

A1.

To the Honorable, the City Council:

The undersigned hereby petition the City Council of the City of Cambridge to amend the Zoning Ordinance of the City of Cambridge by adjusting the existing ability of the Superintendent of Buildings to issue fines for violations of the Zoning Ordinance. This will not only save the city the expense of the current cumbersome court process but also accelerates successful compliance with all parts of the Zoning Ordinance. Any alleged violator would also be able to contest any fine through the existing Board of Zoning Appeals process which is far less costly than a court proceeding. Further, the Board of Zoning Appeals decision can be appealed to the court system so no rights are taken away by this change.

This change directly supports the fundamental goals of the Zoning Ordinance as stated in Section 1.30:

It shall be the purpose of this Ordinance ... conserve health ... to conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment; to encourage the most rational use of land throughout the city, including ... the protection of residential neighborhoods from incompatible activities ... and to preserve and increase the amenities of the City.

2011 JUN 28 PM 3:03

Amend the Zoning Ordinance of the City of Cambridge by doing the following:

Change Section 9.16 from:

Any person, firm or corporation who violates or refuses to comply with any of the provisions of this Ordinance may, upon conviction, be fined a sum not to exceed one hundred dollars for each offense. Each day, or portion of a day, that any violation is allowed to continue shall constitute a separate offense.

to:

Any person, firm or corporation who violates or refuses to comply with any of the provisions of this Ordinance may, upon the discretion of the Superintendent of Buildings, be fined a sum not to exceed the maximum specified in M.G.L Chapter 40A for each offense. Each day, or portion of a day, that any violation is allowed to continue shall constitute a separate offense.

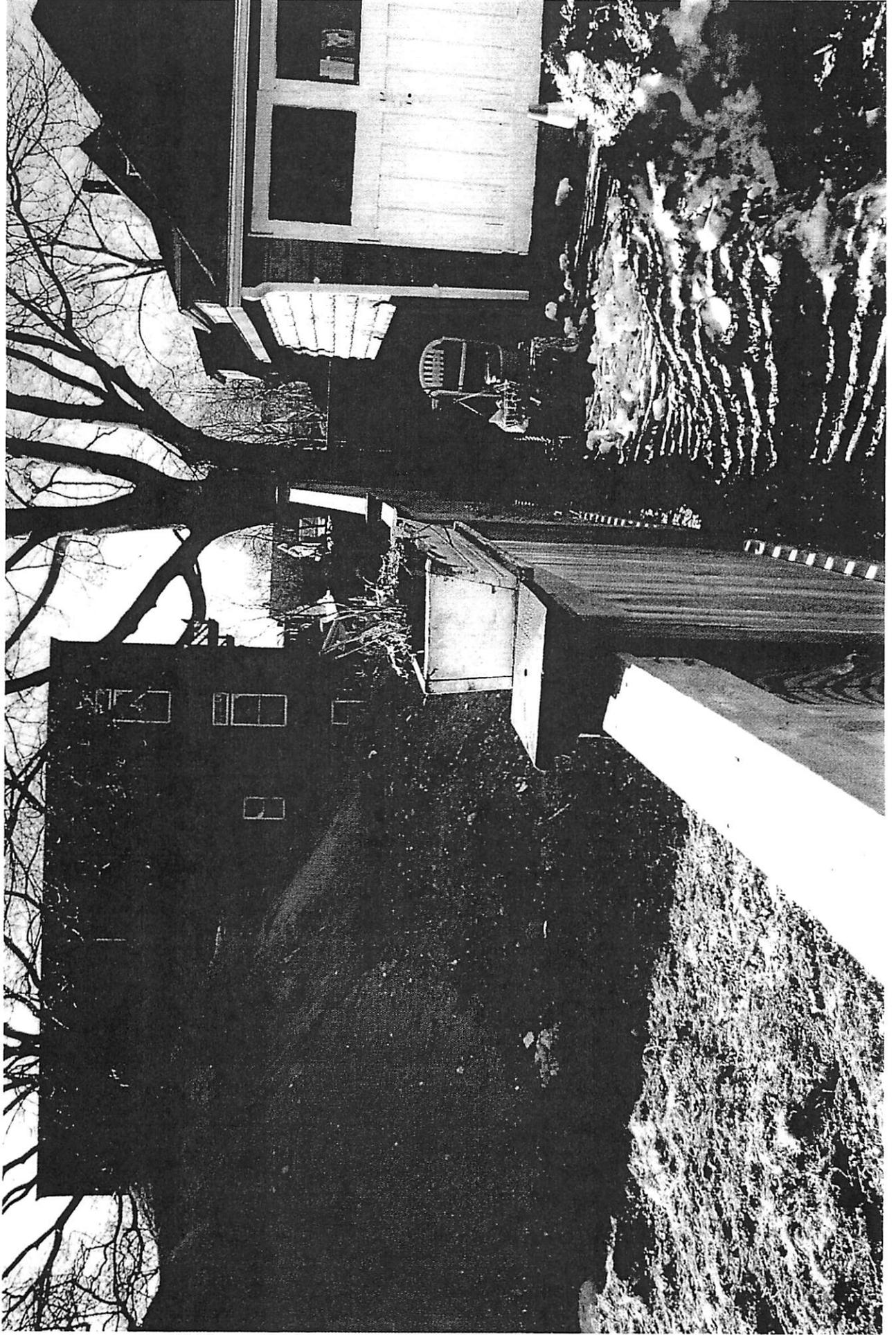
Name	Address
Elizabeth M. de Kham	20 Middlesex St. Camb. 02140

Name (signature)	Address (and PRINT name)
William McArthur	50 Church Hill ^{APT} 418
Samuel M. ...	50 Churchill ^{APT #} 229
...	... 2140
Michael Foley	50 CHURCHILL AVE
Melvin E Wallon	50 Churchill Ave #435 Pawtucket, MA 02140.
John S. Harnes	50 CHURCHILL AVE. APT. 124
Russell Best	50 Churchill Ave ^{APT.} 519
...	17 Cottage Park Ave ✓
Jon Millner	7 Cottage Park Ave ✓
Robert J. Cyr	13 Cottage Park Ave ✓

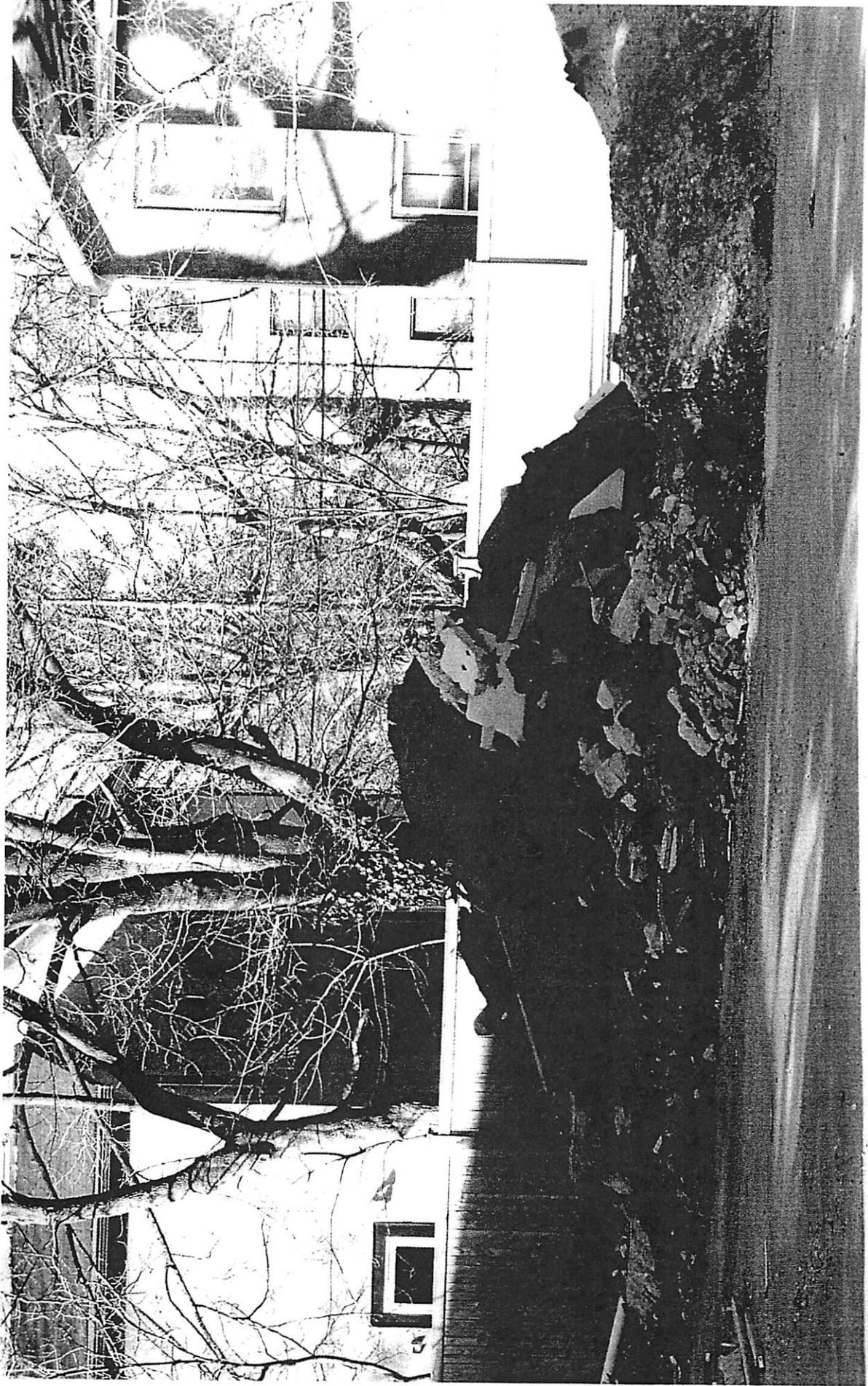
Name (signature)	Address (and PRINT name)
<i>Heather Hoffman</i>	213 Hurley Street (W1, P1) Heather Hoffman ✓
<i>Dexter Ames</i>	6 Avon Place DEXTER AMES ✓
<i>Richard D. Barry</i>	[unclear] [unclear] ✓
<i>Carolyn M. [unclear]</i>	15 Brookfield St Cambridge, MA 02140 ✓
<i>Peter Whitten</i>	55 Magazine St Cambridge 02139 ✗
<i>Mark Anderson</i>	810 MASS AVE CAMBRIDGE MA 02139 ✗
<i>William Roberts</i>	237 Franklin St Cambridge MA 02139 ✗
<i>Donald W. [unclear]</i>	GERALD WINTER 237 FRANKLIN ST CAMBRIDGE ✓
<i>May White</i>	175 Harvey St #9 Cambridge MA 02140 ✓
<i>Mabel [unclear]</i>	175 Harvey St. #10 Cambridge MA 02140 ✓
<i>E. G. [unclear]</i>	98 MASS GEMERY ST. CAMBRIDGE, MA 02140 ✓
<i>Ke A</i>	42 Brookford St. Cambridge MA 02140 ✓
<i>Richard Andrew [unclear]</i>	30 Churchill Ave #311 Cambridge, MA 02140 ✓
<i>PA Anderson</i>	30 Churchill Ave #403 Cambridge, MA 02140 ✓
<i>[unclear]</i>	Julia Bishop Cottage Pk. Ave. Camb. 02140 ✓
<i>[unclear]</i>	17 Cottage Pk. Ave ✓

St John's Redevelopment Feb 2010

Year 5+

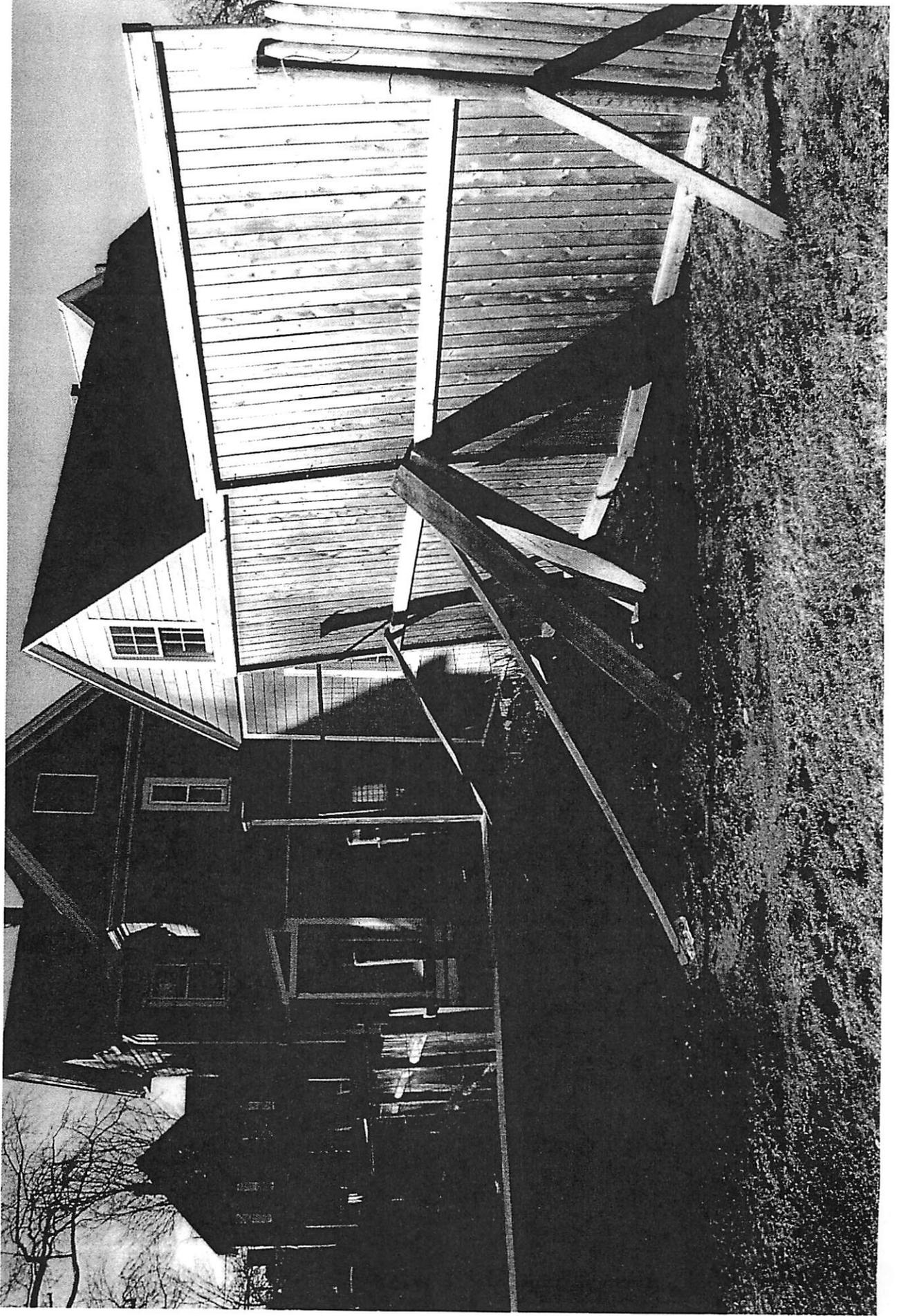


St John's Redevelopment Feb 2010



St John's Redevelopment Feb 2010

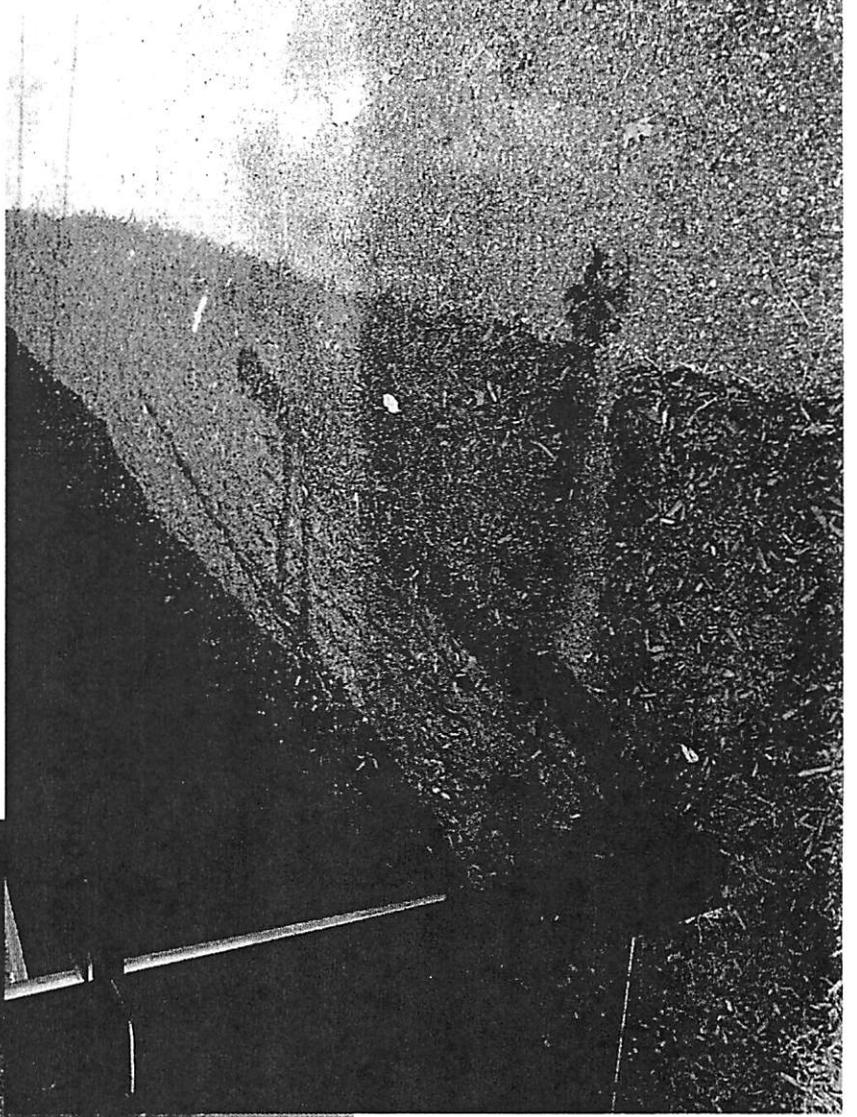
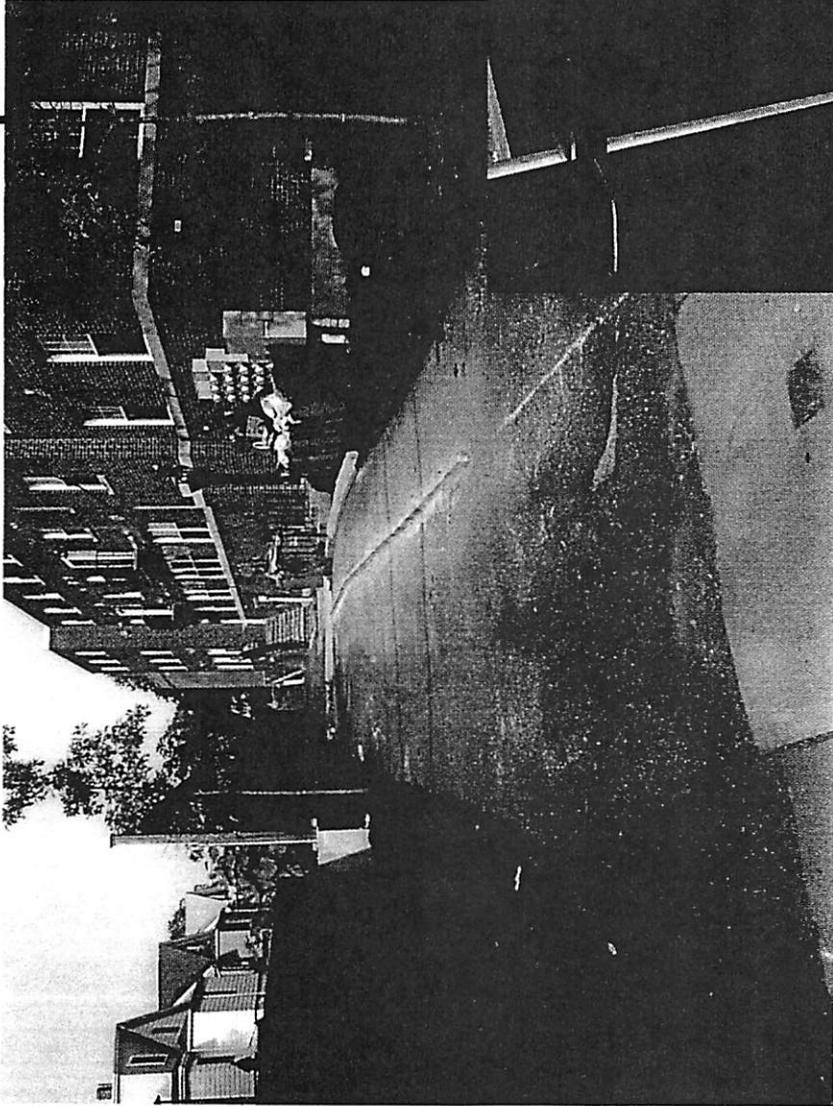
Year 5+



St John's Redevelopment April 2010



St John's Redevelopment Sept 2011



St John's School Redevelopment

- Variance & Special Permit conditions from 2005
- Neighbors at community meeting in Feb 2010
- “clean up in two weeks”
 - Armed with neighborhood petitions
- **11 MONTHS** for clean up
 - (tens of) thousands of tax dollars spent
 - No fines possible
 - Tenants still living in 19 unit apartment building without Certificate of Occupancies
 - NONE of three Affordable Units occupied

Two Changes

- #1
 - *from*: one hundred dollars
 - *to*: the maximum specified in M.G.L. Chapter 40A
- #2
 - *from*: conviction
 - *to*: the discretion of the Superintendent of Buildings

Two Improvements

- #1 Maximize the fines
 - To maximize effectiveness
- #2 Give Commissioner the authority to do his job
 - Common sense proposition
 - Commissioners have always exercised restraint
 - And fairness
 - Board of Zoning Appeals process
 - Quick
 - Inexpensive
 - Simple

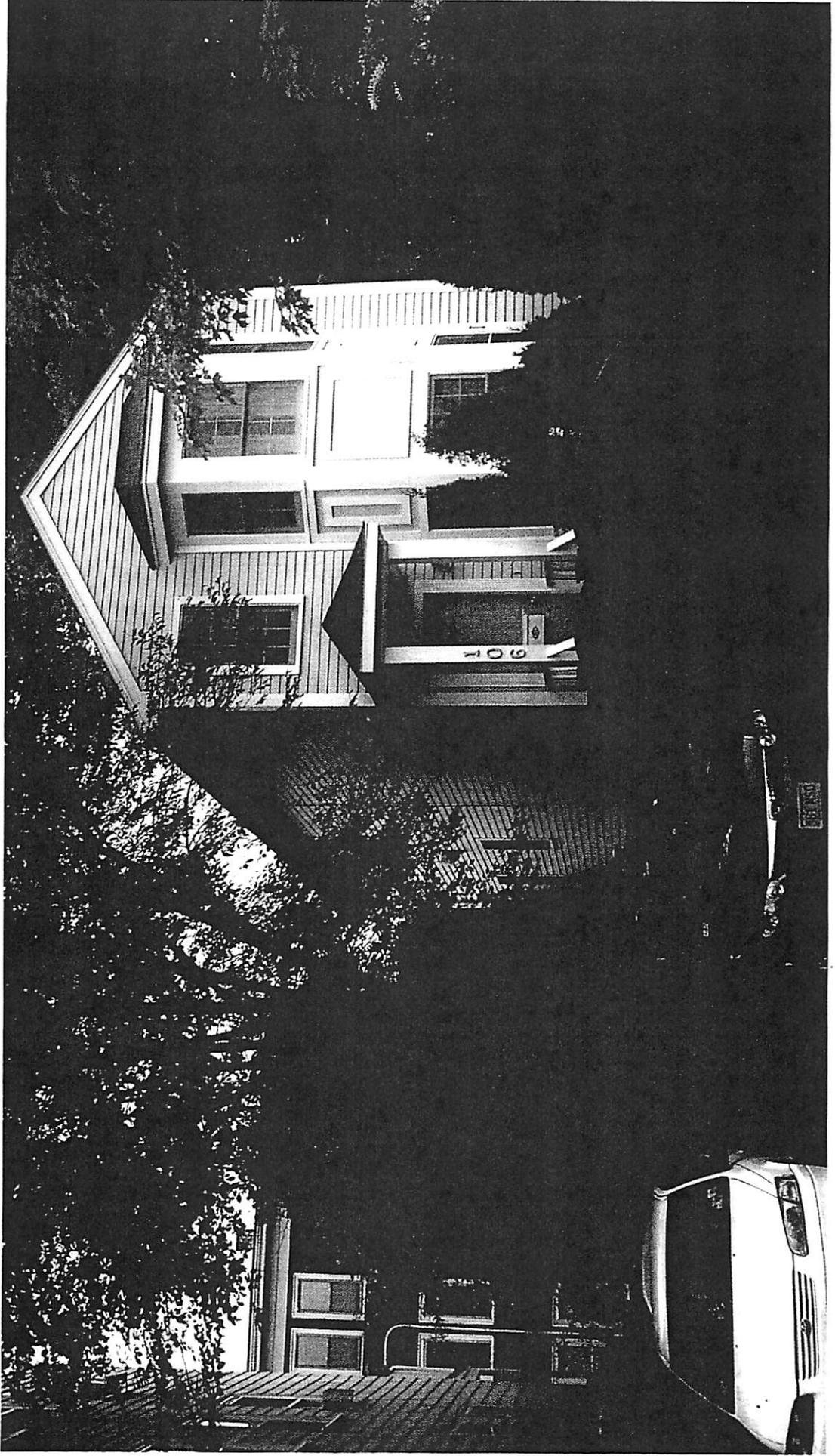
Building Inspector's Limited Toolkit

- “Stop Work Order”
 - There has to be work to be stopped
- Application for Criminal Complaint
 - Only after multiple warnings
 - ISD hires outside attorney
 - Attorney & Inspectors appear before magistrate
 - Violator usually given more warnings
 - Complaint issues
 - Private attorney continues to prosecute
 - Usual court process
 - Many delays
 - Scheduling issues

Tickets Written Out Now By Others

- Traffic Tickets
- Parking Tickets
- Trash Tickets
- Snow Removal Tickets

“The Sliver House”, Harvey St

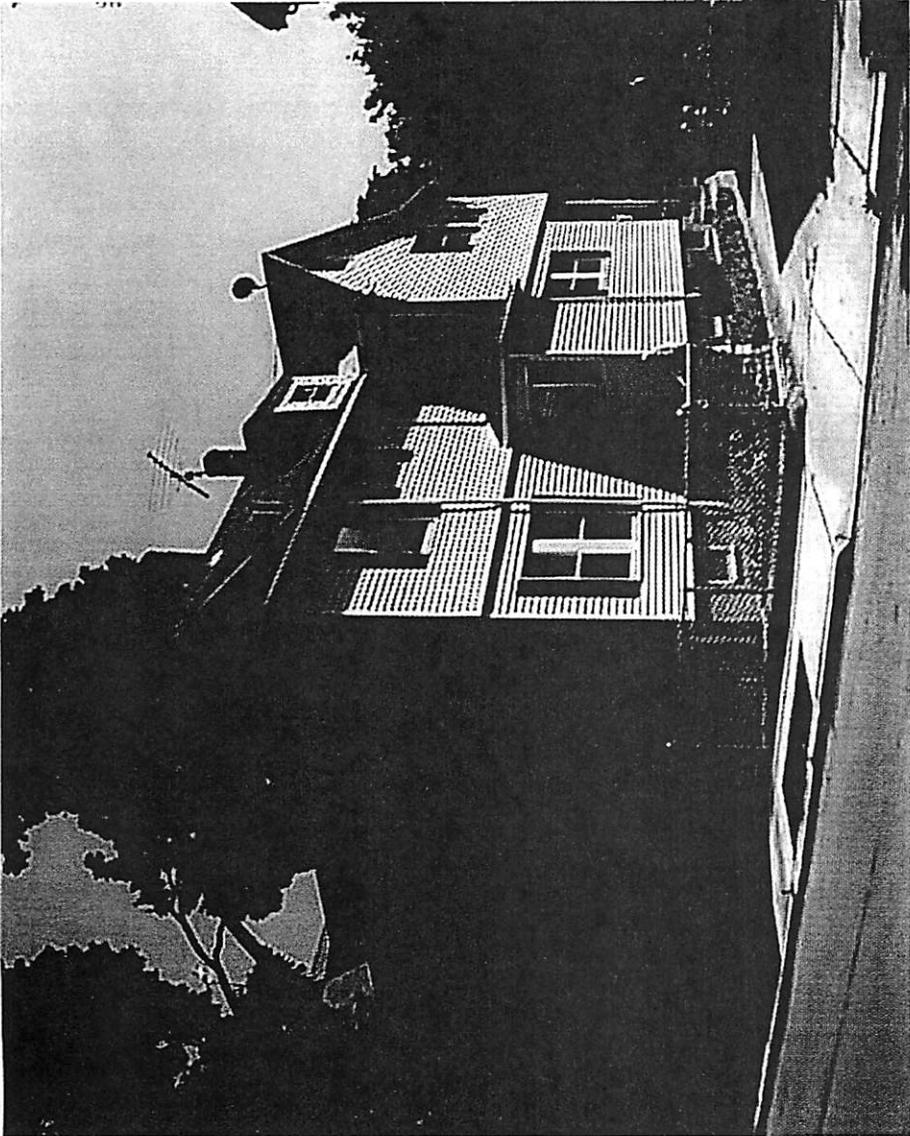
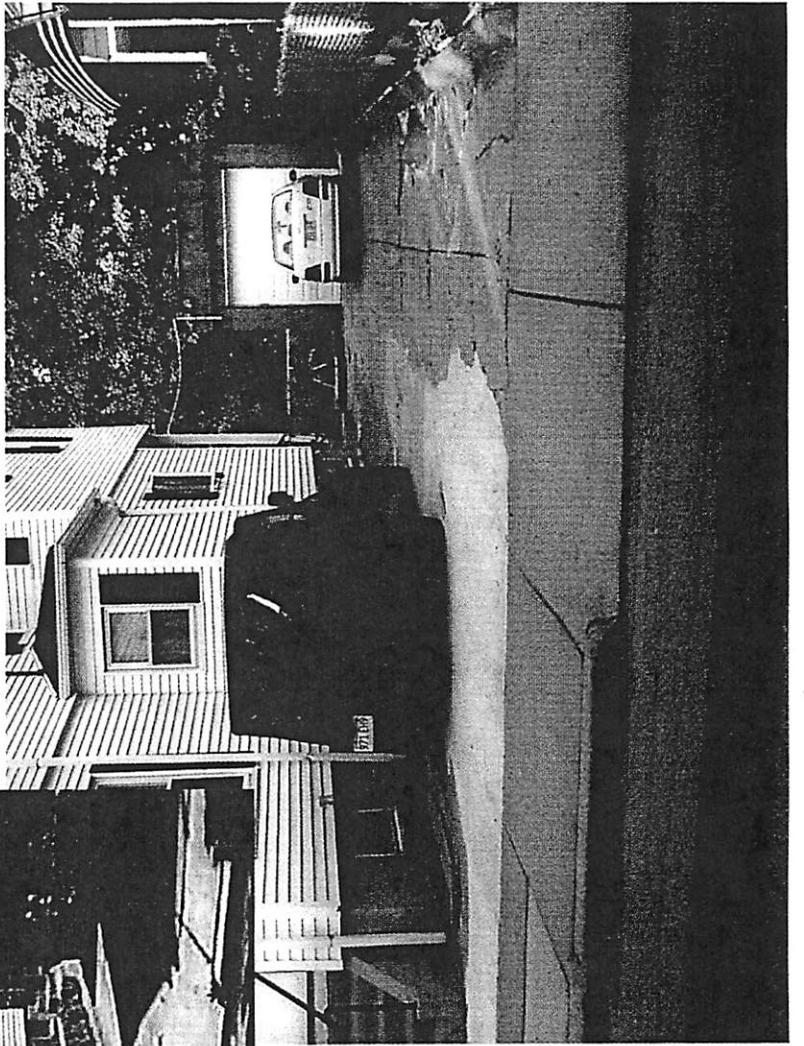


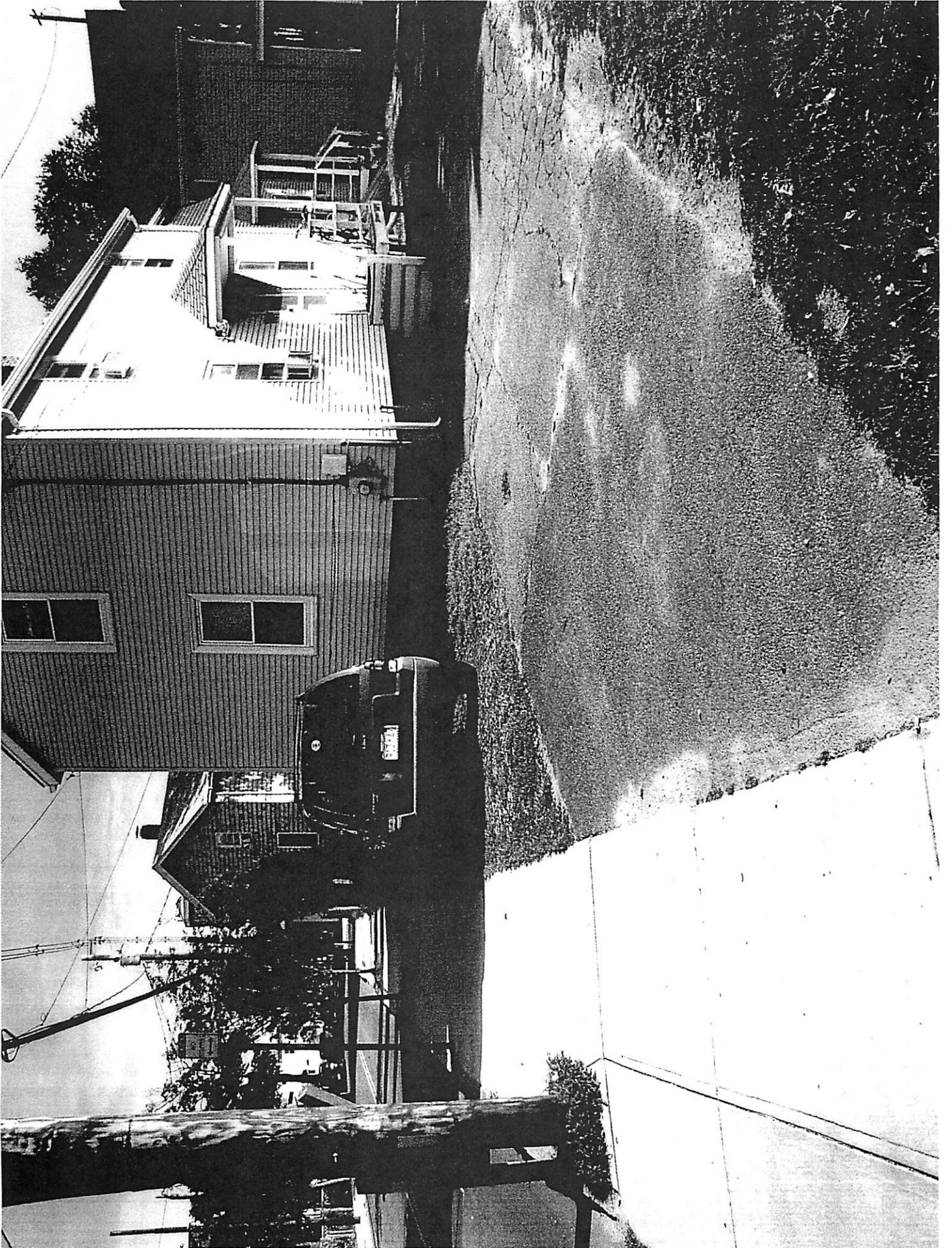


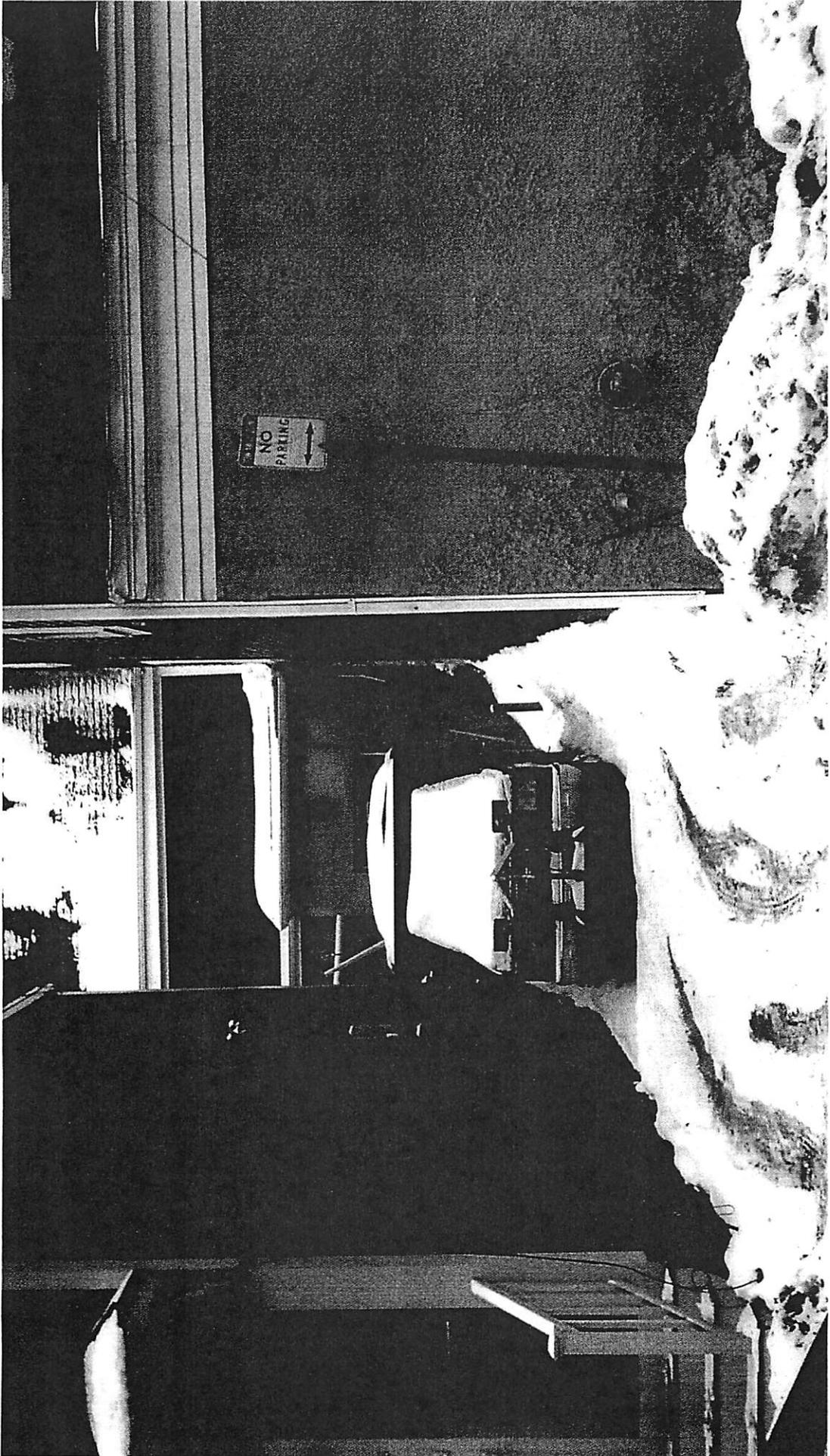
Back-out →

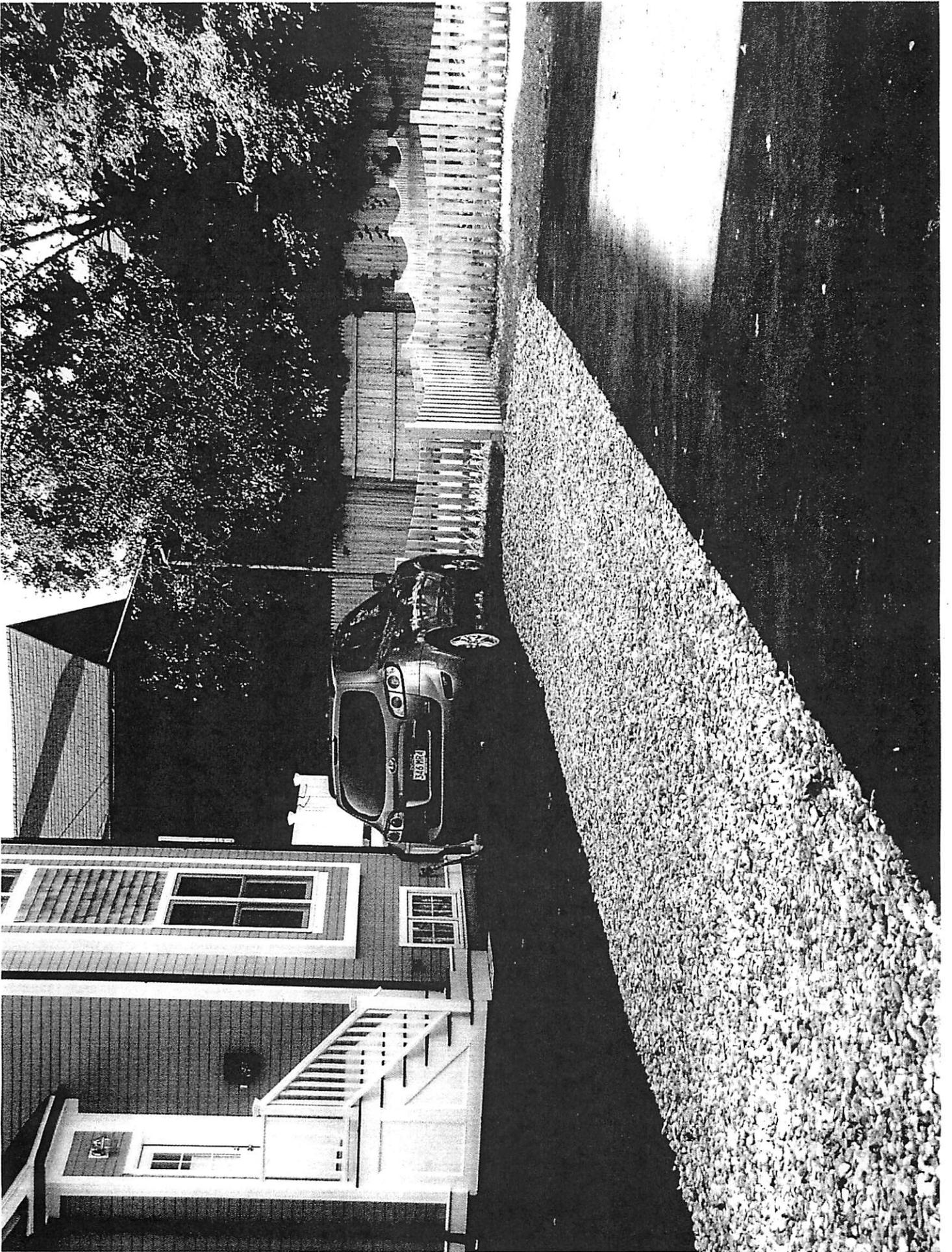
← Back in

↑ Drive carefully









**We already trust them with our
lives ...**

**The de Rahm Petition
Enables Zoning Tickets**

Superintendent of Buildings

- Commonwealth of Massachusetts
 - The Building Code
 - Fundamental safety for everybody
 - The State Sanitary Code
 - M.G.L. 40A
 - The State Zoning Law
 - Chief Enforcement Officer