



City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-nine

AN ORDINANCE

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

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

Chapter Two, entitled: "Administration" is hereby amended by adding a new article at the end thereof entitled: "Article XXXI. Cambridge Commission on the Handicapped," which reads as follows:-

ARTICLE XXXI. CAMBRIDGE COMMISSION ON THE HANDICAPPED.

Section 1. Establishment.

There shall be a Cambridge Commission on the Handicapped.

Section 2. Function and Purpose.

It shall be the function of the Commission to:

(a) Act as a centralizing force in the City of Cambridge and the community which will deal with all handicapped issues: providing information, referral, guidance, coordination, offering and providing technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination against person (s) with handicap(s) because of their status as a person with a handicap or as a minority person with a handicap.

(b) Take such action as the Commission considers appropriate to insure the equal status of person(s) with a handicap(s) of every race, creed, color, national origin, age and sexual preference.

(c) Assure that no otherwise qualified individual with a handicap in the City of Cambridge shall, solely by reason of his or her handicap, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity within the City of Cambridge.

Section 3 . Definition of a Person with a Handicap.

For purposes of this Ordinance a person with a handicap shall be defined as any person who: (1) has a physical or mental impairment with substantially limits one or more major life activities: (2) Has a record of such an impairment: or (3) Is regarded as having such impairments.

Section 4 . Powers and Duties.

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

(a) To insure the equal status of the handicapped in education, employment, economic, political, health, legal and social spheres.

(b) To design and implement programs that promote equality for all handicapped in the City.

(c) To review recommendations and policies of all department, divisions, and agencies of the City, including, but not limited to, the City Manager, the Purchasing Agent and the City Council.

(d) To initiate, coordinate, and monitor the enactment of legislation which promotes equal status of the handicapped on the City, State, and Federal Levels, and to insure that appropriate regulations are adopted and enforced pursuant to such legislation, including, but not limited to implementation of Sec. 504.

(e) To assist in the planning and coordination of activities of all departments and divisions.

(f) To participate in an advisory capacity in the hearing of complaints brought alleging discrimination against the handicapped including but not limited to the Office of Affirmative Action.

(g) To obtain from City departments, divisions, and agencies any and all information necessary to carry out the functions, purposes, programs and activities of the Commission.

(h) To assist in public awareness of the handicapped through participation in public and media events sponsored by the Administrative and/or Legislative bodies of the City including but not limited to city sponsored recreational, educational, and development activities.

(i) To raise funds for the use of the Commission in accordance with established procedures and statutes and to accept money, gifts and services for its exclusive use and expend or sue the same, and subject to appropriation or to receipt of such money, gifts, and services, employ clerical and technical assistants or consultants; and to be consulted by and make recommendations to the City Manager with regard to the designation of the Executive Director.

(j) To be an active and participating member of appropriate organizations dealing with issues effecting the handicapped.

(k) To recruit and recommend prospective members to the Commission subsequent to appointment by the City Manager.

(l) To serve on the Commission without compensation with the understanding that they will be reimbursed for any expense which may reasonably be incurred through service as a member of the Commission.

(m) To acquire, analyze, use and store handicapped related statistics and related materials in conjunction with the Cambridge Public Library for program planning and evaluation purposes.

(n) To hold at least ten regular meetings throughout the year and to conduct additional meetings as necessary.

(o) Such other powers and duties as may be agreed on by the City Manager and the Commission.

Section 5. Membership, Appointment, Term, Removal.

(a) The Commission shall consist of 11 members, all of whom shall be appointed initially by the City Manager, There shall be one (1) representative appointed from the Department of Public Works for a period of three (3) years and one (1) representative appointed from the Department on Human Services to serve for a period of three (3) years and other representatives to be appointed from time to time to assist the Commission in the carrying out of its activities; Of the remaining 9 members, at least 5 shall be persons with a handicap as defined in Section 3 of this Ordinance and represent as many cross-disabilities from the handicapped community as possible. The remaining members shall be

parents, friends, or other interested persons of the handicapped. These

9 members shall initially serve for the following terms:

- (1) 3 members shall serve for a one year term;
- (2) 3 members shall serve for a two year term;
- (3) 3 members shall serve for a three year term.

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

(b) One month prior to making said appointments the City Manager shall solicit nominations from as many organizations representing the handicapped as possible, and insure appointees represent a broad cross section of the city's citizens interests and are residents of the City themselves.

(c) If any member misses three unexcused meetings of the Commission during the calendar year, that position of said commissioner shall be automatically vacated upon certification to the City Manager by the Commission. The City Manager shall then proceed to immediately fill said vacancy.

(d) That the Commission at all times be concerned about the needs and expectations of all persons with handicaps.

Section 6. Election of Chairperson; By-Laws.

The members of the Commission shall elect a Chairperson from among its members, and shall adopt By-laws for the Commission.

Section 7. Appointment and Term of Executive Director.

(a) There shall be an Executive Director of the Commission on the Handicap whose selection and length of employment shall be determined by the City Manager with the advise of the Commission..

(b) The Executive Director shall have demonstrated administrative ability, be knowledgeable about the city's organizational structure and be willing to learn about the special needs of the handicapped, and the ability to work cooperatively with people of various socio-economic backgrounds of races, creeds, national origin and age.

(c) The Executive Director shall have adequate staff assistance.

Section 8. Severability of Sections.

If any section, sub-section, sentence, clause, phase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction said portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

In City Council September 10, 1979.

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

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.

#4 UNFINISHED BUSINESS

Cambridge

City of Cambridge
MASSACHUSETTS

Commission on the Handicapped

In City Council

Sept

1979

UNFINISHED BUSINESS

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

9 0 0

Passed to be Ordained

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- (b) Take such action as the Commission considers appropriate to insure the equal status of person(s) with a handicap(s) of every race, creed, color, national origin, age and sexual preference.
- (c) Assure that no otherwise qualified individual with a handicap in the City of Cambridge shall, solely by reason of his or her handicap, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity within the City of Cambridge.

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- (c) To review recommendations and policies of all department, divisions, and agencies of the City, including, but not limited to, the City Manager, the Purchasing Agent and the City Council.
- (d) To initiate, coordinate, and monitor the enactment of legislation which promotes equal status of the handicapped on the City, State, and Federal Levels, and to insure that appropriate regulations are adopted and enforced pursuant to such legislation, including, but not limited to implementation of Sec. 504.
- (e) To assist in the planning and coordination of activities of all departments and divisions.
- (f) To participate in an advisory capacity in the hearing of complaints brought alleging discrimination against the handicapped including but not limited to the Office of Affirmative Action.
- (g) To obtain from City departments, divisions, and agencies any and all information necessary to carry out the functions, purposes, programs and activities of the Commission.
- (h) To assist in public awareness of the handicapped through participation in public and media events sponsored by the Administrative and/or Legislative bodies of the City including but not limited to city sponsored recreational, educational, and development activities.
- (i) To raise funds for the use of the Commission in accordance with established procedures and statutes and to accept money, gifts and services for its exclusive use and expend or sue the same, and subject to appropriation or to receipt of such money, gifts, and services, employ clerical and technical assistants or consultants; and to be consulted by and make recommendations to the City Manager with regard to the designation of the Executive Director.
- (j) To be an active and participating member of appropriate organizations dealing with issues affecting the handicapped.
- (k) To recruit and recommend prospective members to the Commission subsequent to appointment by the City Manager.
- (l) To serve on the Commission without compensation with the understanding that they will be reimbursed for any expense which may reasonably be incurred through service as a member of the Commission.
- (m) To acquire, analyze, use and store handicapped related statistics and related materials in conjunction with the Cambridge Public Library for program planning and evaluation purposes.
- (n) To hold at least ten regular meetings throughout the year and to conduct additional meetings as necessary.
- (o) such other powers and duties as may be agreed on by the City Manager and the Commission.

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(d) That the Commission at all times be concerned about the needs and expectations of all persons with handicaps.

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Passed to a second reading at the City Council meeting held on August 6, 1979 and on or after August 20, 1979 the question may be on passing to be ordained.

ATTEST:—Paul E. Healy, City Clerk.

PUBLICATIONS CAMBRIDGE COMMISSION ON THE
HANDICAPPED

PUBLISHED IN: BOSTON HERALD AMERICAN

EDITION: , Cambridge Page

DATE: Friday, August 10, 1979



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(n) To hold at least ten regular meetings throughout the year and to conduct additional meetings as necessary.

(o) Such other powers and duties as may be agreed on by the City Manager and the Commission.

Section 5. Membership, Appointment, Term, Removal.

(a) The Commission shall consist of 11 members, all of whom shall be appointed initially by the City Manager, There shall be one (1) representative appointed from the Department of Public Works for a period of three (3) years and one (1) representative appointed from the Department on Human Services to serve for a period of three (3) years and other representatives to be appointed from time to time to assist the Commission in the carrying out of its activities; Of the remaining 9 members, at least 5 shall be persons with a handicap as defined in Section 3 of this Ordinance and represent as many cross-disabilities from the handicapped community as possible. The remaining members shall be

parents, friends, or other interested persons of the handicapped. These 9 members shall initially serve for the following terms:

- (1) 3 members shall serve for a one year term;
- (2) 3 members shall serve for a two year term;
- (3) 3 members shall serve for a three year term.

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

(b) One month prior to making said appointments the City Manager shall solicit nominations from as many organizations representing the handicapped as possible, and insure appointees represent a broad cross section of the city's citizens interests and are residents of the City themselves.

(c) If any member misses three unexcused meetings of the Commission during the calendar year, that position of said commissioner shall be automatically vacated upon certification to the City Manager by the Commission. The City Manager shall then proceed to immediately fill said vacancy.

(d) That the Commission at all times be concerned about the needs and expectations of all persons with handicaps.

Section 6. Election of Chairperson; By-Laws.

The members of the Commission shall elect a Chairperson from among its members, and shall adopt By-laws for the Commission.

Section 7. Appointment and Term of Executive Director.

(a) There shall be an Executive Director of the Commission on the Handicap whose selection and length of employment shall be determined by the City Manager with the advise of the Commission..

(b) The Executive Director shall have demonstrated administrative ability, be knowledgeable about the city's organizational structure and be willing to learn about the special needs of the handicapped, and the ability to work cooperatively with people of various socio-economic backgrounds of races, creeds, national origin and age.

(c) The Executive Director shall have adequate staff assistance.

Section 8. Severability of Sections.

If any section, sub-section, sentence, clause, phase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction said portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

RECEIVED BY
OFFICE OF CITY CLERK

ORDINANCE FOR THE CREATION OF AN PUBLIC DEVELOPMENT ARTS FUND

MAY 23 1 07 PM '79
CAMBRIDGE, MASS.

Section 1: Title, Findings and Purposes.

(A) This Ordinance shall be known as the Public Development Arts Ordinance of 1979.

(B) The City Council of the City of Cambridge finds that:

(1) The City recognizes that it has a responsibility to make the advantages of the arts available to its residents; that construction projects financed with public funds normally include expenditures for finishing and adornment which, if effectively planned and executed will help the City to fulfill this responsibility;

(2) The City wishes to increase the benefits which its citizens will derive from the creative efforts of artists;

(3) The City should expand the access of its residents to the benefits of the arts by designating a portion of appropriations for capital expenditures for the acquisition, creation, design and/or development of art which shall be utilized in and about City buildings and public facilities.

(C) The purposes of this Ordinance are:

(1) To promote the enjoyment of the arts by the residents of the City of Cambridge by increasing the quantity and quality of such arts available in public buildings, facilities and spaces;

(2) To improve and expand the value and use of public buildings and facilities through the placement in such buildings and facilities of distinguished works and creations of artistic endeavor; and

(3) To create a funding program which, without substantially increasing the total cost of construction projects as hereafter defined, will ensure that arts are acquired, created, developed and otherwise made available for the enjoyment of the residents of the City of Cambridge.

Section 2: Definitions.

For the purposes of this Ordinance the following words and descriptions shall have the following meanings:

(A) "Public Development Arts Fund": the fund set aside by this Ordinance in the City treasury for the purpose of allocating monies for the development and creation of arts in and upon public construction projects in the City of Cambridge;

(B) "Construction Project": any capital project paid for in full or in part by the City of Cambridge, through its own Eligible Funds or with Eligible Funds appropriated to it by other governmental units, to construct or remodel any building, decorative or commemorative structure, park, street, sidewalk, parking facility, or utility or any portion thereof within the corporation limits of the City and with respect to/which bidding is required under Massachusetts law;

(C) "Eligible Funds" means a source of funding for Construction Projects from which arts are not excluded as an appropriate purpose for expenditure;

(D) "Supplemental Funds" shall mean those funds appropriated by the City Council or contributed by individuals or other sources, and placed in the Public Development Arts Fund in addition to those funds made available from Eligible Funds, which shall be used for implementing the purposes of this Ordinance;

(E) "Cambridge Arts Council" shall mean the Council established in 1974 by Order of the City Council.

(F) "Public Development Arts Project" or "Projects": art to be funded from the Public Development Arts Fund; such projects may be an integral part of a building, attached to a building, placed within or outside of a building, or in the case of performing arts performed in a public building or space; said art may include but shall not be limited to paintings, sculpture, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, drama, instrumental or vocal music, dance, and landscape items, including the artistic placement of natural materials or man-made fountains or objects or other functional art objects.

Section 3: Cambridge Arts Council: Additional Functions and Duties.

To carry out its responsibilities under this Ordinance, the Cambridge Arts Council shall:

(1) Establish annually, after consultation with relevant Cambridge based private, non-profit organizations including but not limited to as Articulture, the Multicultural Arts Center, Inc., the Cambridge School Department, neighborhood organizations and interested Cambridge citizens and artists, a Plan for the Development and Creation of Arts in public buildings and spaces in the various neighborhoods and sections of the City of Cambridge; said plans shall

include an itemization of the City's priorities for choosing, creating and placing works of art in public buildings within the neighborhoods of the City; preferences for the types of works to be financed and developed during the fiscal year, and guidelines for the selection of artists and locations for Public Development Arts Projects;

(2) Select Public Development Arts Projects, following consultation with such of the parties referred to in (1) above, and, as a usual practice, with the assistance of a professional arts jury appointed by the Cambridge Arts Council, as may be appropriate;

(3) Determine the geographic location of such works of art and architecture, and the location within individual sites and buildings where such works shall be placed or created provided that to the maximum feasible extent each such Public Development Arts Project shall be placed, created or performed in and about the Construction Project from which funds were derived for payment of that Public Development Arts Projects;

(4) Establish budgets for all commissioned projects, including budgets for materials, fees, operating, and maintenance expenses, and other reasonably contemplated items of expense in the acquisition, development, creation, implementation, and, where applicable, ongoing maintenance of such projects;

(5) Establish procedures to be followed by other departments for the maintenance and preservation of such works of art;

(6) Establish rules and regulations, with the approval of the City Manager, to provide for the proper administration and implementation of its responsibilities, including necessary administrative budget and such rules and regulations as may be required for the selection of artists and art

works; commissioning and contracting with such artists; criteria for the allocation of works of art among the various neighborhoods of the City; criteria for choosing among various artists and recommending acquisition of various works of art or art projects, and such other rules as may be appropriate or necessary for the implementation of this Ordinance;

(7) Make an annual report to the City Council describing its program for meeting its responsibilities under this Ordinance.

Section 4: Cambridge Public Development Arts Fund.

(A) Allocation of Funds and Designation. All requests by City departments for appropriations or other authorizations for Construction Projects from Eligible Funds shall include and set aside an amount equal to no less than one percent of the total estimated costs of such Projects for art; copies of such requests, authorization, application, proposals or appropriations shall be delivered by the City department or agency responsible for obtaining the Eligible Funds to the Cambridge Arts Council as early as possible in the planning stages of the Projects.

(B) There is hereby created a Public Development Arts Fund in the City Treasury, into which money collected by appropriations under paragraph 4(A) and Supplemental Funds shall be placed. Said Fund shall be used/exclusively to carry out the purposes of this Ordinance.

(C) Any monies appropriated to the Public Development Arts Fund which have not been spent within three years of such appropriation, or, upon special approval by the City Council, within five years, shall be transferred to the City's General Fund for the purposes of the

general art needs of the City; provided, that funds derived from revenue or general obligation bond issues authorized by the City Council, or from utility revenues or other special purpose or dedicated funds shall revert to the funds from which they derive at the expiration of the three or five year period, whichever applies.

RECEIVED BY
OFFICE OF CITY CLERK

MAY 23 1 07 PM '79

CAMBRIDGE, MASS.

CITY OF CAMBRIDGE

In the Year One Thousand Nine Hundred Seventy-nine

AN ORDINANCE

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

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

Chapter Two, entitled: "Administration" is hereby amended by adding a new ordinance at the end thereof entitled: "Article ~~XXXI~~. CAMBRIDGE COMMISSION ON THE HANDICAPPED" which will read as follows:

ARTICLE CAMBRIDGE COMMISSION ON THE HANDICAPPED.

Section 1 . Establishment.

There shall be a Cambridge Commission on the Handicap.

Section 2 . Function and Purpose.

It shall be the function of the Commission to:

(a) Act as a centralizing force in the City of Cambridge and the community which will deal with all handicap issues: providing information, referral, guidance, coordination, offering and providing technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination against person(s) with handicap(s) because of their status as a person with a handicap or as a minority person with a handicap.

(b) Take such action as the Commission considers appropriate to insure the equal status of person(s) with a handicap(s) of every race, creed, color, national origin, age and sexual preference.

(c) Assure that no otherwise qualified individual with a handicap in the City of Cambridge shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity within the City of Cambridge.



City of Cambridge

Councillor Preusser

10.

IN CITY COUNCIL
June 4, 1979

The enclosed ordinance to be referred to the Ordinance Committee for a public hearing.

In City Council June 4, 1979
Adopted by the affirmative vote of 7 members.
Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

A handwritten signature in cursive script that reads "Paul E. Healy". The signature is written in black ink and is positioned to the right of the "ATTEST:" text.

O-42

Order #10

C. Preusser re: proposed amendment to the
General Ordinances re: Cambridge Commission
on the Handicap.

In City Council,

June 4, 1979

*Referred to the
Ordinance Committee
for
Hearing and Report.*