

City of Cambridge

Agenda #6 Proposed order authorizing two MASSACHUSETTS
 changes in the Home Rule Petition re:
 appointment of traffic control officers andn City Council ----- April 25 ----- 1977
 to promulgate regulations pertaining to towing
 and removal of motor vehicles.

	YEA	NAY	ABSENT	PRESENT
Mrs. Ackermann	✓			
Mr. Clem	✓			
Mr. Clinton	✓			
Mr. Danehy	✓			
Mr. Duehay	✓			
Mrs. Graham	✓			
Mr. Russell	✓			
Mr. Sullivan	✓			
Mayor Vellucci	✓			
	9	0	0	0



City of Cambridge

IN CITY COUNCIL
April 25, 1977

Mayor Vellucci

ORDERED: That the Joint Committee on Local Affairs of the General Court of the Commonwealth wherein there has been filed and is pending a legislative Petition from the City of Cambridge for proposed legislation that the Traffic Director of the City of Cambridge be authorized to appoint Traffic Control Officers and to promulgate regulations for the towing and removal of repeatedly tagged motor vehicles is requested and authorized to correct such petition and proposed legislation, as printed, as follows:

1. On line 4 (of Section 1) change "fourth" to "fifth" so that said line reads "inserting at the end of the fifth sentence, the following".

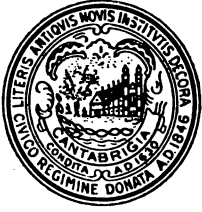
2. On lines 4 & 5 (of Section 2) delete the phrase "subject to the approval of the City Council," so that said lines 4 & 5 read "promulgate regulations that provide that any sergeant or officer of higher rank".

In City Council April 25, 1977
Adopted by a ye and nay vote:
Yeas 9; Nays 0; Absent 0.
Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

Paul E. Healy



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

RUSSELL B. HIGLEY
ACTING CITY SOLICITOR

April 22, 1977

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
CHARLOTTE C. BURRAGE
LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

Honorable James L. Sullivan
City Manager
City of Cambridge
Cambridge, Massachusetts

Dear City Manager:

Re: House Bill 5650
Traffic Department Legislation

Enclosed is an Order for referral and action to the City Council, prepared by the law department at the request of the Director of the Traffic and Parking Department requesting two changes in the Home Rule Petition for proposed legislation authorizing the traffic director of the City of Cambridge to appoint traffic control officers and to promulgate regulations for the towing and removal of repeatedly tagged motor vehicles, and now embodied as House Bill 5650 before the Committee on Local Affairs.

Will you kindly transmit this request to the City Council.

Very truly yours,

Charles A. Watson

HOUSE No. 5650

By Mr. Lombardi of Cambridge, petition of Alfred E. Vallucci (mayor), Michael J. Lombardi and another (with the approval of the mayor and city council) that the traffic director of the city of Cambridge be authorized to appoint traffic control officers and to promulgate regulations for the towing and removal of repeatedly tagged motor vehicles. Local Affairs. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT AUTHORIZING THE TRAFFIC DIRECTOR OF THE CITY OF CAMBRIDGE TO APPOINT TRAFFIC CONTROL OFFICERS AND TO PROMULGATE REGULATIONS FOR THE TOWING AND REMOVAL OF REPEATEDLY TAGGED MOTOR VEHICLES.

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

1 SECTION 1. Section 1 of Chapter 455 of the Acts of 1961 as
2 amended by Section 7 of Chapter 786 of the Acts of 1962 and by
3 Chapter 340 of the Acts of 1972 is hereby further amended by
4 inserting at the end of the fourth sentence, the following
5 "including parking control officers as provided in Section 10F of
6 Chapter 147 of the General Laws, and notwithstanding the
7 provisions of said Section 10F of Chapter 147, the traffic director
8 shall appoint the same." so that said fourth sentence shall read
9 "Upon recommendation of the traffic director, the city manager
10 shall have authority to create subordinate staff positions in the
11 department of traffic and parking including parking control
12 officers as provided in Section 10F of Chapter 147 of the General
13 Laws, and notwithstanding the provisions of said Section 10F of
14 Chapter 147, the traffic director shall appoint the same."

1 SECTION 2. Said Chapter 455 of the Acts of 1961 is hereby
2 further amended by inserting after paragraph (d) of Section 3 of
3 said Chapter 455 the following, — (e) The Traffic Director may
4 promulgate regulations, subject to the approval of the City
5 Council, that provide that any sergeant or officer of higher rank
6 in the police department may cause to be removed to some

7 convenient place by towing by an independent contractor any
8 vehicle, except a vehicle owned by the Commonwealth or a
9 political subdivision thereof or by the United States or an
10 instrumentality thereof or registered by a member of a foreign
11 diplomatic corps or by a foreign consular officer who is not a
12 citizen of the United States and bearing a distinctive number plate
13 otherwise conspicuously marked as so owned or registered, and
14 except also a vehicle owned by a disabled veteran and bearing a
15 distinctive number plate authorized by the General Laws which
16 is parked or standing on any part of any street, way, highway,
17 road or parkway if in the preceding calendar year in which such
18 vehicle if so removed and in the preceding calendar year, five or
19 more notices, in the aggregate, have been affixed to said vehicle as
20 provided in Section 20C of Chapter 90 of the General Laws and
21 remain unpaid and the cost of such removal and of storage
22 charges resulting therefrom, in accordance with the traffic
23 regulations then in effect, shall be imposed upon the owner of
24 such vehicle. Any such vehicle so removed shall be held until all
25 charges imposed for such removal and storage following the same
26 have been paid and due notice has been received that the fines
27 provided in such notices affixed to said vehicle have been paid or
28 security for the payment thereof has been deposited. The police
29 department shall promptly mail written notice to the registered
30 owner of any such vehicle so removed, directed to the address
31 furnished by the Registry of Motor Vehicles or comparable
32 agency of the State in which said vehicle is registered, stating the
33 date on which such vehicle was removed, the location to which
34 such vehicle has been removed, and a statement that the vehicle
35 shall be released by the police on the payment of all fines, storage
36 and towing charges, due. Any such vehicle so removed shall be
37 deemed to have been abandoned and may be disposed of in
38 accordance with Section 22C of Chapter 90 of the General Laws
39 if, within thirty days of the mailing of the notice to the registered
40 owner as provided for herein, said owner has not paid all charges
41 imposed for such removal and storage following the same and the
42 fines provided in such notices affixed to said vehicle.



CITY OF CAMBRIDGE

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ACTING CITY SOLICITOR

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LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

April 22, 1977

Honorable James L. Sullivan
City Manager
City of Cambridge
Cambridge, Massachusetts

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Traffic Department Legislation

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Will you kindly transmit this request to the City Council.

Very truly yours,

Charles A. Watson



City of Cambridge

IN CITY COUNCIL

April 25, 1977

Mayor Vellucci

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2. On lines 4 & 5 (of Section 2) delete the phrase "subject to the approval of the City Council," so that said lines 4 & 5 read "promulgate regulations that provide that any sergeant or officer of higher rank".

HOUSE No. 5650

By Mr. Lombardi of Cambridge, petition of Alfred E. Vallucci (mayor), Michael J. Lombardi and another (with the approval of the mayor and city council) that the traffic director of the city of Cambridge be authorized to appoint traffic control officers and to promulgate regulations for the towing and removal of repeatedly tagged motor vehicles. Local Affairs. [Local Approval Received.]

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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:

1 SECTION 1. Section 1 of Chapter 455 of the Acts of 1961 as
2 amended by Section 7 of Chapter 786 of the Acts of 1962 and by
3 Chapter 340 of the Acts of 1972 is hereby further amended by
4 inserting at the end of the fourth sentence, the following
5 "including parking control officers as provided in Section 10F of
6 Chapter 147 of the General Laws, and notwithstanding the
7 provisions of said Section 10F of Chapter 147, the traffic director
8 shall appoint the same." so that said fourth sentence shall read
9 "Upon recommendation of the traffic director, the city manager
10 shall have authority to create subordinate staff positions in the
11 department of traffic and parking including parking control
12 officers as provided in Section 10F of Chapter 147 of the General
13 Laws, and notwithstanding the provisions of said Section 10F of
14 Chapter 147, the traffic director shall appoint the same."

1 SECTION 2. Said Chapter 455 of the Acts of 1961 is hereby
2 further amended by inserting after paragraph (d) of Section 3 of
3 said Chapter 455 the following. — (e) The Traffic Director may
4 promulgate regulations, (subject to the approval of the City
5 Council) that provide that any sergeant or officer of higher rank
6 in the police department may cause to be removed to some

7 convenient place by towing by an independent contractor any
8 vehicle, except a vehicle owned by the Commonwealth or a
9 political subdivision thereof or by the United States or an
10 instrumentality thereof or registered by a member of a foreign
11 diplomatic corps or by a foreign consular officer who is not a
12 citizen of the United States and bearing a distinctive number plate
13 otherwise conspicuously marked as so owned or registered, and
14 except also a vehicle owned by a disabled veteran and bearing a
15 distinctive number plate authorized by the General Laws which
16 is parked or standing on any part of any street, way, highway,
17 road or parkway if in the [preceding] calendar year in which such
18 vehicle if so removed and in the preceding calendar year, five or
19 more notices, in the aggregate, have been affixed to said vehicle as
20 provided in Section 20C of Chapter 90 of the General Laws and
21 remain unpaid and the cost of such removal and of storage
22 charges resulting therefrom, in accordance with the traffic
23 regulations then in effect, shall be imposed upon the owner of
24 such vehicle. Any such vehicle so removed shall be held until all
25 charges imposed for such removal and storage following the same
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42 fines provided in such notices affixed to said vehicle.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 876-8800

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

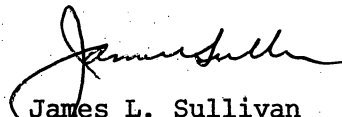
April 25, 1977

To the Honorable, the City Council:

With reference to the proposed legislation authorizing the traffic director of the City to appoint traffic control officers and to promulgate regulations for towing and removal of repeatedly tagged motor vehicles, I transmit herewith self-explanatory communication from Charles A. Watson, Legislative Agent for the City, together with a proposed order authorizing two changes in the Home Rule Petition.

Passage of the enclosed order is recommended.

Very truly yours,


James L. Sullivan
City Manager

JLS/b

Proposed legislation authorizing the Traffic Director of the City to appoint Traffic control officers and to promulgate regulations pertaining to towing and removal of motor vehicles, with a proposed order authorizing two changes in the Home Rule Petition.

In City Council,

April 25, 1977

4/25/77

Order

Adopted

7-0-0

4/26/77

beg. Agent filed

amendment to Home

Rule Petition-