Adopted by a yeas and nays vote:-

Yeas 5; Nays 0; Absent 3; Present 1.

Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-



Note

Motion to substitute this
session - Carried

Substitution session Tabled
6/25/84

See revised
substituted
session 8/15/84
passed to be
ordered
as amended



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

PROPOSED AMENDMENT TO CHAPTER TWENTY-THREE, SECTION 1, OF THE CODE OF THE CITY OF CAMBRIDGE.

(Ordinance Number 966, as amended by Ordinance Number 980)

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

SECTION 1. REMOVAL OF CONTROLLED RENTAL UNITS FROM MARKET of Chapter Twenty-Three, entitled "Regulations Pertaining to Controlled Rental Units" in Ordinance Number 966 of June 29, 1981 is hereby amended as follows:

1. Add the following clause to Paragraph (4) of Subsection (b),
Definitions:

"(v) cause a unit, not the primary residence of a legal unit owner, to be vacant for one hundred twenty (120) days or more by refusing to rent or to offer for rent said unit in good faith or, when a unit is cited as unfit for human habitation, by failure to perform repairs required to restore said unit to habitable condition. The existence of a vacancy for one hundred twenty (120) days or more, without a showing of good cause, shall constitute removal from the market."

2. Add the following sentences at the end of Subsection (c),
REMOVAL REGULATED:

"One year after the date of a notice of ruling, the Board shall review and confirm that the circumstances and conditions which led the Board to grant any removal permit hereunder, except for a condominium unit legally occupied by the unit owner, continue to warrant said permit. If, after a hearing, the Board finds that the circumstances and conditions no longer warrant the permit, the Board shall immediately treat the unit as a controlled rental unit and shall initiate whatever action is permitted and appropriate under this section."

3. Add the following sentences to Subsection (f) PENALTY:

"Where, after a hearing, the Board finds there are repeated and/or flagrant violations of this section, the Board shall recommend to the Cambridge City Council or to the Cambridge

Housing Authority that the public interest can best be served by taking the unit(s) by power of eminent domain in order to restore the unit(s) to service as housing for people with low and moderate incomes."

The effective date of the amendments outlined above shall be October 1, 1984.

In City Council August 15, 1984.

Passed to be ordained as amended by a yea and nay vote:-
Yeas 5; Nays 2; Absent 1; Present 1.

ATTEST:- Paul E. Healy, City Clerk.

Robert W. Healy, City Manager.

RECEIVED BY
OFFICE OF CITY CLERK June 21, 1984
JUN 22 10 43 AM '84
CAMBRIDGE, MASS.

The Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

To the Honorable; the City Council:

Drawing upon the June 11th discussion before the Council of the Ordinance for Full Occupancy submitted by the Cambridge Rent Control Coalition, we have incorporated suggestions from the Council in an amended version. A copy, in which text changes are underlined, is enclosed.

As a substitute for "rebuttable presumption", we introduce the idea of "good cause" and would like to spell out the factors which we believe the Rent Control Board should consider in determining whether or not there was good cause for a vacancy.

To make a showing of good cause for a habitable unit, an owner may provide evidence

- (1) that he/she has rented the unit in good faith and that a bona fide tenant lives in the unit. A bona fide tenancy may be established by some combination of a lease, proof of payment of rent or other consideration, the length of tenancy, and the presence of the tenant's personal belongings and furnishings in the unit; and
- (2) that he/she has offered the unit for rent in good faith throughout the 90 day period, but has been unable to rent the unit.

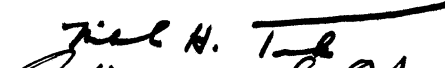

To make a showing of good cause for a unit found to be unfit for human habitation by the Inspectional Services Department, an owner may provide evidence

- (1) that he/she is making the repairs required for habitability and is pursuing completion of those repairs with due diligence; and
- (2) that he/she is unable to make the repairs required for habitability in a timely fashion because the necessary approvals or financing has not been

received from public agencies. In this case, we would suggest that the 90 day period may be extended for up to an additional six (6) months.

We believe these changes both improve the ordinance and make it more precise. We appreciate the Council's assistance. On behalf of the Cambridge Rent Control Coalition, we urge your favorable consideration of this Ordinance for Full Occupancy.

Respectfully submitted,



(for) CAMBRIDGE RENT CONTROL COALITION

(Michael H. Turk)
(William S. Noble)

enc: as

June 21, 1984

PROPOSED AMENDMENT TO CHAPTER 23, SECTION 1,
OF THE CODE OF THE CITY OF CAMBRIDGE
(Ordinance Number 966, as Amended by Ordinance Number 980)*

Be it ordained by the Cambridge City Council that:

Section 1. Removal of Controlled Rental Units from Market
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Controlled Rental Units" in Ordinance Number 966 of June 29, 1981
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2. Add the following sentences at the end of Subsection (c),
Removal Regulated:

"One year after the date of a notice of ruling, the Board shall review and confirm that the circumstances and conditions which led the Board to grant any removal permit hereunder, except for a condominium unit legally occupied by the unit owner, continue to warrant said permit. If the Board finds that the circumstances and conditions no longer warrant the permit, the Board shall immediately treat the unit as a controlled rental unit and shall initiate whatever action is permitted and appropriate under this section."

3. Add the following sentences to Subsection (f), Penalty:

"Where there are repeated and/or flagrant violations of this section, the Board shall recommend to the Cambridge City Council or to the Cambridge Housing Authority that the public interest can best be served by taking the unit(s) by power of eminent domain in order to restore the unit(s) to service as housing for people with low and moderate incomes."

* Note: Changes in June 3, 1984 version are underlined.

Comm. from Michael H. Turk & William S. Noble
on behalf of the Cambridge Rent Control
Coalition, submitting an amended version of
its proposed amendment to the General Or-
dinances in Chapter 23 entitled "Regulation
Pertaining to Controlled Rental Housing
Units", Section 1 entitled "Removal of Con-
trolled Rental Units from Market".

In City Council,

June 25, 1984

- 6/25/84 -

Proposed amendment
referred to the Finance
Committee #5 on
the calendar

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The Cambridge City Council
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William S. Noble

(for) CAMBRIDGE RENT CONTROL COALITION

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(for) - CAMBRIDGE RENT CONTROL COALITION

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William S. Noble

(for) CAMBRIDGE RENT CONTROL COALITION

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2. Add the following sentences at the end of Subsection (c),
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City hospital services

(Continued from page 1)

teaching affiliations with Harvard University.

Mount Auburn has offered to admit any and all Cambridge women for deliveries regardless of their ability to pay, which is a key factor because of the free care, bad debt burden Cambridge Hospital has had to bear.

Mount Auburn has to take its share of the indigent," Greene explained. "This is one way to get the hospitals to share the burden of caring for the indigent instead of letting Cambridge taxpayers pay and pay."

Meanwhile, a Mass. General-Cambridge Hospital linkage would take a different form.

Greene said Mass. General has no inpatient obstetric unit, so it sends the patients in its neighborhood health centers to various hospitals throughout the Boston area.

The discussions with Mass. General center on Cambridge doing all deliveries while Mass. General continues doing its pre- and post-natal care in its centers.

For Cambridge Hospital, an agreement with Mass.



CAMPOREE—Boy Scouts from the Cambridge Council, Boy Scouts of America, recently attended the annual council wide camporee. Scouts from 15 Cambridge Scout Troops attended the Camporee that was held at Camp Resolute in Bolton. Activities at the Camporee included signalling, cooking, tracking, and camp living. The three-day event was highlighted by the campfire held on Saturday evening.

Superintendent search

(Continued from page 1)

of the Year by the Mass. Chapter of the American Society for Public Administration in 1976.

Carl Sewell is superintendent of Community School District 17 in Brooklyn, New York, a system more than three times larger than Cambridge's. He has taught at California State University and Pepperdine University, worked as an educational consultant for numerous firms including the Rand Corporation, taught secondary school in Los Angeles, and served as director of Rev. Jesse Jackson's PUSH for Excellence program in Los Angeles. He has a Ph.D. in urban school administration.

Louise R. Thompson has been assistant superintendent for curriculum and instruction and guidance for Brookline

Public Schools since 1977. She was an instructor at Northeastern University and universities in Wisconsin and Iowa. She has led workshops in curriculum and staff development and other areas throughout much of the U.S. and Canada, and has done both teaching and counseling. She has an Ed.D. degree in counseling psychology from Boston University.

Edward Peeney is superintendent of schools for Prince George's County Public Schools in Upper Marlboro, Maryland. He has taught elementary school and held several administrative positions in Prince George's County and has been an instructor at George Washington University. He has an Ed.D. degree in general administration from George Washington University in Washington, D.C.

—JACK HAYES

Coop book review winners named

The Harvard Coop this week announced the winners of its 1984 Book Review Contest, co-sponsored by the New England Bookseller's Association.

The 1984 Book Review Contest was a pilot project sponsored by the New England Booksellers within the New England Association and involved the extensive cooperation of the region's bookstores, schools, and libraries.

Results of the effort will be studied to determine the feasibility of expanding the contest in future years within the New England Association and involved region and on the national level.

—ANTHONY BALDO

Camp Rainbow registration begins

Camp Rainbow is a recreational summer program for mild to moderately developmentally disabled youngsters. The program is sponsored by the Recreation Division of the Cambridge Department of Public Works.

Activities include swimming, track and field, sports, games, arts and crafts, photography and weekly field trips. The Camp Rainbow fee is \$10 per week, which includes all camp activities, field trips, lunch and transportation each day.

For more information or a Camp Rainbow application, call Paul Ryder, Recreation Director, at 498-9028.

LECHMERE ANIMAL CLINIC
440 Camb. St.
492-7563

Las Vegas NITE
Sponsored by Somerville Moose...
Benefit of the Sports Committee
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Friday June 15th 1984
7:00 PM. to 12:00 P.M.
Black Jack • Poker • Dice
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This is your last chance to gain something at Healthworks.
Special pre-opening rates:
Save up to \$150.
Before anyone loses a pound at Healthworks, you can gain up to \$150. just by joining before our Grand Opening.
Healthworks is the largest women's fitness facility in the area, with Free parking • Full line of women's Nautilus equipment • 3 large exercise rooms • Motorized treadmill • Computerized bicycles • Individualized fitness and diet programs • Slimmatics and Aerobic Exercise classes (nearly 100 classes weekly, in all) • Professional staff • Babysitting • Steamroom, sauna, showers, whirlpool, tanning beds, and much more.
Put Healthworks to work for you. Call 497-4454 today. Pre-opening hours: M-F 10 AM-7 PM, Sat. 9 AM-4 PM. Hours upon opening: M-F 7 AM-9 PM, Sat. 9 AM-4 PM.
HEALTHWORKS
Porter Square Shopping Center
Mass. Ave. Cambridge, MA (617) 497-4454
Fitness centers for women.
WHILE INVENTORY LASTS
June 25

HOMEOWNERS INSURANCE
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KNOCK! KNOCK!
Expecting some unwanted visitors this season?
Check your home with help from Dickson Bros. insect sprays, screens, air and mesh traps, moth balls, fly swatters and fly ribbons. Everything for the discerning host.
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(A program of the Schools for Children, Inc.)
A Place To Explore Boston INSIDE AND OUT
Weekly and summer rates available.
For more information and free brochure
CALL 641-2424
Also ask about our Open House, Thurs., June 14, 6:30-7:30
Child care is available.

HEALTHWORKS
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Fitness centers for women.
WHILE INVENTORY LASTS
June 25

School musicians to play at hospitals, nursing homes

The Music Department of the Cambridge Public Schools will present musical performances at several nursing homes, hospitals, and homes for the aged during the month of June.

Musical groups from kindergarten through high school perform at almost 300 civic, community and school programs during the school year. Students given the opportunity to present public performances during their school years grow not only educationally and socially but also develop a sense of responsibility to the community.

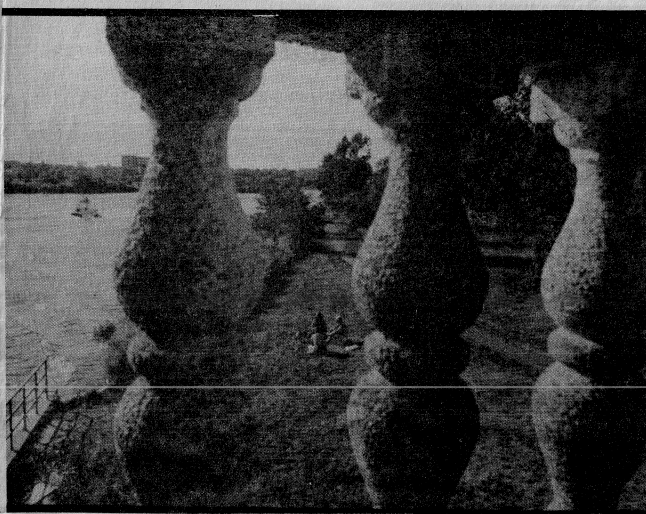
The following is a list of performances:
June 14: L B J Apartments for Elderly; Flag Day, Morse School, Jeanine Jenei, instructor.
June 15: Neville Manor Nursing Home, Tobin School Chorus, Maria Agnos, instructor.
June 20: Sacred Heart Elderly Center, Harrington School, J. Borenstein, instructor.
June 21: Miller River Apts. for Elderly, Harrington School, H. Guenther, instructor.
June 25: Jane Elizabeth Nursing Home, Agassiz School Chorus, D. Patterson, instructor.

Final dates are still uncheduled for the following:
Norfolk St. Congregate Housing for Elderly, Pro-

spect Street Nursing Home, Putnam Square Elderly Apartments, Robert Otis Street Hospital, Margaret Fuller House, and J. F. K. Nursing Home.



MOVING DAY—Bettina A. Norton, director, and M. David Samson, resident fellow, of the Hooper-Lee-Nichols House at 159 Brattle St., usher in some furniture which the historic house recently borrowed from the Essex Institute in Salem. The Cambridge Historical Society has been enhancing the period rooms of its house, which dates from the late 17th century, with furniture and other decorative items. The house is open for tours on Tuesdays, Thursdays and Sundays, from 2 until 5 pm throughout the summer.



HONORABLE MENTION in color work went to Hiroko Maybury-Levis.



HONORABLE MENTION in the black and white category was awarded to Stephen Zoller.



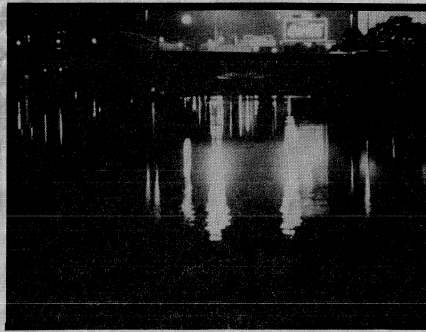
MERIT WINNER Ann Sullivan.



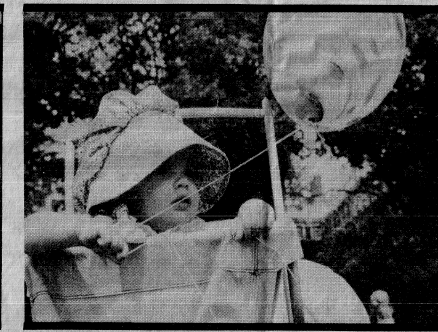
MERIT WINNER Alexandra Sheets.



MERIT WINNER Ann Sullivan.



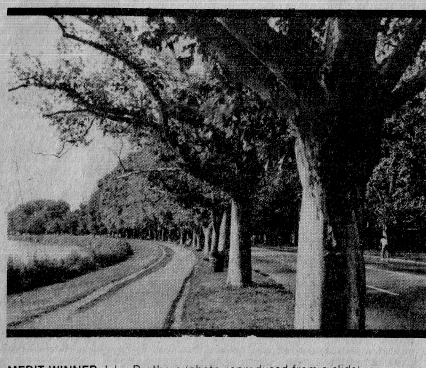
MERIT WINNER David Hebden.



MERIT WINNER Joanne Doctor (photo reproduced from a slide).



MERIT WINNER Lil Konowitz.



MERIT WINNER John Brothers (photo reproduced from a slide).



MERIT WINNER Sylvia Whitman.



MERIT AWARD winner Stephen Zoller (photo reproduced in black and white from a slide).



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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2. Add the following sentences at the end of Subsection (c),
Removal Regulated:

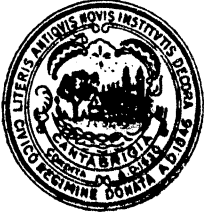
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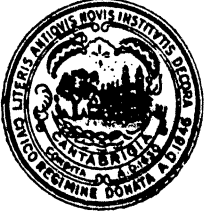
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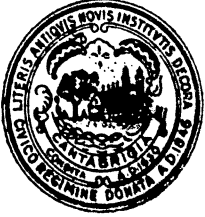
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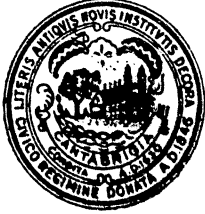
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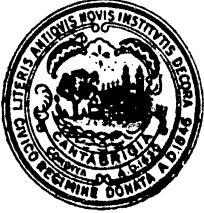
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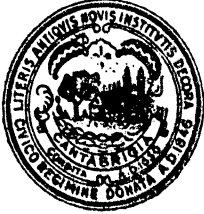
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In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

That Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Housing Units" is hereby amended as follows:

Section 1. Removal of Controlled Rental Units from Market
of Chapter Twenty-Three, entitled "Regulations Pertaining to
Controlled Rental Units" in Ordinance Number 966 of June 29, 1981
is hereby amended as follows:

1. Add the following clause to Paragraph (4) of Subsection (b),
Definitions:

"(v) cause a unit, not the primary residence of a legal unit owner, to be vacant for ninety (90) days or more by refusing to rent or to offer for rent in good faith said unit or, when a unit is cited as uninhabitable, by failure to perform repairs required to restore said unit to habitable condition. The existence of a vacancy for ninety (90) days or more shall constitute a rebuttable presumption of removal from the market."

2. Add the following sentences at the end of Subsection (c),
Removal Regulated:

"One year after the date of a notice of ruling, the Board shall confirm that the circumstances and conditions which led the Board to grant any removal permit hereunder, except for a condominium unit legally occupied by the unit owner, continue to warrant said permit; otherwise the Board shall immediately treat the unit as a controlled rental unit and shall initiate whatever action is permitted and appropriate under this section."

3. Add the following sentences to Subsection (f), Penalty:

"Where there are repeated and/or flagrant violations of this section, the Board shall recommend to the Cambridge City Council or to the Cambridge Housing Authority that the public interest can best be served by taking the unit(s) by power of eminent domain in order to restore the unit(s) to service as housing for people with low and moderate incomes."

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

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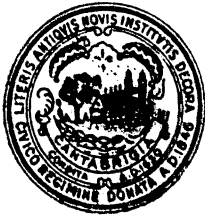
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ATTEST:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 12, 1984

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

Dear Sir:

Enclosed you will find copies of amendments to the Zoning Ordinances of the City of Cambridge, which was passed to a second reading at the City Council meeting held on June 11, 1984 as follows:

1. Zoning amendment to establish a definition entitled "Art/Craft Studio".
2. Zoning amendment to amend Section 5.50 entitled "Special Dimensional Regulations" (technical amendment #2).
3. Zoning amendment to amend Section 4.30 entitled "Residential Uses" (technical amendment #4).
4. Zoning amendment to amend Section 11.15 entitled "Dimensional Standards for Townhouse Development" (technical amendment #8).

Also enclosed you will find copies of amendments to the General Ordinances of the City of Cambridge which were passed to a second reading at the City Council meeting held on June 11, 1984 as follows:

1. Amendment to Chapter Two entitled "Administration" relative to a salary increase for the Mayor and the City Council Members.

June 12, 1984

2. Amendment to Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Housing Units".

Finally, enclosed you will find copies of an amendment to the General Ordinances of the City of Cambridge, which was passed to be ordained at the City Council meeting of June 11, 1984 relative to the Use of Dangerous Materials in the Construction of Fences and a copy of an amendment to the Zoning Ordinances of the City of Cambridge, which was passed to be ordained as amended at the City Council meeting held on June 11, 1984 relative to the Regulation of Signs together with a copy of the full text of the Sign Ordinance.

Would you kindly review these proposed amendment and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/d1

- Encs. First publication number 2238
First publication number 2239
First publication number 2240
First publication number 2241
First publication number 2243
First publication number 2242
Ordinance number 1009
Ordinance number 1008 and complete text of sign ordinance.
- c.c. Councillor David Sullivan, Chairman, Committee on Ordinances.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

ART/ CRAFT STUDIO AMENDMENT

1. Add a new definition "Art/Craft Studio" to Article 2.000 as follows;

"Art/Craft Studio. A room or group of rooms used by artists and craftspeople in the creation of their own work, including; painting, photography, sculpture, ceramics and other related arts and crafts.

2. Insert a new use category to Section 4.35: "q. Art/Craft Studio." as follows:

q. Art/Craft Studio.	Open Space	Res. A 1&2	Res. B	Res. C 1,2,2A, 3,3A	Off. 1, 2,3,3A	Bus. A-1	Bus. A
	n	n	n	sp ⁵⁰	sp ⁵⁰	y	y
	Bus. B B-1, B-2	Bus. C	Ind. A-2	Ind. A-1, A-2	Ind. A	Ind. B-1, B-2	Ind. B Ind. C
	Y	Y	Y	Y	Y	Y	Y

3. Add a new footnote to section 4.40 as follows;

"50. Subject to the requirements of Section 4.28."

4. Create a new Section 4.28 Art/Craft Studio, as follows;

"4.28. Art/Craft Studio.

The purpose of this Section 4.28 is to ensure that art/craft studios locating in Residence C and Office Districts will be compatible with other permitted uses, particularly in residential neighborhoods.

4.281 The Planning Board may grant a special permit for the location of an art/craft studio in Residence C and Office Districts provided that the following requirements are satisfied;

A. Residence C Districts:

1. The studio will be located in a non-residential building in existence on May 1, 1984.

2. The required amount of parking in Article 6.000 may be reduced only if the Board determines that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood.

B. Residence C and Office Districts:

1. The studio will be principally used as a studio for independent artists and craftspeople in the creation of their own work. Mass-production and assembly line techniques are prohibited.
2. The type of studio use shall be appropriate to the particular building and its location;
 - a. the building shall be structurally sound,
 - b. the proposed studio use will not generate traffic in volume or type in excess of that normally occurring in the adjacent neighborhood,
 - c. no bulk storage of toxic or highly flammable materials shall occur,
 - d. the proposed studio use shall satisfy all applicable building and fire safety codes,
 - e. noise shall be restricted to levels customarily permitted in the district as regulated in General Ordinance #877 "Regulations for the Control of Noise",
 - f. noxious odors, dust, and/or fumes shall be effectively disposed and confined to the premises to avoid air pollution and nuisance to the adjacent neighborhood.
3. All activity must be carried out within the building, including the storage of materials.
4. No more than three (3) persons shall practice or be employed at one time per studio.
5. There shall be no retail sales nor public art/craft exhibitions within the building except as permitted as a condition of the permit.

5. Insert the following category " q. Art/Craft Studio" to Section 6.365 as follows:

q. Art/Craft Studio. (13) Open Space Res. C-1, Bus. C (res),
Res. A-1, A-2, Off-1, Bus A Ind A-1, Ind C
Res. B (comm), Bus A-1

na 1/1000 sf

Bus. C (comm) Res C-2A, Ind B-1, Res Bus B, Ind A-2,
Ind A, Off.-2, Ind B-2, C-3, C-3A, Ind B, Bus B-1,
Res. C-2 Bus A (res) Off 3A, 3 B-2.

1/1000 sf

1/1000 sf

6. Add a new footnote 13 to Section 6.35, as follows:

"13. In Residence C Districts the amount of parking required for this use may be reduced at the discretion of the Planning Board in accordance with Section 4.28."

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

Amend Section 5.50, Special Dimensional Regulations, by inserting a new subsection 5.53 as follows:

5.53 In Residence A-1 and A-2 Districts only one structure containing a principal use shall be allowed on a lot.

Note: The purpose of this amendment is to ensure that all new construction of single-family detached dwellings in Residence A-1 and A-2 districts meet the intended lot and dimensional requirements for these districts. The ordinance currently allows more than one principal structure on a single lot. Therefore, as long as the minimum lot area per dwelling unit is met, it is possible to construct several single-family detached dwellings on a single lot through use of the condominium form of ownership. The proposed amendment requires that every new single-family dwelling in these districts meet all dimensional requirements including its own individual lot.

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

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In the Year One Thousand, Nine Hundred Eighty-Four

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

Amend Section 4.30, Residential Uses, subsection
by adding the following footnotes 2 and

	<u>O.S.</u>	<u>Res.A</u>	<u>Res.B</u>
"h. Existing dwelling converted for more than two families. 15, 16.	no	no	yes

Amend Section 4.40, Footnotes to Table of Use Regulations, as follows;

a. Delete the existing footnote 2 and replace it with the following new footnote 2;

"2. Provided that the dwelling was constructed prior to June 1, 1940, and has not been substantially enlarged since that date. The addition in the aggregate of two hundred and fifty square feet or more of gross floor area shall be considered a substantial enlargement."

b. Change footnote 15 to read as follows;

"15. Provided that in a Residence A and B district the exterior design of the structure is not significantly changed."

Note: This amendment would restrict the conversion of existing dwellings in Residence A and B districts to more units than normally permitted in these districts to only those dwellings which existing prior to June 1, 1940. This restriction is to ensure that the conversion is tied to the larger older homes and thus eliminating the possibility of any recently constructed dwellings being converted in attempts to negate the intent of the single and two family districts. In addition, this amendment would apply the condition that the exterior design of the structure is not changed when an existing dwelling is being converted for more than two families in a Residence B district as it now applies in the Residence A district when single family residences are converted to two family residences.

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

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Ord.	Res. A	Res. B
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"2. Provided that the dwelling was constructed prior to June 1, 1940, and has not been substantially enlarged since that date. The addition in the aggregate of two hundred and fifty square feet or more of gross floor area shall be considered a substantial enlargement."

b. Change footnote 15 to read as follows;

"15. Provided that in a Residence A and B district the exterior design of the structure is not significantly changed."

Note: This amendment would restrict the conversion of existing dwellings in Residence A and B districts to more units than normally permitted in these districts to only those dwellings which existing prior to June 1, 1940. This restriction is to ensure that the conversion is tied to the larger older homes and thus eliminating the possibility of any recently constructed dwellings being converted in attempts to negate the intent of the single and two family districts. In addition, this amendment would apply the condition that the exterior design of the structure is not changed when an existing dwelling is being converted for more than two families in a Residence B district as it now applies in the Residence A district when single family residences are converted to two family residences.

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

Amend Section 11.15 by substituting therefore the following:

11.15 Dimensional Standards for Townhouse Development

The following development controls apply to the parcel of land upon which a townhouse development is constructed and are not applicable to subdivided lots. The townhouse development as a whole must conform to these controls. But once satisfied for the total parcel, the controls are waived for any subsequent subdivision of lots. The required minimum lot size for a townhouse development and the required minimum lot area for each dwelling unit in a townhouse development shall conform to the existing regulations for the district in which the townhouse development is constructed.

ANY CHANGE IN THE DIMENSIONS OF THE SITE PLAN OR ANY TOWNHOUSE OF A TOWNHOUSE DEVELOPMENT APPROVED AS-OF-RIGHT AND WHICH HAS PROVIDED SUPPLEMENT TO SUCH APPROVAL SHALL BE SUBJECT TO THE ISSUANCE OF A SPECIAL PERMIT BY THE BOARD OF ZONING APPEALS.

ANY CHANGES IN THE DIMENSIONS OF THE SITE PLAN OR ANY TOWNHOUSE OF A TOWNHOUSE DEVELOPMENT APPROVED BY SPECIAL PERMIT SHALL BE SUBJECT TO APPEAL FROM THE SPECIAL PERMIT GRANTING BOARD.

THE DIMENSIONAL STANDARDS FOR TOWNHOUSE DEVELOPMENT OUTLINED IN SECTION 11.15 SHALL APPLY WHETHER OR NOT THE TOWNHOUSE DEVELOPMENT HAS BEEN SUBDIVIDED.

Note: This provision makes clear that any future alteration in an approved Townhouse Development is considered within the context of the total development.

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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:

That Chapter Two entitled "Administration", Article XXII entitled "Officers Generally", Section 2-191 entitled "List of Salaries in General", is hereby amended by striking out the provisions of Ordinance Number 990 ordained by the City Council on December 27, 1982 providing for the salaries of the Mayor and the City Council Members and substituting in place thereof a new salary schedule which reads as follows:

Each member shall receive the following salaries and are to be paid montly or weekly, unless otherwise stated:

	<u>Minimum</u> Annual <u>Salary</u>	<u>Maximum</u> Annual <u>Salary</u>
Mayor		\$19,432
City Council Member		\$18,129

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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:

That Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Housing Units" is hereby amended as follows:

Section 1. Removal of Controlled Rental Units from Market of Chapter Twenty-Three, entitled "Regulations Pertaining to Controlled Rental Units" in Ordinance Number 966 of June 29, 1981 is hereby amended as follows:

1. Add the following clause to Paragraph (4) of Subsection (b), Definitions:

"(v) cause a unit, not the primary residence of a legal unit owner, to be vacant for ninety (90) days or more by refusing to rent or to offer for rent in good faith said unit or, when a unit is cited as uninhabitable, by failure to perform repairs required to restore said unit to habitable condition. The existence of a vacancy for ninety (90) days or more shall constitute a rebuttable presumption of removal from the market."

2. Add the following sentences at the end of Subsection (c), Removal Regulated:

"One year after the date of a notice of ruling, the Board shall confirm that the circumstances and conditions which led the Board to grant any removal permit hereunder, except for a condominium unit legally occupied by the unit owner, continue to warrant said permit; otherwise the Board shall immediately treat the unit as a controlled rental unit and shall initiate whatever action is permitted and appropriate under this section."

3. Add the following sentences to Subsection (f), Penalty:

"Where there are repeated and/or flagrant violations of this section, the Board shall recommend to the Cambridge City Council or to the Cambridge Housing Authority that the public interest can best be served by taking the unit(s) by power of eminent domain in order to restore the unit(s) to service as housing for people with low and moderate incomes."

Passed to a second reading at the City Council meeting held on June 11, 1984 and on or after June 25, 1984 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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 thirteen entitled "Offenses" is hereby amended by adding after section 13-17 a new section 13-17A entitled "Use of dangerous materials in construction of fences," which reads as follows:

Section 13-17A. Use of dangerous materials in construction of fences

No person shall erect or maintain anywhere in the City a fence equipped with or having razor wire or razor ribbon. Nor shall any person erect or maintain a fence equipped with or having barbed wire, spikes or other dangerous materials, or any electric charge sufficient to cause shock, within ten feet of the ground level.

In City Council June 11, 1984.

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

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by replacing the current regulations relating to signs with a new comprehensive sign ordinance.

ATTEST:- Paul E. Healy, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the office of the City Clerk in the form of a printed pamphlet during office hours on or after May 15, 1984

ATTEST:- Paul E. Healy, City Clerk.

In City Council June 11, 1984.

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

Robert W. Healy, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

AMEND ARTICLE 2.000 - DEFINITIONS by deleting all reference to signs and substituting therefor the following:

Signs. Signs shall mean and include any structure, device, letter, words, model, banner, pennant, insignia, trade flag, or representation used as, or which is in the nature of, an advertisement or direction and designed to be seen from the outside of a building.

Sign, area of.

1. For a sign, either free-standing or attached the area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.
2. For a sign painted upon or applied to a building the area shall be considered to include all lettering, wording, and accompanying designs or symbols, together with any background of a color different from that of the building.
3. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other geometric shape which encompasses all letters and symbols.
4. Only one face of a two-sided sign shall be counted in computing the area of a sign.

Signs, types of.

1. Free-standing - A permanent sign having no more than two, parallel faces that is attached to or part of a completely self-supporting structure, is firmly in or below the ground surface, and is not attached to any building or any other structure whether portable or stationary.
2. Off-premise - Sign or other advertising device which does not advertise or indicate the person occupying the premises on which it is located, the merchandise on sale, or the business transacted thereon.
3. Projecting - Any sign having no more than two, parallel faces, other than a wall sign that is attached to and projects from a building face. A projecting sign shall include marquee, canopy and awning mounted signs.
4. Wall - Any sign affixed in such a way that its exposed face and all sign area is parallel or approximately parallel to the plane of the building to which it is attached. A wall sign shall be considered a projecting sign if the sign face projects more than twelve (12) inches from the face of the building. Wall signs

shall include signs located on or behind the surface of windows which, however, may not in total area exceed 30% of the glass area of any window appurtenant to the use to which the sign(s) is accessory.

Signs, related definitions.

1. Establishment, first (ground) floor - a separate and distinct use having a separate public entrance to the outside of a building which entrance is at grade or within six feet of grade measured at the street line.

Delete existing Article 7.000 and substitute therefor the following:

ARTICLE 7.000 SIGNS AND ILLUMINATION

- 7.10 SIGNS
- 7.20 ILLUMINATION

7.10 SIGNS

7.11 No signs or advertising devices of any kind or nature shall be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure except as specifically permitted in this Section 7.10 or unless said premises or structure is located within the Cambridge Center MXD District.

7.12 PERMITTED SIGNS

7.12.1 RESIDENCE A, B AND C-1 DISTRICTS

A. Identification Sign for Residential Uses.

Total Area of Signage Permitted per Lot: one (1) sq. ft.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Area of sign:	1 sq. ft.	Not Applicable (N.A.)
Number of signs:	one (1)	N.A.
Height of Sign:	4 feet if free-standing	N.A.
Location:	On building or a minimum of 3 feet from street line	N.A.
Illumination:	Natural or external lighting only	N.A.
Limitations:	For the display of street number, name of occupant of the premises, and/or identification of an accessory professional office or other permitted accessory uses including customary home occupation.	

B. Identification Sign, Bulletin Board or Announcement Board for Permitted Non-Residential Uses other than Churches or Institutions.

Total Area of Signage Permitted Per Lot: 10 sq.ft. per building

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Area of sign:	10 sq.ft.	N.A.
Number of signs:	one/building	N.A.
Height of sign:	4 feet if free-standing	N.A.
Location:	On building or minimum of 1/2 the depth of the required front yard.	N.A.
Illumination:	Natural or external lighting only	N.A.

C. Identification Sign, Bulletin Board or Announcement Board for Churches and Institutions.

Total Area of Signage Permitted Per Lot: 30 sq.ft.
per building.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Area of sign:	one at 10 sq. ft. one at 20 sq. ft.	N.A.
Number of signs:	Two/building	N.A.
Height of signs:	4 feet if free-standing	N.A.
Location:	On building or minimum of 1/2 the depth of required front yard	N.A.
Illumination:	Natural or external lighting only	N.A.

D. Sign for Lawfully Maintained Non-conforming Use

Total Area of Signage Permitted per Lot: 2 sq.ft.
for each linear foot of street frontage of the lot
or 20 sq. ft. per establishment, whichever is less.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Area of sign:	10 sq. ft.	20 sq. ft.
Number of signs:	one/establishment	N.A.
Height of signs:	10 feet if attached to building	4 ft. if free standing
Location:	Wall sign	Free standing, projecting
Illumination:	Natural or external lighting only	N.A.

7.12.2 RESIDENCE C-2, C-2A, C-3 and C-3A

A. Permitted Hotel and Office Use

Total Area of Signage Permitted Per Lot: 2 sq. ft. for each linear foot of street frontage of the lot or 200 sq. ft. per building, whichever is less.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Area of sign:	15 sq. ft.	100 sq.ft.
Number of signs:	two (2)/building	N.A.
Height of sign:	20 ft. provided it is below the sill line of the second floor windows and/or the lowest point of the roof whichever is less.	20 ft. if above the second floor windows or 15 feet if free-standing except that no sign may extend above the lowest point of the roof.
Location:	Wall sign	Free standing or projecting
Illumination:	Natural or external lighting only	Internal

B. Other Permitted Residential and Non-Residential Uses, Churches and Institutional Uses and Lawfully Maintained Non-conforming Uses.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
	As permitted in 7.12.1 above.	For all non-residential uses, as permitted in 7.12.2A above.

7.12.3 OFFICE AND INDUSTRIAL DISTRICTS

A. Permitted Hotel and Non-Residential Uses, Churches and Institutional Uses, and Non-Conforming Uses.

Total Area of Signage Permitted per Lot: 2 sq. ft. for each linear foot of street frontage of the lot.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Area of sign:	15 sq. ft.	100 sq. ft. for a sign identifying a building
Number of signs:	two/building, plus one/first floor establishment	More signs than permitted by right.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Height of sign:	20. ft. provided it is below the sill line of second floor windows and/or the lowest point of the roof whichever is less	20 ft. if above the sill line of the second floor windows or 15 feet if free standing except that no sign may extend above the lowest point of the roof.
Location:	Wall sign	Free standing or projecting
Illumination:	Natural or external lighting only	Internal

B. Other Permitted Residential Uses.

As permitted in 7.12.1 above.

7.12.4 ALL BUSINESS DISTRICTS

Total Area of Signage Permitted per Lot: 2 sq. ft.
for each linear foot of street frontage of the lot.

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
A. Free-Standing Signs		
Area of sign:	15 sq. ft.	40 sq. ft.
Number of signs:	one(1)/lot	N.A.
Height of sign:	10 ft.	15 ft.
Illumination:	Natural or external lighting only	Internal
B. Projecting Signs		
Area per sign:	10 sq. ft.	20 sq. ft.; 100 sq. ft. for theatre signs

	<u>Maximum Without Design Review</u>	<u>Maximum With Design Review</u>
Number of signs:	One (1)/first floor establishment, plus One (1)/building	N.A.
Height of sign:	15 ft. provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less.	N.A.
Illumination:	Natural or external lighting only.	Internal

C. Wall Signs

Area of signs:	15 sq. ft.	Greater than 15 ft.
Number of signs:	N.A.	N.A.
Height of sign:	20 feet provided it is below the sill line of second floor windows, and/or the lowest point of the roof, which ever is less.	Exceeding the by- right height except that no sign may extend above the lowest point of the roof.
Illumination:	Natural or external lighting; neon type or exposed gas ultra- violet tube type behind the glass of windows.	All other forms of internal illumina- tion.

7.12.5 TEMPORARY SIGNS FOR ALL DISTRICTS

- A. One for sale or for rent sign not exceeding six square feet in area and advertising only the premises on which the sign is located.
- B. One building contractor's sign maintained on a lot during construction on that lot not exceeding twenty square feet in area.
- C. In residential districts temporary display posters, without independent structural support in connection with political campaigns and with noncommercial civic, health, safety and welfare campaigns, provided such posters are removed within five (5) days following the conclusion of such campaign; temporary displays of patriotic, religious, charitable or civic nature.

- D. In business, office, and industrial districts, signs as permitted in 7.12.5 (C) above as well as temporary signs pertaining to special sales or events lasting no more than fifteen days affixed to the inside of windows provided that their total area does not exceed 30% of the window glass to which they are affixed.

7.12.6 DIRECTIONAL SIGNS

Signs necessary for public safety and convenience not exceeding six (6) square feet per sign face shall be permitted provided such signs contain no advertising.

7.12.7 OFF-PREMISE SIGNS

- A. Off-premise sign shall be permitted provided the following conditions are met:
1. The sign or advertising device indicates an establishment located within Cambridge and is a use permitted in the zone in which the off-premise sign is located.
 2. The sign meets all area, height, location, and illumination requirements of the lot on which it is located.
 3. No sign or advertising device shall be erected or maintained within three hundred fifty feet of and/or be visible from any parkway or limited access highway except signs or advertising devices permitted by this ordinance which advertise a business conducted on the premises. For the purpose of this Section 7.10 parkways shall include Alewife Brook Parkway, Fresh Pond Parkway, and Memorial Drive.
 4. The sign may contain only the name and/or logo of the establishment identified.
 5. The sign shall be subject to Design Review.

7.12.8 PLANNED UNIT DEVELOPMENTS

The Planning Board shall approve all signs within a Planned Unit Development. The sign requirements of the base zoning district shall apply unless specific waiver from such requirements is granted by the Planning Board within the scope of its Planned Unit Development Special Permit up to the limits imposed in any business district.

7.13 GENERAL LIMITATIONS ON ALL SIGNS

- A. Signs shall be stationary and may not contain any visible moving or moveable parts.
- B. All lighting shall be indirect, continuous, and installed in a manner that will prevent direct light from shining onto any street or adjacent property except such devices intended to tell time and temperature (including flashing, animated or intermittent light)
- C. No illumination shall be permitted after 11 P.M. in in any Residence A, B, or C-1 district.

7.14 DESIGN REVIEW PROCESS

7.14.1 Where required by this Section 7.10 signs shall undergo a design review conducted by the Community Development Department. A report of the recommendations of the Community Development Department shall be forwarded to the Superintendent of Buildings along with the application for a building permit for said sign. Should the sign for which an application for a building permit is made not conform to the recommendations of the Community Development Department said sign shall require a special permit from the Cambridge Board of Zoning Appeal. Any sign not meeting the dimensional requirements of this Section 7.10 shall require a variance from the Board of Zoning Appeal. In hearing a variance request the Board of Zoning Appeal shall take into consideration, in addition to those statutory requirements mandated by Chapter 40A, the guidelines outlined in Section 7.14.5 of this Ordinance.

7.14.2 APPLICATION

Any sign proposal requiring design review before the Community Development Department shall be accompanied by the following information:

- A. Written Material
 - 1. Length of lot frontage abutting a street.
 - 2. Total area or signage permitted on the subject lot.
 - 3. Total area of signage currently on the building(s) sited on the subject lot.
 - 4. Number of existing signs on the subject lot.
 - 5. Dimensional information on the proposed sign(s).
 - 6. Detailed description of proposed sign(s) including materials, illumination, colors, etc.

B. Graphic Material

1. Architectural facade elevations of the affected buildings showing location of all existing signs (a photograph may substitute if it can present an undistorted picture of existing conditions). (Suggested scale 1/8" = 1')
2. Architectural elevations of the proposed sign(s) and sufficient of the building area surrounding it to clearly indicate the proposed sign's relationship to the building, its architectural details, and adjacent signs. (Suggested scale 1/8" = 1')
3. Detailed plans, elevations and other material indicating the design of the proposed sign(s), its material, construction, colors, etc.

7.14.3 PROCEDURE

The Community Development Department shall, within 15 working days of the submission of a complete application, forward its recommendation to the Superintendent of Buildings. With signs of particular significance the Community Development Department may at its discretion hold a public hearing to solicit comments from affected neighborhood groups and residents. The Department staff shall assist all applicants in meeting the objectives of the Design Review Process. Nothing in this Section 7.10 shall prohibit any applicant from submitting preliminary plans for discussion prior to a formal application. The 15 day review period may be extended with the written permission of the applicant.

- 7.14.4 An application for a sign requiring design review which has not received approval from the Community Development Department shall require a Special Permit from the Board of Zoning Appeal. Such application shall be forwarded to the Planning Board for its review and comment.

7.14.5 REVIEW GUIDELINES

In making its review, the Community Development Department shall refer to the following guidelines. These may also be of use to designers of signs which are permitted by right. The guidelines are not intended to prohibit or discourage creative solutions to sign design problems; the intent is to encourage signs which are appropriate in their settings, and whose messages are clear and unobtrusive.

- A. Setting: A sign should fit well with its building.
1. Location. The sign shall have a logical relationship to the facade of the building on which it is located and shall be integrated into existing architecture (e.g. above entrances, integrated with rather than obscuring building details).
 2. Scale. The sign design shall take into account the relative scale and proportions of the building or surface on which it is mounted. Large signs which overwhelm the architectural features or ignore the rhythms of the building are discouraged, though this guideline is not meant to discourage creative use of trompe l'oeil or other means of influencing perceptions.
 3. Materials. The materials of the sign should be chosen to complement the building materials, if appropriate. Although in some instances a contrast of materials may be desirable, the intent is to discourage the clashing of signs and building materials.
- B. Message: Signs should present clear, well-designed messages.
1. Coordination. Signs on a single building should provide a coherent and harmonious whole. Signs should not obscure important views, visual access to other signs or architectural features of the building on which they are located, or another building.
 2. Simplicity. In general, strong, brief messages with a carefully considered range of colors should be used rather than repetitive or overly elaborate schemes. The intent is to discourage a cluttered or chaotic presentation of signs; however, the intent is not to prevent creative use of repetition or color.
 3. Image. The sign should reflect the positive aspects of the building and/or the neighborhood within which it is located. For example, traditional signage may be appropriate for a building with substantial period detail. In areas with heavy pedestrian use, signs oriented to the pedestrian may be most appropriate. Product trademarks are discouraged.

7.15 NON-CONFORMING SIGNS

- 7.15.1 The provisions of this Article 7.000 shall not apply to signs lawfully erected prior to the effective date of this Section 7.10 as amended provided such signs have been continuously maintained in conformance with all applicable ordinances and regulations at the time of their erection and subsequently.
- 7.15.2 Alteration or change in the lettering, wording, or designs or symbols on a sign, but not the basic supporting structure, shall be permitted on a lawfully maintained non-conforming sign provided such alterations do not exceed 50% of the current replacement value of the sign.

Any non-conforming sign destroyed or damaged by fire, explosion, or other catastrophe may be reconstructed to its full extent prior to said destruction.

- 7.15.3 Where it is proposed to replace an existing sign on a building which contains an area of signage exceeding the maximum permitted, said new sign may contain six (6) square feet or 80% of the area permitted to the use if the signage area formula (2 square feet of area per linear frontage of lot) were applied to the first floor building frontage occupied by the use, whichever is more. In no case, however, may the total non-conformity of the signage on the building be increased.
- 7.15.4 All changes in non-conforming signs shall be subject to Design Review by the Community Development Department.

7.16 EXEMPT SIGNS

A. The following signs shall be exempt from restrictions as to types of signs or limitations on the total signage permitted on a lot as required elsewhere in this Article 7.000.

1. In all districts:
 - a. Signs not visible from a public way.
 - b. Official traffic and directional signs.
 - c. Other directional signs as limited by Section 7.12.6.
 - d. Flags of a city, state or country or non-profit organization.
 - e. Memorials such as grave stones and corner stones.
 - f. Historical site plaques installed or approved by a public agency or duly established historical society.
 - g. Window display of merchandise or signs incidental to the display.
 - h. Temporary signs as permitted in Section 7.12.5 (A-C) thereof.

2. In business, office and industrial districts:
 - a. Permanent non-illuminated signs behind the glass of a window above the first floor provided:
 - (1) the total area of the sign(s) does not exceed 30% of the area of the glass of the window;
 - (2) the window is appurtenant to the use to which the sign is accessory;
 - (3) the sign consists of individual letters or symbols affixed to the window or mounted on a clear, transparent background;
 - (4) the symbols or letters do not exceed 6" in height;
 - (5) Sign contains only the name and/or logo of the establishment to which it is accessory;
 - b. Permanent non-illuminated signs mounted on awnings on the first floor of a building provided:
 - (1) the total area of the sign does not exceed 1 square foot and the height of symbols and letters does not exceed 6";
 - (2) the sign consists of individual letters or symbols affixed to the fabric of the awning;
 - (3) sign contains only the name and/or logo for the establishment to which it is accessory.
 - c. Temporary signs as permitted in 7.12.5 (D).
- B. For one story buildings having a continuous parapet above the lowest point of the roof, signs may be placed below the highest point of such parapet rather than below the lowest point of the roof as may otherwise be required by this Section 7.10.

7.17 In any district where the number or area of signs permitted on a lot is determined by the number of buildings located on said lot, one building shall be assumed to be present for the purposes of this Section 7.10 for any use not contained within a building.

7.20 ILLUMINATION

In Residence A, B, and C-1 districts no outdoor floodlighting or decorative lighting except lighting primarily designed to illuminate walks, driveways, outdoor living areas, or outdoor recreational facilities, and except temporary holiday lighting in use for no longer than a four week period in any calendar year, shall be permitted. Any permanent lighting permitted by the preceding sentence shall be continuous, indirect, and installed in a manner that will prevent direct light from shining onto any street or adjacent property.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Four

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:

That Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Housing Units" is hereby amended as follows:

Section 1. Removal of Controlled Rental Units from Market
of Chapter Twenty-Three, entitled "Regulations Pertaining to
Controlled Rental Units" in Ordinance Number 966 of June 29, 1981
is hereby amended as follows:

1. Add the following clause to Paragraph (4) of Subsection (b),
Definitions:

"(v) cause a unit, not the primary residence of a legal unit owner, to be vacant for ninety (90) days or more by refusing to rent or to offer for rent in good faith said unit or, when a unit is cited as uninhabitable, by failure to perform repairs required to restore said unit to habitable condition. The existence of a vacancy for ninety (90) days or more shall constitute a rebuttable presumption of removal from the market."

2. Add the following sentences at the end of Subsection (c),
Removal Regulated:

"One year after the date of a notice of ruling, the Board shall confirm that the circumstances and conditions which led the Board to grant any removal permit hereunder, except for a condominium unit legally occupied by the unit owner, continue to warrant said permit; otherwise the Board shall immediately treat the unit as a controlled rental unit and shall initiate whatever action is permitted and appropriate under this section."

3. Add the following sentences to Subsection (f), Penalty:

"Where there are repeated and/or flagrant violations of this section, the Board shall recommend to the Cambridge City Council or to the Cambridge Housing Authority that the public interest can best be served by taking the unit(s) by power of eminent domain in order to restore the unit(s) to service as housing for people with low and moderate incomes."

City of Cambridge

MASSACHUSETTS

In City Council

6/11/

198*4*

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton		✓		
Mr. Thomas W. Danehy		✓		
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan		✓		
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell	✓			

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Passing to 2nd Reading -

SR
EAS

City of Cambridge

MASSACHUSETTS

In City Council

6/11/

1984

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton		✓		
Mr. Thomas W. Danehy		✓		
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan		✓		
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell	✓			

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RECEIVED BY
OFFICE OF CITY CLERK

JUN 4 8 28 AM '84

June 3, 1984

CAMBRIDGE, MASS.

The Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

To the Honorable; the City Council:

The Cambridge Rent Control Coalition is pleased to submit the enclosed amendment of Section 1, Chapter 23, Code of the City of Cambridge, ("The Removal Permit Ordinance"), to you for deliberation. This "Full Occupancy" amendment is intended to control the problem of vacant units under rent control and to help restore uninhabitable units to service.

Last November, in a very heavy turnout, Cambridge voters approved Question 3, the Housing Referendum Question, by almost a 3-2 margin. The enclosed amendment embodies Point 2 of that referendum. The amendment has been prepared with care over several months. We believe it will not only solve the problem of vacancies but will head off other problems such as "distressed buildings", which are almost invariably associated with total or partial vacancy.

Members of the Coalition would appreciate the opportunity to address the Council on the proposed amendment on June 4, 1984, or whenever the matter is considered by the Council. We will also be glad to answer questions for the Council.

With the amendment we are submitting a brief explanation and a legal opinion on its constitutionality. The Cambridge Rent Control Coalition urges favorable consideration of this Ordinance for Full Occupancy.

Respectfully submitted,

Michael H. Turk
William S. Noble

(for) CAMBRIDGE RENT CONTROL COALITION

(Michael H. Turk)
(William S. Noble)

encs: as

June 3, 1984

PROPOSED AMENDMENT TO CHAPTER 23, SECTION 1,
OF THE CODE OF THE CITY OF CAMBRIDGE
(Ordinance Number 966, as Amended by Ordinance Number 980)

Be it ordained by the Cambridge City Council that:

Section 1. Removal of Controlled Rental Units from Market
of Chapter Twenty-Three, entitled "Regulations Pertaining to
Controlled Rental Units" in Ordinance Number 966 of June 29, 1981
is hereby amended as follows:

1. Add the following clause to Paragraph (4) of Subsection (b),
Definitions:

"(v) cause a unit, not the primary residence of a legal unit owner, to be vacant for ninety (90) days or more by refusing to rent or to offer for rent in good faith said unit or, when a unit is cited as uninhabitable, by failure to perform repairs required to restore said unit to habitable condition. The existence of a vacancy for ninety (90) days or more shall constitute a rebuttable presumption of removal from the market."

2. Add the following sentences at the end of Subsection (c),
Removal Regulated:

"One year after the date of a notice of ruling, the Board shall confirm that the circumstances and conditions which led the Board to grant any removal permit hereunder, except for a condominium unit legally occupied by the unit owner, continue to warrant said permit; otherwise the Board shall immediately treat the unit as a controlled rental unit and shall initiate whatever action is permitted and appropriate under this section."

3. Add the following sentences to Subsection (f), Penalty:

"Where there are repeated and/or flagrant violations of this section, the Board shall recommend to the Cambridge City Council or to the Cambridge Housing Authority that the public interest can best be served by taking the unit(s) by power of eminent domain in order to restore the unit(s) to service as housing for people with low and moderate incomes."

June 3, 1984

THE ORDINANCE FOR FULL OCCUPANCY

This amendment to the Removal Permit Ordinance is intended to assure that all habitable units under rent control will be used for shelter, to guard against the contrived deterioration of rental housing units through planned neglect or development schemes, and to help restore to service units vacant because of major code violations which have rendered those units uninhabitable.

Background

With affordable housing so hard to find in Cambridge, it may seem paradoxical that there should be vacant units. Yet almost everyone who has any familiarity with Cambridge housing knows of units that are left vacant for no apparent reason, units that are allowed to run down until they can no longer be occupied, or units already unoccupied which are allowed to deteriorate until demolition seems the only remedy.

In our work with tenants and on housing questions, members of the Cambridge Rent Control Coalition (CRCC) repeatedly ran across vacancies and could not find a way to get the units back in service as affordable housing. We certainly knew of tenants willing to rent.

When CRCC decided to place a non-binding, anti-displacement referendum question on the ballot last November, it was natural that one point in our program cover the problem of vacant units. Our experience with vacated properties as diverse as 30 Norfolk Street, 88 Hancock Street, and 122 Mt. Auburn Street gave us direct contact with the urgency of the problem. As submitted to the voters in November, Point 2 read: "Keep housing in use by requiring a removal permit for refusal to rent units left vacant for more than 90 days."

In a very heavy turnout, almost sixty (60) percent of Cambridge voters approved CRCC's referendum question. We believe the suggested amendment will solve the problem of vacant units under rent control, will help prevent vacancy speculation, and will bring, in short order, a large number of rental units back into service as shelter for people in need of affordable housing.

CRCC's Vacancy Survey

Since the election, we have begun the task of gathering information about vacant units in the city. We have looked at rent-controlled units and at units which may be required to register with rent control in the future.

To date, we have identified roughly 275 vacant units. They are found throughout the city, although our survey results indicate that by far the larger part are situated in the eastern half. All the units have been vacant for more than 90 days.

Some of the units we have located need substantial work, while others could be occupied immediately. In a number of cases it appears that units have been vacated to allow renovation to occur. Renovations may have been undertaken without the owners' obtaining the necessary permits, including removal permits. Some vacant units can be found in areas where development projects have been launched, but have either not been carried through or were rejected by city agencies or the community.

From our preliminary results, it appears that two landlords own the largest number of vacant units: Harvard University and George Rothman. We have identified vacancies at the following Harvard properties: 2 Riverside Place, a boarded-up, single-family house; 69 Putnam Avenue, a nine-room single-family house; 15 Cowperthwaite Street, one apartment; 1306 Massachusetts Avenue, 10 vacant units; and Craigie Apartments, all 60 units vacant.

We have found vacancies at the following properties owned by George Rothman and managed by James Curran: 23-25-27 Trowbridge Street, all 17 units; 12 Mt. Auburn Street, all 13 units (major renovation underway); and some units at 52-58 Bishop Allen Drive (renovation also underway).

In addition we found several vacant or partially vacant residential properties along Essex Street (Nos. 8-10-12 and 20-22) which are on or near the site of a proposed Central Square development; 2 vacant units at 3 Marcella Street; 8 units on Blanche Street owned by MIT; 17 units at 112-114 Pearl Street; and 6 units at One Arsenal Square.

Returning these units to service is the quickest and in many respects the least expensive method of providing additional affordable housing in Cambridge. Since most of these units are under rent control, getting units occupied may also be one of the best ways of providing housing for people of low or moderate income.

CRCC is continuing to gather information on vacant units. When our survey is as complete as we can make it, we will forward the information collected to the City Council.

How the Ordinance for Full Occupancy Might Work

First, tenants in a building, neighbors who have a vacant building on their block, the Rent Control Board (Board) or its staff, people working for city housing agencies, in fact any person with an interest, may file a complaint under Regulation 45-08 with the Board stating that a certain unit or units or an entire building has been vacant for ninety (90) days or more. Direct observation or documents could establish the vacancy.

On receipt of a complaint the Board would take two steps: (1) determine that a unit or units were indeed been vacant for 90 days or more; and (2) request that the Inspectional Services Department perform an inspection of the unit(s) to determine whether there are code violations and whether the unit(s) are habitable. Step 2 would not be required if an inspection has been performed within the previous 90 days.

Before making an inspection, Inspectional Services would notify the landlord that a complaint of extended vacancy has been received and that the inspection is being made to determine the condition of the unit.

If the unit is habitable, the Board would then proceed to hear the complaint. If major code violations are found or if the unit is uninhabitable, Inspectional Services would notify the owner of that fact. At the same time the Board will advise the owner to correct code violations within the periods allowed by the State Sanitary Code and the State Building Code.

The Board may wish to set up regulations governing how cases will be handled under Subsection (v). We suggest that owners be allowed, at any point in the proceedings, to introduce evidence showing that a bona fide tenant has been accepted and is currently occupying the unit. The reason for this is that the goal of the ordinance is to keep units occupied. Once a unit is occupied there is no point in further proceedings.

If, upon recommendation of the hearing officer or its own finding, the Board determines that removal from the market has taken place, the Board would then notify the owner that fines may be levied if the unit is not rented.

By catching vacancies in a timely fashion, this amendment should prove highly beneficial in preventing units from running down and from requiring such massive capital improvements that rent increases allowed by existing regulations will effectively decontrol the unit(s).

What the Amendment Will Not Do

Shortly before the last election a group of Cambridge Real Estate Brokers singled out the provision on extended vacancy in CRCC's Housing Referendum for attack. They said it would affect single family homes and in essence tried to frighten homeowners into voting against the referendum.

The removal permit ordinance covers only rent-controlled housing. A single family house used by its owner is not covered by rent control. It may be left vacant as long as the owner wishes or can afford. Therefore, this amendment will not affect single-family homes left vacant by their owners. Similarly, any unit which serves as the primary residence of its legal owner is not covered by this amendment.

There are, however, single-family houses which are used as rental properties by absentee owners; these units will come under the purview of this amendment. Several such houses now stand vacant and could provide shelter at regulated rents to large families who otherwise are excluded from the city's housing market as either renters or owners.

Legal Questions

We are also enclosing, as Attachment #3, the relevant portions of a legal memorandum dated July 1, 1983 and written by Patricia A. Cantor, General Counsel to the Rent Control Board. It is important to note that the suggested amendment does not require owners to rent apartments. What it does is to say that vacancies which persist for 90 days or more without just cause constitute a violation of the removal permit ordinance.

The memorandum concludes that an amendment such as the one proposed should prove constitutional.

Conclusion

We hope the Council will consider this amendment at its earliest convenience, and we urge the Council to pass the Ordinance for Full Occupancy. The purpose of the proposed legislation is to provide a tool which will help to keep rental units in service. Occupied units provide housing, and occupied units do not deteriorate the way vacant units do. The sooner we can get started eliminating vacancies and putting all our housing to work, the better it will be for the city and its people.



CITY OF CAMBRIDGE

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RENT CONTROL BOARD

ROGER MERVIS, EXECUTIVE DIRECTOR

M E M O R A N D U M

DATE: July 1, 1983

TO: Russell E. Higley, City Solicitor
Birge Albright, Esq.

FROM: Patricia A. Cantor, General Counsel,
Cambridge Rent Control Board, and
other Rent Control Staff

RE: Non-binding advisory question for November ballot

I. Introduction

This memorandum is an analysis of the Cambridge Rent Control Coalition's local, non-binding, public opinion advisory question as proposed by said group for inclusion in the November, 1983 ballot. The memorandum will focus on the legal issues raised by those provisions of the proposal which pertain to rent control. Specifically, items (2), (3) and (6) will be addressed. These are:

- (2) keep housing in use by requiring a removal permit for refusal to rent units left vacant for more than 90 days;
- (3) strengthen rent controls by "capping" rent increases;
- (6) replace, one-for-one, units housing low and moderate income people when such units are lost to commercial development or university expansion.

The short answer, in our opinion, is that (2) can be legally sustained although there are strong arguments against it; that a "cap" on rent increases is not legal but that other attempts to limit rent increases may be; and that (6) is consistent with the removal permit ordinance, no. 966. Each will be considered in more detail.

Non-binding advisory question
for November ballot (Cont.)

7/1/83

II. Discussion

- (2) Keep housing in use by requiring a removal permit for refusal to rent units left vacant for more than 90 days

We conclude that the City (or the Board) may have the authority to adopt an ordinance or regulation implementing the policy expressed in (2). Brookline has adopted such a regulation pursuant to its Removal Permit by-law (which is virtually identical to Ordinance 966). However, the Brookline law has neither been challenged nor tested. The authority for the provision comes from an analysis of the Rent Control Enabling Act, the Removal Permit Ordinance itself and cases decided under it, as well as the law of general administrative and municipal powers.

In cases involving rent control, courts have routinely held that municipalities possess regulatory powers beyond those which are specifically enumerated. Flynn v. Cambridge, 1981 Mass. Adv. Sh. 692, 418 N.E. 2d 335 (1981) (power to regulate removals from the housing market); Grace v. Brookline, 379 Mass. 43, 399 N.E. 2d 1038 (1979) (power to bar all condominium developers from obtaining certificates of eviction); Altshuler v. Boston Rent Board, 1981 App. Ct. Adv. Sh. 1645, 925 N.E. 2d 781 (1981) (power to consider compliance with laws governing habitability in determining allowable rent adjustments.)

In Flynn v. Cambridge, supra, at 695, the Supreme Judicial Court (SJC) reaffirmed that "a grant of an express power carries with it all unexpressed incidental powers necessary to carry it into effect." Pursuant to such implied powers, Cambridge had authority under the Rent Control Enabling Act to enact an ordinance regulating the removal of rental units from the housing market.

Cases following Flynn, and relying on it, have found that the Rent Control Board has authority to regulate removals not expressly itemized in the ordinance itself. See, for example, Southview Cooperative Housing Corp. v. Cambridge Rent Control Board, June 1, 1983, Appeals Court No. 82-1059 (requiring landlord to obtain a removal permit from the Rent Control Board in order to remove controlled rental units from the market by converting them to cooperatives) requesting for further review by SJC pending); Fresh Pond Shopping Center v. Rent Control Board of Cambridge, No. 2813, SJC, March 3, 1983, (requiring landlord to obtain a removal permit from the Rent Control Board in order to remove controlled rental units from the market by demolishing the building) request for review by United States Supreme Court pending; Lamb v. Rent Control Board of Cambridge, No. 83-592, Appeals Court (requiring landlord to obtain a removal permit

Non-binding advisory question
for November ballot (Cont.)

7/1/83

from the Rent Control Board in order to remove controlled rental units from the market by physical combination of units, appeal to Appeals Court pending). Whereas in the case here, an agency is vested with "broad authority" to effectuate the purposes of an act, particularly one dealing with social reform, the agency may do so by all means which are "reasonably related" to those purposes. Levy v. Board of Registration and Discipline in Medicine, 378 Mass. 519, 392 N.E. 2d 1036 (1979) and cases cited.

Thus, we believe there is a clear legal basis for the proposal. This does not mean, however, that arguments against it may not ultimately prevail. These contrary arguments come from cases which hold that a business may not be forced to operate and that general constitutional due process principles prohibit a "taking." See, Loretto v. Teleprompter Manhattan CATV Corp. U.S., 50 Law Week 4988 (1982). Courts have permitted operators of business to cease operation (e.g. plant closings have been allowed) because to do otherwise would amount to an unconstitutional taking. (Although it should also be noted that airlines may not abandon routes without an administrative proceeding through which a permit is issued). In any event, this is a developing area of law, and the outcome of litigation cannot be confidently predicted. Suffice it to say, that the proposal on its face is not without merit.

Ord #11 23. - 6/11/84 - 28

Comm. from Michael H. Turk & William S. Noble, Cambridge Rent Control Coalition, transmitting a proposed amendment to the General Ordinances in Chapter 23 entitled "Regulations Pertaining to Controlled Rental Housing Units", Section 1 entitled "Removal of Controlled Rental Units from Market" as appearing in Ordinance No. 966, and amended by Ordinance No. 980.

- 6/11/84 -
Passed to 2nd Reading
6-3-0

LDSE/RF/Passed to 2nd Reading
8/15/84 - Placed on file
See Revised substituted
version passed to be
ordained as amended
Order adopted.

In City Council,

June 4, 1984

6/4/84
Adopted Right
By
COUNCILLOR David
Sullivan-