

PRELIMINARY DRAFT

CHAPTER 13

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CHAPTER 13

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ARTICLE I. GENERAL CONDITIONS

SECTION 13.101. LICENSES AND PERMITS; REVOCATION. All licenses and permits issued to any person under any ordinance or order of the City Council or the Board of License Commissioners or any other board or official of the City having power to issue licenses and permits shall be issued subject to the condition that the same may be revoked at any time, at the option of the department or body from which the same were issued, or at the option of any future department or body. (G.O. 1943, c. 18, sec. 1)

SECTION 13.102. LICENSES AND PERMITS TO STATE CONDITIONS. Every officer or board issuing a license or permit shall insert therein the following conditions: (1) the person accepting the same shall conform to all applicable statutes and ordinances, and to the specifications in the license or permit; (2) the license or permit may be revoked at any time by the authority issuing it; and (3) the violation of any of its specifications shall work an immediate revocation of the license or permit. (G.O. 1943, c. 18, sec. 2)

SECTION 13.103. BOND REQUIRED. Licenses and permits shall have no force or validity until a bond or other satisfactory security, when required, shall be given to the City indemnifying and saving harmless the City from all liability, loss and expense whatsoever which the City may incur and suffer arising out of the issuing of such license or permit with such surety or sureties and in such

ORDINANCE NO. 914.

Final Publication No. 1984. First Publication in the Cambridge Chronicle on February 15, 1979.

**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 Twelve entitled: "Licenses and Permits" is hereby amended by striking out the present section 12-12 and substituting in place thereof a new section 12-12 entitled: "Regulations for Automatic Amusement Devices", to read as follows:

Sec. 12-12. Regulations for Automatic Amusement Devices.

(a) **Definitions.** For the purposes of this Section, an "automatic amusement device" shall mean any mechanism whereby, through the insertion of a coin or token, any apparatus is released or set in motion or is put in a position where it may be set in motion for the purpose of playing any game, involving, in whole or in part, the skill of the player, including, but not exclusively, such devices as are commonly known as pinball machines, including free play pinball machines.

For the purposes of this Section, a "person" shall have the same definition as set forth in Section 1-16 of this Code.

(b) **License Required.** It shall be unlawful for any person having title to or responsibility for the maintenance or operation of any restaurant, public hall, store, place of amusement or any other place to which members of the public may resort, to maintain, operate or permit to be operated or maintained in said premises, any automatic amusement device without having first obtained a valid license from the License Commission, pursuant to the provisions of this Ordinance.

(c) **Gambling Devices Not Permitted.** Nothing in this ordinance shall in any way be construed to authorize, license or permit any gambling devices whatsoever, or any mechanism that has been judicially determined to be a gambling device, or in any way contrary to law, or that may be contrary to any future laws of the Commonwealth of Massachusetts.

(d) **Application.** Application for such license shall be made out in duplicate and submitted to the License Commission upon a form to be supplied by the License Commission for that purpose. The application for such license shall contain the following information:

(1) Name and address of the applicant, age, date and place of birth. If said applicant is a corporation, partnership, association, or other business entity, said application shall include certified documentation sufficient to prove the applicant's existence, principal business address, person or officer upon whom service of process may be served, and the names and addresses of all directors, partners, or if an association, of all members of said association.

(2) Prior criminal convictions, if any, of applicant or its directors, partners or members as specified in (1), above.

(3) Place where machine or device is to be displayed or operated and the business conducted at that place.

(4) Description of machine or machines to be covered by the license, mechanical features, name of manufacturer(s), serial number(s).

(5) A floor plan of the business premises intended to be used for the housing of automatic amusement devices for play by members of the public. For the purpose of this Subsection, the term "business premises" shall include the entire building or structure housing said automatic amusement devices, and open for public access. Said floor plan shall clearly indicate the total square foot area of said business premises and shall indicate the intended position of said automatic amusement devices. The scale of said plan shall be established by regulation of the License Commission.

(6) An approved Certificate of Occupancy issued by the Building Department for the business premises intended to be used for the housing of automatic amusement devices for play by members of the public.

(7) A certificate of approval issued by the City Electrical Inspector, verifying that the electrical installation in said premises is adequate for the uses intended and is in conformance with the Massachusetts Electrical Code (Form FPR-11) as amended.

(8) The names and residential addresses of all persons as defined in Section 1-16 of this Code who have any equitable interest in, or who have otherwise contributed valuable consideration to the applicant's business or to the applicant personally, insofar as said interest or consideration relates to the procurement, maintenance, operation or display of automatic amusement devices.

(9) Documentation sufficient to prove that the automatic amusement devices sought to be licensed are lawfully in the possession of the applicant.

(e) **Age of Applicant.** No license shall be issued to any applicant unless he or she shall be over eighteen (18) years of age, and provide proof of United States citizenship or legal residence status as an alien.

This provision shall similarly apply to any applicant acting as the authorized agent of a corporation, partnership, association, or other business entity.

(f) **Consideration of Application.** The License Commission shall conduct a public hearing in accordance with the provisions of General Laws, Chapter 39, Section 23B, within thirty days from the date of receipt by the License Commission of a properly completed application as set forth in sections (d) and (e) above, to consider said application.

The License Commission shall grant a license under the provisions of this ordinance unless it specifically finds and states in writing within thirty days from the date of said public hearing that (1) the applicant is not a person of good moral character or (2) that the granting of said license at the premises intended would lead to the creation of a nuisance or otherwise endanger the public health, safety, morals, order or general welfare by:

(a) unreasonably increasing pedestrian or vehicular traffic in the area in which the premises are located or

(b) increasing the incidence of illegal or disruptive conduct in the area in which the premises are located or

(c) unreasonably increasing the level of noise in the area in which the premises are located or

(d) otherwise significantly harming the legitimate protectable interests of the affected citizens of the city.

No application shall be denied if the anticipated harm is not significant or if the likelihood of its occurrence is remote.

(g) **License Fee.** Every applicant, before being granted a license shall pay \$20.00 as the annual license fee for the privilege of operating or maintaining for operation each automatic amusement device as defined in subsection (a) herein. Each license shall expire on December 31 of each year. A license shall not be transferrable from person to person nor place to place, and shall be usable only at the place and by the person designated in the license.

(h) Display of License.

(1) The license herein provided for shall be posted permanently and conspicuously in the premises wherein said device or devices are to be operated or maintained to be operated.

(2) Such license may be transferred from one device or devices to another similar device or devices upon application to the License Commission to such effect and the giving of a description and the serial numbers of the devices involved in the transfer and the filing of a \$2.00 fee.

(3) If the licensee shall move his place of business to another location within the City of Cambridge, the license may be transferred to such new location only upon reapplication to the License Commission in accordance with the provisions of Sections d, e, and f of this ordinance.

(i) **Revocation of License.** Every license issued under this ordinance is subject to the right, which is hereby expressly reserved, to revoke the same should the licensee, directly or indirectly, permit the operation of any automatic amusement device contrary to the provisions of this ordinance, the ordinances of the City of Cambridge, or the laws of the Commonwealth of Massachusetts. Said license may be revoked by the License Commission after written notice to the licensee, which notice shall specify the ordinance or law violations with which the licensee is charged, if after a hearing the licensee is found to be guilty of such violations. Ten days notice of the hearing shall be given the licensee. At such hearing the licensee and his attorney may present and submit evidence of witnesses in his defense.

(j) **Seizure and Destruction of Device.** If the Chief of Police shall have reason to believe any mechanical amusement device or devices are used as gambling devices, he shall, upon a validly issued search and seizure warrant cause said device or devices to be seized and impounded and if upon trial of the exhibitor for allowing said device or devices to be used as a gambling device, said exhibitor be found guilty; such device or devices shall be destroyed by the police, upon proper order by the Court.

(k) Prohibitions.

(1) No person holding a license under this ordinance nor any employee or agent of such person shall permit persons under eighteen (18) years of age to play or operate any automatic amusement device located in an establishment also holding a license under the provisions of General Laws, Chapter 138, Sections 12 to 14. The licensee shall post permanently and conspicuously at the location of the device or devices so licensed in premises so licensed a sign warning persons under eighteen years of age of this prohibition.

(2) All Automatic Amusement devices situated on business premises for play by members of the public shall be so installed as to afford an open and accessible space of eighteen (18) inches between each device and any adjacent device, wall, or partition. Each device shall be installed in such manner as to afford a direct and unobstructed means of entrance and exit from the business premises by means of a corridor or system of corridors of no less than thirty-six (36) inches in width.

(3) Any business establishment which utilizes more than a total of one hundred and fifty (150) square feet of open and accessible space between said devices and for use as corridors between or adjacent to said devices as detailed in the immediately preceding paragraph, or any business establishment which displays on its premises a number of automatic amusement devices available for play by the public, which devices if played simultaneously could accommodate an aggregate of fifty or more players, shall be deemed a place of public assembly and shall be subject to all regulations of the Commonwealth of Massachusetts State Building Code governing places of public assembly as set forth therein.

(4) It shall be unlawful and a violation of this ordinance for any business establishment to erect and maintain for play by members of the public, more than one (1) Automatic Amusement Device for each five hundred (500) square feet of gross floor area of said business establishment.

For the purposes of this subsection, gross floor area shall be defined as the sum, in square feet, of the gross horizontal areas of all of the floors of a building, as measured from the exterior walls separating two buildings. Gross floor area shall include:

- a) elevator shafts and stairwells on each floor;
- b) attic space, whether finished or unfinished, not excluded in (4) below;

- (c) interior balconies, mezzanines, and
- d) basement and cellar areas not excluded in (2) below.

Gross floor area shall not include:

- 1) areas used for parking garages, accessory parking, or off street loading purposes;
- 2) basement and cellar areas devoted exclusively to the operations and maintenance of the building such as heating and cooling equipment, electrical and telephone facilities, and fuel storage;
- 4) attic space and other areas for elevator machinery or mechanical equipment necessary for the operation of the building.

(5) It shall be unlawful for any licensee or permit holder to operate any establishment without an attendant on the premises; that is, at least one employee in attendance at all times.

(6) It shall be unlawful for a licensee to allow any person under the age of seventeen (17) years to play an automatic amusement device during the hours of 8:30 A.M. to 3:00 P.M. when schools are in session.

(l) **Rules and Regulations of Commission.** The License Commission shall issue rules and regulations for the use of such automatic amusement devices, but said rules and regulations may only relate to compliance with applicable laws or ordinances; or to public safety, health order or welfare; or to steps required to be taken to guard against creation of a nuisance or to insure adequate safety and security for patrons or the affected public. The License Commission may also require from time to time the furnishing of reports concerning the ownership if such devices or other interest therein, receipts for the use of such devices and any other information which it may deem pertinent concerning such devices and their use and operation.

(m) **Penalty.** Any person, firm or corporation violating any of the provisions of this ordinance, in addition to the revocation of his or its license, shall be liable to a fine or penalty of not less than \$50.00 nor more than \$200.00 for each offense. Every day that the offense continues shall be considered a separate violation.

(n) **Repeal of Conflicting Ordinance.** All existing ordinances of the City of Cambridge are hereby repealed insofar as they may be inconsistent with the provisions of this ordinance.

(o) **Separability of Provisions.** It is the intention of the City Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

(p) **Effective Date.** The ordinance shall be in full force and effect sixty (60) days from the date of passage for all business premises which currently maintain and operate automatic amusement devices for play by members of the public. For all other applicants, this ordinance shall take effect on the date of passage.

In City Council March 26, 1979.

Passed to be ordained as amended by a yeas and nays vote: Yeas 7; Nays 1; Absent 0; Present 1.

James L. Sullivan, City Manager
Paul E. Healy, City Clerk.

ATTEST:
(C) Ap5

500 feet is too great an area for one machine. Recommend that "500 feet" be reduced.

privilege

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amounts as may be satisfactory to the City Auditor and approved by the City Manager. (G.O. 1943, c. 18, sec. 3)

SECTION 13.104. ADDITIONAL SURETIES ON BONDS. Additional sureties shall be furnished on all such bonds mentioned in Section 13.103 of this Chapter, as well as on all bonds heretofore given under any ordinance or order of the City Council or under any provision of law, whenever, in the manner and as often as in the opinion of the department or body from which the licenses and permits were issued, or any such future department or body, it seems to be for the best interests of the City to require the same. (G.O. 1943, c. 18, sec. 4)

SECTION 13.105. EXAMINATION OF SURETIES. The sufficiency of all sureties upon all bonds hereafter given to the City shall be examined at least once every year under the direction of the City Auditor who shall report the result of such examination to the respective department or other body which issued the license or permit, or any succeeding department or body. (G.O. 1943, c. 18, sec. 6)

SECTION 13.106. PREMISES TO BE RESTORED AT COST OF LICENSEE. In addition to and as a further condition of the aforesaid bond the person so licensed or permitted shall consent by an agreement satisfactory to the City Solicitor, to bind himself; his heirs, successors and assigns to restore at his (their) own expense the premises under which the license or permit was originally issued to the same condition that it was in at the time of the granting of such license or permit. (G.O. 1943, c. 18, sec. 5 as amended)

ARTICLE II. AMUSEMENT DEVICES

A. PINBALL MACHINES, ETC.

*Substitute
new ordinance
Ordinance
No. 914*

~~SECTION 13.201. AUTOMATIC AMUSEMENT DEVICES; LICENSE; REPORTS; REVOCATION. (a) For the purposes of this Section an automatic amusement device shall mean any mechanism whereby, through the insertion of a coin or token, any apparatus is released or set in motion or is put in a position where it may be set in motion for the purpose of playing any game, including, but not exclusively, such devices as are commonly known as pinball machines, marble games, diggers, grab machines, baseball or football machine games, target machines and horse racing machines.~~

~~(b) No person shall, except in accordance with a license granted by the License Commission, maintain, operate or permit to be operated or maintained in any restaurant, public hall, store, place of amusement or any other place to which members of the public may resort, any automatic amusement device.~~

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(c) Licenses granted for the maintenance, possession and operation of such automatic amusement devices shall be issued annually to expire on December 31 on each year. The charge for such license shall be Twenty (\$20.00) Dollars per year for each device. *Such fee may be pro-rated if issued after January 31, in any year. The fee for every change*

pro-rated

(d) The License Commission shall issue rules and regulations for the use of such automatic amusement devices by the holders of licenses and it may require, from time to time, the furnishing of reports concerning the ownership of such devices or any interest therein, receipts for the use of such devices, and any other information which it may deem pertinent concerning such devices and their use and operation.

(e) No person holding a license for the use of any such automatic amusement device shall use or permit it to be used for the purpose of gambling in any manner whatsoever, either directly or indirectly. Any violation of this provision shall be cause for the revocation of such license for such device and for all such devices owned or controlled by the person violating this provision. (Ord. No. 95, Dec. 16, 1946, as amended by Ord. No. 210, March 7, 1949)

Ordinance to be incorporated

B. JUKE BOXES, ETC.

SECTION 13.202. AUTOMATIC MUSIC MACHINES; LICENSE; EXCEPTION; REPORTS. (a) For the purposes of this Section, an automatic music machine shall mean any instrument or device by which, through the insertion of a coin, any mechanism is placed in operation or is put in a position where it may be put in operation to play music in any manner or form.

(b) No person, except as herein otherwise provided, shall maintain, operate or permit to be maintained or operated in any restaurant, public hall, store, place of amusement or any other place to which members of the public may resort, any automatic music machine, unless the maintenance or operation of such machine shall be in accordance with a license granted by a ~~Committee~~ *Commission* consisting of the Chairman of the License Commission, the Chief of the Fire Department and the Chief of the Police Department; Provided, however, that the requirement of such license shall not apply to the maintenance or operation of automatic music machines by charitable, religious, benevolent or veterans' organizations.

Commission

✓ (c) Licenses granted for the maintenance, possession and operation of such automatic music machines shall be issued annually, to expire on December 31 of each year. The charge for such license shall be ~~Twenty (\$20.00)~~ *\$25* Dollars for each machine. Any machine arranged for operation of more than one outlet shall, for the purposes of such license fee, be regarded as one machine.

\$25

(d) The City Council may issue rules and regulations for the use of such automatic music machines by the holders of licenses and it may require, from time to time, the furnishing of reports concerning ownership of such machines,

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or any interest therein, receipts for the use of such machines, and any other information which it may deem pertinent concerning such instruments, their use and operation. (Ord. No. 40, April 9, 1945)

C. BOWLING ALLEYS

SECTION 13.203. OPERATION OF BOWLING ALLEYS ON SUNDAY; REGULATIONS. Licenses for the operation of bowling alleys on Sunday, upon petition therefor may be granted by the City Council under the terms and conditions as herein set forth: (a) Licenses for such operation on Sunday shall be granted only to applicants who hold general licenses to operate bowling alleys, granted and issued by the License Commission.

(b) Licenses voted by the City Council shall be for the term of one year or any portion thereof, beginning with January 1 in each year. Licenses voted by the City Council shall be issued by the License Commission, and the fee therefor shall be Fifty (\$50.00) Dollars per year for each bowling alley or bed.

(c) Bowling alleys are to be operated between the hours of 1:00 P.M. and 11:00 P.M.; Provided, that no such license may authorize the operation of bowling alleys on Easter or on Christmas Day if such day falls on Sunday.

(d) Licenses to operate bowling alleys on Sunday shall be issued upon the following conditions: (1) that a duly accredited representative of the City and Commonwealth may enter upon and inspect the premises at any time; (2) that the provisions of Chapter 136 of the General Laws, as amended, will be complied with; and that failure to comply with any of said provisions or any rule or regulation as herein set forth or as subsequently adopted by the City Council or the Commissioner of Public Safety of the Commonwealth shall serve as a revocation of the license, subject to determination of the City Council.

(e) The licensee shall display the license to operate on Sunday in a prominent place on the premises. (Ord. No. 100, December 30, 1946)

ARTICLE III. PAWNBROKERS

SECTION 13.301. LICENSES. The Board of License Commissioners shall issue licenses to pawnbrokers in accordance with the provisions of and subject to the limitations in 4 A.L.M., c. 140, secs. 70-85, inclusive, and any other acts relative to the business of pawnbrokers and any acts in amendment thereto now or hereafter passed. (G.O. 1943, c. 21, sec. 1)

SECTION 13.302. HOURS OF BUSINESS. Every pawnbroker licensed in the City shall not be open for business except during the following hours: (a) On Mondays, Tuesdays, Wednesdays, and Saturdays from 8:00 A.M. to 6:00 P.M.

Friday

*out - No
Sunday license
necessary
Ch. 136, GL
Law was
changed in
1974*

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(b) On Thursdays and ^{Saturdays} ~~Fridays~~ from 8:00 A.M. to ^{10 PM} ~~9:00 P.M.~~ (G.O. 1943, c. 21, sec. 2 as amended by Ord. No. 400, Dec. 1, 1952)

All pawnbroker shops must be closed on legal holidays.

ARTICLE IV. PEDDLERS

SECTION 13.401. PERMIT REQUIRED.¹ (a) No person shall, except in accordance with a permit from the Commissioner of Public Works, sell upon any sidewalk of any public way any goods or article, or permit to remain in any public way for more than fifteen minutes any goods or article of which he is the owner or in charge. No person shall place or keep any table, stall, booth or other obstruction, in any street, public place or any sidewalk, for the sale of any merchandise, without permission from the Commissioner of Public Works. The fee for the permit aforesaid shall be Fifty (\$.50) Cents. (G.O. 1943, c. 22, sec. 1)

Street Signs



(b) The permit shall state the conditions and terms under which said permission shall be granted; a violation of any of the terms of said permit shall of itself be a sufficient cause for the revocation thereof. (G.O. 1943, c. 22, sec. 7)

SECTION 13.402. LICENSE. The Board of License Commissioners may grant a license to hawk and peddle meats, butter, cheese, fish and fresh fruits or vegetables to a resident of the City who is of good repute as to morals and integrity, and who is, or has declared his intention to become a citizen of the United States. The fee for said license shall be Ten (\$10.00) Dollars. (G.O. 1943, c. 22, sec. 3, as amended by Ord. No. 321, Feb. 12, 1951)

Twenty (\$20) Dollars

SECTION 13.403. HOURS AND MANNER OF CRYING WARES. No person hawking, peddling or selling or exposing for sale, any of the articles enumerated in G.L., c. 101, sec. 17, shall cry his wares, before the hours of 8:00 A.M. or after the hours of 8:00 P.M., or at any time when such noise disturbs the peace of any reasonable person of normal sensitivities residing in the area. (G.O. 1943, c. 22, sec. 4, as amended)

SECTION 13.404. MANNER OF CONVEYING WARES; PERISHABLE GOODS. No hawker or peddler shall carry or convey any of the articles enumerated in G.L., c. 101, sec. 17, in any manner that will tend to injure or disturb the public health or comfort, and if such articles are perishable in their nature, they shall be conveyed in vehicles or receptacles which are neat and clean and do not leak. Any vehicles, used as aforesaid, shall have printed on them in letters and figures at least two (2) inches in height the name of the person selling and the number given him by the Board of License Commissioners. (G.O. 1943, c. 22, sec. 5)

¹ For additional regulations relative to obstruction of public ways and display of merchandise, see secs. 18.230 and 18.231 of this code.

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SECTION 13.405. ARTICLES SOLD BY WEIGHT OR MEASURE. No hawker or peddler shall sell any of the articles enumerated in G.L., c. 101, sec. 17, when said articles are sold by weight or measure, until such weight and measure shall have been stamped by the Sealer of Weights and Measures. (G.O. 1943, c. 22, sec. 6)

SECTION 13.406. RESTRICTED AREA. No person shall, within the limits of Memorial Drive on the south from the Western Avenue Bridge to Hawthorne Street, to Mount Auburn Street, to Ash Street, to Mason Street, to Garden Street, to Chauncy Street, to Everett Street, to Oxford Street, to Kirkland Street, to Trowbridge Street, to Putnam Square to Putnam Avenue, to Western Avenue and return to Memorial Drive at the Western Avenue Bridge: hawk or peddle, sell or expose for sale, distribute or give away goods, wares or merchandise within the confines of the above described area except when authorized to do so by Chapter 101 of the General Laws and acts in amendment thereof or in addition thereto, except under a permit issued by the Chief of Police. The provisions of this Section shall not apply to the sale of newspapers. (Ord. No. 761, Dec. 4, 1967)

SECTION 13.407. PENALTY. Any person violating any of the provisions of Sections 13.401 to 13.406 of this Chapter shall be liable to a penalty of not exceeding Fifty (\$50.00) Dollars for each offense. (G.O. 1943, c. 22, sec. 8)

SECTION 13.408. MINORS. The Board of License Commissioners shall issue licenses to minors to engage in street trades or other employment in accordance with all provisions and limitations of the laws of the Commonwealth, applicable to the employment or the working of minors. (G.O. 1943, c. 22, sec. 9)

ARTICLE V. PETROLEUM

SECTION 13.501. LICENSES. Licenses shall be granted by the Board of License Commissioners pursuant to the regulations and restrictions contained in G.L., c. 148, secs. 1 et seq. (G.O. 1943, c. 23, sec. 1)

SECTION 13.502. FEES FOR LICENSES. (a) Fees for licenses for garages and for the keeping and storage for sale of petroleum products or any other inflammable fluids required under Chapter 148 of the General Laws, Section 13, as amended, are hereby established as follows:

Aggregate Car Storage Capacity for each garage	Fee for Original License
5 to 10 cars	\$ 5.00
11 to 50 cars	10.00
51 cars, or over	20.00

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(b) No fee for certificates of registration shall be required for garages having a capacity of not more than four cars.

(c) If petroleum products are kept and stored for sale from a garage, or if there shall have been issued a license to sell second hand automobiles for such garage or its occupant, then the fee for registration provided for in G.L., c. 148, sec. 13, as amended, shall be one-fourth of the original license fees above provided for.

(d) Fees for licenses for keeping and storage for sale of petroleum products or any other inflammable fluids are hereby established as follows, except where the license is issued for the keeping and storage for direct consumption of the premises licensed or direct consumption by motor vehicles owned by the licensee or his assignee and not for sale of petroleum products or any other inflammable fluids.

Aggregate Storage Capacity for entire parcel of land licensed	Fee for Original License
1 to 6,000 gallons	\$ 10.00
6,001 to 12,000 gallons	40.00
12,001 to 50,000 gallons	80.00
50,001 to 100,000 gallons	100.00
100,001 to 500,000 gallons	150.00
500,001 to 1,000,000 gallons	250.00
Over 1,000,000 gallons	500.00

(e) If a license is applied for solely for the purpose of keeping and storing for direct consumption on the premises licensed or for direct consumption by motor vehicles owned by the licensee or his assignee and not for sale of petroleum products or any other inflammable fluids, the fee shall be Two (\$2.00) Dollars.

(f) Except as otherwise provided in this Section, the fee for a certificate of registration provided for in General Laws, Chapter 148, Section 13, as amended, shall be one-half of the original license fees according to the schedule above set forth, payable annually or on or before April 30 in each year. (Ord. No. 39, April 9, 1945)

ARTICLE VI. JUNK AND SECOND HAND DEALERS

SECTION 13.601. LICENSE REQUIRED. (a) No person shall solicit for, be a collector of, or a dealer in junk, old metals, secondhand articles or rags, cotton, ~~feathers, paperstock, excelsior, straw,~~ or other inflammable junk, or be a keeper of a shop for the keeping, purchase, storage, sale or barter of same in this City, unless duly licensed therefor by the Board of License Commissioners. (~~G.L. 1943, c. 16, sec. 1~~) *as amended*

(b) Every such license shall contain the requirements of the ordinances and

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regulations applicable thereto, and shall also contain, with reference to the license issued to collectors and dealers the further provision that each such collector and dealer shall, in addition to his license, receive from the Board of License Commissioners a badge, for which he shall pay the sum of Seventy-five (\$75) Cents. While engaged in the collection of junk, old metals, secondhand articles or rags, every person so licensed shall wear in plain sight a badge with the appropriate words and numbers thereon, and shall upon the request of any Police Officer, exhibit his license for inspection. (G.O. 1943, c. 16, sec. 11)

This has never been enforced!

(c) The requirements of this Section shall include all persons engaged directly or indirectly in the business of promoting or offering articles, materials, appliances, furniture or any other item for sale or resale at ~~yard sales, garage sales, barnyard sales~~ or any property or in any public place. Persons engaged in activities as outlined in this paragraph shall obtain a license from the Board of License Commissioners upon proper application prepared by the Board which will be designed to elicit the following information: (1) The name and address of all participants in the sale; (2) the premises where the sale will take place; (3) a complete inventory of the articles, etc. to be offered for sale; (4) the time, place, and manner of purchase or acquisition of all articles offered for sale; (5) the name of the vendor of said article; (6) the name, address, and any other information relevant to the purchaser of said articles; and (7) any other information which the Board requires to safeguard the interests of the general public.

(d) The Board of License Commissioners ^{is} ~~are~~ hereby authorized to invoke any other restrictions outlined in Article VI. to said sales as they may deem appropriate to implement the intent of this ordinance and the penalty outlined in Section 13.609 of this Article is applicable to all offenses under this ordinance.

SECTION 13.602. FORM OF LICENSE, BUILDING REQUIREMENTS; HEARING; FEE. (a) No license shall be granted to a person, for the purchase, storage, sale, barter or exchange of rags, paper stock, or other inflammable junk, unless the premises of said business meet the following requirements: (1) the building must be of first class or second class construction as defined by the Commonwealth of Massachusetts State Building Code. Any building in existence prior to October 4, 1943 is exempt from this provision provided that said building shall be equipped with sprinkler system and provided also that said building shall be otherwise satisfactory to the Chief of the Fire Department and the Superintendent of Buildings; (2) any portion of said building which is used for the storage of the above mentioned inflammable substances shall be in a portion of said fireproof building which is entirely enclosed by fireproof partitions, ceilings, and floors of brick, concrete, corrugated or sheet iron, or other fireproof material with fireproof doors and wire glass windows.

(b) No such license shall be granted until a public hearing is held by the Board of License Commissioners, seven days notice of which shall be given by mailing a

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copy of the notice to abutting property owners and other persons interested within a radius of one hundred yards of the proposed building, such notice to be at the expense of the applicant.

(c) The fees for licenses covered by this article shall be such as are established from time to time by the License Commission. (G.O. 1934, c. 16, sec. 2 as amended)

SECTION 13.603. RECORD OF PURCHASES. Every keeper of a shop for the purchase, storage, sale, or barter of junk, old metals, or secondhand articles shall keep a book in which shall be legibly written a description of the article sold, the time and date of sale, and the name, age, and residence of the person from whom such purchase was made. No entry in such book shall be changed, erased, or obliterated. Such book, any such shop, and all articles of merchandise therein, shall be open at all times to the examination of the Board of License Commissioners, members of the Police Department, or any person authorized by the Board to make such examination. (G.O. 1943, c. 16, sec. 3 as amended)

SECTION 13.604. SIGNS ON SHOPS. Every such keeper of a shop shall put in some suitable and conspicuous place on his shop, a sign having his name and occupation legibly inscribed thereon in large letters, so that the same may be distinctly seen. (G.O. 1943, c. 16, sec. 4)

SECTION 13.605. PURCHASE FROM MINORS. No keeper of such shop, and no solicitor, collector, or dealer shall directly or indirectly, either purchase or receive, by way of barter or exchange any junk, old metals, secondhand articles or rags from a minor ~~or apprentice~~, knowing or having reason to believe him to be such. (G.O. 1943, c. 16, sec. 5)

SECTION 13.606. NO RESALES FOR THIRTY DAYS. No article purchased or received by any keeper of such shop shall be sold until a period of at least thirty days shall elapse from the date of its purchase or receipt. (G.O. 1943, c. 16, sec. 6)

SECTION 13.607. HOURS OF BUSINESS. No keeper of any shop shall have his shop open for the transaction of business, nor shall he purchase, sell, or barter any junk, old metals, secondhand articles, or rags, except between sunrise and 10:00 P.M. of any week day. (G.O. 1943, c. 16, sec. 7)

SECTION 13.603. REVOCATION OF LICENSE. A violation of any provision of this Article or any subsequent ordinance that may be passed pertaining to it shall of itself be sufficient cause and reason to revoke any such license. The right is

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granted to the Board of License Commissioners at any time for any other good and sufficient cause to revoke any such license. (G.O. 1943, c. 16, sec. 9)

SECTION 13.609. PENALTY. (a) It shall be unlawful for any person who is not so licensed or any person who is on notice of the revocation of his license to be a shopkeeper, collector, or dealer in the aforementioned goods; it shall be unlawful for any person who is so licensed to be a shopkeeper, collector, or dealer in such goods in any other place or manner than that designated in his license.

(b) Whoever violates any rule, regulation or restriction contained in this Article shall forfeit a sum not exceeding Fifty (\$50.00) Dollars for each offense. (G.O. 1943, c. 16, sec. 10)

ARTICLE VII. STORAGE OF JUNK MOTOR VEHICLES

SECTION 13.701. STORAGE OF JUNK MOTOR VEHICLES; LICENSE; HEARING. (a) No person as owner or as one in control of any premises in the City shall keep ungaraged upon such premises any junk motor vehicle as defined in subsection (b) hereof without being licensed to do so under this Section or under the provisions of Chapter 140, Section 50 of the General Laws.

(b) For the purpose of this Section, a junk motor vehicle shall mean any automobile or truck, which is worn out, discarded, inoperative, or unregistered and which is ready for dismantling or destruction, or which has been stored for salvage, or for stripping in order to use parts thereof. Any part of such a vehicle shall be considered a junk motor vehicle under this Section.

(c) A license to keep a junk motor vehicle or vehicles ungaraged in any area of the City shall be requested by filing an application in writing to the Board of License Commissioners, which Board may issue the license in accordance with those standards and upon such conditions as are set forth in subsection (d) hereof.

(d) The Board of License Commissioners shall hold a public hearing upon the request for a license, notice of which shall be published in a local newspaper at least seven days before the date of the hearing. Seven days notice shall also be given to abutting property owners by certified mail, return receipt requested. The applicant for the license shall pay the cost of mailing and publication of said notice. If after the public hearing the Board of License Commissioners determines that the keeping of the vehicle or vehicles will not create a threat to public health and safety, will not constitute a public nuisance, or will not depreciate property values in the surrounding area, the Board may grant a one year license upon such conditions as the Board deems conducive to the health, safety, and general well-being of the citizens of Cambridge. Renewal of said license shall be granted pursuant to the procedure set forth in subsections (c)

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and (d) hereof. A fee of Fifty (\$50.00) Dollars shall be charged for the issuance of said license.

(e) Any person who violates this Section shall be liable to a fine not exceeding Fifty (\$50.00) Dollars. Each day of violation shall constitute a separate and distinct offense. No prosecution shall be initiated to recover said fine until an alleged violator has been given notice of this Section and a reasonable opportunity to apply for a license. (Ord. No. 773, Sept. 16, 1968)

ARTICLE VIII. WASTE AND DISPOSAL COLLECTION; SALVAGE COMPANIES

SECTION 13.801. LICENSE REQUIRED. No person shall engage in the business of collection and transportation of waste and other disposed material or collection and transportation of salvaged materials unless duly licensed by the Board of License Commissioners. (Ord. No. 782, sec. 1, June 16, 1969)

SECTION 13.802. AMOUNT OF FEE. The Board of License Commissioners is authorized to establish a schedule of fees for an annual license to engage in the business of the collection and transportation of waste and collection and transportation of salvaged materials based on the number of vehicles used in the business and the tonnage transported in each vehicle. (Ord. No. 782, sec. 2, June 16, 1969)

SECTION 13.803. REVOCATION OF LICENSE. A violation of any provision of this Article or any subsequent ordinance shall of itself be sufficient cause and reason to revoke any such license. The right is granted to the Board of License Commissioners at any time for any other cause sufficient to them to revoke any such license. (Ord. No. 782, sec. 4, June 16, 1969)

SECTION 13.804. PENALTY. Any person who engages in the business of the collection and transportation of waste and other disposed material or collection and transportation of salvaged material without being licensed under this Article shall forfeit a sum not exceeding Fifty (\$50.00) Dollars for each offense and each day said person is not licensed shall constitute a separate offense. (Ord. No. 782, sec. 3, June 16, 1969)

No such license

ARTICLE IX. MISCELLANEOUS LICENSES

SECTION 13.901. ~~LODGING HOUSES. As authorized under the provisions of G.L., c. 140, sec. 23, the fee for each license granted for lodging houses in the City shall be Five (\$5.00) Dollars per annum for the first five rooms, and Five (\$5.00) Dollars for each additional room. (G.O. 1943, c. 18, sec. 7, as amended)~~

