

# City of Cambridge

MASSACHUSETTS

In City Council March 18 1991

*C. Duehay Unfinished Business #3*

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

*4 2 1 2*

PETITION OF Planning Board

Re: Amendment to sign ordinance  
Petition filed with the City Clerk November 19, 1990

(all hearings to be completed 65 days from In City Council date)

11 days Nov.  
31 days Dec.  
23 days Jan.  
65 days = Jan. 23, 1991 = all hearings

In City Council November 19, 1990

Referred to the Planning Board for report November 19, 1990

Planning Board Hearing Jan. 8, 1991

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be March 19, 1991.)

~~22~~ 22 days Dec.  
31 days Jan  
28 days Feb  
29 days March  
90 days = March 19, 1991  
@ new hearing published in Chronicle - Jan. 24, 1991

City Council hearing published Chronicle on November 29, 1990

① reconvened hearing published Chronicle Dec. 27, 1990 & and December 6, 1990

② hearing reconvened to Feb. 3, 1991  
Hearing before the Ordinance Committee Dec. 19, 1990 at 6 p.m.

③ hearing reconvened to 1/16/91 @ 6 p.m.  
Reported to the City Council March 4, 1991

Passed to a second reading on March 4, 1991

published in Chronicle on March 7, 1991

Planning Board report received on March 7, 1991

Ready for ordination on March 18, 1991

Passed to be ordained on March 18, 1991 4-2-1-2

published in \_\_\_\_\_ on \_\_\_\_\_

COMPLETION DATE March 19, 1991

\* per Law Dept. due to fact meeting was legally published 4 days are not required.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

That the Zoning Ordinances of the city of Cambridge be amended as follows:

By amending the text of Article 7.000 - Signs and Illuminations by replacing the current regulations relative to signs with a new sign ordinances.

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

In City Council March 18, 1991.

Failed of ordination by a yea and nay vote: Yeas 4; Nays 2; Absent 1 Present 2.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinances as aforesaid, which exceed 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 March 4, 1991.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

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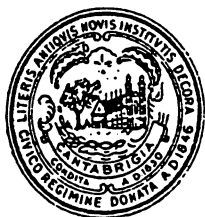
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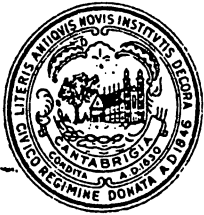
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# ARTSLINE



**Cambridge Arts Council**  
57 Inman St.  
Cambridge, MA 02139  
349-4380

Artsline is produced by the Cambridge Arts Council and appears monthly in the Chronicle.

## Paintings on suicide

Paintings depicting suicide are now being exhibited at Gallery 57 on Inman Street.

"The Suicide Project," with the paintings of Mary Behrens, shows famous 20th century women who took their lives. The paintings are in the tradition of portraiture, but extend the genre into a less orthodox format, incorporating oil, paint, wood and lead next to photographs taken from books and magazines of the individuals.

Behrens, conscious of the gap between what is documented through systematic research and the actual scope of a person's life, offers her works as pictures which, in part, try to reconcile that gap.

Her work also looks at the way women, throughout the history of Western art and literature, have assumed roles as silent models/muses for art by men.

Behrens, 34, is a Canadian citizen who has lived in the Boston area since 1981. She has exhibited her work throughout Boston, and will be included in the Artists Foundation exhibition "Intimate Perspectives: Massachusetts Women Artists."

Gallery 57 at 57 Inman St. is open Monday through Friday from 9 am to 5 pm.

## Artful look at the budget

Local photographer Roberta Hayes will display her documentary photographs of children beginning March 12 at Cambridge City Hall. The exhibit will focus on the impact of the state's financial situation on children and families.

## Arts lottery

New applications and guidelines for the next round of the Massachusetts Arts Lottery are available from 10 am to noon and at 1 to 4 pm weekdays at the Cambridge Arts Council, 57 Inman St.

The Arts Lottery funds community-based arts projects involving local artists, innovative projects, and a variety of audiences and venues.

More information is available by calling Will Stackman at 349-4380.

## Voodoo in Cambridge

The Cambridge Multicultural Arts Center will present a discussion and performance called "The Haitian Voodoo (Voodoo): An Exploration" at 7 pm Wednesday, March 13.

Gerdes Fleurant, sociology professor and African American Studies coordinator at Salem State College, will speak on the voodoo religion. Jean Claude Martinu, a local poet and musician, will speak on the socio-political effects of the religion. The folkloric dance company, Haitian Konbit, will also perform.

Tickets are \$5 for general admission; \$2 for senior citizens and students. More information is available from the CMAC at 577-1400.

## St. Pat's Sober Dance from CASPAR

It's that time of year again, St. Patrick's Day, and once again the Cambridge and Somerville Alcohol Program for Alcohol Rehabilitation, better known as CASPAR, is offering a way to celebrate the holiday without alcohol.

It's the second annual St. Patrick's Day Sober Dance from 8 pm to Midnight Sunday, March 17, at the Holiday Inn in Somerville.

Hits from the '50s and '60s will be played by DJ Claire Francis on a disco-quality sound system, and door prizes will be awarded. A \$10 donation per person will benefit the CASPAR Intervention Center, which gives acute care to people ill from alcohol and drug abuse. More information is available by calling Kathy Wilkins at 626-6300.

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# ARTS

## Missing works no longer missed

Among Mozart's "Oeuvres completes" being shown at the Harvard Music Library are three canon texts that were missing for more than 100 years.

The discovery of the works was announced last month at the International Mozart Congress in Vienna celebrating the 200th anniversary of the artist's death.

Although the short vocal pieces, similar to rounds, are not among his major works, they provide insight into Mozart's character, according to Christoph Wolff, music professor and director of the Harvard Music Library.

The pieces were not published with his other works because they contained explicit language and were, as Mozart's widow once wrote, "unruly."

The exhibit will be displayed at the Richard F. French Gallery of the library, which is open 9 am to 10 pm Monday through Thursday; 9 am to 5 pm, Friday; 1 to 5 pm,

Saturday, and 1 to 9 pm Sunday. More information is available by calling 495-2794.

## Radio host to talk to property owners

The Small Property Owners Association is hosting a talk by Gene Burns of WRKO Radio at 7 pm, Tuesday, March 12, at the VFW Hall, 688 Huron Ave.

The fundraiser is open and free to the public, but donations are suggested. More information is available by calling 354-1080.

## Show by Armenian artist

The works of Haghan Shahuimian, an Armenian-born artist, will on exhibit March 5 to 28 at 25R Lowell Street, jointly sponsored by the Cambridge Art Association and the Cambridge Yerevan Sister City Association.

The show, "An Artist's Perception of his Homeland, Armenia," contains paintings and graphics that reflect the present conditions in Armenia and hope for the future.

## Rounder began as a hobby for a group of friends

Continued from page 11

have a very good relationship with the owners of Passim, according to Irwin. "The Donlans book a lot of our artists and we do go down there and check out new musicians," he said.

In a way, the Rounders use the local scene to test new artists. "If it's successful here, then it may tell something about how well it will do nationally," Nowlin said.

Today, Rounder Records distributes some 350 labels, including its own titles: Rounder, Varrick, Heartbeat, and most recently, Bull's Eye Blues. Roundup, the mail-order company, has made rare recordings available to the listeners who can't find the albums retail.

The different titles are meant to reflect the music genres the company owners like to promote, and to listen to. For instance, Heartbeat is a reggae label and Bull's Eye Blues, as the name implies, was created as Rounder's own blues label.

Over the years, Rounder's place in the music world has been clearly established. In 1986, the company was selected by the Smithsonian Institute to preserve the 2,178 recordings under Moses Ash's Folkways label.

"Since we were a company which grew up listening to Folkways, the relationship was a natural thing and real positive," Irwin said. The importance of the Folkways collection, ranging from folk to simple street sounds to traditional music from Iran and Iraq, indicates the respect the company has earned in the music community.

The renewed national interest in folk and the recent trend in the music industry to record international traditional music, such as Paul Simon's recent ventures into South African and Brazilian music, have meant continued growth for Rounder. (Rounder distributed Ladysmith Black Mambazo before the group appeared on Simon's "Graceland.")

The Rounders believe that while the company has benefited from being in Cambridge, the city has also gained from Rounder's influence in promoting "traditional roots music and its contemporary offshoots."

"It goes both ways," Irwin said. "Maybe if there wasn't such an active folk scene, we wouldn't have been so successful. But if we weren't here, maybe the scene would be different."

In any event, this relationship has helped produce one of the principal independent distributors of traditional musics in the world.

"What's happened over the last 20 years is that we've realized that there are many people who have the same interests as we do," Levy said. "Alternative life-styles. Similar eccentricities."

The "symbiotic relationship" between Cambridge and Rounder should continue as traditional music grows in popularity, according to Irwin. "The city has an intelligent, adventurous audience that has been supportive of not only our records, but the music also," he said. "It makes it a much more open environment to find the music we want to deal with."

As a result, the bums, beatniks and hippies — of the 1960s and today — have been able to rely on Rounder's success to find original music.

# River Festival cancelled

Continued from page 1

River Festival events, he said, and donations last year were slim.

"People have to do more than say they like something and they'll miss it," Hanson said. "If everybody gave a dollar, there'd be a River Festival, no question about it. . . . There's not enough support in the community to mandate that it happen."

At this point, it's too late to resurrect the festival for this year, organizers said. Artists would already need to have been contacted if the event were to go on.

"It's too late at this date," Conruci said. "Plans needed to have started in January. We're hoping to put it back together for 1992."

In the meantime, Hanson said, the Arts Council is hoping to organize smaller events this summer, such as the neighborhood concert series held in parks around the city last year.



**CITY OF CAMBRIDGE LEGAL NOTICE**  
DEPARTMENT OF TRAFFIC & PARKING INTERIM PARKING CONTROL COMMITTEE

Notice is hereby given that a Public Hearing will be held on Wednesday, March 27, 1991 at 7:00 PM in the Ackerman Room on the second floor of the City Hall at 795 Massachusetts Ave., Cambridge, Massachusetts to consider the following applications for Controlled Parking Permits or Determination of Exclusions from the Cambridge Parking Permitting Program:

1. J&B Realty Trust, II for a Parking Lot at 2 Cambridge Park Drive.
2. Junction Realty Trust for construction of a Parking Garage at 2400 Massachusetts Avenue.

Copies of the application are available for public inspection at the Department of Traffic and Parking, 57 Inman Street, Cambridge, Massachusetts, 02139. (C)Mar.7

**CITY OF CAMBRIDGE PURCHASING DEPARTMENT**

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, March 21, 1991 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

**Umpire Services**  
Construction Materials  
Cardiac Catheterization Services  
Three Wheel Vehicles  
Installation of Security Screens  
Cambridge Parks Maintenance Program.

See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informality or to reject any or all proposals. Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for Designated Item," and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts. Barbara L. Duffy, Purchasing Agent (C)Mar.7

**CITY OF CAMBRIDGE BOARD OF LICENSE COMMISSIONERS**

Notice is hereby given under General Laws, Chapter 136, as amended that **Science Partners Incorporated** d/b/a **Miracle of Science Beer & Grill, Chris A. Lutes, Jr.** has applied for a license to sell all alcoholic beverages at 321-323 Massachusetts Avenue.

This application pledges its license to the landlord and creditors.

This applicant has also applied for 1 audio tape machine which may play music below conversation level.

The premises are described as follows: kitchen, bar and dining room on first floor; storage, office and preparation in the basement.

The officers and directors of Science Partners Incorporated are: Chris A. Lutes, Jr., President and Director; Matthew W. Curtis, Treasurer, Clerk and Director.

The hearing on this application will be held on Tuesday evening, March 19, 1991, at six o'clock, in the Lombard Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

James Thaddeus McDavitt  
Anthony G. Paillio  
Thomas V. Scott  
License Commissioner (C)Mar.7

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**THE  
WORKS**

1991 MAR 15 PM 12:08  
CAMBRIDGE MA.

147 Hampshire Street  
Cambridge  
Massachusetts 02139  
617.498.9051

TO: Joseph E. Connarton  
City Clerk

From: Jeffrey Nuttting  
Coordinator of Public Works

RE: Sign Ordinance

DATE: 14 March 1991

*Jr ok*  
*3/15/91*

The current figures on the above mentioned ordinance are:

Area of Entire City 114,038,337.6 square feet  
Area Owned By Protesters 43,046 square feet

Percent of City Owned by  
Protesters .04%  
(Less Than 1 Percent)

Please let me know if you need any additional information.



SIGN ORDINANCE

1991 MAR 15 PM 12:06

1991 MAR 15 PM 12:06

CAMBRIDGE MA.

Sq. Ft.: 114038337.6 Area of City  
43046 Area Owned by Protesters  
0.04%

Block	Lot	Area
42	7	2374
1A	70	17400
77	63	6304
77	74	968
20	68	3275
82	31	2974
152	47	5972
179	81	3779
		43046



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

March 25, 1991

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

Dear Mr. Higley:

Enclosed you will find copies of proposed amendments to the Municipal Code of the City of Cambridge which were passed to a second reading at the City Council meeting held on March 18, 1991 as follows:

1. Council for Children, Youth and Families, also known as "Kids Council".
2. Licenses and Permits of Delinquent Taxpayers.

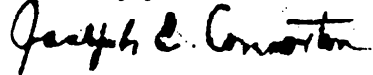
Enclosed also you will find a proposed amendment to the Municipal Code for the City of Cambridge regarding Mandatory Recycling which was passed to be ordained at the City Council meeting held on March 18, 1991.

Finally you will find a copy of a proposed amendment to the Zoning Ordinances of the City of Cambridge which failed to be ordained at the City Council meeting held on March 18, 1991.

Would you kindly review these amendments and indicate your approval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,



Joseph E. Connarton  
City Clerk

JEC/dl

Encs. First publication number 2529, 2528, Ordinance number 1117 and Unfinished Business Item number three.

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



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

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

The Cambridge Municipal Code is hereby amended by striking out the existing Chapter 2.84 and substituting in place thereof the following new Chapter 2.84:

### Chapter 2.84

Coordinating Council for Children, Youth and Families, also known as "Kids Council."

#### Sections:

- 2.84.010 Established
- 2.84.020 Function and Purpose
- 2.84.030 Membership - Appointment - Term
- 2.84.040 Membership - Qualifications
- 2.84.050 Officers - Quorum - Rules and Regulations - Committees
- 2.84.060 Executive Director
- 2.84.070 Powers and Duties

#### 2.84.010 Established

There shall be established in Cambridge a Coordinating Council for Children, Youth and Families (the Council).

2.84.020 Function and Purpose

The Council will direct a comprehensive local response to the needs of children, their families and other caregivers, in accordance with the guiding principles set forth in the Children, Youth and Family Policy Plan. These principles are:

To promote services and other activities that are preventive rather than reactive.

To promote services and other activities that are coordinated rather than fragmented, and that result in improved accessibility.

To encourage innovative responses to needs.

To generate activities that create opportunities for all children, their families, and other caregivers.

To support families, their choices, and their strengths, recognizing diversity and the many different choices that families make about how to bring up happy and healthy children.

To promote services and other activities that are comprehensive, oriented to the needs of children and families seen as whole people.

2.84.030 Membership - Appointment - Term

A. Council Members shall be comprised of the following offices, disciplines and interests:

The Mayor

A member of the City Council

A member of the School Committee

The City Manager

The Superintendent of Schools

The Assistant City Manager for Human Services

The Commissioner of Health & Hospitals

A member of the philanthropic community

A representative from a State agency serving children, youth and families

A representative of the corporate/business community

A representative of the university community

A representative from the early childhood community

Five members shall represent the community-at-large and/or represent active parents groups or other groups involved with children and their families. These members shall be residents of the City.

Three members shall be identified to serve one year terms. These members shall represent specific areas to be addressed by the Council's agenda or other identified interests relating to children (for example, a person involved with children's issues nationally).

B. The Council shall have an Executive Committee comprised of a subset of the Council and including the Chair to enact the business of the full Council between Council meetings.

C. The Council at all times shall be representative of the socio-economic, racial and ethnic composition of the City as well as of different neighborhoods and shall have members who are resource people as well as individuals with children who are consumers of services.

D. City Council and School Committee members shall be appointed by the City Manager with advice and recommendations from the Mayor. All other members shall be appointed by the City Manager with advice and recommendations from the City Council. The City Manager shall consult with groups involved with children and

shall advertise widely to obtain names of qualified candidates.

E. Elected and appointed officials shall hold terms coterminous with their election or appointment.

F. The other members shall be appointed initially for terms of one, two, and three years. After the initial term, all Council Members shall be appointed for a term of three years, except for the three, one-year term members.

G. If any appointed Council Member misses half of the scheduled meetings of the Council during a calendar year, the absences of the Council Member shall be reviewed by the Chair and the Chair shall recommend appropriate action to the City Manager.

H. Vacancies on the Council shall be filled no later than sixty days after the vacancy occurs; and if a vacancy occurs prior to the expiration of the member's term, an appointment shall be made for the remainder of the term.

#### 2.84.040 Membership - Qualifications

A. All prospective Council Members shall have belief in and support the special interests of children and must have a willingness to work on behalf of all the City's children to ensure they have the opportunity to maximize their individual potential and healthy development.

B. Every effort will be made to appoint Council Members residing in the City of Cambridge.

#### 2.84.050 Officers - Quorum - Rules and Regulations - Committees

A. The Council shall meet as often as necessary to conduct

its business but no less than four times annually.

B. The Council shall be chaired by the Mayor. If the Mayor chooses not to chair, he or she will approve another Chair from among Council Members.

C. Eleven members shall constitute a quorum for the purpose of conducting the business of the Council, and all decisions shall be by majority vote of the Council members present and voting.

D. The Council may adopt rules and regulations consistent with this chapter and the laws of the Commonwealth to carry out the policy and provisions of this chapter and the powers and duties of the Council in connection therewith.

E. All records of the Council shall be public except as provided by State law.

F. Council Members shall serve without compensation but reasonable per diem and necessary expense reimbursement shall be paid out of the budget of the Council.

G. Council Members shall be classified as special municipal employees for the purposes of Chapter 268A of the Massachusetts General Laws.

H. The Council shall develop a committee structure. To broaden participation from the community, members of these committees will be a mix of Council Members and the community-at-large. Parents shall be represented on all committees. The chair or co-chair of each committee shall be a Council Member. The Council shall advertise widely to obtain names of qualified candidates. The committees will include:

A Public Policy Committee to monitor and make recommendations regarding local, state, and federal policies impacting children, youth and families.

A Program Committee to continually assess social service needs and trends and to highlight areas that need attention.

A Development Committee to assist the Council's grant writing and fundraising operations.

A Research and Evaluation Committee to develop evaluation tools for the Council's identified plans and to measure, to the extent possible, outcomes of the Council's work. It shall produce every three years a report on the status of children in Cambridge.

The Council shall have authority to create other such committees or redesign existing committees to ensure the Council's effectiveness. In some cases, advisory committees with particular expertise that coincides with Council priorities will be formed to guide the Council.

#### 2.84.060 Executive Director

A. There shall be an Executive Director of the Council, who shall be appointed by the City Manager with the advice and recommendations of the Council.

B. The Executive Director shall have demonstrated administrative expertise, a background of direct participation in the provision of children's services, and the ability to work cooperatively with the diverse segments of the City.

C. The Executive Director will be sited within a city department from which he or she will receive administrative support.

2.84.070 Powers and Duties

The powers and duties of the Council shall include the following:

A. Recommend children, youth and family policy to the City Manager, the City Council, the School Committee and other appropriate committees.

B. Review and make recommendations regarding the City's allocation of resources affecting children, youth and families to the City Manager and other appropriate officials.

C. Act as a catalyst in mobilizing and coordinating other efforts within the City aimed at responding to the needs of children, youth and families.

D. Act as a clearinghouse for efforts within the City aimed at responding to the needs of children, youth and families.

E. Act as an advocate with regard to State and Federal policies which impact on the City's children, youth and families.

F. Mobilize and coordinate resources available to Council Members and organizations they may represent to develop joint projects to respond to the needs of children, youth and families.

G. Enlist the cooperation of various racial, religious and ethnic groups, civic and community organizations, labor organizations, fraternal and benevolent organizations, and other

groups and organizations to further the intent and purposes of this chapter.

H. Raise and direct funds to support the projects and priorities of the Council and accept money, gifts and services for these purposes.

I. Encourage youth input through the creation of specific opportunities for youth to provide their perspectives on their lives, community and issues facing them.

Passed to a second reading as amended at the City Council meeting held on March 18, 1991 and on or after April 1, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety - One

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

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

In accordance with G.L. c. 40, §57, as added by St. 1985, c. 640, which was accepted by the City Council on September 11, 1989, Title 5 of the Code (Business Licenses and Regulations) is hereby amended by adding the following new Chapter 5.48 (Licenses and Permits of Delinquent Taxpayers):

### Chapter 5.48

#### Licenses and Permits of Delinquent Taxpayers

##### Sections

- 5.48.010 Tax Collector to furnish list of delinquent taxpayers
- 5.48.020 Revocation of license of delinquent taxpayer; Notice and Hearing
- 5.48.030 Payment agreement
- 5.48.040 Waiver of denial, suspension or revocation
- 5.48.050 Exclusion of certain licenses and permits

5.48.010 Tax Collector to furnish list of delinquent taxpayers

The Assistant City Manager for Fiscal Affairs, as the Cambridge official responsible for records of all municipal taxes, assessments, betterments and other municipal charges (hereinafter

referred to as the "Tax Collector"), shall annually furnish to each city department, board, commission or division which issues licenses or permits, including renewals and transfers, (hereinafter referred to as the "licensing authority") a list of all persons, corporations, partnerships or other business enterprises which have neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period and which have not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board. (Such persons, corporations, partnerships or other business enterprises shall hereinafter be referred to as "parties").

5.48.020 Revocation of license of delinquent taxpayer; Notice and hearing

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be

respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the City as of the date of issuance of said certificate.

5.48.030 Payment agreement

Any party shall be given an opportunity to enter into a delinquent tax payment agreement with the Tax Collector, thereby allowing the licensing authority to issue a license. The validity of said license shall be conditioned upon satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by law.

5.48.040 Waiver of denial, suspension or revocation

The City Council may waive such denial, suspension or revocation if it finds that the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in G.L. c. 268A, §1(e), has no direct or indirect business

interest in the business or activity conducted in or on said property.

5.48.050 Exclusion of certain licenses and permits

This Chapter shall not apply to the following licenses and permits: open burning, G.L. c. 48, §13; bicycle permits, G.L. c. 85, §11A; sales of articles for charitable purposes, G.L. c. 101, §33; children work permits, G.L. c. 149, §69; clubs, associations dispensing food or beverage licenses, G.L. c. 140, §21E; fishing, hunting, trapping license, G.L. c. 131, §12; marriage licenses, G.L. c. 207, §28; and theatrical events, public exhibition permits, G.L. c. 140, §181 and §183A.

Passed to a second reading at the City Council meeting held on March 18, 1991 and on or after April 1, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

In amendment to an ordinance designated as the "Cambridge Municipal Code."

- WHEREAS The City of Cambridge now disposes of its solid waste by landfilling at sites that have a short remaining useful life;
- WHEREAS The Commonwealth of Massachusetts has scheduled landfill disposal bans of various materials, i.e., leaf waste by the end of 1991; yard waste, recyclable aluminum, metals and glass by the end of 1992; and all grades of recyclable paper and single polymer plastics by the end of 1994;
- WHEREAS The potential solution to the impending solid waste disposal problem is through reduction of the amount of solid waste by reducing the amount of solid waste generated and by recycling recyclable materials to the fullest extent possible;
- WHEREAS Public support for recycling has been demonstrated through the City's volunteer driven monthly drop-off program, collecting newspaper, aluminum, glass and plastic, which diverted from the municipally collected waste stream approximately 210 tons in 1989 and approximately 925 tons in 1990.

THEREFORE be it declared by the City Council of Cambridge that the following policies are hereby adopted by the City of Cambridge with respect to management of the solid waste disposal problem, for the promotion of the health and welfare of its citizens and for the protection of the environment:

1. The City of Cambridge hereby declares its goal of encouraging all residents, municipal offices, commercial businesses, and nonprofit institutions to reduce the amount of solid waste they produce by reducing the amount of solid waste generated and by recycling recyclable materials to the fullest extent possible.

2. The City of Cambridge further declares its goal of reducing the municipally collected solid waste stream by diversion of a substantial portion from landfilling by source reduction and by productive use through recycling recyclable materials to the fullest extent possible.

3. The City of Cambridge declares that its recycling diversion target is 15% of the total municipally collected solid waste stream within two years from the initiation of a curbside collection program, and 25% of the municipally collected solid waste stream within five years.

4. The City of Cambridge further declares that implementation of these policies shall proceed, within the bounds of sound fiscal management and in contemplation of advances in solid waste management technology, in an orderly fashion and with all due speed.

THEREFORE, IN CONSIDERATION OF THE FOREGOING, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMBRIDGE AS FOLLOWS:

Chapter 8.24 of the Code (Rubbish, Garbage and Litter) is hereby amended by striking out section 8.24.070 and substituting therefor the following new section 8.24.070 (Mandatory recycling):

8.24.070 Mandatory Recycling

- A. Purpose and Declaration of Policy
- B. Establishment of program
- C. Definitions
- D. Mandatory separation of recyclable materials
- E. Collection of recyclable materials
- F. Recycling plans
- G. Recyclable materials
- H. Recycling advisory committee
- I. Rules and regulations
- J. Enforcement and penalties
- K. Repeal of inconsistent laws
- L. Severability
- M. Effective date of this section

A. Purpose and declaration of policy

This section has been created because of the great interest of the people of Cambridge in preserving the environment by reducing the amount of refuse sent to landfills and incinerators. It shall be the policy of the City of Cambridge to reduce the amount of solid waste generated and to require the recycling of recyclable materials to the fullest extent possible.

B. Establishment of program

There is hereby established a program for the mandatory separation of certain recyclable materials from refuse which shall apply to all buildings in Cambridge, and shall be carried out under the supervision of the Commissioner of the Cambridge Department of Public Works (DPW).

C. Definitions

The following definitions shall apply in this section:

1. Aluminum - Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation or cooking of food.

2. Cans - All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers that contain paint or petroleum based solvents, and any pressurized aerosol cans.

3. Commercial establishment - Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services,

automobile service, hotels and motels, restaurants, or shipping and receiving areas.

4. Corrugated cardboard - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons.

5. Glass - Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packaging or bottling of various materials. This does not include plastics or glass products such as window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.

6. Leaves - Deciduous and coniferous seasonal deposition.

7. Multi-family dwelling - Any place of residence with ten or more dwelling units, including apartments, cooperatives, condominiums, group houses, rooming houses or boarding houses.

8. Newspapers - Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisements, comics and enclosures. This does not include newspapers soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.

9. Nonprofit organization - An established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, and health care functions.

10. Occupier of land - Any owner, lessee or tenant of any residential dwelling, commercial establishment or nonprofit

organization in Cambridge.

11. Paper Leaf Bag - A paper leaf bag shall be a Sanitary Kraft Paper Sack or equal of thirty (30) gallon capacity, two (2) ply fifty (50) pound wet strength with decomposing glue and reinforced self-supporting square bottom closure.

12. Plastics - Clear and colored bottles and jugs made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding caps and lids.

14. Recyclable materials - Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.

15. Refuse - All solid waste generated by occupiers of land in Cambridge.

16. Residential dwelling - Any residential building, including single-family homes, apartment buildings, buildings containing cooperatives and condominiums, group houses, rooming houses or boarding houses.

17. Sorted office paper - Printed or unprinted sheets, shavings and cuttings of colored or white sulphite or sulphate ledger, bond, writing and other papers which have a similar fiber and filler content, and which are free of treated, coated, padded and heavily printed paper, carbon paper and non-paper materials.

18. Yard waste - Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

19. White goods - Major kitchen and laundry appliances including, but not limited to stoves, washers, refrigerators and dryers. Nothing in this definition shall waive compliance with the rules and regulations for the generation, transportation, storage and disposal of hazardous waste.

D. Mandatory separation of recyclable materials

It shall be mandatory for each occupier of land in Cambridge to separate all designated recyclable materials from other refuse in accordance with the provisions of this section.

The timetable for compliance shall be as follows:

1. Buildings which receive City solid waste collection services

On and after the effective date of this section, it shall be mandatory for each owner, lessee or tenant of a building which receives City solid waste collection services to separate from other refuse all recyclable materials designated by the Commissioner in rules and regulations issued under this section, provided, however, that this requirement shall be delayed with regard to owners, lessees or tenants of multi-family dwellings. Owners of multi-family dwellings shall submit a recycling plan to the Commissioner or his or her designee in accordance with subsection F. This requirement shall also apply to all City-owned buildings, including schools.

2. Buildings which do not receive City solid waste collection services

It shall be mandatory for each owner, lessee or tenant of a building which does not receive City solid waste collection to

separate all designated recyclable materials from other refuse in accordance with a recycling plan to be submitted to the Commissioner or his or her designee, in accordance with subsection F.

E. Collection of recyclable materials

1. Buildings which receive City solid waste collection services

a) In buildings which receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the City.

During the leaf and yard waste collection season, residents shall place their leaves and yard waste in Paper Leaf Bags (as defined in subsection C), open barrels or boxes to be provided by the resident.

b) The City shall retain ownership of all its recycling receptacles and the owner, lessee or tenant of the building shall take proper care to protect such receptacle from loss or damage. If the receptacle is lost, it shall be the responsibility of the owner or owners of the building to obtain a suitable replacement within 75 days.

c) The preparation and placement of recyclables shall be accomplished in accordance with rules and regulations to be issued by the Commissioner under this section.

d) All recycling containers and receptacles shall be placed for collection on the outer edge of the sidewalk, so as not to obstruct the free passage of pedestrians, or in such other place

and on days specified by the Commissioner in rules and regulations to be issued under this section.

e) Recyclables shall not be placed in plastic garbage bags for collection, removal or disposal. Recyclables shall not be placed in the same refuse containers as other solid waste or mixed with other forms of solid waste for collection, removal or disposal. If separation of recyclable materials from other refuse does not take place, the City may decide not to collect said other refuse.

f) Upon placement of recyclables for the City or its contractor at the curbside, pursuant to this subsection, such recyclables shall become the property of the City. It shall be a violation of this section if any person, other than authorized agents of the City acting in the course of their employment or contract, collects or causes to be collected any recyclables so placed. Each and every such collection in violation hereof from one or more locations shall constitute a separate and distinct offense. In addition to the penalty provided in subsection J, any violator of this subsection E shall make restitution to the City for the value of recyclables illegally removed.

2. Buildings which do not receive City solid waste collection services

In buildings which do not receive City solid waste collection services, the materials designated for recycling in rules and regulations promulgated by the Commissioner shall be placed in recycling receptacles provided by the owner or owners of such building. The Owner or owners of such buildings shall be

responsible for the costs of recyclables separation and collection. Any savings in solid waste disposal realized due to recycling shall accrue to the owner or owners of such buildings.

The owner or owners of such buildings shall submit recycling plans to the Commissioner in accordance with subsection F. The Commissioner shall have the authority to require documentation from the City's recyclables collection contractors and from any owner, lessee or tenant of a building which does not receive City solid waste collection services, that recyclables are being delivered to a broker or end market that causes the material to be recycled or composted rather than landfilled or incinerated.

F. Recycling plans

1. All property owners required to submit recycling plans to the Commissioner shall do so within six months of the effective date of this section. The owner or owners may request in writing from the Commissioner an extension of up to six months, which shall be granted. No further extensions shall be granted. Separation and collection of recyclables in such building shall begin within 120 days of plan approval by the Commissioner.

2. Contents of plan

Each recycling plan will cover the following items:

- a) Which recyclables will be put out for collection
- b) Frequency of collection
- c) Methods to be used for collection, including types of containers
- d) Any other items which may be specified in rules and regulations promulgated by the Commissioner under this section.

Plans shall be submitted in a format to be specified in rules and regulations promulgated by the Commissioner under this section.

G. Recyclable materials

The recyclable materials to be separated shall be designated by the Commissioner in rules and regulations to be issued under this section.

H. Recycling advisory committee

There is hereby established a Recycling Advisory Committee. The Committee, as requested, shall provide advice, assistance and recommendations to the Commissioner regarding the recycling program.

The Committee shall be appointed by the City Manager, and shall consist of at least 9 persons with a demonstrated interest in recycling, at least six of whom are residents of Cambridge. At least one member shall be chosen from volunteers in the City's monthly recycling drop-off program, one member shall represent the private real estate industry (apartment management), and one member shall be a designee of the Cambridge Housing Authority. One member shall represent the business community, and one member shall represent non-profit institutions. The term shall be three years.

The Commissioner, or his or her designee, shall be an ex-officio member of the Committee.

I. Rules and regulations

The Commissioner, with the approval of the City Manager, may promulgate rules and regulations for the implementation of this

section.

J. Enforcement and penalties

Whoever violates any provision of this section, including any rule or regulation promulgated under subsection G., may be penalized by a noncriminal disposition as provided in G.L. c. 40, S. 21D. For purposes of this section, the following officials shall be enforcing persons: designated staff of the Cambridge Department of Public Works. The penalty for each violation shall be \$25.00.

A penalty will be assessed under this section only after the violator receives a written warning regarding the violation indicating the method of correction.

K. Repeal of inconsistent laws

All ordinances, resolutions, regulations or other documents inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.

L. Severability

This section and the various parts, sentences and clauses thereof are hereby declared to be severable. If any part, sentence or clause is adjudged to be invalid, the remainder of this section shall not be affected thereby.

M. Effective date of this section

This §8.24.070 shall take effect when notice of the effective date is published by the Commissioner in a newspaper of general circulation in Cambridge.

In City Council March 18, 1991.

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

ATTEST:- Joseph E. Connarton, City Clerk.

Robert W. Healy, City Manager.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

That the Zoning Ordinances of the city of Cambridge be amended as follows:

By amending the text of Article 7.000 - Signs and Illuminations by replacing the current regulations relative to signs with a new sign ordinances.

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

In City Council March 18, 1991.

Failed of ordination by a yea and nay vote: Yeas 4; Nays 2; Absent 1  
Present 2.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinances as aforesaid, which exceed 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 March 4, 1991.

ATTEST:- Joseph E. Connarton, City Clerk.



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

March 7, 1991

To the Honorable, The City Council

Subject: Planning Board Recommendation on a City Council  
Petition to Revise the Sign Ordinance, Article 7.000

## Recommendation

The Planning Board recommends adoption of the Petition with a number of modest changes which, for the most part, grant somewhat greater latitude for accessory, on-premise signs. The following are the Board's recommended changes. A revised text reflecting these changes is attached; modifications are underlined.

\* **In Section 7.16.11 - Exempt Signs, Subsection B**

The Planning Board recommends that the area of upper story windows (2nd Floor and above) which may contain certain carefully proscribed types of signs be reduced from 30% to 20%, a figure which assures that the window and not the exempt sign is the dominant feature.

\* **In Section 7.16.12 - Temporary Signs**

An increase in the permitted area of builder, leasing, and other temporary signs erected on a site during construction on a lot is increased from 30 to a maximum of 100 square feet in area in non-residential districts. The change permits a more realistic inventory of temporary signs, reflective of current practice on construction sites.

\* **In Section 7.16.22 - Permitted Signs in Non-Residential Districts**

The amount of accessory signage permitted on a lot is increased by (50%) fifty percent from (1) one to one and one-half (1.5) square feet for each foot of sign frontage on the lot. The increased area permitted is required to be located behind the glass of any windows

on the building. The total area is still reduced (25%) twenty-five percent from that which is permitted under the current ordinance (two square feet). The Board considers the proposed (1) one square foot figure to be too restrictive.

\* **In Section 7.16.22 - Projecting Signs**

The Planning Board recommends an increase in the area permitted for projecting signs from (10) ten to (13) thirteen square feet as a size that is acceptable in the vast majority of circumstances in the city. The area is still considerably less than the (20) twenty square feet currently permitted.

\* **In Section 7.16.22 - Wall Signs, Paragraph C**

Changes are made which grant some additional latitude in the kinds of illuminated signs which are permitted, while still prohibiting the most inappropriate kinds of signs.

\* **In Section 7.16.22 - A New Paragraph C - Special Use Signs**

Special provisions are made here for theater and hotel signs which are recognized special cases that may reasonably be granted additional flexibility.

\* **In Section 7.15 - General Limitations for All Signs**

In paragraph E, the last phrase in the last sentence is proposed to be deleted. The phrase "and permanently attached", if enforced, would prohibit a number of standard sign types including theater signs, signs announcing the price of gasoline at service stations, bulletin boards at churches, and any number of other standard signs. The legitimate exceptions would have to be so great that the Board thought it reasonable to delete the requirement.

\* **In Section 7.13.2 - Types of Signs, Paragraph C - Wall Sign**

The last sentence "such sign may not in total area exceed (30%) thirty percent of the glass area of any window to which it is appurtenant" is recommended to be deleted as it is really not a definition, but rather a regulation, which appears elsewhere in the ordinance where applicable.

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### Findings

1. The findings contained in the revised Article 7.000, the Sign Ordinance, accurately reflect the city's interest in its aesthetic environment in general and in the character and impact of the signs that play such a major role in the environment.
2. As indicated in the report A Review of the Sign Environment in Cambridge, the city has a long history of concern for the quality of its aesthetic environment and has engaged in innumerable actions and adopted many regulations to ensure that that environment is improved and enhanced at every opportunity.
3. The report also effectively documents the particularly intrusive nature of off premise signs in the city. Such signs always dominate their environs and appear visually inappropriate no matter what the use or development character of the neighborhood in which they are located.
4. It is appropriate that the city should employ the authority granted to it to require the removal of off-premise non-conforming signs. Chapter 40A uniquely denies protection to non-conforming off premise signs, a protection granted to every other category of non-conforming use. The documented negative aesthetic impacts of such signs suggests that the latitude granted to local communities in this instance is appropriately utilized.
5. Review of the accessory sign environment in the city's commercial districts, also contained in the report, suggests that modifications to the sign ordinance as it affects such signs is advisable. The lessons learned in the four years of administering the current sign regulations also suggests useful revisions which can improve the quality of signs constructed in the city while making the requirements clearer and more uniform.
6. The major revisions to the ordinance are well considered and reasonable in the context of the city's built environment and the long expressed policies on the part of the city to protect and enhance that environment.
  - \* Through the elimination of the discretionary design review process, which had the potential to be arbitrary and ambiguous, a system of rules has been established which make it clear up front which signs are permitted and which are prohibited.

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- \* The total amount of signage permitted on a lot has been reduced modestly (by 25%) and rules are established for the distribution of that signage on the face of the building and on the lot. The rules ensure that signage is not allowed to accumulate to excess on any one portion of the building and that all owners of businesses have a guaranteed allocation of signage.
- \* A maximum height of twenty feet above the ground is established for all signs in the city with two limited exceptions. This limitation is imposed presently in all office and industrial districts and is appropriately applied to all commercial districts in the city. The prominent, aggressive, and very intrusive nature of signs placed high on the walls of tall buildings is both inappropriate in a city which struggles to maintain its pedestrian orientation and unnecessary in a city of well marked streets and property addresses.

The two limited exceptions, which are the only two the Board considers appropriate, are for hotels and motels and for theaters. Hotels and motels in particular serve a clientele which is typically unfamiliar with the building location and with the community as a whole. The visibility from a greater distance that additional height might provide is reasonable in this circumstance. In addition hotels and motels are always going to be limited in number and distribution unlike retail and office uses, as an example, which have a much wider distribution.

Theater announcement boards are permitted to exceed the twenty foot height restriction to permit some reasonable flexibility in locating such a sign on a building wall. The requirement that the measure be readable will naturally limit the height at which the sign can be feasibly located.

- \* The detailed rules with regard to illuminated signs ensure a wide range of options for business owners while prohibiting the most visually disruptive kinds of illuminated signs.

### Public Hearing

A public hearing on the recommended revised sign ordinance was held on Tuesday, January 8, 1990. Mr. Lester Barber of the Community Development Department outlined the new provisions of

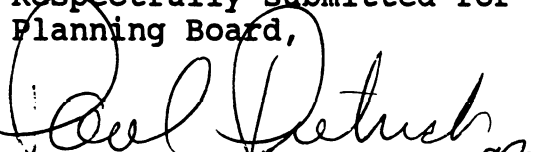
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the proposed ordinance as they affect both accessory and off premise signs. Mr. Barber briefly traced the recent events, initiated by the notice from the Outdoor Advertising Board to the city of its renewal of billboard permits, which lead to the development of the present ordinance revision under consideration. Much of the city's history of concern for its environment generally and the impact of signs on that environment was summarized and reference made to the report entitled A Review of the Sign Environment in Cambridge in which that history is extensively surveyed. In addition the report reviewed the existing status of signs, accessory and off premise, in the city's commercial districts.

A slide presentation was used to illustrate the kinds of signs prohibited or permitted under the proposed ordinance; the particularly intrusive character of billboards was noted. The special provisions of the ordinance affecting billboards, and the legislative basis by which they may be treated differently from accessory signs in the zoning ordinance, was highlighted.

No one spoke in opposition to the proposed ordinance. A number of people spoke in favor of the proposal. All recommended a favorable report by the Planning Board to the Council and indicated that the requirement that the billboards in the city be removed was strongly supported. With regard to the proposed regulations affecting accessory signs support ranged from strong to with reservation, with concern on the part of some expressed that creativity might be unduly restricted. Suggestions were made that consideration might be given to special regulations for signs serving theaters where the traditional functions of their signs would be curtailed by one or more of the proposed ordinance's provisions.

Respectfully submitted for the  
Planning Board,

  
Paul Dietrich, Chairman *13*

# SUMMARY OF PROPOSED ORDINANCE

1. Planning and Policy Context
2. Findings and Purpose
3. Reorganization of the Ordinance
4. Design Review Process
5. Quantity of Signage
6. Individual Sign Size Limits
7. Design and Illumination Restrictions
8. Nonconforming Signs

[ Where the Planning Board has recommended changes in some provisions that fact is noted in bold type within brackets ]

## 1. PLANNING AND POLICY CONTEXT

- A. The Cambridge concern for its environment is set in context.
- B. The city's general planning policy objectives are highlighted.
- C. Past efforts to implement those policies are described.
- D. The planning documents which define the city's design and aesthetic concerns are identified.
- E. The history of sign regulation in the city is reviewed.
- F. A review of the aesthetic impact of signs, and billboards as a particular case, is examined generally and within the context of the city's commercial districts.

## 2. FINDINGS AND PURPOSES

See Ordinance, Section 7.11

## 3. REORGANIZATION OF THE ORDINANCE

- A. New and more comprehensive definitions are provided.
- B. The findings and purposes of the Ordinance are made explicit.
- C. The limitations on the use of signs for noncommercial messages is outlined.
- D. Regulation of signs in all residential districts is made uniform.
- E. Regulation of signs in all nonresidential districts is also made uniform.
- F. Signs are regulated uniformly throughout the city, including the MXD district in Kendall Square and the Overlay District in Alewife.

#### 4. DESIGN REVIEW PROCESS

- A. The mandatory design review process through the CDD is eliminated.
- B. Specific limitations on the size, location, quantity and illumination of signs are established.
- C. The ambiguity with regard to acceptable sign standards is eliminated and straightforward requirements for size, location, etc. are established for property owners, sign makers, and tenants.
- D. A certification process is established through the CDD for signs greater than 25 square feet in area.

#### 5. QUANTITY OF SIGNAGE

- A. Building frontage rather than lot frontage becomes the measure of the total signage permitted on a lot.
- B. The frontage multiplier is reduced from two (2) to one (1) square foot per linear foot.  
[ The Planning Board recommends a revised multiplier of 1.5]

#### 6. INDIVIDUAL SIGN SIZE LIMITS

- A. For the first time wall signs are limited in size, which is established at sixty (60) square feet in area.
- B. Projecting signs are reduced in size permitted, from twenty (20) to ten (10) square feet in area.
- C. Freestanding signs are also reduced in size permitted, from forty (40) to thirty (30) square feet in area.
- D. All signs in all districts are limited to a maximum height above the ground of twenty (20) feet; other more restrictive limits apply in some circumstances.
- E. All roof signs are prohibited.  
[ The Planning Board recommends that the wall sign and free standing sign for a theater be increased to 100 square feet in total and that for hotels two signs not exceeding 100 square feet each be allowed; both kinds of signs could exceed 20 feet in height above the ground]

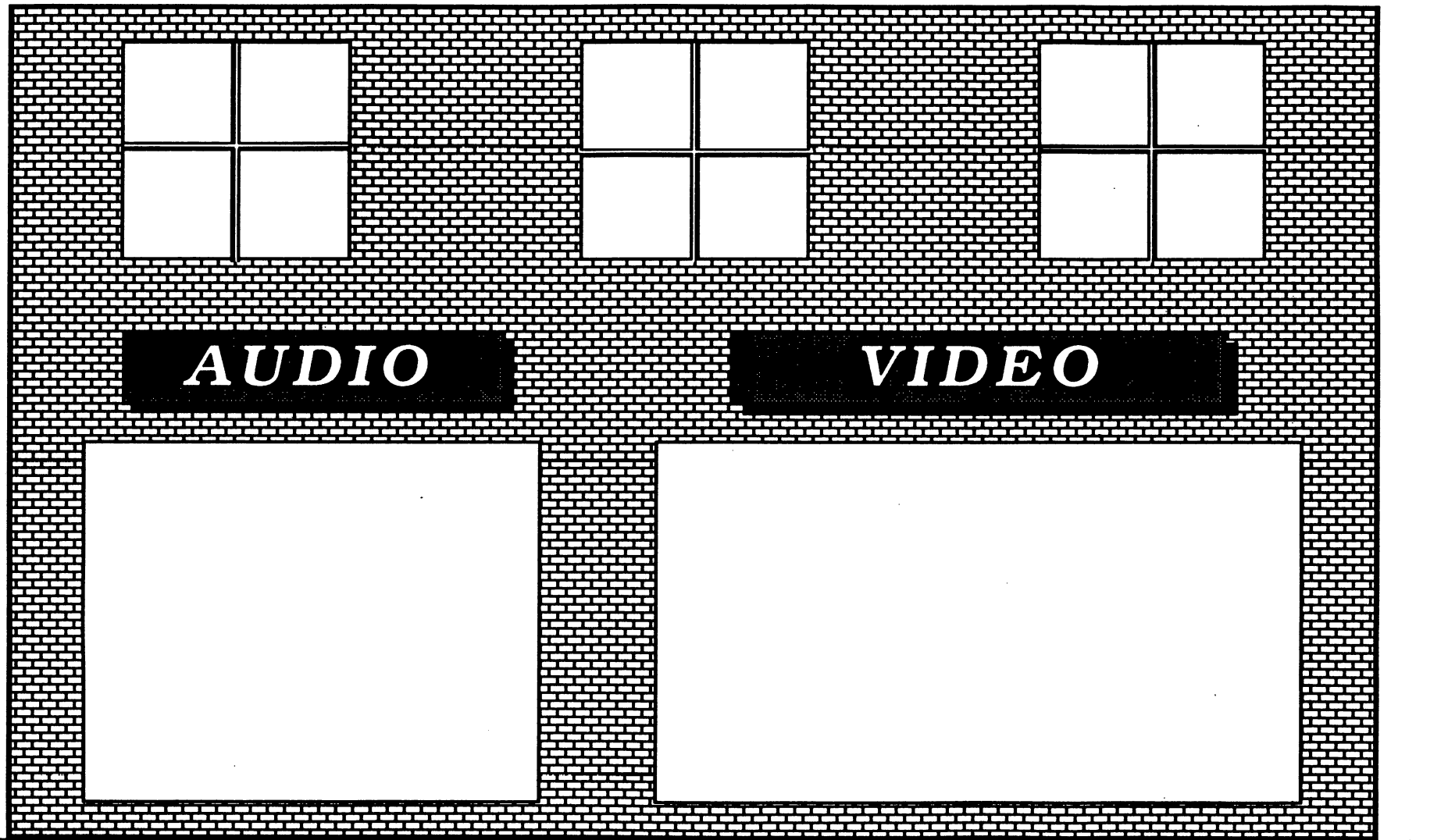
## 7. DESIGN AND ILLUMINATION RESTRICTIONS

- A. Projecting and freestanding signs may not be internally illuminated.
  - B. Wall signs may be internally illuminated only under the following circumstances:
    - (1) the vertical dimension of the sign is no greater than 30", and
    - (2) the sign is behind the window glass, is in a box extending no more than 2" from the face of the building, and/or consists of individual letters directly attached to the building face.
- [ Some additional flexibility is recommended by the Planning Board for internally illuminated signs ]

## 8. NONCONFORMING SIGNS

- A. Chapter 40A (the Zoning Act) grants nonconforming status to all on premise signs.
- B. Chapter 40A does not grant nonconforming status to signs and billboards regulated by Chapter 93.
- C. The proposed Ordinance requires the removal of all signs not granted nonconforming protection within four years of adoption of the ordinance.

# MAXIMUM ALLOCATION OF PERMITTED SIGNAGE ON A SINGLE BUILDING FACE

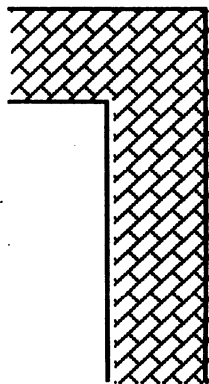
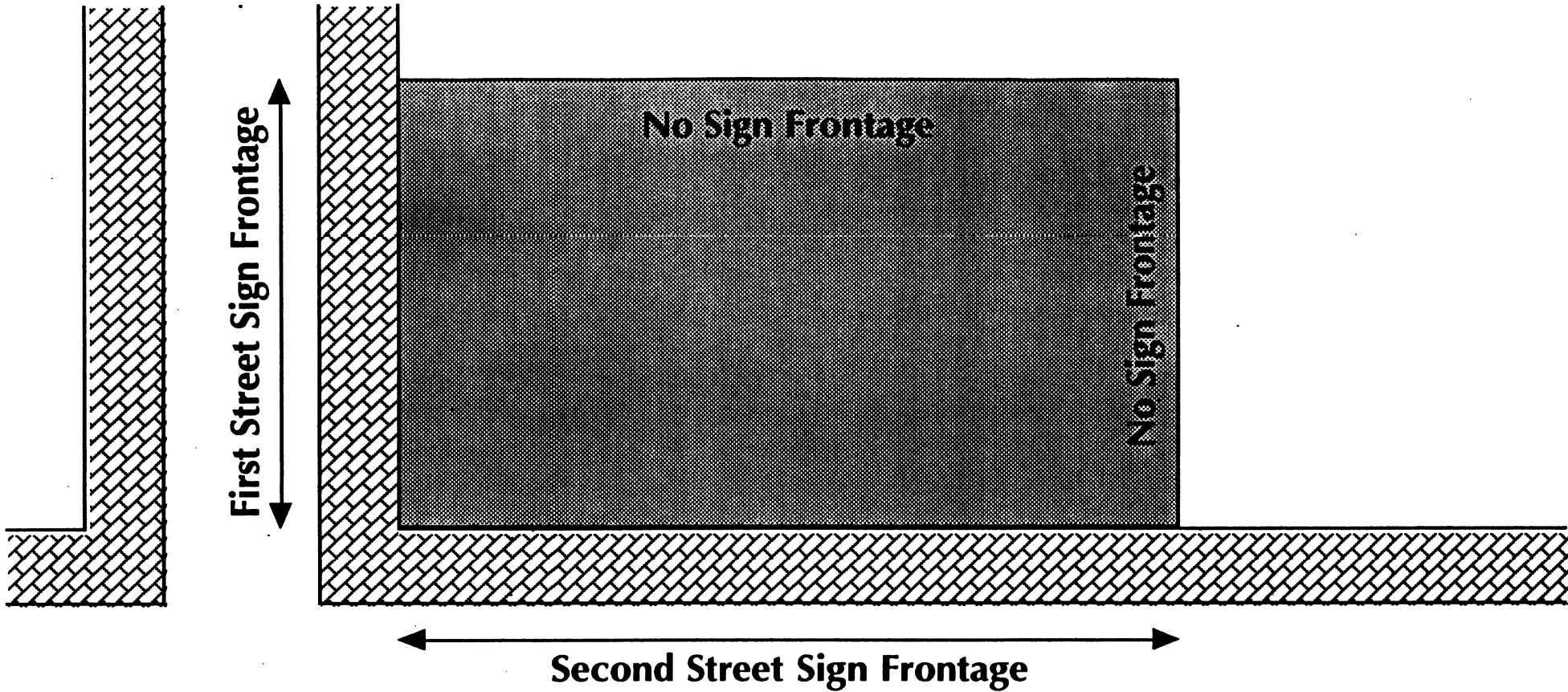


←————→  
**Maximum Sign Frontage**  
Store 1

←————→  
**Maximum Sign Frontage**  
Store 2

←————→  
**Maximum Sign Frontage - Building Facade**

Figure 3



**ALLOCATION OF SIGNAGE BY BUILDING FRONTAGE**

Maximum signage on First Street and Second Street building facades limited by their respective sign frontages.

**Figure 2**

Other facades of the building may share in the signage generated by the First Street and/or Second Street facades.

# CALCULATION OF SIGN FRONTAGE

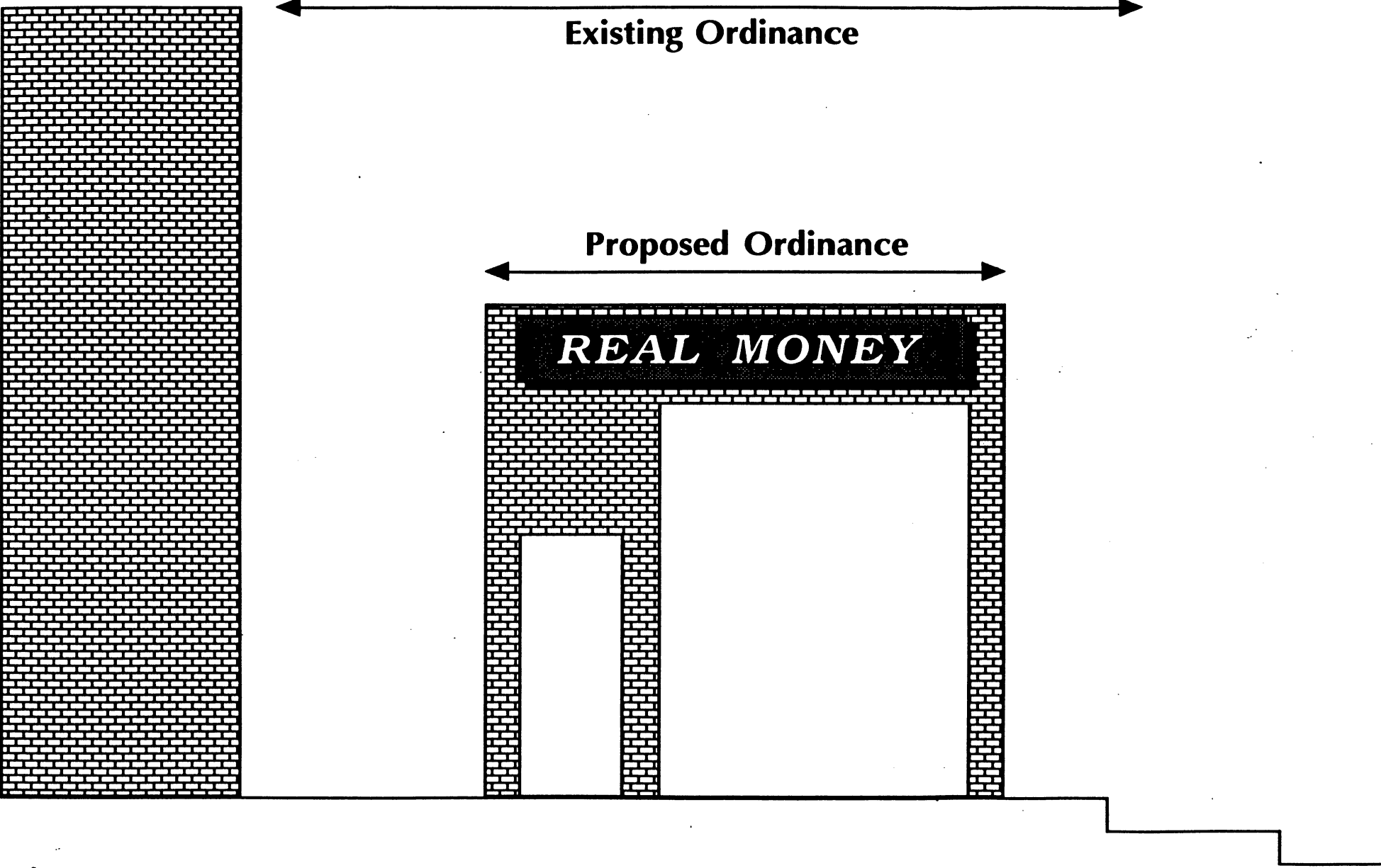


Figure 1

**7.10 SIGN ORDINANCE**

**7.11 FINDINGS AND PURPOSES**

- 7.11.1 FINDINGS**
- 7.11.2 PURPOSES**

**7.12 APPLICABILITY**

**7.13 NON COMMERCIAL MESSAGES**

**7.14 DEFINITIONS**

- 7.14.1 SIGN**
- 7.14.2 TYPES OF SIGNS**
- 7.14.3 ILLUMINATION**
- 7.14.4 PREMISES**
- 7.14.5 SIGN FRONTAGE**
- 7.14.6 FIRST FLOOR ESTABLISHMENT**

**7.15 CALCULATION OF AREA OF SIGNS**

**7.16 GENERAL LIMITATIONS ON SIGNS**

**7.17 PERMITTED SIGNS**

**7.17.1 EXEMPT, TEMPORARY AND NON COMMERCIAL SIGNS**

- 7.17.11 EXEMPT SIGNS**
- 7.17.12 TEMPORARY SIGNS**
- 7.17.13 NON COMMERCIAL SIGNS**

**7.17.2 ALL OTHER PERMITTED SIGNS**

- 7.17.21 SIGNS IN RESIDENTIAL DISTRICTS**
- 7.17.22 SIGNS IN BUSINESS, OFFICE, INDUSTRIAL**

**DISTRICTS**

- 7.17.3 APPLICATION OF SIGN FRONTAGE FORMULA**
- 7.17.4 SIGNS ON LOTS WITHOUT BUILDINGS**
- 7.17.5 SIGNS IN PLANNED UNIT DEVELOPMENTS**

**7.18 NON CONFORMING SIGNS**

**7.19 DESIGN CONSULTATION PROCEDURE**

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following.

- A. In Article 2.000 - Definitions, delete the definitions for *Signs*; *Signs, area of*; *Signs, related definitions*; and *Signs, types of* and substitute therefor the following:

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

*Sign frontage.* The length of a building, or the length of a separate and distinct ground floor establishment, abutting a street. The length of the building or ground floor establishment shall be that as defined in Section 5.24.4 of this Ordinance.

*Signs, illumination of.*

1. Natural - natural or ambient light.
2. External - artificial illumination from a light source which provides light directly onto the sign face, or portions of the sign face, or its background, which light is then reflected back to the viewer.
3. Internal - artificial illumination from a light source located behind the sign face and which transmits light through the sign face or portions of the sign face to the viewer. Exposed neon tubing and similar lighting shall be considered internal illumination.
4. Indirect - placement of the artificial light device such that the source of light cannot be seen from a public way.

*Signs, types of.*

1. Free Standing Sign - A sign that is attached to or part of a completely self-supporting structure and which is not attached to any building or other structure.
2. Projecting Sign - Any sign, other than a wall sign or free standing sign, that is attached to and projects from a building face. A projecting sign shall include marquee, canopy, and awning-mounted signs.
3. Wall Sign - 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 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; such a sign may not in total area exceed thirty (30) percent of the glass area of any window to which it is appurtenant.

Signs, related definitions.

1. Ground floor establishment - A separate and distinct use, business, enterprise, or institution having a separate public entrance to the outside of a building, which entrance is at grade or within six feet of grade as measured at the street line.
  2. Premises - That part of a lot, building or structure occupied by a business, enterprise, institution, or other person and which is distinct and separate from the place occupied by any other business, enterprise, institution or other person.
- B. In Article 11.000, Section 11.60, delete the existing Subsections 11.66 - 11.66.7 in their entirety and renumber subsequent Subsections as appropriate.
- C. In Article 14.000, delete the existing Section 14.60 - Signs in its entirety and substitute therefor a new Section 14.60 to read as follows:

14.60 - Signs

Signs in the MXD District shall be regulated as required in Article 7.000. For purposes of Section 7.10 the MXD District shall be considered a business, office and industrial district.

- D. Delete Article 7.000 in its entirety and substitute therefor the following:

7.000 SIGNS AND ILLUMINATION

- 7.10 SIGNS  
7.20 ILLUMINATION  
7:30 SEVERABILITY

7.10 SIGNS

7.11 FINDINGS AND PURPOSE

7.11.1 Findings

This Article is based upon the following findings:

- A. The City of Cambridge has been and is now taking appropriate action, through exercise of its zoning and other municipal authority, to improve the aesthetics and physical appearance of the City by means including the regulation of signs.
- B. The regulation of signs is necessary in order to preserve and enhance the substantial governmental interests of the City of Cambridge in its natural, scenic, historic, cultural, and aesthetic qualities.
- C. There is a substantial governmental interest in enhancing the physical appearance of all parts of the City of Cambridge, including residential, commercial, and industrial areas.
- D. Regulating signs will improve the City's appearance; make the City's commercial, residential, and industrial areas more attractive for commercial and residential uses and commercial development; and enhance the economic climate of the City.
- E. The regulations set forth in this Article will directly advance the public interest in aesthetics and other qualities of life by preserving and enhancing the appearance of residential, commercial and industrial buildings and areas; preserving and enhancing the appearance of public streets, parks and other public properties; and minimizing the intrusiveness of sign structures.
- F. Non conforming off-premise signs, which traditionally have been used primarily to advertise commercial goods and services not available on the same premises, have a significantly greater adverse aesthetic impact than on premises signs because of their larger sizes, greater heights, less attractive appearances, and/or more intrusive locations.
- G. The public interest is served by use of signs by businesses and services to identify their premises, or the products or services there available, or to display non commercial messages.
- H. The City finds that it is in the City's interest to require removal of certain non conforming signs after the grace period provided by Section 7.18 has expired.
- I. The City in enacting this ordinance does hereby adopt the findings, conclusions, and recommendations of the Planning Board in its report dated \_\_\_\_\_.

## 7.11.2 Purposes

The purposes of this Article are to preserve and enhance the substantial interests of the City of Cambridge in the appearance of the City; to preserve and enhance the public interest in aesthetics; to preserve and increase amenities of the City; to control and reduce visual clutter and blight; and to carry out the authority conferred by General Laws Chapter 40A.

## 7.12 APPLICABILITY

No signs or advertising devices of any kind or nature shall be erected or maintained on any premises or affixed to the inside or outside of any structure to be visible from the outside of any structure except as specifically permitted in this Article 7.000.

## 7.13 DEFINITIONS

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

### 7.13.2 Types of Signs:

- A. Free-Standing Sign - A sign that is attached to or part of a completely self-supporting structure and which is not attached to any building or other structure.
- B. Projecting Sign - Any sign, other than a wall sign or free standing sign, that is attached to and projects from a building face. A projecting sign shall include marquee, canopy, and awning-mounted signs.
- C. Wall Sign - 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.

### 7.13.3 Illumination:

- A. Natural - natural or ambient light.
- B. External - artificial illumination from a light source which provides light directly onto the sign face, or portions of the sign face, or its background,

which light is then reflected back to the viewer.

- C. Internal - artificial illumination from a light source located behind the sign face and which transmits light through the sign face or portions of the sign face to the viewer. Exposed neon tubing and similar lighting shall be considered internal illumination.
- D. Indirect - placement of the artificial light device such that the source of light cannot be seen from a public way.

#### 7.13.4 Premises:

That part of a lot, building or structure occupied by a business, enterprise, institution, or other person and which is distinct and separate from the place occupied by any other business, enterprise, institution or other person.

#### 7.13.5 Sign Frontage:

The length of a building, or the length of a separate and distinct first floor establishment, abutting a street. The length of the building or ground floor establishment shall be that as defined in Section 5.24.4 of this Ordinance.

#### 7.13.6 Establishment, Ground Floor:

A separate and distinct use, business, enterprise, or institution having a separate public entrance to the outside of a building, which entrance is at grade or within six feet of grade as measured at the street line.

### 7.14 CALCULATION OF AREA AND HEIGHT OF SIGNS

- A. For a free-standing sign or sign attached to a building, the area of the sign 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.
- B. For a sign painted upon or applied to a building, the area of the sign 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.
- C. Where the sign consists of individual letters or symbols attached to or painted on a surface, wall or window, the area of the sign shall be considered to be that of the smallest rectangle or other geometric shape

which encompasses all letters and symbols.

- D. Only one face of a two-sided sign shall be counted in computing the area of a sign, provided the sign faces are parallel and of equal size.
- E. The height of a sign shall be the vertical distance between the top of a sign and the mean grade of the ground adjoining that portion of the building to which the sign is attached; or that ground within ten feet of a free-standing sign.

#### **7.15 GENERAL LIMITATIONS FOR ALL SIGNS PERMITTED IN THE CITY OF CAMBRIDGE**

- 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. Flashing or intermittent light creating flashing, moving, changing or animated graphics is prohibited, except that a warning sign, a device intended to tell the time and temperature, or official traffic and directional signs may have intermittent illumination.
- C. No illumination shall be permitted after 11 P.M. in any Residence A, B, C, or C-1 district.
- D. No sign, portion of a sign, or structural support for such sign may extend above the lowest point of the roof of a building, except that 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.
- E. Except as may be provided elsewhere in this ordinance for temporary signs, all signs shall be permanently mounted on a building or structure or permanently implanted in the ground. All graphic images on a sign shall be of durable material.

#### **7.16 PERMITTED SIGNS**

The signs and advertising devices which are permitted in the City of Cambridge are set out below.

##### **7.16.1 Exempt, Temporary and Non Commercial Signs**

The following signs shall be exempt from restrictions as to type, location, height,

and size of signs or limitations as to the total area of signs permitted on a lot or business, as those limits are set forth in Section 7.16.2. Except as otherwise noted, such signs shall be naturally or externally illuminated only and shall be subject to all other provisions of this Article 7.000.

#### 7.16.11 Exempt Signs

A. In all districts:

1. Signs not visible from a public way. (All illumination permitted.)
2. Official traffic and directional signs. (All illumination permitted.)
3. Signs necessary for public safety and convenience not exceeding six (6) square feet per sign face, provided such signs contain no advertising.
4. Flags of a city, state or country.
5. Memorials such as grave stones and corner stones.
6. Historical site plaques installed or approved by a public agency or duly established historical society.
7. Window display of merchandise or signs incidental to such display.

B. In business, office and industrial districts:

1. Permanent non illuminated signs behind the glass of a window above the ground floor, provided:
  - (a) The total area of the sign(s) does not exceed 20% of the area of the glass of the window;
  - (b) The window is part of the premises to which the sign is accessory;
  - (c) The sign consists of individual letters or symbols affixed to the window or mounted on a clear, transparent background;
  - (d) The individual symbols or letters do not exceed 6" in height.
2. Permanent non illuminated signs mounted on awnings on the ground floor of a building provided:

- (a) The total area of the sign does not exceed 2 square feet and the height of individual symbols or letters does not exceed 6";
- (b) The sign consists of individual letters or symbols affixed to the fabric of the awning;
- (c) No other graphic material appears on the awning.

#### 7.16.12 Temporary Signs

- A. One for sale or for rent sign not exceeding six (6) square feet in residential districts or twenty (20) square feet in non residential districts and advertising only the premises on which the sign is located.
- B. Building contractor's, promotional, leasing and other similar signs maintained on a lot during construction on that lot not exceeding in total area that area permitted by the application of the formula: one (1) square foot for each linear foot of sign frontage on the lot (after construction), or one hundred (100) square feet in business, office and industrial districts or twenty (20) square feet in residential districts, whichever is smaller. However, where a specific sign dimension is mandated by any city, state, or federal subsidy or support program providing assistance to the construction on the lot, which sign is greater in area than would be permitted in this paragraph, then the larger sign shall be permitted.
- C. Temporary signs of a non commercial nature, including political signs of any kind, not exceeding twenty (20) square feet in area.
- D. In business, office, and industrial districts, 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 area of the window glass to which they are affixed.

#### 7.16.13 Non Commercial Signs

In all districts, non commercial signs which contain only non commercial messages, including political messages of any kind, may be displayed, provided the sign does not exceed ten (10) square feet in area. This Section 7.16.13 shall not limit the effect of Section 7.17 on the display of non commercial messages on permitted signs.

#### 7.16.2 All Other Permitted Signs

## 7.16.21 Signs in Residence Districts

### A. Identification Sign for Residential Uses:

Total Area of Signage Permitted per Lot: as permitted below.

	Maximum Permitted
Area of sign:	1 sq. ft./dwelling unit to a maximum of 10 sq.ft./dwelling
Number of signs:	One (1)/dwelling
Height of sign:	4 ft. if free standing; 10 ft. if on a building
Location:	On building or a minimum of 3 feet from street line if free standing.
Illumination:	Natural or external lighting only
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 Permitted Hotel and Office Uses.

	Maximum Permitted
Area of sign:	One at 10 sq. ft., one at 20 sq. ft.
Number of signs:	Two/building
Height of sign:	4 ft. if free standing
Location:	On building or minimum of 1/2 the depth of required front yard if free standing
Illumination:	Natural or external lighting only

### C. Signs for Lawfully Maintained Non Conforming Uses.

Total Area of Signage Permitted per Lot: One (1) sq. ft. for each linear foot of sign frontage on the lot or 10 sq. ft. per ground floor establishment, whichever is less. However, individual signs shall be further limited as set forth below.

Maximum Permitted

Area of sign:	10 sq. ft.
Number of signs:	One per ground floor establishment plus one per building
Height of sign:	20 ft. if attached to building, 4 ft. if free-standing
Location:	On building or 1/2 depth of required front yard if free standing
Illumination:	Natural or external lighting only

D. Permitted Hotel and Office Use:

Total Area of Signage Permitted Per Lot: One (1) sq. ft. for each linear foot of sign frontage on the lot or 200 sq. ft. per building, whichever is less.

Maximum Permitted

Area of sign:	As permitted in Section 7.16.22
Number of signs:	As permitted in Section 7.16.22
Height of sign:	As permitted in Section 7.16.22
Illumination:	Natural or external lighting only

7.16.22 All Business, Office, and Industrial Districts

Total Area of Signage Permitted per Lot: One and a half (1 ½) sq. ft. for each linear foot of sign frontage on the lot for sign frontage located one hundred (100) feet or less from the street line provided, however, that the total area of all signs on the exterior of the building, including free standing signs, shall not exceed one (1) square foot for each linear foot of sign frontage; or two (2) sq. ft. for each linear foot of sign frontage on the lot for sign frontage located more than one hundred feet from all street lines from which the sign frontage is visible. However, signs shall be further limited as set forth below.

Maximum Permitted

A. Free Standing Signs:

Area of sign:	30 sq. ft.
---------------	------------

**Number of signs:** Two, provided the total area of all such signs shall not exceed 30 sq ft. on any lot.

**Height of sign:** 15 ft.

**Illumination:** Natural or external lighting only

**B. Projecting Signs:**

**Area of sign:** 13 sq. ft.

**Number of signs:** One (1)/ground floor establishment, plus one (1) for any public building entrance not serving a ground floor establishment

**Height of sign:** 20 ft., provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less

**Illumination:** Natural or external lighting only

**C. Wall Signs:**

**Maximum Permitted**

**Area of sign:** No individual sign may exceed sixty (60) sq. ft. in area. However, for any building or ground floor establishment having a sign frontage less than sixty (60) ft., the maximum area of any individual sign shall be the product of the formula: sign frontage x one (1) sq. ft.

**Number of signs:** Not Limited

**Height of sign:** 20 ft., provided it is below the sill line of the second floor windows or the lowest point of the roof, whichever is less

**Illumination:**

1. Natural or external lighting;
2. Exposed neon or gas ultra-violet tube type lighting behind the glass of windows, not exceeding five (5) sq. ft. in area;
3. Other internal illumination including any other exposed neon type lighting not included in (2) above under the following conditions:

- a. Either the vertical or horizontal dimension of the sign does not exceed thirty (30) inches; and
- b. The sign:
  - (1) is located behind the glass of a window, or
  - (2) is mounted such that the sign face does not extend more than two (2) inches beyond the plane of that portion of the building facade to which the sign is attached, or if extending more than two (2) inches beyond the plane of the building, only that portion of the sign face consisting of letters and numerals is illuminated, or
  - (3) consists of independent, individual letters or graphic symbols mounted directly to the surface of the building facade to which the sign is attached or is mounted on an unilluminated raceway or channel which is then directly attached to the building facade.

**D. Special Use Signs:**

**1. Wall and Free Standing Signs Accessory to Theaters and Cinemas**

A wall or free standing sign accessory to a theater or cinema which announces the current program at the theater or cinema shall not be subject to the limitations of paragraph A or C above or of Section 7.16.3, paragraphs A and B, provided the following conditions are met.

- (a) The maximum area does not exceed one hundred (100) square feet for all signs not meeting the requirements of paragraphs A and

C of this Section 7.16.22.

(b) If internally illuminated, the maximum area shall be limited to forty (40) square feet for a single theater, plus and additional twenty (20) square feet for each additional theater served by the same sign, up to the maximum permitted in paragraph (a) above.

(c) The maximum height of the free standing sign shall not exceed twenty (20) feet.

(d) The total area of all signs on the lot shall not exceed the Total Area of Signage Permitted per lot as limited in this Section 7.16.22.

2. Wall signs for Hotels and Motels

One or more wall signs accessory to a hotel or motel not exceeding two hundred (200) square feet in total area or one hundred (100) square feet for any individual sign shall not be subject to the limitations of paragraph C above or of Section 7.16.3, paragraphs A and B, provided the following conditions are met.

(a) If internally illuminated, the sign shall consist of independent letters or graphic symbols mounted directly to the surface of the building to which the sign(s) is attached.

**7.16.3 Application of Sign Frontage Formula**

Where the total permitted area of all signs on a lot or building is determined by the product of the formula: sign frontage x one (1), one and one half (1.5), or two (2) sq. ft., the following rules shall apply.

- A. The total area of signs accessory to a ground floor establishment shall not exceed that determined by the application of the sign frontage formula to that ground floor establishment. Where two ground floor establishments occupy the same sign frontage the total permitted area of signs shall be shared equally by the two establishments.

- B. The total area of all signs on any single building wall shall not exceed that determined by the application of the formula to the sign frontage for that wall; provided, a wall having no sign frontage may share the sign area permitted on any wall of the building having sign frontage.

#### 7.16.4 Sign Area For Lots Having No Buildings

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 Section 7.10 for any use not contained within a building.

Where the total area of signs permitted on a lot is determined by the application of the sign frontage formula, a maximum of 30 sq. ft. of signs shall be permitted on any lot having no sign frontage.

#### 7.16.5 Signs Permitted in Planned Unit Development Districts

The sign requirements of the base zoning district shall apply, except that when business, office or industrial uses are authorized by the Planned Unit Development special permit the requirements of Section 7.16.22 shall apply to those portions of the Planned Unit Development containing those uses, in lieu of the base district requirements.

#### 7.17 NON COMMERCIAL MESSAGES

Any sign permitted under this Article may contain, in lieu of or in addition to any other copy, any non commercial message.

#### 7.18 NON CONFORMING SIGNS

##### 7.18.1 Signs Required to be Removed

The following non conforming signs shall be removed within four (4) years from ( ), or the first date that the sign became non conforming, whichever is later:

- A. Signs located on rooftops.
- B. Free-standing signs in excess of thirty (30) square feet in area.
- C. Wall signs in excess of sixty (60) square feet in area.
- D. Projecting signs in excess of ten (10) square feet in area.

### **7.18.2 Other Signs**

- A. Non conforming signs not covered by Section 7.18.1 above may be altered, provided the basic supporting structure is not altered and further provided that any alterations made to a sign within the past three (3) years do not exceed fifty (50%) percent of the current replacement value of the sign.**
  
- B. Notwithstanding the limitations of Section 7.18.2 A above, where it is proposed to replace an existing sign where the ground floor establishment or the building as a whole contains a total area of legal non conforming signs exceeding the maximum permitted under this Article 7.000, said new sign may be installed and may contain an area of six (6) square feet or that area permitted by the application of the formula: One (1) sq. ft. x sign frontage of the ground floor establishment, to the establishment to which the sign is accessory, whichever is greater; provided, the total area of signs accessory to the ground floor establishment or the building is not increased and all other size limitations for signs are met.**

### **7.19 COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATION**

**All proposals for signs exceeding twenty-five (25) square feet in area shall be submitted to the Community Development Department for certification. The applicant for such a sign certification shall submit all information necessary for the Department to review the proposed sign for conformance to the requirements of this Article 7.000. The Department shall, within ten (10) business days, provide the applicant with a certification that the proposed sign conforms to the requirements of Article 7.000 or shall notify the applicant that the requirements have not been met. Said certification shall accompany the application for a building permit for the sign to the Inspectional Services Department.**

### **7.20 ILLUMINATION**

**In Residence A, B, C, 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 not 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.**

### **7.30 SEVERABILITY**

The City by enacting this Article intends to regulate signs in order to carry out and achieve the findings and purposes of this Article. The City also wishes to require removal of certain non conforming signs to the maximum extent lawfully possible and in accordance with the effective date and removal schedule set forth in Section 7.18.1. Therefore, should any part of the City's Ordinance be declared invalid by a court of competent jurisdiction, then it is the specific intent of the City that the remainder of the Ordinance not specifically declared invalid shall continue in full force and effect as if and when originally enacted by the City.



**PUBLIC NOTICE  
RELATIVE TO ZONING  
CITY OF CAMBRIDGE  
MASSACHUSETTS  
Office of the City Clerk**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, December 19, 1990 at 6:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the City Council to amend the text of the Zoning Ordinances of the City of Cambridge in Article 7.000 - Signs and Illuminations.

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally-illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,  
Councillor Francis H. Duehay,  
Chairman



**PUBLIC NOTICE  
RELATIVE TO ZONING  
CITY OF CAMBRIDGE  
MASSACHUSETTS  
Office of the City Clerk**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, December 19, 1990 at 6:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the City Council to amend the text of the Zoning Ordinances of the City of Cambridge in Article 7.000 - Signs and Illuminations.

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally-illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

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Chairman



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For the Committee,  
Councillor Francis H. Duehay,  
Chairman



**CITY OF CAMBRIDGE  
MASSACHUSETTS  
PUBLIC NOTICE  
RELATIVE TO ZONING**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a reconvened meeting of the Ordinance Committee on Wednesday, February 6, 1991 at 6:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts which meeting was opened on December 16, 1990 and recessed until this date on a petition by the City Council to **amend the text of the Zoning Ordinances of the City of Cambridge in Article 7.000 — Signs and Illuminations.**

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

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Councillor Francis H. Duehay,  
Chairman



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MASSACHUSETTS  
PUBLIC NOTICE  
RELATIVE TO ZONING**

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Councillor Francis H. Duehay,  
Chairman



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MASSACHUSETTS  
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For the Committee  
Councillor Francis H. Duehay  
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MASSACHUSETTS  
OFFICE OF THE CITY CLERK**

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For the Committee,  
Councillor Francis H. Duehay,  
Chairman



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For the Committee,  
Councillor Francis H. Duehay,  
Chairman



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For the Committee,  
Councillor Francis H. Duehay,  
Chairman

14.



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300  
FAX 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

March 18, 1991

To The Honorable, The City Council:

I am hereby transmitting a copy of the Planning Board recommendation on a City Council  
Petition to Revise the Sign Ordinance, Article 7.000, for your consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert W. Healy".

Robert W. Healy  
City Manager

Consent Agenda # 14

Planning Board's recommendation  
on a City Council petition to revise  
the Sign Ordinance.

In City Council,

March 18, 1991

*Referred to petition  
Unfinished Business #3*





# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

That the Zoning Ordinances of the city of Cambridge be amended as follows:

By amending the text of Article 7.000 - Signs and Illuminations by replacing the current regulations relative to signs with a new sign ordinances.

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

Passed to a second reading at the City Council meeting held on March 4, 1991 and on or after March 18, 1991 the question comes on passing to be ordained.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinances as aforesaid, which exceed 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 March 4, 1991.

ATTEST:- Joseph E. Connarton, City Clerk.



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

March 11, 1991

Russell B. Higley  
City Solicitor  
City Hall  
Cambridge, MA

Dear Sir:

Enclosed you will find copies of five amendments which were passed to a second reading at the City Council meeting of March 4, 1991 as follows:

1. Zoning amendment to create a permanent East Cambridge zoning district.
2. Zoning amendment to extend the Cambridgeport Interim Planning Overlay District.
3. Zoning amendment to replace the regulations relative to signs and illuminations.
4. Municipal Code amendment entitled "Mandatory Recycling".
5. Municipal Code amendment relative to the Interim Parking Control Committee.

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

- 2 -

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in black ink that reads "Joseph E. Connarton". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Joseph E. Connarton  
City Clerk

JEC/dl

Encs. First Publication Numbers 2522, 2523, 2524, 2525 & 2526

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



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

That the Zoning Ordinances of the City of Cambridge be amended as follows:

By creating a new section 11.400 - East Cambridge Overlay District, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replace them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

Passed to a second reading as amended at the City Council meeting held on March 4, 1991 and on or after March 18, 1991 the question comes on passing to be ordained.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinances as aforesaid, which exceed in length eight octavo pages or 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 March 4, 1991.

ATTEST:- Joseph E. Connarton,  
City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

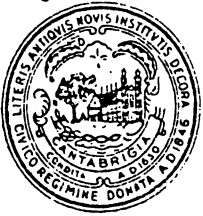
That the Zoning Ordinances of the City of Cambridge be amended as follows:

Amend the text of the Zoning Ordinance, Section 3.14 - Cambridgeport Interim Planning Overlay District to read as follows:

### Section 3.14 - Cambridgeport Interim Planning Overlay District

1. All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below;
2. The Floor Area Ratio applicable on any lot shall be limited to 1.0;
3. The maximum height of any building shall be 45 feet inclusive of those structural elements otherwise exempt under the provisions of Section 5.23 of the Zoning Ordinance;
4. Notwithstanding the limitations in paragraphs 2 and 3 above, any building existing at the time of adoption of this Section may be renovated or restored, changes made to the uses contained therein or additions may be made thereto providing the following conditions are met:
  - a. Any additions shall not exceed 10% of the gross floor area of the existing building or 30,000 square feet, whichever is greater; and
  - b. All regulations and limitations of the base district shall be met.
5. This Section 3.14 shall be in effect through February 28, 1991. Passed to a second reading at the City Council meeting held on March 4, 1991 and on or after March 18, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

That the Zoning Ordinances of the city of Cambridge be amended as follows:

By amending the text of Article 7.000 - Signs and Illuminations by replacing the current regulations relative to signs with a new sign ordinances.

The purpose of the amendment is to limit the size of individual signs and tighten the circumstances under which damaged nonconforming signs can be replaced. The following is a list of the proposed modifications: reduce the total signage allowed on a lot, further reduce the size of freestanding and projecting signs, cap the size of wall signs, limit the circumstances under which internally illuminated signs can be employed, prohibit such illumination for freestanding and projecting signs, make the regulations uniform for all nonresidential districts, require the removal of some of the more visually offensive nonconforming signs, modify the current mechanism for review of the design of proposed signs and limit the height of all signs.

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NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinances as aforesaid, which exceed 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 March 4, 1991.

ATTEST:- Joseph E. Connarton, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

In amendment to the Municipal Code of the City of Cambridge.

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

That Chapter 8.24 of the Municipal Code entitled "Rubbish, Garbage and Litter" is hereby amended by striking out Section 8.24.070 and substituting in place thereof the following new section 8.24.070 entitled "Mandatory Recycling".

Passed to a second reading as amended at the City Council meeting held on March 4, 1991 and on or after March 18, 1991 the question comes on passing to be ordained.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinances as aforesaid, which exceed 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 March 4, 1991.

ATTEST:- Joseph E. Connarton  
City Clerk.



# City of Cambridge

---

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge".

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

That Chapter 10.16 is hereby amended in Section 10.16.050 entitled "Interim Parking Control Committee" by striking out the first sentence in said section and substituting in place thereof the following new first sentence which reads as follows:

All applications for controlled parking facility permits and determinations of exclusion shall be reviewed by an Interim Parking Control Committee (IPCC or Committee) comprised of of five Cambridge residents with appropriate experience, appointed by the City Manager.


Passed to a second reading at the City Council meeting held on March 4, 1991 and on or after March 18, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

1991 MAR -4 PM 1:30

3.11.1991

**CITY OF CAMBRIDGE**  
**ASSESSING DEPARTMENT**  
**INTEROFFICE CORRESPONDENCE**

**TO:** Joseph E. Connarton, City Clerk  
**FROM:** Sally Powers, Director of Assessment   
**SUBJECT:** Written protest to the proposed sign ordinance  
**DATE:** March 4, 1991

In reply to your memo dated February 27, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

February 27, 1991

TO: SALLY POWERS  
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON *JEC*  
CITY CLERK

SUBJECT: WRITTEN PROTEST TO THE PROPOSED SIGN ORDINANCE.

Enclosed you will find two copies of the written protest received by this office regarding the proposed sign ordinance.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention in this matter will be greatly appreciated.

1991 FEB 25 PM 2:46

CAMBRIDGE MA.

February 20, 1991

Joseph E. Connarton, City Clerk  
Office of the City Clerk  
City of Cambridge  
City Hall  
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned, being the owners of the property shown in the annexed Schedule "A", owning more than twenty percent (20%) of the land area to be affected adversely by Section 7.18.1 of a proposed ordinance to amend Article 7.000 of the Zoning Ordinance of the City of Cambridge submitted to the City Council by Robert W. Healy, City Manager, by letter dated November 19, 1990, which proposal was submitted to him by letter dated October 25, 1990, by the Community Development Department of the City, do hereby file written notice with the Clerk of the City of Cambridge pursuant to M.G.L.c. 40(a), S5, in objection to such proposed section do hereby ascribe the following reasons for protesting such change:

1. Section 7.18.1 requires the removal of certain existing presently lawful sign structures. Although this section purports to affect all existing signs in four categories, as the Community Development notes, "as a practical matter many of the existing signs in the City will be entitled to protection under G.L.c. 40(a), S6, as pre-existing non-conforming signs". (Letter of Community Development Department, October 25, 1990, p. 5.) In addition, many of the remaining signs which would otherwise be affected by Section 7.18.1 are on property owned by the Massachusetts Bay Transportation Authority and are, therefore, also exempt from local zoning. Thus, as a practical matter, the majority of the signs whose removal proposed Section 7.18.1 would purport to require are exempt from its reach and the only properties which will be affected by that section are those properties listed in Schedule "B".

2. By requiring the removal of existing, lawfully maintained structures, Section 7.18.1 would be an unprecedented and unfair interference with the property rights of the affected owners. The signs whose removal Section 7.18.1 would require generate substantial income for the properties on which they are located and are valuable assets. All such signs have been in lawful existence for at least 20 years and most for substantially longer. As the purported purpose of Section 7.18.1, the alleged enhancement of aesthetic appearance, would benefit the City as a whole, it is unfair that the entire cost of this public "improvement" be placed upon a limited number of private property owners. On no other occasion has the City ever enacted a zoning ordinance which required any private property owner to remove a structure or discontinue a use which was lawful when constructed or commenced. If the City wishes to deprive private property owners of assets which they lawfully obtained, it should pay fair compensation to do so.
3. In light of the admitted fact that Section 7.18.1 would not require the removal of "many of the existing signs" it purports to reach, it would not serve its purported purpose of aesthetic improvement and, therefore, the substantial cost it thrusts upon a limited number of private property owners would not be justified. Even if the limited number of signs to which Section 7.18.1 lawfully applies were removed, many of the streets on which those signs were formerly located would continue to have many identical signs of equal or greater adverse aesthetic impact, which are exempt from removal under G.L.c. 40(a), S6. The continued presence of numerous physically indistinguishable signs would dilute the impact of the removal the affected signs and the improvement to the overall visual environment would be minimal and insufficient to justify the substantial invasion of private property rights involved.
4. The off-premise signs whose removal Section 7.18.1 would require have been historically used for both commercial and non-commercial messages while the comparable on-premise signs whose removal would not be required by G.L.c. 40(a), S6, have historically been used for exclusively commercial messages and would certainly continue to be exclusively used for such commercial messages in the future. As the public has a greater interest in receiving non-commercial than commercial messages, Section 7.18.1 is not in the public interest to the extent it favors commercial over non-commercial signs. Moreover, the discriminatory impact of Section 7.18.1 in favor of commercial speech raises grave questions concerning its constitutionality and invites expensive litigation which the City can ill afford.

5. Section 7.18.1 is ill advised and improper public policy as it unfairly deprives property owners of the value of structures lawful when erected, places the entire economic burden of a purported public improvement on a small number of private property owners, will not accomplish its purported purpose, is of questionable constitutionality and exposes the City to potentially large legal liability.

Sincerely,

<u>NAME</u>	<u>PROPERTY OWNER</u>	<u>ADDRESS</u>	<u>REFERENCE</u>
Cambridge auto sales	John P. Ruffi	182 MASS. OBRIEN HWY.	1
Regina & ANTHONY MASTERS	<del>Anthony Masters</del>	34 HAMPSHIRE ST	2
KARI REalty TRUST	Edward A. Mayer, Trustee	17 MASS. OBRIEN HWY	3
Windsor Cafe & William Corwell	William Corwell	92 Hampshire St	4
PROSPECT REALTY TRUST	George	154 PROSPECT ST	5
JOHN GARGANO	John Gargano	149 Cambridge St.	6
1149 Camb Realty Trust	Philip Keel	1149 CMB. ST.	7
The Family Trust	Caroline <sup>(trustee)</sup> Madari	2170 Mass. Ave	8
EDWARD A. MAYER	Edward A. Mayer	1851 MASS. AVE.	9
Paul R. Lohnes	Loerty & Lohnes	1925 MASS. Ave	10

SCHEDULE A

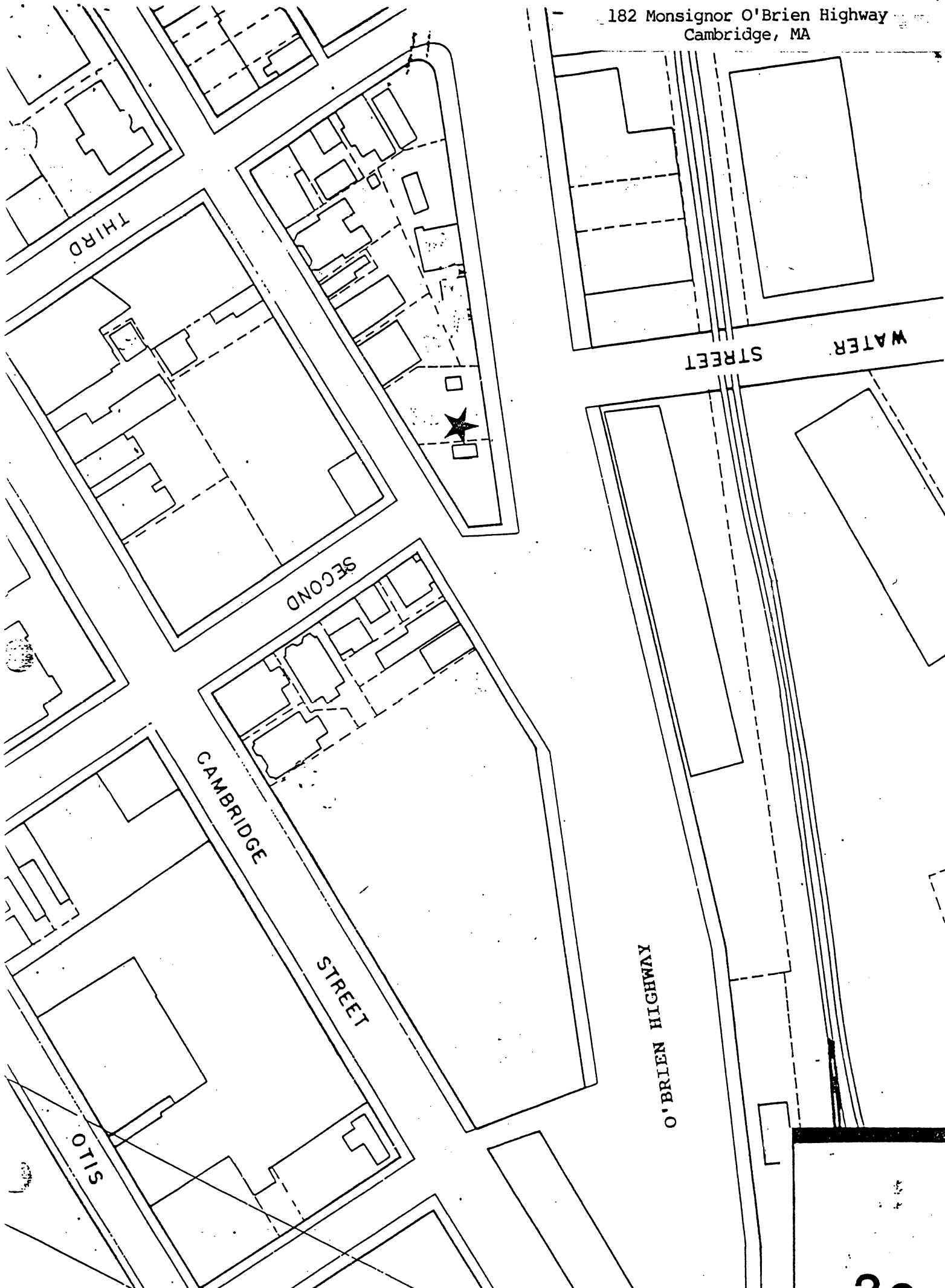
- 1) 182 Monsignor O'Brien Highway Cambridge, MA
- 2) 34 Hampshire Street Cambridge, MA
- 3) 17 Monsignor O'Brien Highway Cambridge, MA
- 4) 92 Hampshire Street Cambridge, MA
- 5) 154 Prospect Street Cambridge, MA
- 6) 149 Cambridge Street Cambridge, MA
- 7) 1147-1149 Cambridge Street Cambridge, MA
- 8) 2170 Mass Avenue Cambridge, MA
- 9) 1847-1853 Mass Avenue Cambridge, MA
- 10) 1925-1927 Mass Avenue Cambridge, MA

SCHEDULE A

(reference owners)

<u>NAME</u>	<u>PROPERTY OWNER</u>	<u>REFERENCE</u>
<u>CAMBRIDGE AUTO SALES</u>	<u>JOHN R. RAFFI</u>	<u>1</u>
<u>REGINA + ANTHONY MASTERS</u>	<u>ANTHONY MASTERS</u>	<u>2</u>
<u>KARI REALTY TRUST</u>	<u>EDWARD CAYRE</u>	<u>3</u>
<u>WINDSOR CAFE</u>	<u>WILLIAM CARROLL</u>	<u>4</u>
<u>PROSPECT REALTY TRUST</u>	<u>EMANUEL ARGIOS</u>	<u>5</u>
<u>JOHN GARGANO</u>	<u>JOHN GARGANO</u>	<u>6</u>
<u>1149 CAMBRIDGE REALTY</u>	<u>PHILLIP KADETS</u>	<u>7</u>
<u>THE FAMILY TRUST</u>	<u>CORRINE MADARRI</u>	<u>8</u>
<u>EDWARD A. MAYER</u>	<u>EDWARD A. MAYER</u>	<u>9</u>
<u>PAUL R. LOHNES</u>	<u>LAVERTY + LOHNES</u>	<u>10</u>

182 Monsignor O'Brien Highway  
Cambridge, MA



THIRD

SECOND

CAMBRIDGE

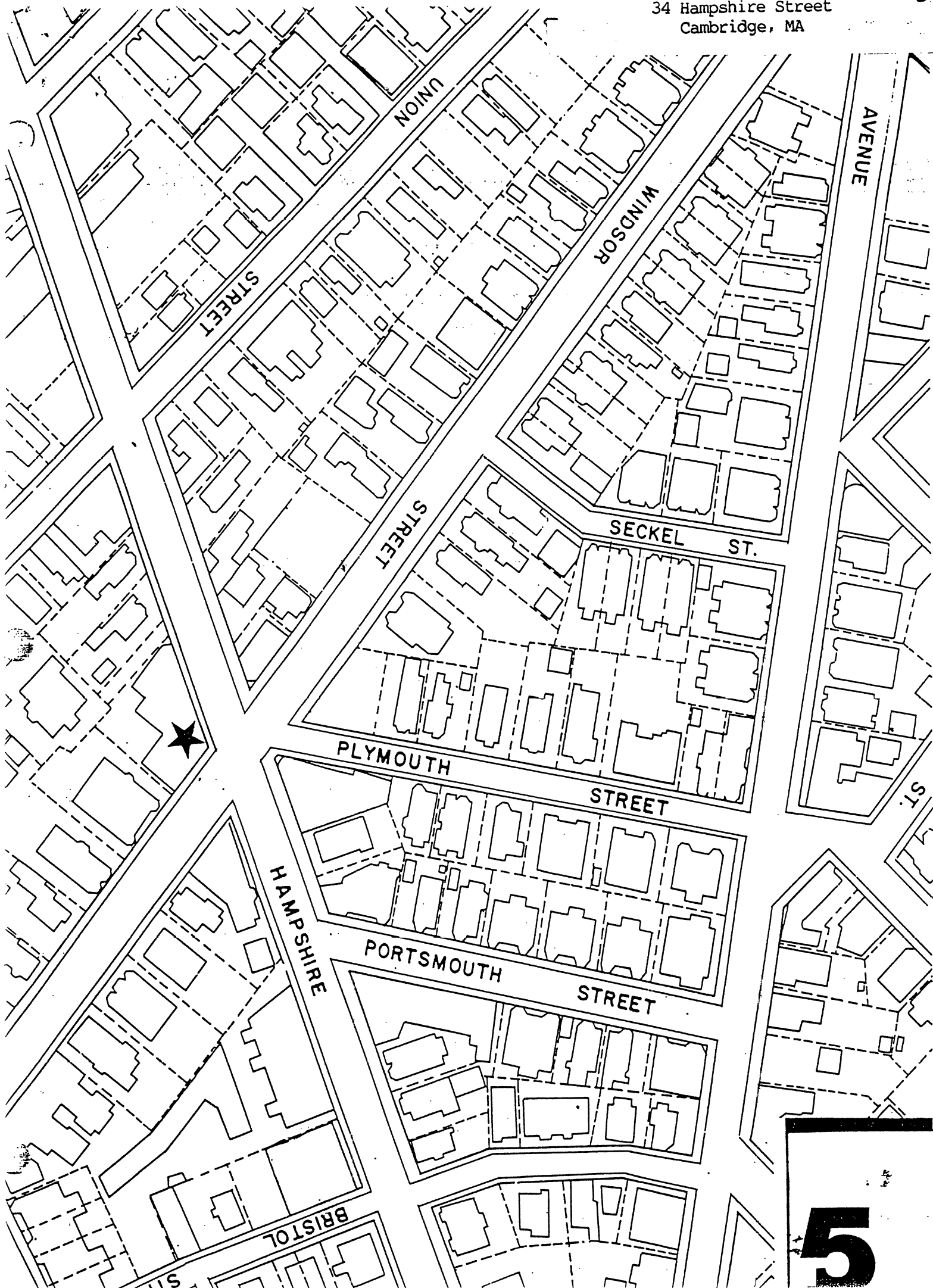
STREET

OTIS

WATER  
STREET

O'BRIEN HIGHWAY

34 Hampshire Street  
Cambridge, MA



5

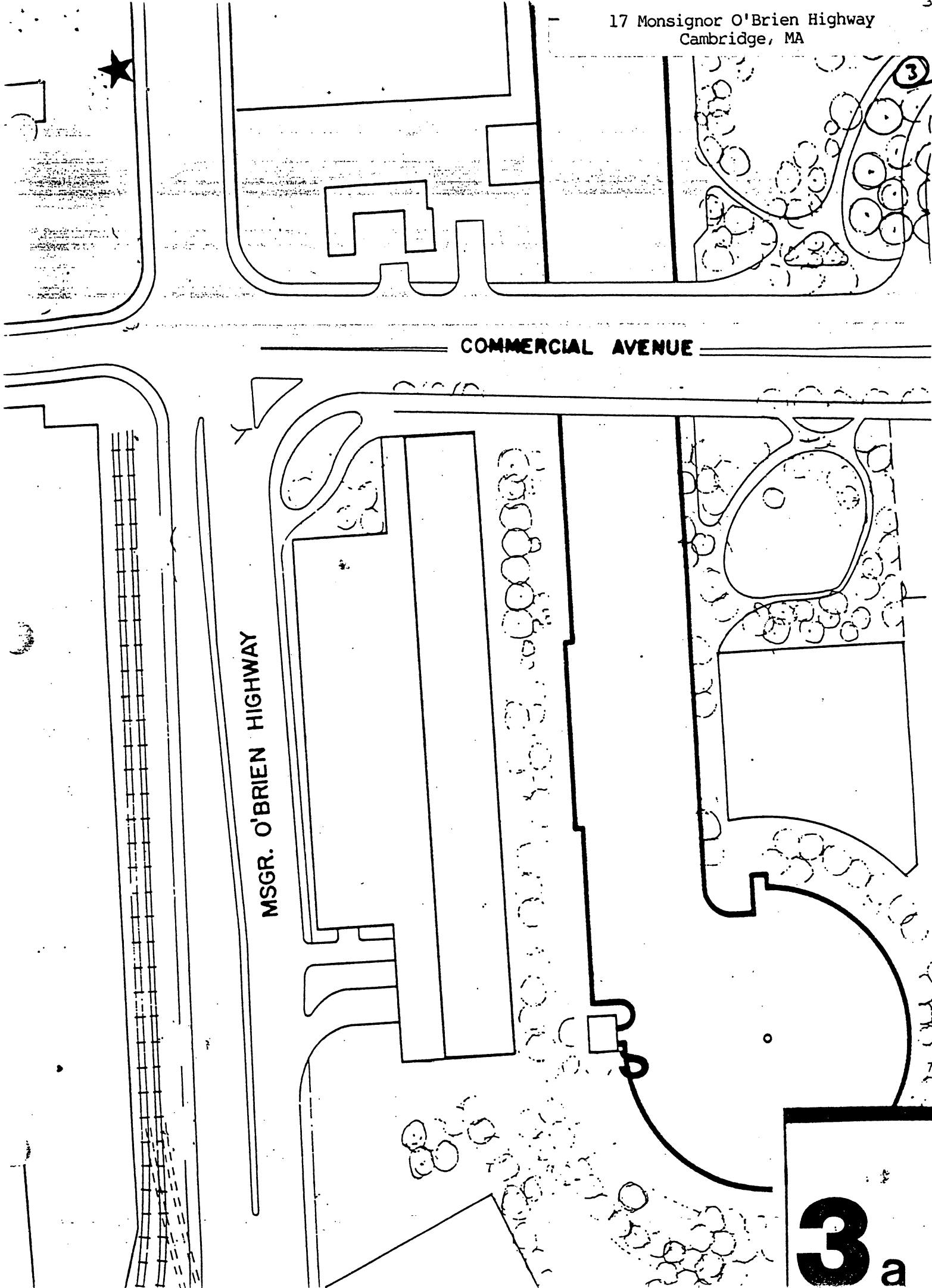
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Cambridge, MA

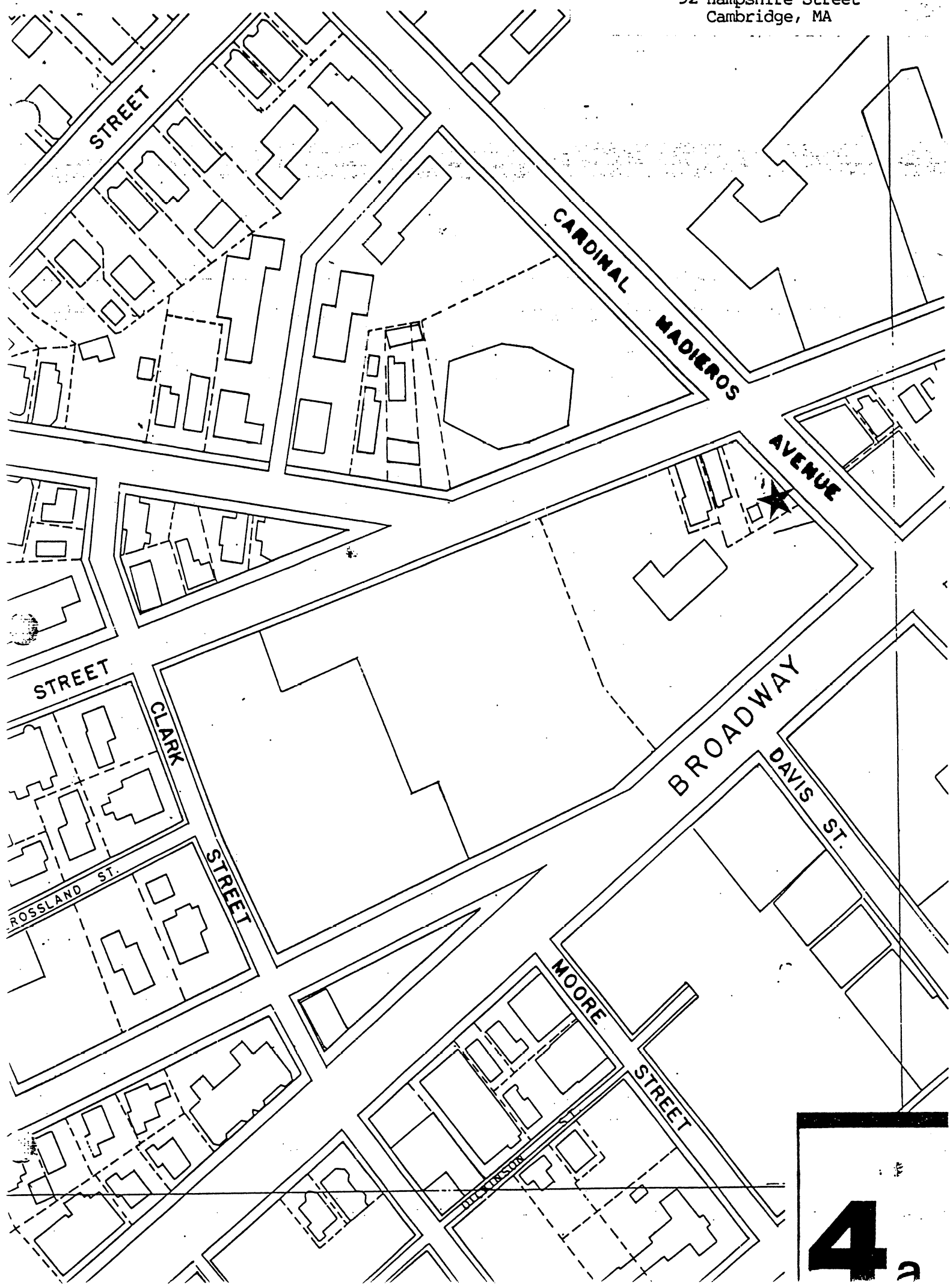
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COMMERCIAL AVENUE

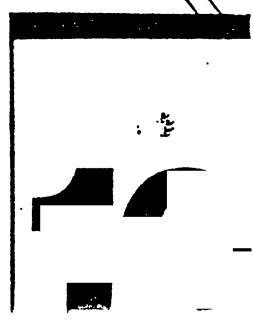
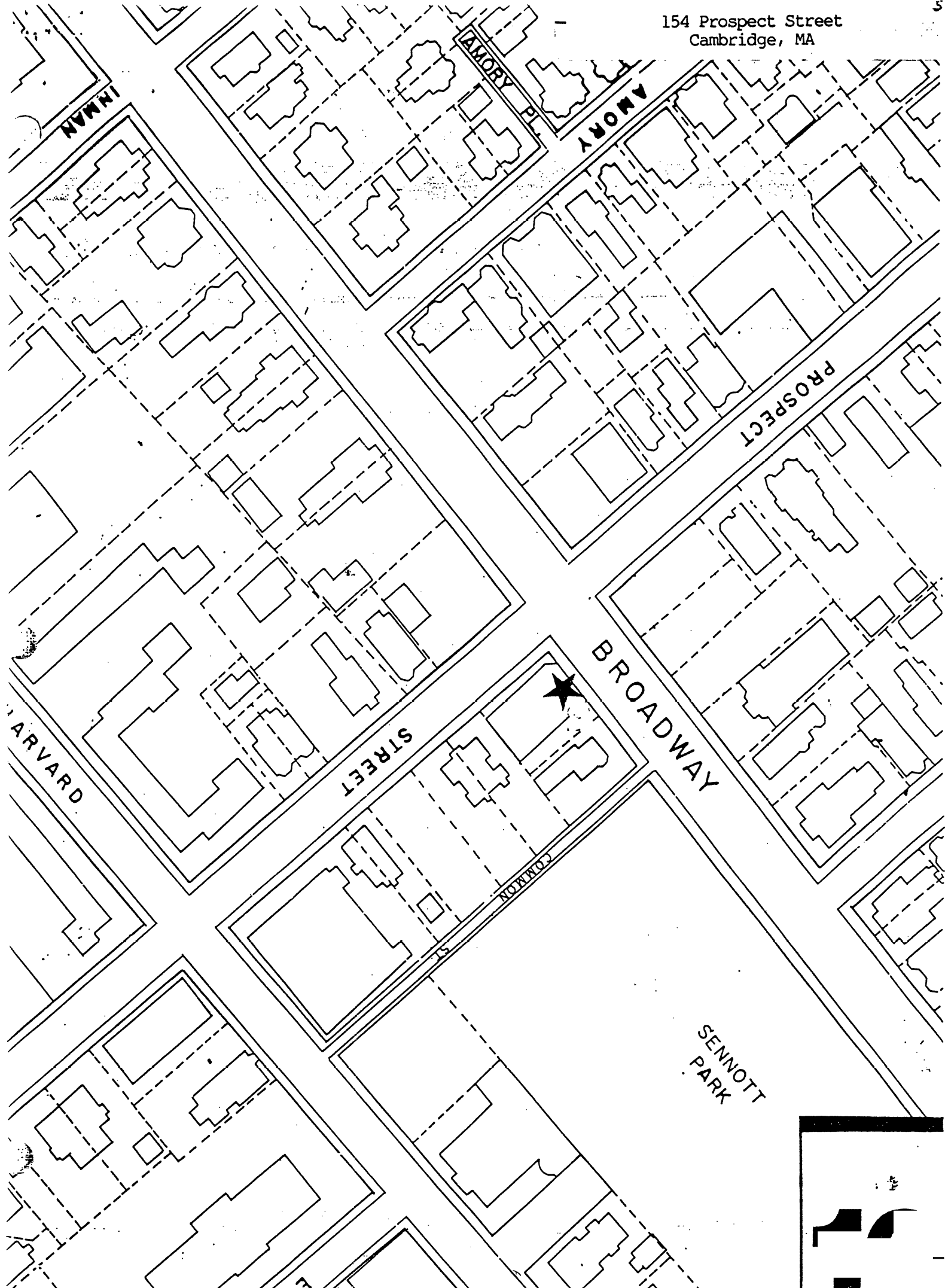
MSGR. O'BRIEN HIGHWAY

3 a

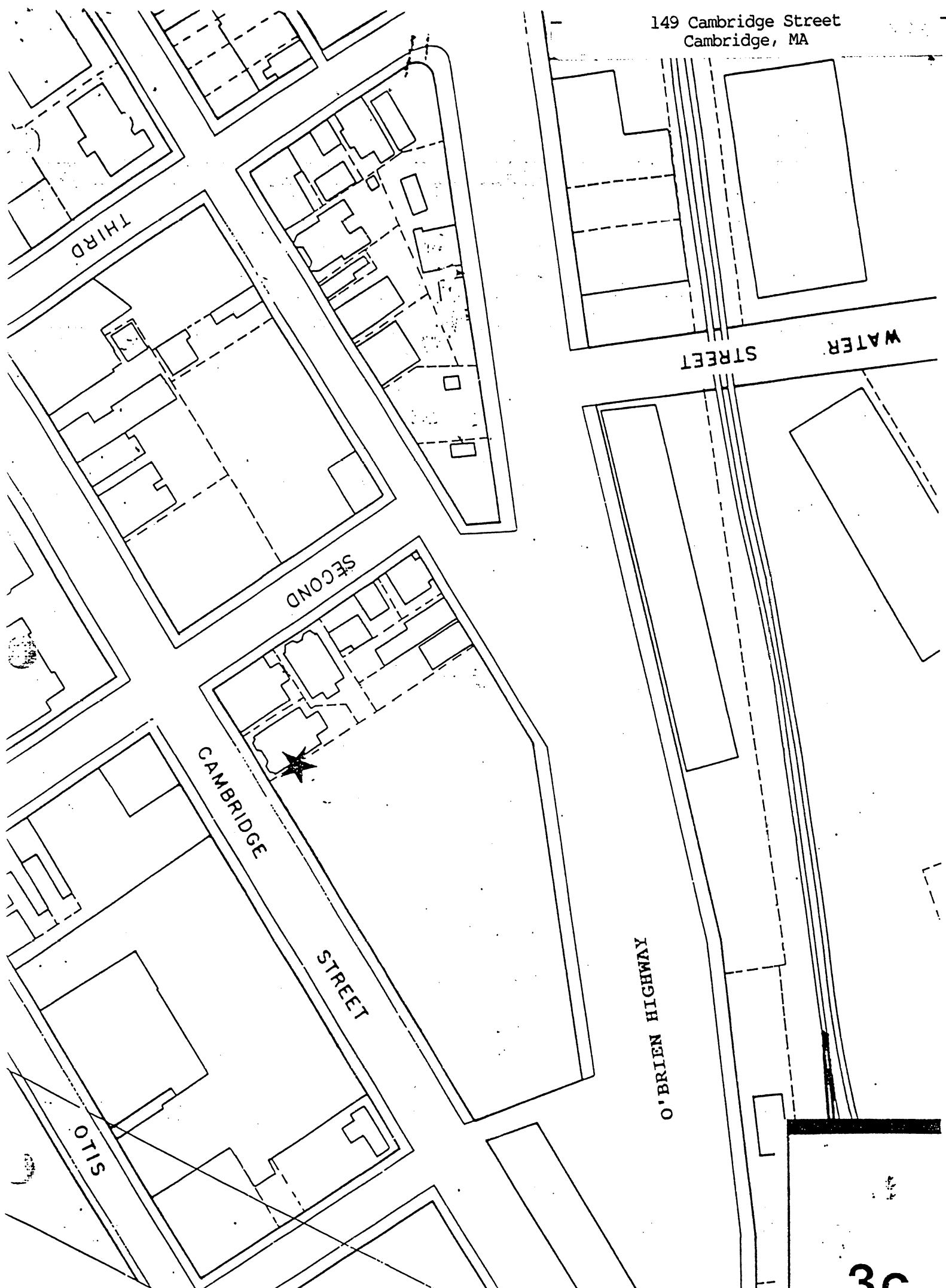




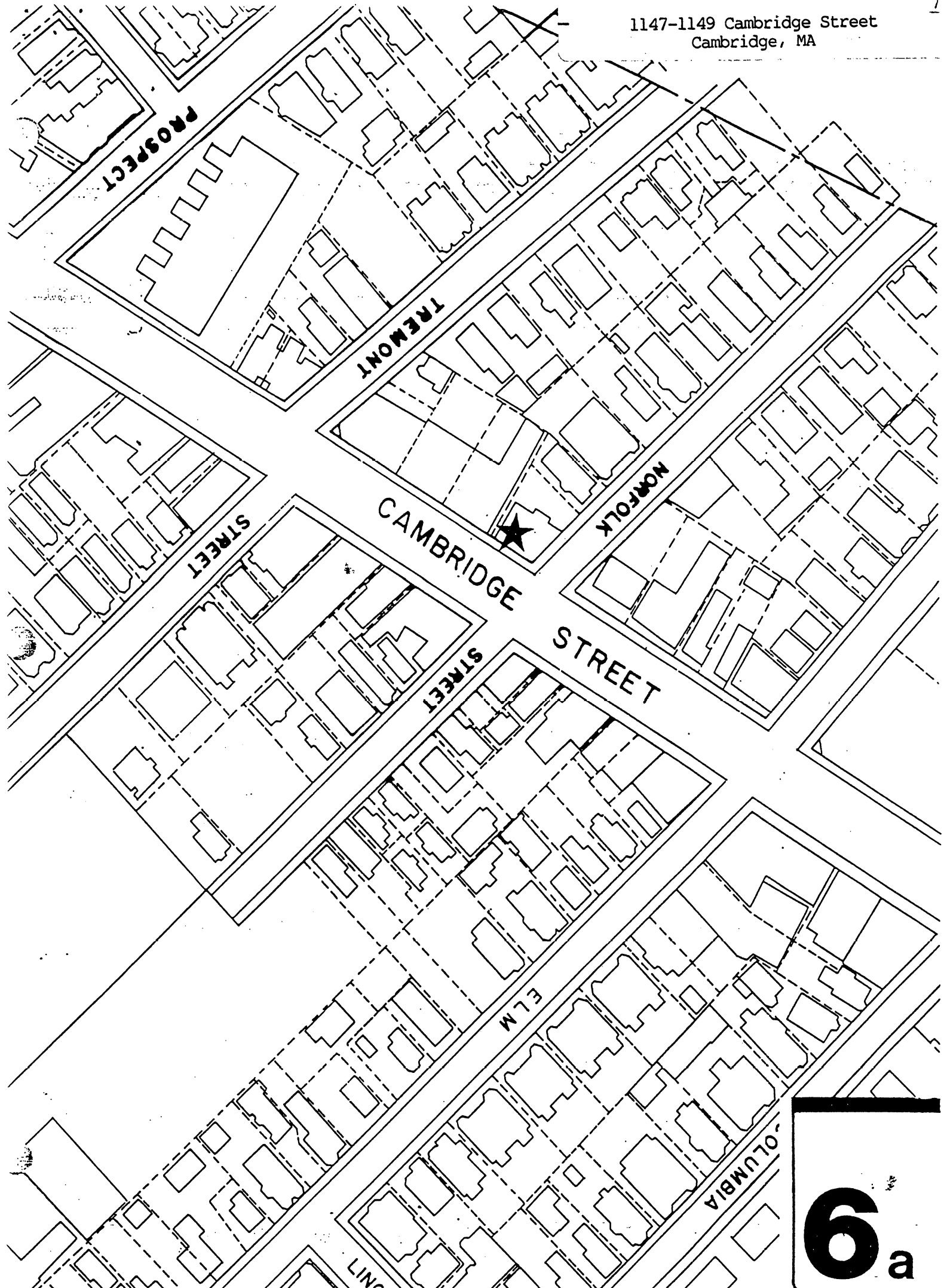
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Cambridge, MA

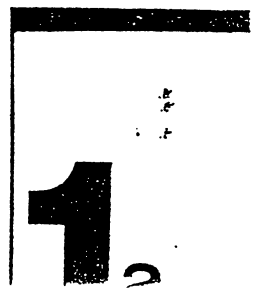
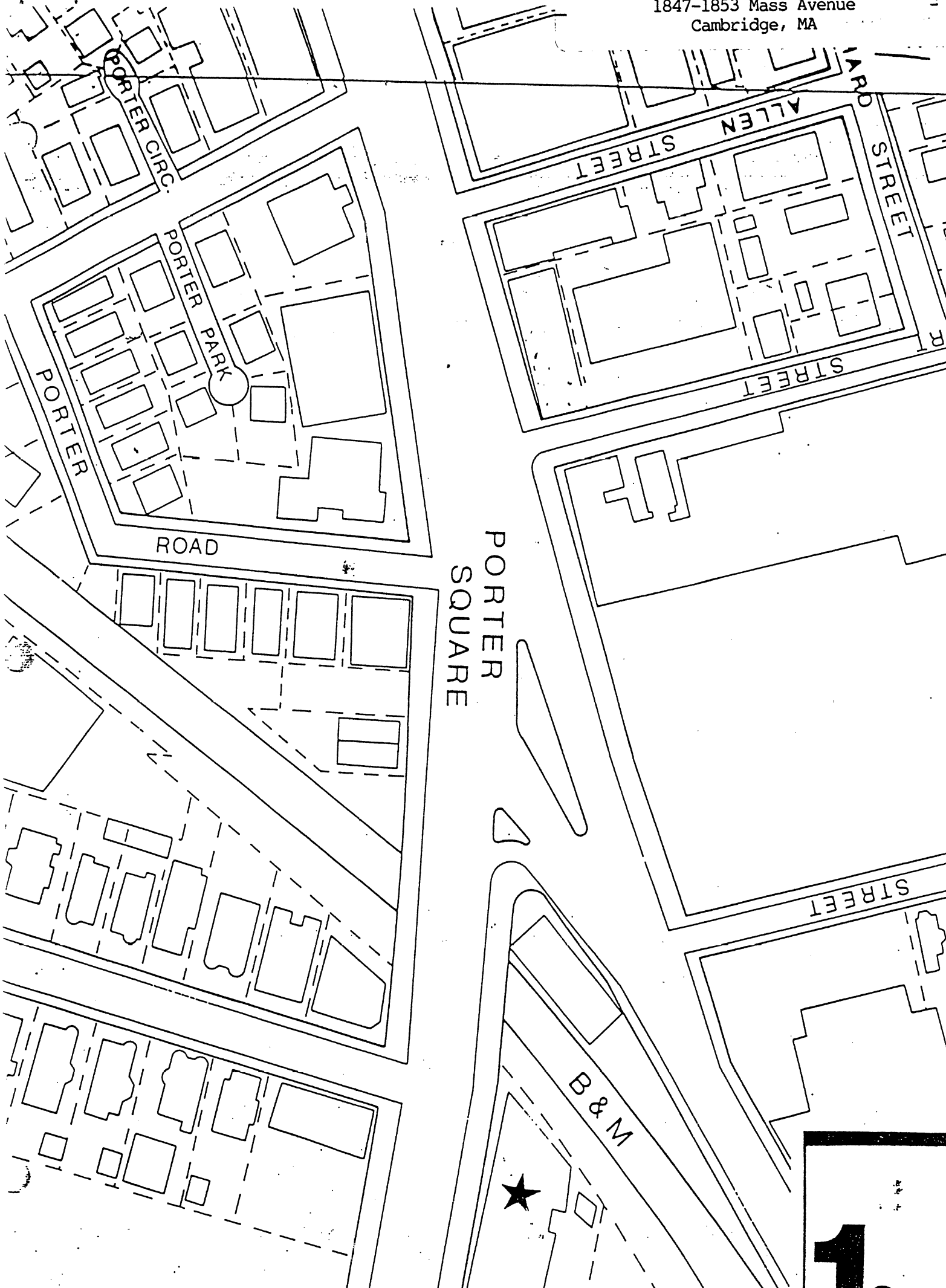


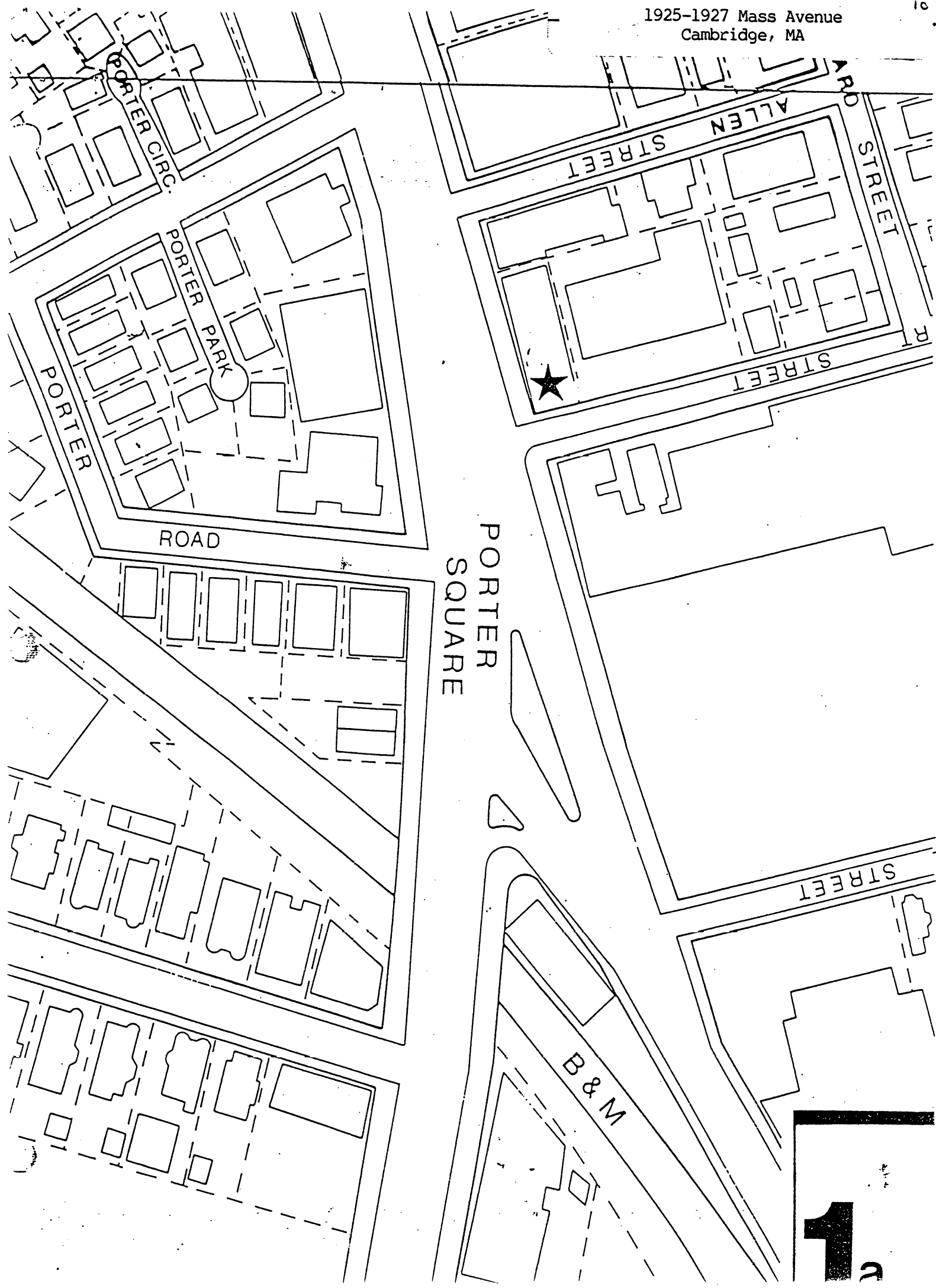
1147-1149 Cambridge Street  
Cambridge, MA



**6** a







SCHEDULE B

- 1) 234 Monsignor O'Brien Highway Cambridge, MA
- 2) 182 Monsignor O'Brien Highway Cambridge, MA
- 3) 17 Monsignor O'Brien Highway Cambridge, MA
- 4) 149 Cambridge Street Cambridge, MA
- 5) 1147-1149 Cambridge Street Cambridge, MA
- 6) 1412-1414 Cambridge Street Cambridge, MA
- 7) 92 Hampshire Street Cambridge, MA
- 8) 154 Prospect Street Cambridge, MA
- 9) 34 Hampshire Street Cambridge, MA
- 10) 799 Main Street Cambridge, MA
- 11) 268 River Street Cambridge, MA
- 12) 2170 Mass Avenue Cambridge, MA
- 13) 1925-1927 Mass Avenue Cambridge, MA
- 14) 1847-1853 Mass Avenue Cambridge, MA
- 15) 155 Broadway Cambridge, MA
- 16) 332-336 Massachusetts Avenue Cambridge, MA
- 17) 298-302 Massachusetts Avenue Cambridge, MA
- 18) 1380-1388 Massachusetts Avenue Cambridge, MA
- 19) 2445-2449 Massachusetts Avenue Cambridge, MA

- 20) 2088-2098 Massachusetts Avenue Cambridge, MA
- 21) Mt. Auburn Street at Belmont Street Cambridge, MA
- 22) 92 Kirkland Street Cambridge, MA
- 23) 2200 Massachusetts Avenue Cambridge, MA
- 24) 15 Monsignor O'Brien Highway Cambridge, MA
- 25) Charlestown Avenue across from 15 Monsignor O'Brien Highway Cambridge, MA

1991 FEB 25 PM 2:46

CAMBRIDGE MA.

February 20, 1991

Joseph E. Connarton, City Clerk  
Office of the City Clerk  
City of Cambridge  
City Hall  
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned, being the owners of the property shown in the annexed Schedule "A", owning more than twenty percent (20%) of the land area to be affected adversely by Section 7.18.1 of a proposed ordinance to amend Article 7.000 of the Zoning Ordinance of the City of Cambridge submitted to the City Council by Robert W. Healy, City Manager, by letter dated November 19, 1990, which proposal was submitted to him by letter dated October 25, 1990, by the Community Development Department of the City, do hereby file written notice with the Clerk of the City of Cambridge pursuant to M.G.L.c. 40(a), S5, in objection to such proposed section do hereby ascribe the following reasons for protesting such change:

1. Section 7.18.1 requires the removal of certain existing presently lawful sign structures. Although this section purports to affect all existing signs in four categories, as the Community Development notes, "as a practical matter many of the existing signs in the City will be entitled to protection under G.L.c. 40(a), S6, as pre-existing non-conforming signs". (Letter of Community Development Department, October 25, 1990, p. 5.) In addition, many of the remaining signs which would otherwise be affected by Section 7.18.1 are on property owned by the Massachusetts Bay Transportation Authority and are, therefore, also exempt from local zoning. Thus, as a practical matter, the majority of the signs whose removal proposed Section 7.18.1 would purport to require are exempt from its reach and the only properties which will be affected by that section are those properties listed in Schedule "B".

2. By requiring the removal of existing, lawfully maintained structures, Section 7.18.1 would be an unprecedented and unfair interference with the property rights of the affected owners. The signs whose removal Section 7.18.1 would require generate substantial income for the properties on which they are located and are valuable assets. All such signs have been in lawful existence for at least 20 years and most for substantially longer. As the purported purpose of Section 7.18.1, the alleged enhancement of aesthetic appearance, would benefit the City as a whole, it is unfair that the entire cost of this public "improvement" be placed upon a limited number of private property owners. On no other occasion has the City ever enacted a zoning ordinance which required any private property owner to remove a structure or discontinue a use which was lawful when constructed or commenced. If the City wishes to deprive private property owners of assets which they lawfully obtained, it should pay fair compensation to do so.
3. In light of the admitted fact that Section 7.18.1 would not require the removal of "many of the existing signs" it purports to reach, it would not serve its purported purpose of aesthetic improvement and, therefore, the substantial cost it thrusts upon a limited number of private property owners would not be justified. Even if the limited number of signs to which Section 7.18.1 lawfully applies were removed, many of the streets on which those signs were formerly located would continue to have many identical signs of equal or greater adverse aesthetic impact, which are exempt from removal under G.L.c. 40(a), S6. The continued presence of numerous physically indistinguishable signs would dilute the impact of the removal the affected signs and the improvement to the overall visual environment would be minimal and insufficient to justify the substantial invasion of private property rights involved.
4. The off-premise signs whose removal Section 7.18.1 would require have been historically used for both commercial and non-commercial messages while the comparable on-premise signs whose removal would not be required by G.L.c. 40(a), S6, have historically been used for exclusively commercial messages and would certainly continue to be exclusively used for such commercial messages in the future. As the public has a greater interest in receiving non-commercial than commercial messages, Section 7.18.1 is not in the public interest to the extent it favors commercial over non-commercial signs. Moreover, the discriminatory impact of Section 7.18.1 in favor of commercial speech raises grave questions concerning its constitutionality and invites expensive litigation which the City can ill afford.

Joseph E. Connarton, City Clerk  
 February 20, 1991  
 Page 3

5. Section 7.18.1 is ill advised and improper public policy as it unfairly deprives property owners of the value of structures lawful when erected, places the entire economic burden of a purported public improvement on a small number of private property owners, will not accomplish its purported purpose, is of questionable constitutionality and exposes the City to potentially large legal liability.

Sincerely,

<u>NAME</u>	<u>PROPERTY OWNER</u>	<u>ADDRESS</u>	<u>REFERENCE</u>
Cambridge Auto Sales	John P. Raffi	182 MSGR. OBRIEN HWY.	1
Regina & ANTHONY MASTERS	Anthony Masters	34 HAMPSHIRE ST	2
KARI REALTY TRUST	Edward A. Mayer, Trustee	17 MASS. OBRIEN HWY	3
Windsor Cafe & William Caswell	William Caswell	92 Hampshire St	4
PROSPECT REALTY TRUST	Paul Gargano	154 PROSPECT ST	5
JOHN GARGANO	John Gargano	149 Cambridge St.	6
1149 Camb Realty Trust	Philip Kalita	1149 CAMB. ST.	7
The Family Trust	Caroline Madari (trustee)	2170 Mass. Ave	8
EDWARD A. MAYER	Edward A. Mayer	1851 MASS. AVE.	9
Paul R Lohnes	Loerty & Lohnes	1925 MASS AVE	10
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SCHEDULE A

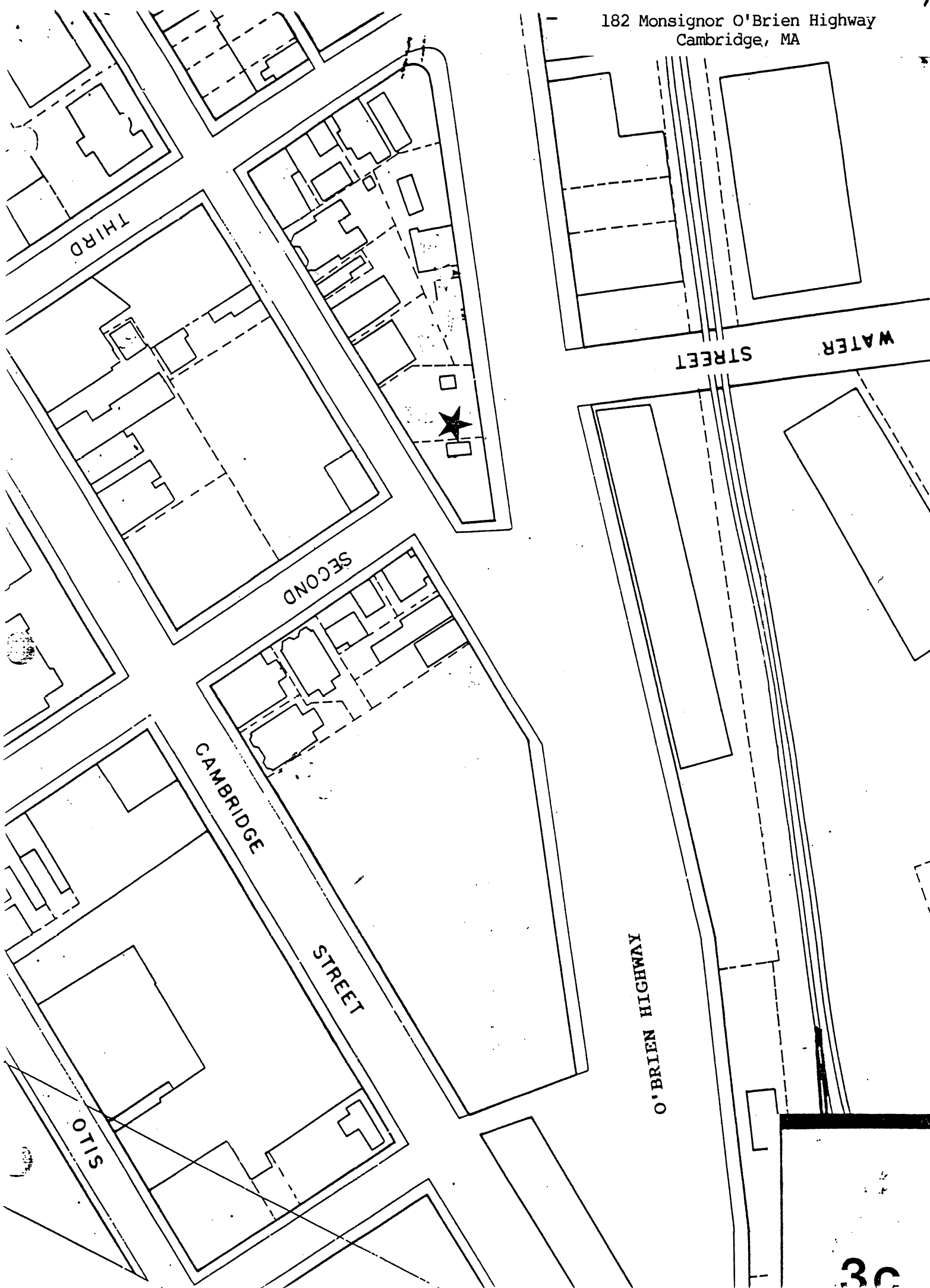
- 1) 182 Monsignor O'Brien Highway Cambridge, MA
- 2) 34 Hampshire Street Cambridge, MA
- 3) 17 Monsignor O'Brien Highway Cambridge, MA
- 4) 92 Hampshire Street Cambridge, MA
- 5) 154 Prospect Street Cambridge, MA
- 6) 149 Cambridge Street Cambridge, MA
- 7) 1147-1149 Cambridge Street Cambridge, MA
- 8) 2170 Mass Avenue Cambridge, MA
- 9) 1847-1853 Mass Avenue Cambridge, MA
- 10) 1925-1927 Mass Avenue Cambridge, MA

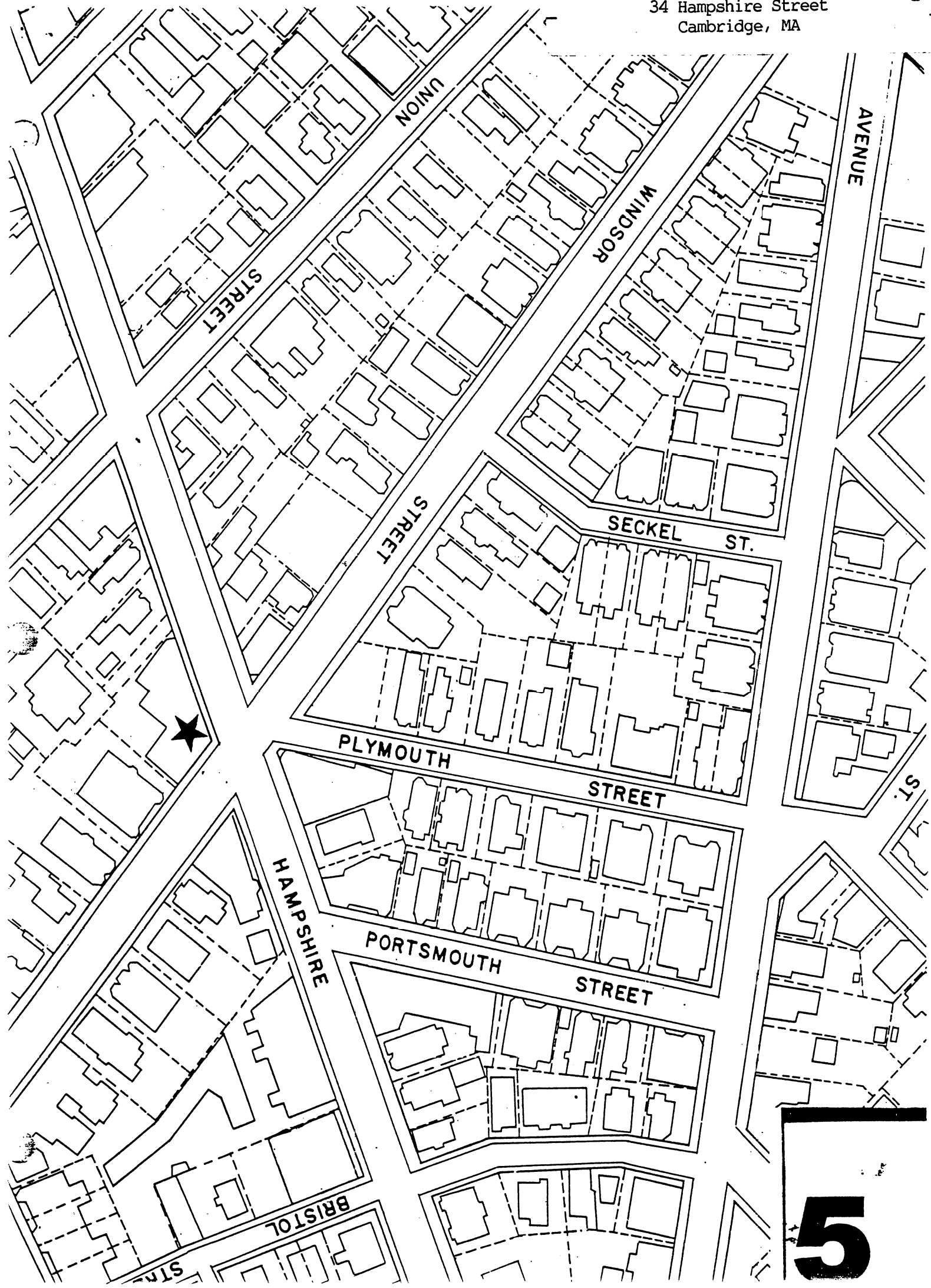
SCHEDULE A

(reference owners)

<u>NAME</u>	<u>PROPERTY OWNER</u>	<u>REFERENCE</u>
<u>CAMBRIDGE AUTO SALES</u>	<u>JOHN R. RAFFI</u>	<u>1</u>
<u>REGINA + ANTHONY MASTERS</u>	<u>ANTHONY MASTERS</u>	<u>2</u>
<u>KARI REALTY TRUST</u>	<u>EDWARD CAYRE</u>	<u>3</u>
<u>WINDSOR CAFE</u>	<u>WILLIAM CARROLL</u>	<u>4</u>
<u>PROSPECT REALTY TRUST</u>	<u>EMANUEL ARGIOS</u>	<u>5</u>
<u>JOHN GARGANO</u>	<u>JOHN GARGANO</u>	<u>6</u>
<u>1149 CAMBRIDGE REALTY</u>	<u>PHILLIP KADETS</u>	<u>7</u>
<u>THE FAMILY TRUST</u>	<u>CORRINE MADARRI</u>	<u>8</u>
<u>EDWARD A. MAYER</u>	<u>EDWARD A. MAYER</u>	<u>9</u>
<u>PAUL R. LOHNES</u>	<u>LAVERTY + LOHNES</u>	<u>10</u>

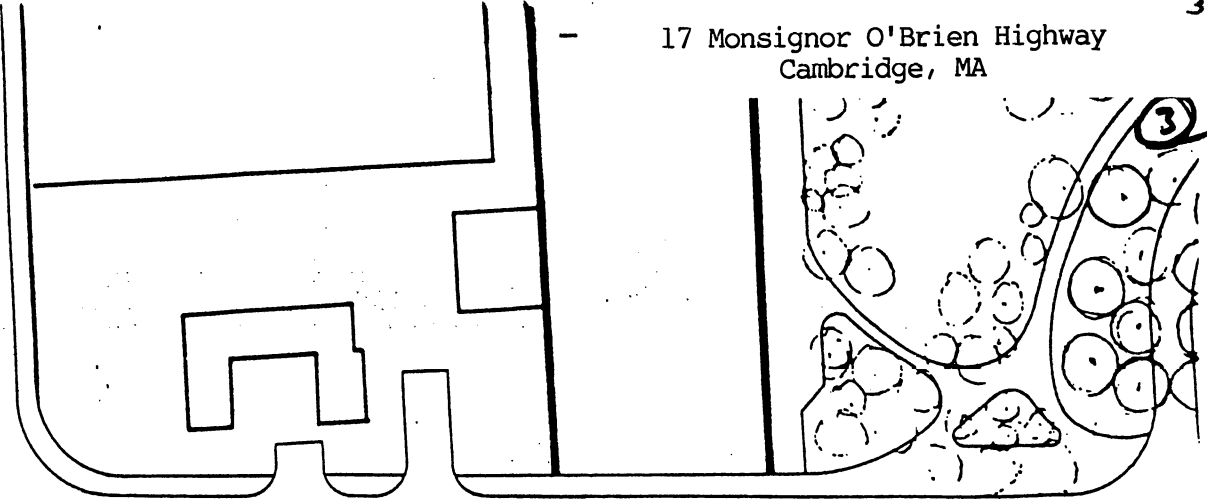
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Cambridge, MA





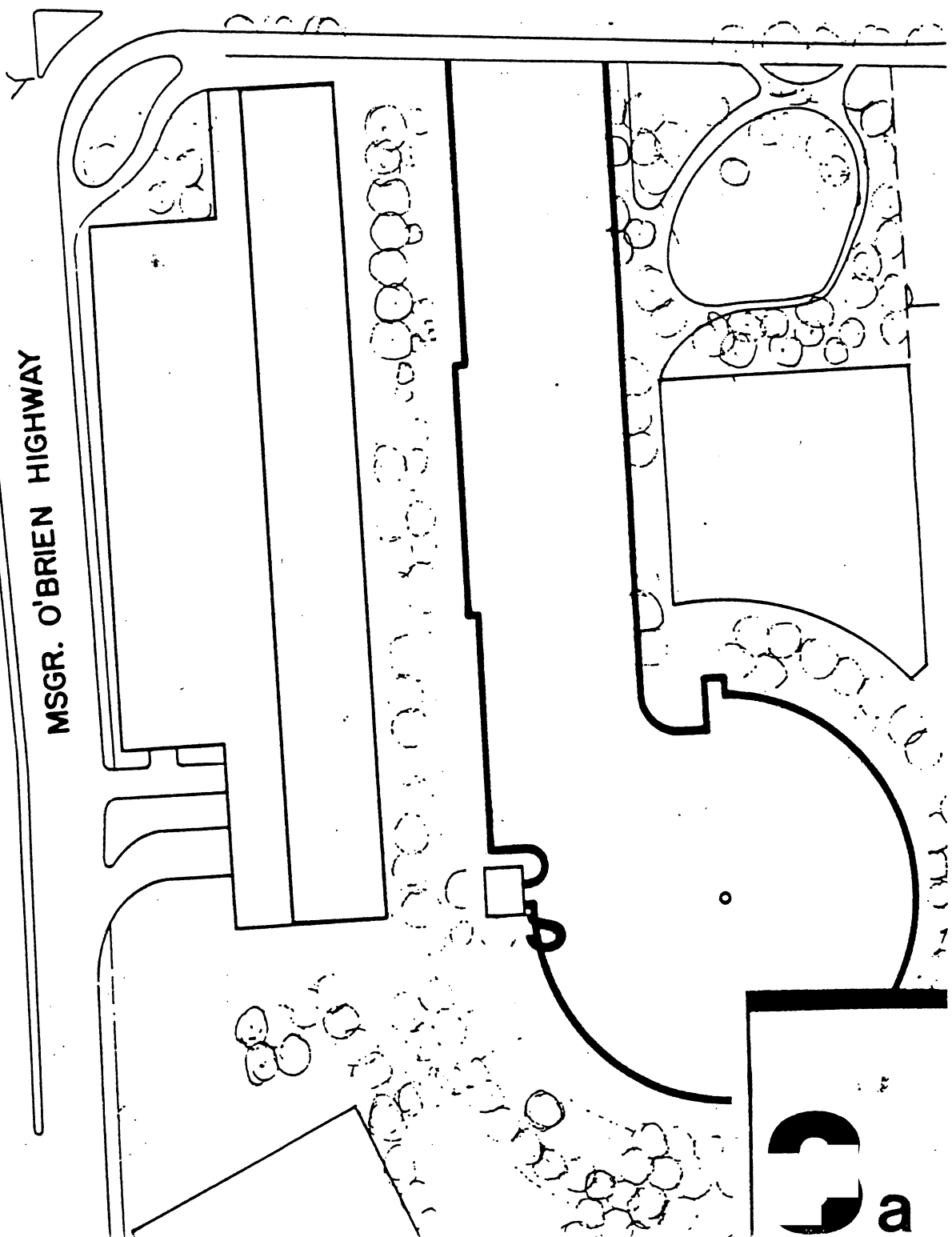
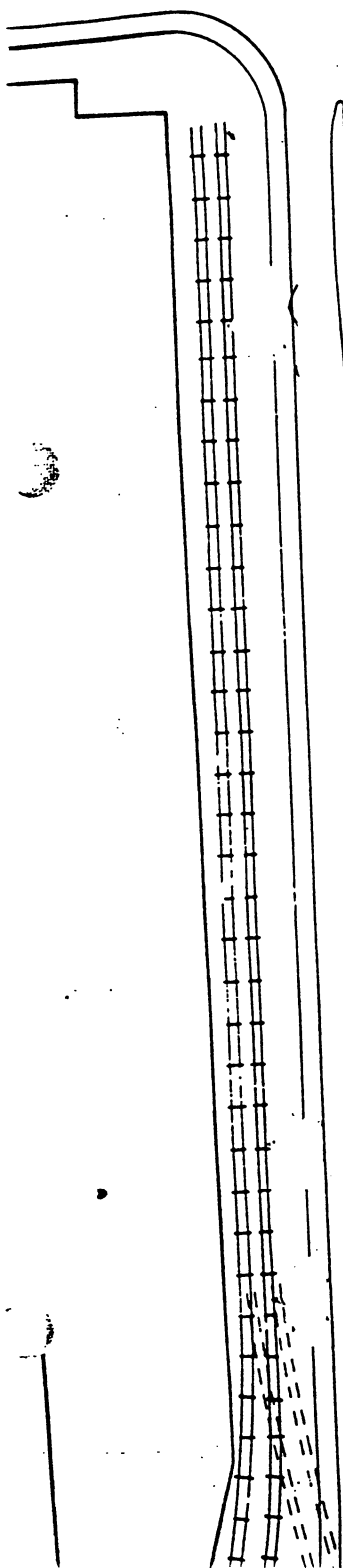
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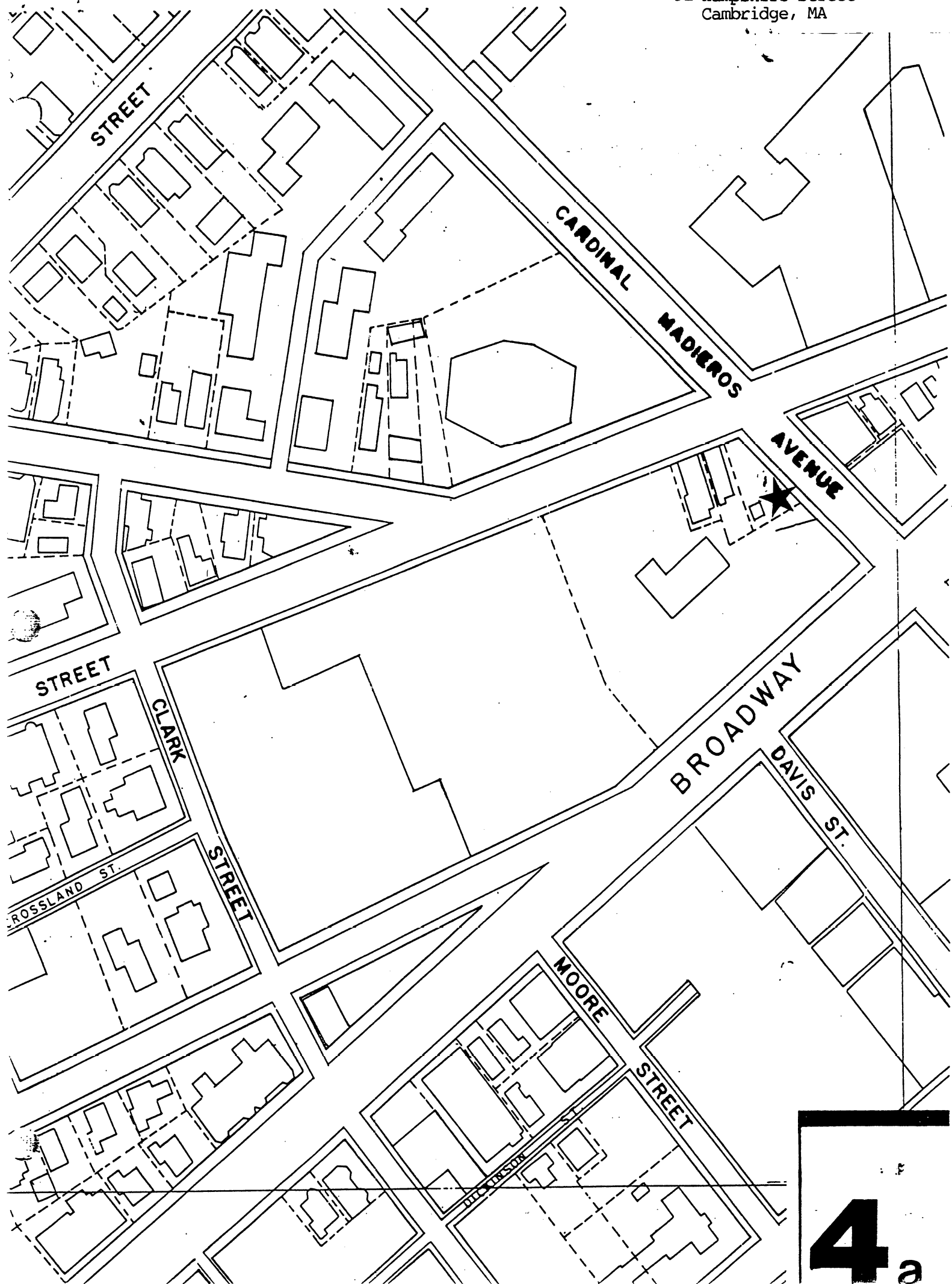
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Cambridge, MA



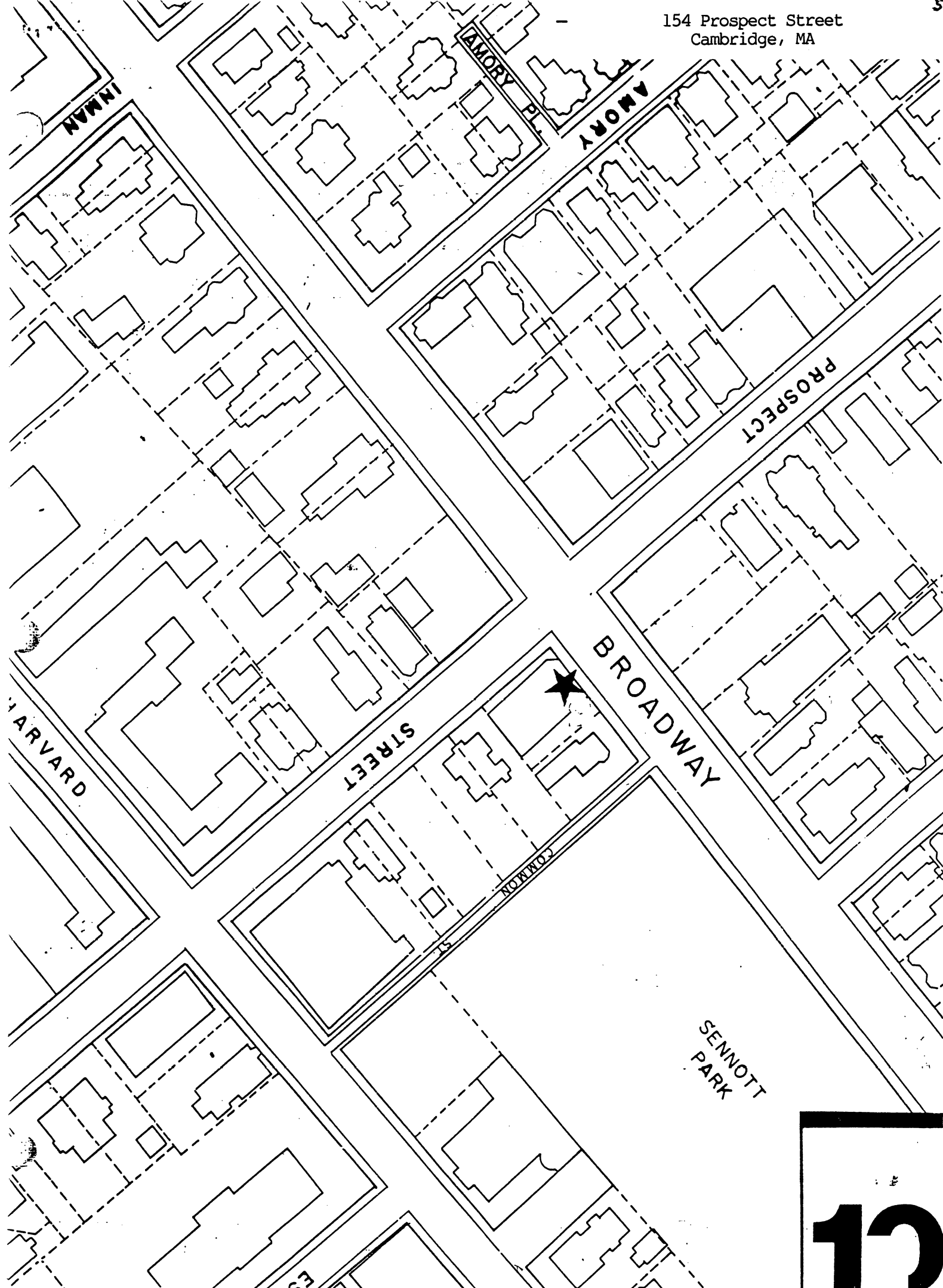
COMMERCIAL AVENUE

MSGR. O'BRIEN HIGHWAY



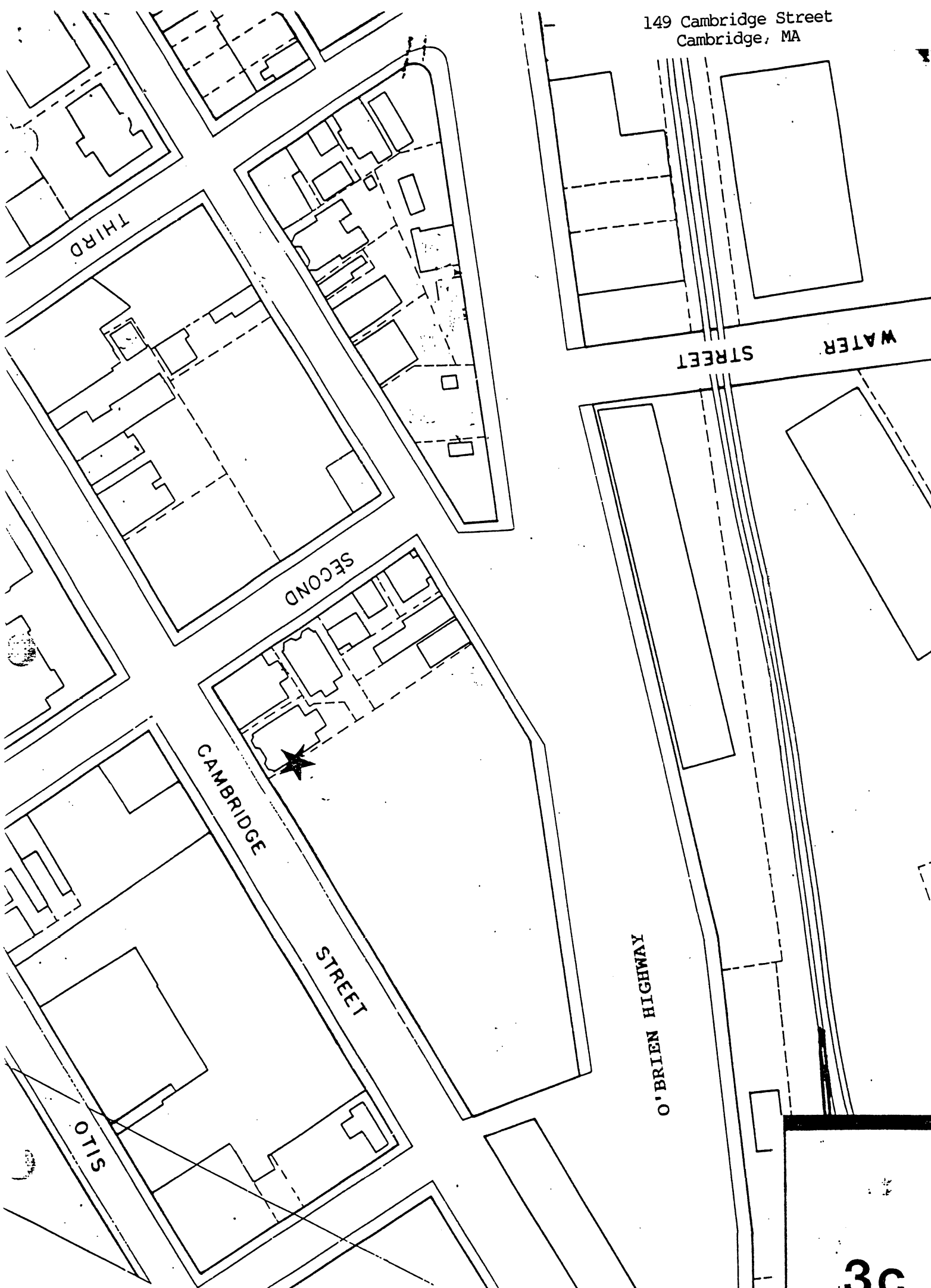


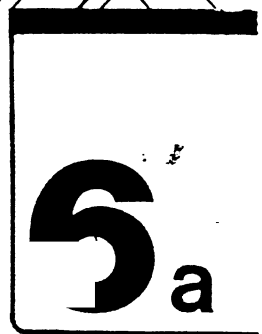
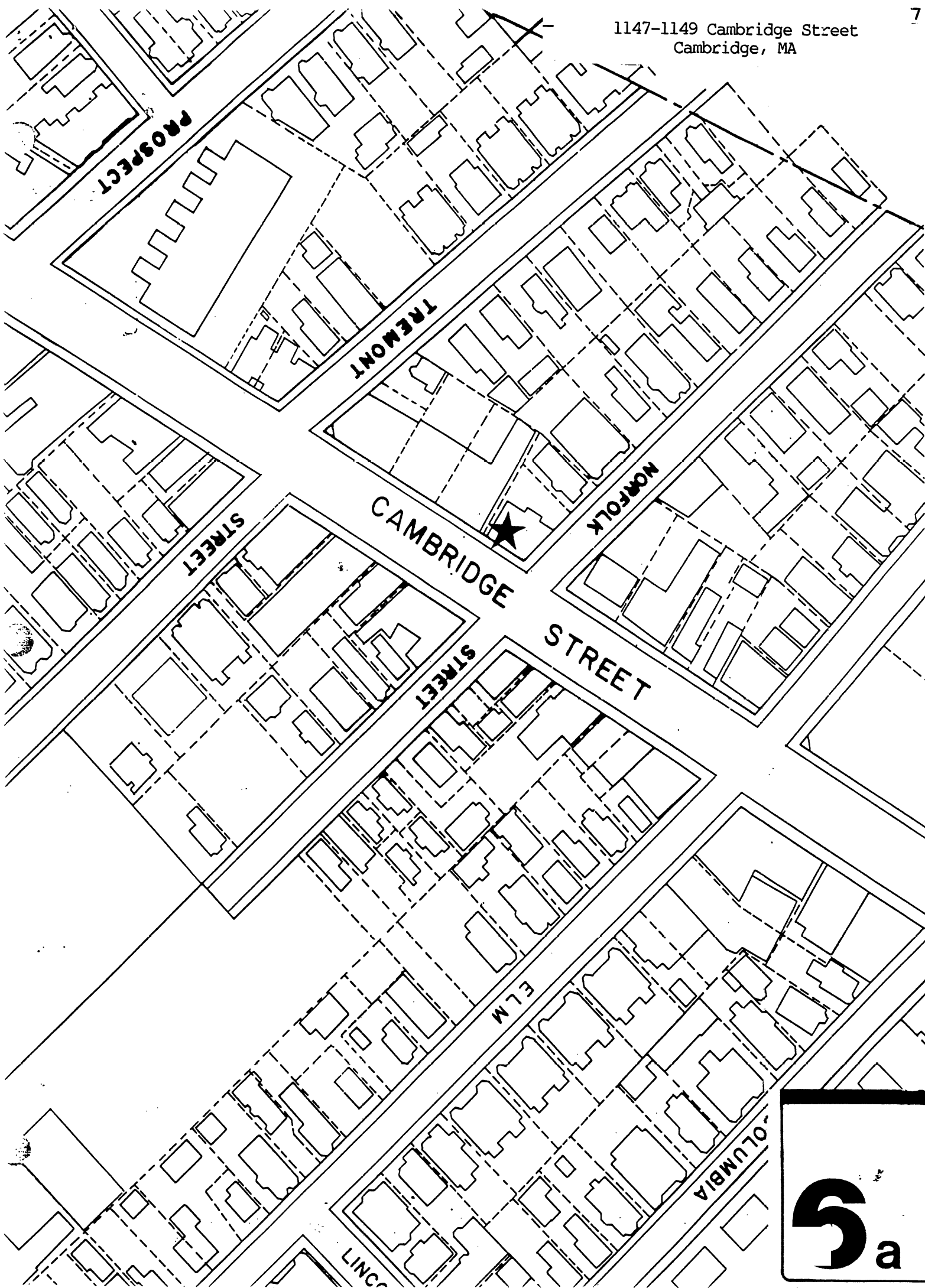
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Cambridge, MA



10

149 Cambridge Street  
Cambridge, MA

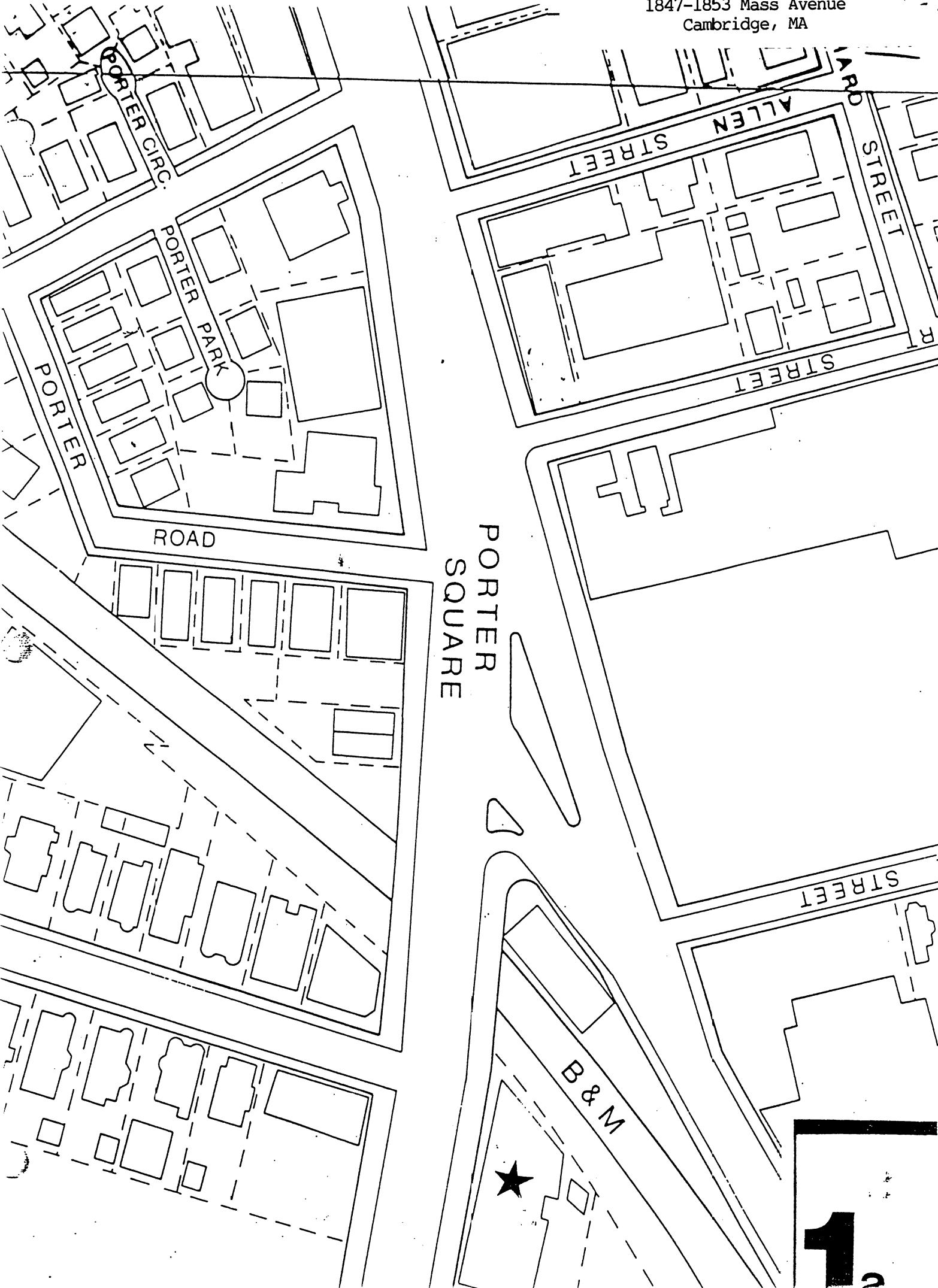




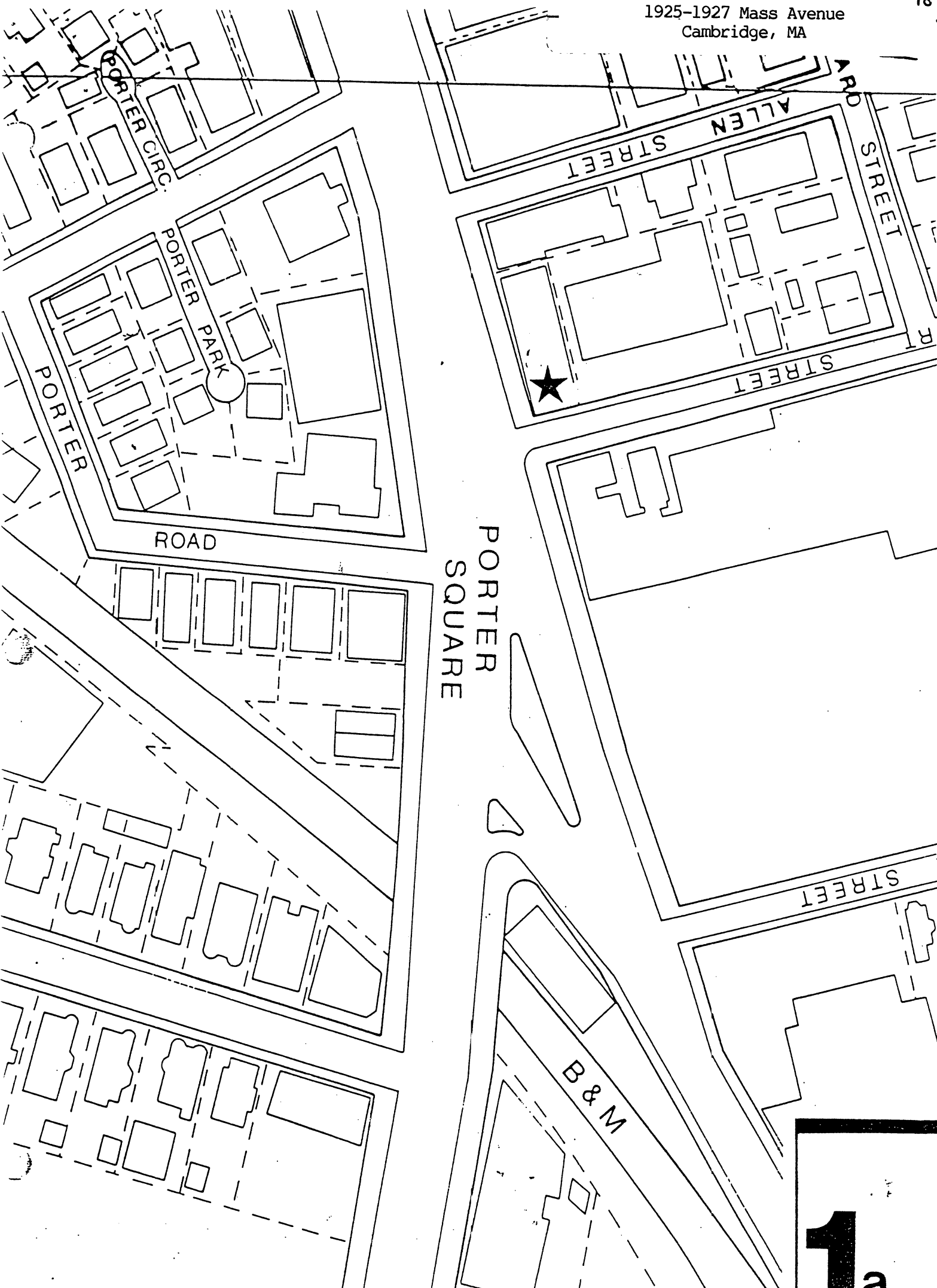


lb

1847-1853 Mass Avenue  
Cambridge, MA



1



1

SCHEDULE B

- 1) 234 Monsignor O'Brien Highway Cambridge, MA
- 2) 182 Monsignor O'Brien Highway Cambridge, MA
- 3) 17 Monsignor O'Brien Highway Cambridge, MA
- 4) 149 Cambridge Street Cambridge, MA
- 5) 1147-1149 Cambridge Street Cambridge, MA
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- 22) 92 Kirkland Street Cambridge, MA
- 23) 2200 Massachusetts Avenue Cambridge, MA
- 24) 15 Monsignor O'Brien Highway Cambridge, MA
- 25) Charlestown Avenue across from 15 Monsignor O'Brien Highway Cambridge, MA



# City of Cambridge

4.

IN CITY COUNCIL

February 11, 1991

COUNCILLOR RUSSELL

WHEREAS: There is an amendment to the Zoning Ordinance (Article 7.000) before us which would change the regulation concerning signs and illuminations; and

WHEREAS: Enactment of this amendment to the zoning appears to be potentially a long, costly procedure which the City will have to litigate; and

WHEREAS: Communication Companies have negotiated with other communities to remove objectionable bill boards and also to provide some community services; and

WHEREAS: The financial condition of the state and federal government will force the City to cut services in many area; and

WHEREAS: The funding which will be required to litigate this ordinance could be used for progress for children and elderly which are threatened; now therefore be it

RESOLVED: That before this ordinance change is voted upon by this City Council, that the City Manager be and hereby is requested to confer with the officials of Ackerly Communications with the view in mind of reaching some agreement with them which will be beneficial to the City.

**CHARTER RIGHT EXERCISED BY COUNCILLOR DUEHAY**

Councillor Russell

4

NK

Whereas: There is an amendment to the Zoning Ordinance (Article 7.000) before us which would change the regulation concerning signs and illumination, and

Whereas: ~~The~~ Enactment of this amendment to the zoning appears to be potentially a ~~costly~~ long, costly, procedure which the city will have to litigate and

Whereas: Communication Companies ~~will~~ have negotiated with other communities to remove objectionable bill boards and also to provide some ~~city~~ community services, and

Whereas: ~~Financial constraints will~~ The financial condition of the state & federal government will force the City to cut services in many areas, and

Whereas: The ~~amount~~ funding which will be required ~~to fight this~~ to litigate this ordinance could be used for programs for children & elderly which are threatened,

Now therefore Be it Resolved:  
That before this ordinance change is voted upon

by this City Council that the City Manager be  
and hereby is requested to confer with  
the officials of Berkeley Communications &  
with the view in mind of reaching some  
agreement with them which will be  
beneficial to the city.



# City of Cambridge

4.

**IN CITY COUNCIL**

February 11, 1991

**COUNCILLOR RUSSELL**

- WHEREAS:** There is an amendment to the Zoning Ordinance (Article 7.000) before us which would change the regulation concerning signs and illuminations; and
- WHEREAS:** Enactment of this amendment to the zoning appears to be potentially a long, costly procedure which the City will have to litigate; and
- WHEREAS:** Communication Companies have negotiated with other communities to remove objectionable bill boards and also to provide some community services; and
- WHEREAS:** The financial condition of the state and federal government will force the City to cut services in many area; and
- WHEREAS:** The funding which will be required to litigate this ordinance could be used for progress for children and elderly which are threatened; now therefore be it
- RESOLVED:** That before this ordinance change is voted upon by this City Council, that the City Manager be and hereby is requested to confer with the officials of Ackerly Communications with the view in mind of reaching some agreement with them which will be beneficial to the City.

Cal #2

Order # 4

NON CONSENT

Councillor Russell re: before proposed  
sign ordinance is voted on agreement to be  
reached with Ackerly Communications.

NC

In City Council,

February 11, 1991

*Charter Right  
exercised by  
Councillor Dudley  
2/25/91 Referred to  
Committee Report #2.*

## CITY COUNCIL SHOULD AFFIRM NEW SIGN CODE

### Testimony to the Planning Board

I have lived in Cambridge since 1963 and have worked to make the city a more attractive place as a founding chairman of the Cambridge Arts Council. During this time I have frequently asked myself why a city that is so historic and so important as a seat of American culture and learning should continue to be so ugly?

I can still remember the shock at the cluttered cityscape on my first visit here with my parents in 1955. There was the ugly detritus of big signs in the used car lots as we approached the city along Alewife Brook Parkway and then upon arrival in Harvard Square signs lurched off building walls and a rooftop was crowned by a billboard. And it's still there!--after millions spent on enhancing the square with a new plaza!

Improving the quality of our visual environment should in the short term improve the value of property. That is the argument sign control advocates will make, and most business people will understand. But I think we should upgrade our sign code because of the long term difference it will make both in the quality of people's lives here as well as in the impression we give to visitors.

As a planner, I have examined design review ordinances and sign codes from around the country, and find the new code to be very lean in its objectives. It does not tackle the issue of design review which Cambridge, alas, exercises only in overlay districts or urban renewal areas; it does not provide particular incentives for symbol signs made by craftsmen, (in metal, glass or ceramics, for example); it does not encourage signage appropriate for the character of historic buildings but it will encourage visual restraint and get rid of nonconforming signs after four additional years.

For as I understand the draft, it still allows some billboards to exist for another four years -- the same as on site signs -- unless they violate Outdoor Advertising Board (OAB) guidelines and their permits are not renewed by the state. At least 30 of the 52 Cambridge billboards flunk these guidelines.

Billboards can generate an income for their owner of as much as \$20,000-\$30,000 a year in revenues. The city has had almost no tax benefit. On average, \$100 per billboard for this privilege of blighting our neighborhoods. Consequently, I am appalled by this continued act of generosity to the billboard

industry. This appears to be at least a 1.6 million dollar donation if twenty of these boards are allowed to stay another four years.

Apparently, the Ackerley Company which owns most billboards here will seek to demonstrate that their signs are very valuable and that the company should be compensated for their removal. Outrageous! Under Massachusetts statute, the billboards are not grandfathered or protected. They are not treated as real property with a protected status as structures, but as a permitted use subject to annual review by the community. They do not have any right to life because they are there simply as a result of the community's large investment in roadways and have value in relation to it.

There are numbers of state cases which uphold an amortization period as a legitimate method of compensation. This is fine for on site signs, but the language of the new sign code should make it clear that any billboard that does not meet the minimum standards that the OAB has devised or which is not certified by the community should not be protected by any amortization clause.

The revised sign code affirms and supports the investment which the city and private business has already made in its neighborhood revitalization efforts, its facade improvement programs, its extensive commitment to public art and the enhancement of public space. It is also a testimony to our increased maturity as an urban culture, acknowledging that merchants and property owners can do business and prosper without having to visually grab people by the throat and shake them as they drive or walk down a street. It should make most businesses more legible rather than less so. It is no accident that many of the most affluent communities have the tightest sign controls, while the less sophisticated communities are caught in the expensive escalation of sign competition which finally penalizes the merchants seeking attention.

Let the new sign code mark a new era which demonstrates an increasing respect for the people living in one of America's most densely populated urban environments. By upgrading the visual environment, the sign code becomes the city's "insurance policy." It protects the existing investment that we have all made in the enhancement of Cambridge.

Ronald Lee Fleming

George F. McCray,  
Chairman No. Camb. Sub. Committee  
2301 Mass. Ave.  
Cambridge MA. 02140

876-1430

Feb. 6, 1991

Dear Chairman Ordinance Committee (Frank):

The North Cambridge Subdivision Committee  
wish to go on record in support of the  
amendment to the Bell Board ordinance  
that is currently being heard before the  
Cambridge City Council. As our members  
believe that North Cambridge residents,  
along with East Cambridge residents,  
~~are~~ <sup>are</sup> negatively impacted by the members  
of Bell board that are currently  
deployed in our neighborhood.

We wish also to compliment those  
who have worked very long and hard to  
draft the amendment. Both residents  
+ City officials, especially Sandra Schiret & Mr. Richard Chery  
both of North Cambridge.

Thank you, sincerely

George F. McCray  
Chairman N/CSC

# City of Cambridge

The Ordinance Committee reconvened the public hearing on Wednesday, January 16, 1991 on Wednesday, February 6, 1991 beginning at 6:06 p. m. in the Sullivan Chamber, City Hall.

Councillor Francis H. Duehay, Chair of the above referenced committee, called the hearing to order and stated that the purpose of this evening's proceedings was to continue discussions on a proposed amendment to the Zoning Ordinance in Article 7.000 - Signs and Illuminations.

Present at the hearing were: Mayor Alice K. Wolf, Vice Mayor Kenneth E. Reeves, Councillor Edward N. Cyr, Councillor Jonathan S. Myers, Councillor Sheila T. Russell, Councillor Walter J. Sullivan, Councillor William H. Walsh and Deputy City Clerk John E. Flynn.

Councillor Duehay, at this time, outlined the process that would be followed in the conduction of the Committee's business in which proponents of the amendments would speak and be followed by the opponents of the amendments.

Mayor Wolf citing the fact that the City has challenged a number of billboards, given that they did not meet stated state criteria and currently in the Appeal Process, inquired of the impact of new regulations promulgated by the Outdoor Advertising Board on the City's challenge.

Attorney Peter Koff, Outside Legal Counsel, responded that the new regulations would have no effect on the process and that the new regulations would allow for a Summary Judgement in which the City would file an Affidavit on the 35 objections.

Mayor Wolf inquired of the amount of tax generated revenue derived from billboards throughout the city.

In response, Attorney Koff, stated that according to records of the Assessor's Office, the Fiscal Year 1990 assessment was \$5,586.02 and it should be noted that the assessment is paid by the property owner and not the billboard owner.

Councillor Cyr, citing the Ackerley Communications of Massachusetts, Inc. versus the City of Somerville decision in which a grandfathering of some billboards based on content was done and invalidated, inquired if the proposed amendments were similiar to the City of Somerville ordinance.

Attorney Koff responded in the negative stated that the premise of the ordinance as it relates to On-Premise vs. Off-Premise would withstand a legal challenge.

# City of Cambridge

- 2 -

Councillor Cyr inquired of the number of legal challenges across the country with regards to a community's intent to regulate billboards.

Attorney Koff provided a range of twenty to forty cases.

At this time the committee solicited public testimony in favor of the proposed amendments to Article 7.000.

Ms. Sondra Scheir, 11 King Street, Cambridge, a former member of the Mayoral Blue Ribbon Committee of 1989, stated her strong support for the proposed amendments noting the fact that her neighborhood was in need of relief and this ordinance would accomplish that need.

Mr. Nicholas Geraigery, 269 Hurley Street, Cambridge, stated the support of the East Cambridge Stabilization Committee for the proposed amendment.

Mr. W. Easley Hamner, 3 Ellery Square, Cambridge, stated his support for the proposed amendment and congratulated the Planning Board for drafting such a well balanced petition. He further stated his hope that this ordinance will combat visual blight.

Mr. Howard Medwed, 58 Washington Avenue, Cambridge, stated his support for the proposal and his pleasure with Attorney Koff's statements regarding the affirmation of the ordinance.

Mr. Hugo Salemme, 89 Third Street, Cambridge, Vice-President of the East Cambridge Planning Team, stated the support of his organization for the proposed amendment.

Mr. R. Philip Dowds, 48 Banks Street, Cambridge and a member of Cambridge Citizens for Liveable Neighborhoods, stated his support for the proposed ordinance and congratulated the Community Development Department and Planning Board for a well written proposal. He further commented on the politics of litigation and presented the Committee with a check in the amount of \$2.00 to be deposited in the Law Department's Billboard Litigation Fund in the event of a damage award.

Mr. Ron E. Fleming, 2 Hubbard Park, Cambridge, provided the committee written testimony indicating his support and called the proposal an insurance policy. (A copy of the testimony is attached).

# City of Cambridge

- 3 -

Ms. Kathy Born, 3 Walnut Avenue, Cambridge, President of the Neighborhood Nine Association, stated the Association's unanimous vote in support of the proposed amendments. Ms. Born further stated that a vote for this Ordinance was a vote for the neighborhoods.

Mr. Richard Clarey, 15 Brookford Street, Cambridge, Vice-Chair, North Cambridge Stabilization Committee, read a prepared statement from George F. McCray, Chair, indicating the support of the committee for the proposed amendments. (A copy is attached). Mr. Clarey also outlined some possible defenses that the city could employ in defending the proposed ordinance.

Mr. John Pitkin, 18 Fayette Street, Cambridge, indicated his support for the ordinances as a means of reducing billboard blight throughout the city.

Mr. Fred Stone, 9 Remington Street, Cambridge, stated that Council support for this ordinance provides a gift to its residents and their descendants.

At this time the Committee heard from those in opposition to the proposed amendment.

Attorney George Berman, 100 Cambridge Street, Boston, representing Mr. Barry Ackerley, owner of Ackerley Communications of Massachusetts, Inc. stated that a vote for this Ordinance is a vote for litigation. He further stated that First and Fifth Amendment Rights would be argued for in a legal challenge. Attorney Berman also stated that the City of Somerville did not reduce the number of billboards by the enactment of their ordinance.

Councillor Myers questioned the number of billboards in 1985 versus 1991 in the City of Somerville.

Attorney Berman stated that in 1985, 137 faces existed vs. 80 faces in 1991.

Mr. Louis Nickinello, President and General Manager, Ackerley Communications of Massachusetts, Inc., 2204 Main Street, Charlestown, stated that he was hired in 1985 with the objective to find compromise instead of litigation. Mr. Nickinello provided the following statistical data:

In 1978 Ackerley Communications acquired from Donnelly Advertising 3900 faces. In 1991 Ackerley Communications owns 2900 faces.

He further stated that Outdoor Advertising is economically feasible and this medium adds some \$11 - 12 million to the state economy. He further outlined an agreement between his organization and the City of Medford regarding improvements in the quality of life and the relocation of two billboards. Mr. Nickinello stated that not one sign is sacred or unalterable, but a forum is needed between the city and his firm.

# City of Cambridge

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Councillor Russell inquired, if any conversations or negotiations have been held between Ackerley Communications and City Manager Robert W. Healy.

Mr. Nickinello in response stated that no specific negotiations have taken place.

Councillor Russell further inquired if Ackerley Communications participated in the deliberations of the Mayoral Blue Ribbon Committee.

Mr. Nickinello stated that he was appointed to the committee, but was asked shortly after the panel met to vacate his Chair.

Councillor Russell pursuing the Medford agreement inquired of the process employed and the time frame.

Mr. Nickinello stated that the Mayor set up a forum in which negotiations were held and within six to eight months a Memorandum of Agreement was signed and executed.

Councillor Myers inquired of Mr. Nickinello his comments regarding the statements made by neighborhood associations supporting the proposed amendments.

Mr. Nickinello repeated his earlier statement that he was willing to look at every sign location in the City.

Ms. Elizabeth Palumbo, director of Public Affairs, Ackerley Communications, Inc. outlined to the committee the public service campaign underway in the Commonwealth. Ms. Palumbo stated that some 15% of space is dedicated to non-profit organizations.

Mr. Anthony Pini, 199 Cambridge Street, Cambridge, stated his opposition to the proposed ordinance.

Mr. Manuel Slate, 1414 Cambridge Street, Cambridge, stated his opposition stating that the lighted billboard at his premises adds to the safety of the area.

Mr. Milton Slate, 1414 Cambridge Street, Cambridge, stated his opposition citing the fees collected helps pay city taxes.

Mr. Mark Fraser, 45 Alpheus Road, Boston, Real Estate Manager, Ackerley Communications, also stated his opposition to the ordinance stating that it was plastic surgery to the Cambridge landscape.

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Mr. John Carroll, 1382 Beacon Street, Brookline, citing the fact that his family owned business derives revenues from the placements of billboards and with passage of the ordinance this revenue source would be lost.

Mr. Doug Matthews, 28 Seven Pines Avenue, Cambridge, stated his opposition to the Ordinance and suggested creativity in finding solutions to problems.

Mr. Charles Fogell, 25 Colgate Road, Roslindale, also stated his opposition to the ordinance amendments.

The Committee then heard from Mr. Donald Drisdell, Deputy City Solicitor, for a legal summary of the proposed ordinance. Mr. Drisdell stated that a thorough review of applicable cases was undertaken in the drafting of the ordinance and it could withstand a legal challenge.

Councillor Myers then offered the following motion: That the petition be forwarded to the full City Council without recommendation.

Councillor Russell then offered the following substitute motion: That the petition remain in committee.

On the substitute motion, the Chair ruled not a vote.

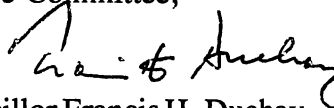
On a voice vote the main motion -

Carried.

Councillor Cyr then moved adjournment.

The hearing was adjourned at eight o'clock and two minutes p. m.

For the Committee,

  
Councillor Francis H. Duehay  
Chairman

2. Cal # 15

COMMITTEE REPORTS 0-18B

Report from the Ordinance Committee for a reconvened hearing held on Wednesday, Feb. 6, 1991 relative to a proposed amendment to the Zoning Ordinances regarding Signs and Illuminations.

In City Council,

February 25, 1991

Charter Right Exercised  
by Councilman Walden

3/4/91 Passed to a  
second reading

3/18/91 Failed of ordinance  
4-2-1-2