



City of Cambridge

9.

IN CITY COUNCIL

January 29, 1990

MAYOR WOLF

- WHEREAS: On June 5, 1989 an ordinance was passed, Ordinance Number 1084, to take effect on September 1, 1989, to allow certain ordinances to be enforced by non-criminal citations instead of through criminal action, making it easier to get these laws enforced; and
- WHEREAS: The enforcement of the ordinances affected -- noise, smoking, rubbish and littering, signs and displays, street and sidewalk use regulations -- can impact the quality of life in our city in a very meaningful way; and
- WHEREAS: It is, thus, highly desirable to have these ordinances enforced regularly and properly; therefore be it
- ORDERED: That the City Manager report at the next meeting what steps have already been taken to seek non-criminal enforcement in the areas covered by the June ordinance; and be it further
- ORDERED: Any additional steps that are required such as those relating to the budget, collective bargaining, or administrative actions be taken forthwith.

In City Council January 29, 1990.
Adopted by the affirmative vote of nine members.
Attest:- John E. Flynn, Deputy City Clerk.

A true copy;

ATTEST:-

A handwritten signature in dark ink, reading "John E. Flynn". The signature is written in a cursive style with a large, sweeping "J" and "F".

John E. Flynn
Deputy City Clerk



J

ORDINANCE NO. 1084.
Final Publication No. 2450.
First publication in the Chronicle
on May 18, 1989
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Eighty-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 Cambridge Municipal Code.

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

1. Chapter 8.16 (Noise) is hereby amended by striking out the present section 8.16.150 (Violation - Penalty) and inserting in place thereof the following new section 8.16.150, which reads as follows:

8.16.150 Violation - Penalty

A. Criminal Penalty

Any person who violates any provision of this chapter shall be liable to a fine not exceeding \$50. for each offense.

B. Noncriminal Disposition

Whoever violates any provision of this chapter 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: Police Officers, Dog Officers, Inspectional Services Inspectors and Parking Control Officers. The penalty for each violation will be \$25.

2. Chapter 8.28 (Smoking) is hereby amended by striking out the present section 8.28.090 (Violation - Penalty) and inserting in place thereof the following new section 8.28.090, which reads as follows:

8.28.090 Violation - Penalty

A. Criminal Penalty

Any person who knowingly violates any provision of this chapter, or who smokes in an area in which a "Smoking Prohibited By-law" notice is conspicuously posted as required by Section 8.28.070, shall be liable to a fine not exceeding \$50. for each offense.

B. Noncriminal Disposition

Any person who knowingly violates any provision of this chapter, or who smokes in an area in which a "Smoking Prohibited By-law" notice is conspicuously posted as required by Section 8.28.070, 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: Police Officers, Dog Officers, Inspectional Services Inspectors and Parking Control Officers. The penalty for each violation will be \$25.

3. Chapter 8.24 (Rubbish, Garbage and Litter) is hereby amended by striking out the present section 8.24.260 (Violation - Penalty) and inserting in place thereof the following new section 8.24.260, which reads as follows:

8.24.260 Violation - Penalty

A. Criminal Penalty

Any person who violates any section of this chapter shall be subject to a fine not exceeding \$50. Each day's violation shall constitute a separate offense.

B. Noncriminal Disposition

Whoever violates any provision of this chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, s. 21D. For purposes of this section, the Commissioner of Public Works shall be the enforcing officer, except that the Commissioner may delegate his enforcing authority to designated Public Works Enforcement Officers. The penalty for each violation will be \$25. Each day's violation shall constitute a separate offense.

4. Chapter 12.08 (Advertising Signs and Displays) is hereby amended by striking out the present section 12.08.070 (Violation - Penalty) and inserting in place thereof the following new section 12.08.070, which reads as follows:

12.08.070 Violation - Penalty

A. Criminal Penalty

Any person who violates any section of this chapter shall be subject to a fine not exceeding \$50., and each day's violation shall constitute a separate offense.

B. Noncriminal Disposition

Whoever violates any provision of this chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, s. 21D. For purposes of this section, the Commissioner of Public Works shall be the enforcing officer, except that the Commissioner may delegate his enforcing authority to designated Public Works Enforcement Officers. The penalty for each violation will be \$25. Each day's violation shall constitute a separate offense.

5. Chapter 12.16 (Street and Sidewalk Use Regulations) is hereby amended by adding the following new section 12.16.160, which reads as follows:

12.16.160 Violation - Penalty

A. Criminal Penalty

Any person who violates section 12.16.110 (Sidewalks - Snow and ice removal) shall be subject to a fine not exceeding \$50. Each day's violation shall constitute a separate offense.

B. Noncriminal Disposition

Whoever violates section 12.16.110 (Sidewalks - Snow and ice removal) may be penalized by a noncriminal disposition as provided in G.L. c. 40, s. 21D. For purposes of this section, the Commissioner of Public Works shall be the enforcing officer, except that the Commissioner may delegate his enforcing authority to designated Public Works Enforcement Officers. The penalty for each violation will be \$25. Each day's violation shall constitute a separate offense.

6. This ordinance shall take effect on September 1, 1989.

In City Council June 5, 1989.

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

Robert W. Healy, City Manager
Joseph E. Connarton
City Clerk.

ATTEST:-

(C)June8



City of Cambridge

9.

IN CITY COUNCIL

January 29, 1990

MAYOR WOLF

- WHEREAS: On June 5, 1989 an ordinance was passed, Ordinance Number 1084, to take effect on September 1, 1989, to allow certain ordinances to be enforced by non-criminal citations instead of through criminal action, making it easier to get these laws enforced; and
- WHEREAS: The enforcement of the ordinances affected -- noise, smoking, rubbish and littering, signs and displays, street and sidewalk use regulations -- can impact the quality of life in our city in a very meaningful way; and
- WHEREAS: It is, thus, highly desirable to have these ordinances enforced regularly and properly; therefore be it
- ORDERED: That the City Manager report at the next meeting what steps have already been taken to seek non-criminal enforcement in the areas covered by the June ordinance; and be it further
- ORDERED: Any additional steps that are required such as those relating to the budget, collective bargaining, or administrative actions be taken forthwith.

City Council JAN. 29 1990

Adopted by the affirmative vote

of 9 members

John E. Flynn Deputy City Clerk



**ORDINANCE NO. 1084.
Final Publication No. 2450.
First publication in the Chronicle
on May 18, 1989
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Eighty-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 Cambridge Municipal Code.

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

1. Chapter 8.16 (Noise) is hereby amended by striking out the present section 8.16.150 (Violation - Penalty) and inserting in place thereof the following new section 8.16.150, which reads as follows:

8.16.150 Violation - Penalty

A. Criminal Penalty

Any person who violates any provision of this chapter shall be liable to a fine not exceeding \$50. for each offense.

B. Noncriminal Disposition

Whoever violates any provision of this chapter 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: Police Officers, Dog Officers, Inspectional Services Inspectors and Parking Control Officers. The penalty for each violation will be \$25.

2. Chapter 8.28 (Smoking) is hereby amended by striking out the present section 8.28.090 (Violation - Penalty) and inserting in place thereof the following new section 8.28.090, which reads as follows:

8.28.090 Violation - Penalty

A. Criminal Penalty

Any person who knowingly violates any provision of this chapter, or who smokes in an area in which a "Smoking Prohibited By-law" notice is conspicuously posted as required by Section 8.28.070, shall be liable to a fine not exceeding \$50. for each offense.

B. Noncriminal Disposition

Any person who knowingly violates any provision of this chapter, or who smokes in an area in which a "Smoking Prohibited By-law" notice is conspicuously posted as required by Section 8.28.070, 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: Police Officers, Dog Officers, Inspectional Services Inspectors and Parking Control Officers. The penalty for each violation will be \$25.

3. Chapter 8.24 (Rubbish, Garbage and Litter) is hereby amended by striking out the present section 8.24.260 (Violation - Penalty) and inserting in place thereof the following new section 8.24.260, which reads as follows:

8.24.260 Violation - Penalty

A. Criminal Penalty

Any person who violates any section of this chapter shall be subject to a fine not exceeding \$50. Each day's violation shall constitute a separate offense.

B. Noncriminal Disposition

Whoever violates any provision of this chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, s. 21D. For purposes of this section, the Commissioner of Public Works shall be the enforcing officer, except that the Commissioner may delegate his enforcing authority to designated Public Works Enforcement Officers. The penalty for each violation will be \$25. Each day's violation shall constitute a separate offense.

4. Chapter 12.08 (Advertising Signs and Displays) is hereby amended by striking out the present section 12.08.070 (Violation - Penalty) and inserting in place thereof the following new section 12.08.070, which reads as follows:

12.08.070 Violation - Penalty

A. Criminal Penalty

Any person who violates any section of this chapter shall be subject to a fine not exceeding \$50. and each day's violation shall constitute a separate offense.

B. Noncriminal Disposition

Whoever violates any provision of this chapter may be penalized by a noncriminal disposition as provided in G.L. c. 40, s. 21D. For purposes of this section, the Commissioner of Public Works shall be the enforcing officer, except that the Commissioner may delegate his enforcing authority to designated Public Works Enforcement Officers. The penalty for each violation will be \$25. Each day's violation shall constitute a separate offense.

5. Chapter 12.16 (Street and Sidewalk Use Regulations) is hereby amended by adding the following new section 12.16.160, which reads as follows:

12.16.160 Violation - Penalty

A. Criminal Penalty

Any person who violates section 12.16.110 (Sidewalks - Snow and ice removal) shall be subject to a fine not exceeding \$50. Each day's violation shall constitute a separate offense.

B. Noncriminal Disposition

Whoever violates section 12.16.110 (Sidewalks - Snow and ice removal) may be penalized by a noncriminal disposition as provided in G.L. c. 40, s. 21D. For purposes of this section, the Commissioner of Public Works shall be the enforcing officer, except that the Commissioner may delegate his enforcing authority to designated Public Works Enforcement Officers. The penalty for each violation will be \$25. Each day's violation shall constitute a separate offense.

6. This ordinance shall take effect on September 1, 1989.

In City Council June 5, 1989.

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

Robert W. Healy, City Manager

Joseph E. Connarton

City Clerk.

ATTEST:-

(C)June8

Order # 9

F-45

Mayor Wolf re: ^{seeking} ~~seeking~~ on-criminal enforcement
in regards to Ordinance # 1084.

In City Council,

January 29, 1990

*Order adopted
by 9 members*