



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

FAX (617) 349-4307

D. MARGARET DRURY
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

November 17, 1992

Representative Peter Vellucci
Room 167D
State House
Boston, MA 02133

Dear Representative Vellucci:

Pursuant to the request of the City Council and in accordance with the arrangements made with Speaker Flaherty, I am forwarding to you for filing with the Massachusetts House of Representatives, the enclosed order adopted by the Cambridge City Council at its meeting of November 16, 1992 approving the filing of the following attached legislation entitled:

**AN ACT AUTHORIZING THE DIRECTOR OF TRAFFIC AND PARKING
OF THE CITY OF CAMBRIDGE TO ESTABLISH SPEED LIMITS FOR,
AND TO INSTALL SPEED BUMPS ON, RESIDENTIAL PUBLIC WAYS.**

It is my understanding that upon receipt of this legislation you and your staff will review the text of the enclosed legislation to determine its appropriateness for filing and if any changes or corrections are necessary, your office will contact me as soon as possible.

Thank you for your cooperation in this matter.

Very truly yours,


D. Margaret Drury
City Clerk

DMD/dl

Encs.



City of Cambridge

Unfinished Business Item # 2

IN CITY COUNCIL

November 16, 1992

MAYOR REEVES
VICE MAYOR CYR
COUNCILLOR DUEHAY
COUNCILLOR MYERS
COUNCILLOR RUSSELL
COUNCILLOR TOOMEY
COUNCILLOR SULLIVAN
COUNCILLOR WALSH
COUNCILLOR WOLF

ORDERED: That this City Council go on record favoring the filing of the attached Home Rule Legislation entitled "AN ACT AUTHORIZING THE DIRECTOR OF TRAFFIC AND PARKING OF THE CITY OF CAMBRIDGE TO ESTABLISH SPEED LIMITS FOR, AND TO INSTALL SPEED BUMPS ON, RESIDENTIAL PUBLIC WAYS."

In City Council November 16, 1992.

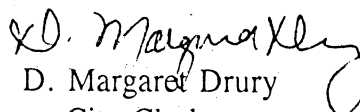
Adopted by a yeas and nays vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-


D. Margaret Drury
City Clerk



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-TWO

AN ACT

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Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

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To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation authorizing the Director
of Traffic and Parking of the city of Cambridge to establish speed
limits for, and to install speed bumps on, residential public ways.

Petitioners are requested to sign names and addresses legibly.

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Fred J. Cooney Jr.

Hugh T. Russell

Wm. H. Sullivan

Alice K. Wray

Wm. H. Walsh

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City of Cambridge

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November 16, 1992

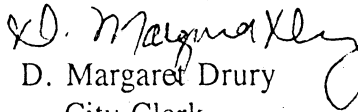
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Adopted by a yeas and nays vote:-
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City of Cambridge

Unfinished Business Item # 2

IN CITY COUNCIL

November 16, 1992

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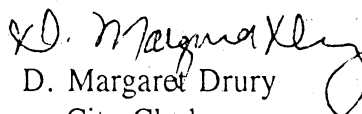
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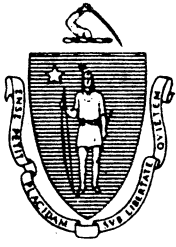
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A true copy;

ATTEST:-


D. Margaret Drury
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The Commonwealth of Massachusetts

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City of Cambridge

Unfinished Business Item # 2

IN CITY COUNCIL

November 16, 1992

- MAYOR REEVES
- VICE MAYOR CYR
- COUNCILLOR DUEHAY
- COUNCILLOR MYERS
- COUNCILLOR RUSSELL
- COUNCILLOR TOOMEY
- COUNCILLOR SULLIVAN
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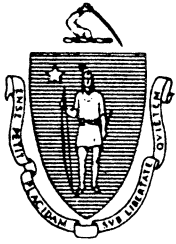
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A true copy; *D. Margaret Drury*

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The Commonwealth of Massachusetts

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City of Cambridge

Unfinished Business Item # 2

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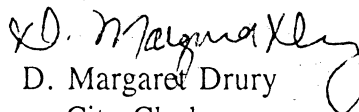
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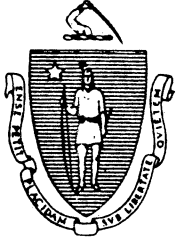
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The Commonwealth of Massachusetts

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City of Cambridge

MASSACHUSETTS

Unfinished business #2
H. R. legisl. to give
Cms. authority to regulate speed

In City Council November 16 1992

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan	✓				
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf	✓				
Mayor Kenneth E. Reeves	✓				
	9	0	0	0	

AW m. S.
R. F



CITY OF CAMBRIDGE

Office of the City Solicitor

City Hall

795 Massachusetts Avenue

Cambridge, Massachusetts 02139

Tel. (617) 349-4121

Fax. (617) 349-~~4307~~ 4134

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

November 12, 1992

Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: *Pedestrian Warning Signs -- Home Rule Legislation Authorizing Speed Limits and Speed Bumps -- Council orders 27 and 93 dated 9/14/92*

Dear Mr. Healy:

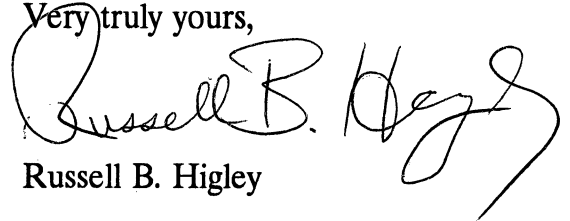
I am resubmitting our draft of a Home Rule Petition relating to speed limits and speed bumps. As you know, I originally submitted this to you, for transmission to the City Council, on October 1, 1992. When the petition was taken up by the Council there was some discussion of the perceived need for authority by special act to install these pedestrian warning signs in crosswalks, and the City Council referred the matter back to my office for additional language. At the last City Council meeting there was further discussion of the issue, and that discussion revealed some apparent confusion regarding the subject.

Some members of the Council seemed to be under the impression that state law prohibits the use of these warning signs in crosswalks. They pointed out that they had been so advised in the past by the Traffic Director. It is true that at one time state law required the approval of the Massachusetts Highway Department (MHD) for installation of these devices, and the state declined to provide such approval, viewing the devices as dangerous. In 1986, however, the General Laws were amended to allow installation of such devices without MHD approval on local streets.

At least as early as November 13, 1991 the Traffic Director advised the City Council that state law did not prohibit the use of these devices any longer. See, attached copy of November 13, 1991 memorandum from George Teso. The Traffic Director referred in his memorandum to continuing concerns about the advisability of using the devices.

As this information would suggest, it is my opinion that there is no need for a Home Rule Petition seeking a Special Act to authorize the use of these devices. The Traffic Director currently possesses authority to install such devices. I am accordingly resubmitting the draft Home Rule Petition without changes.

Very truly yours,

A handwritten signature in black ink, appearing to read "Russell B. Higley". The signature is written in a cursive style with a large, sweeping flourish at the end.

Russell B. Higley



CITY OF CAMBRIDGE

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Legal Counsel

October 1, 1992

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Home Rule Legislation re Speed Limits and Speed Bumps
Council Orders 27 and 93 dated 9/14/92

Dear Mr. Healy:

Enclosed is a draft of the home rule legislation requested by the City Council. It authorizes the Director of Traffic and Parking to establish speed limits for, and to install speed bumps on, residential public ways.

Very truly yours,

Russell Higley

RBH/ajg
Enclosure

cc: George Teso, Director of Traffic and Parking



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-TWO

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CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert Healy, City Manager Date Nov. 13, 1991
From George Teso, Traffic Director Reference
Subject Council Orders #33, 14, 8 dated 3/18/91, 6/3/91, 10/7/91
Ref: Pedestrian Warning Signs

The Traffic and Parking Department has studied the use of stanchions in the middle of a street with signs stating that pedestrians have the right of way when in the crosswalk. We have also researched various ways and means to improve safety at certain pedestrian crossings where both the traffic and pedestrian volumes are high.

It is our opinion, as well as the state and various other communities that we have consulted with, that the placing of these signs in the middle of a street is dangerous. Placement of these devices in the roadway creates new hazards such as vehicles hitting the stanchions or hitting other vehicles when swerving to miss the stanchion. These signs also give pedestrians a false sense of security as they tend to step out into traffic even if it is not safe to cross. In one community which recently decided to use stanchions, the pedestrian accidents have increased and they feel that complacency by the pedestrians may be the reason.

We have consulted with the Law Department regarding the legality of the use of stanchions in the roadway. Nothing in the Commonwealth's laws currently prohibits the use of such stanchions. The Law Department has indicated, however, that based upon our opinion of the dangers involved in the use of stanchions, along with the same opinion held by the state and traffic experts generally, it would place the city in a vulnerable position with regard to liability for any injuries that might result from the use of stanchions.

We will be installing signs that read: "State Law Stop For Pedestrians in Crosswalk" along both sides of the roadway at the crosswalk on standard poles, as other communities are now doing.

The criteria used to determine the need for these signs shall be the guidelines published by the United States Department of Transportation, the Commonwealth of Massachusetts and the International Institute of Transportation Engineers.

We will issue press releases advising motorists of the laws concerning pedestrians' rights in the crosswalk and to pay attention to these signs as well as all painted crosswalks in the city. We will also meet with the police department to setup an enforcement program for pedestrian safety giving special attention to these crossings.

It is our opinion that with our narrow streets any obstruction would make our existing lane widths even smaller and force vehicles to violate the law by crossing over the center line of the street. This is especially true for streets with trackless trolley routes which require extra lane width.

We will institute this program as soon as the signs are purchased and fabricated which should take one to two months.

92 NOV 12 PM 10 38

LAW DEPARTMENT

5.



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

November 16, 1992

To The Honorable, The City Council:

With reference to Council Order Nos. 27 and 93 dated 9/14/92 regarding pedestrian warning signs and Home Rule legislation authorizing speed limits and speed bumps, please find attached a response from Russell B. Higley, City Solicitor and a response previously submitted to the Council from Traffic Director George Teso.

The Solicitor advises that there is no need for Home Rule legislation for the Traffic Director to install traffic stanchions in pedestrian crosswalks because the Traffic Director already possesses the authority to do so. As the Traffic Director informed the Council in the attached November 1991 memorandum, there is no legal barrier to installation of the stanchions. The Traffic Director informed the Council a year ago that in his best judgment, the stanchions would not promote pedestrian safety. The Council has continued to urge the Department to use stanchions in crosswalks.

The Traffic Director continues to believe that the stanchions are not the best way to promote pedestrian safety. However, in response to the Council's desires, the Traffic Director will now prepare a pilot program to place stanchions in a number of crosswalks. The Director will develop the criteria for placement of the stanchions, and the Department will monitor the results.

Very truly yours,

Robert W. Healy

Consent Agenda # 5

Relative to Council Order Nos. 27 and 93 dated 9/14/92 regarding pedestrian warning signs, Home rule Legislation authorizing speed limits and speed bumps.

In City Council,

November 16, 1992

*Referred to Unfinished
Business Item # 2*



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Legal Counsel

October 1, 1992

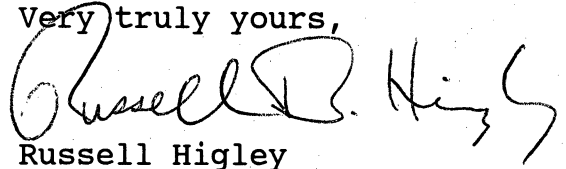
Mr. Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Home Rule Legislation re Speed Limits and Speed Bumps
Council Orders 27 and 93 dated 9/14/92

Dear Mr. Healy:

Enclosed is a draft of the home rule legislation requested by the City Council. It authorizes the Director of Traffic and Parking to establish speed limits for, and to install speed bumps on, residential public ways.

Very truly yours,


Russell Higley

RBH/ajg
Enclosure

cc: George Teso, Director of Traffic and Parking



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

October 5, 1992

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item Nos. 19 and 34, regarding a draft Home Rule Legislation allowing the City of Cambridge to regulate speed limits on residential public ways, received from Russell B. Higley, City Solicitor.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

CONSENT AGENDA ITEM #8

S-968

Awaiting Report Item Nos. 19 & 34 relative to the draft of a Home Rule Legislation allowing the city of Cambridge to regulate speed limits on public ways.

InCity Council,

October 5, 1992

*Referred to
Unfinished Business
on motion of Councillor
Walf.*

*11/10/92 Order adopted
9-0-0.*